

Original
Billboard Sign Ordinance



**AN ORDINANCE REGULATING OUTDOOR BILLBOARD SIGNS
AND ESTABLISHING PERMIT REQUIREMENTS FOR THE
CONSTRUCTION AND MAINTENANCE OF OUTDOOR
BILLBOARD SIGNS IN RANKIN COUNTY, MISSISSIPPI
ADOPTED MARCH 15, 2001**

For the purpose of this Ordinance, an "Outdoor Billboard Sign" shall be defined as any off-premises identification, description, illustration or device, illuminated or non-illuminated and intended to be visible from outdoors, fixed upon land, a structure or building, including ground-mounted signs erected on a freestanding frame, mast or pole, and not attached to any building, and including post-mounted signs not attached to a building and which is supported by a single stationary post or pole and including portable signs which direct attention to a product, service, place, activity, person, institution, or business. "Outdoor Billboard Sign" shall also be defined as any on-premises identification, description, illustration or device, illuminated or non-illuminated and intended to be visible from outdoors, having a surface area of more than 50 square feet, and fixed upon land, including ground-mounted signs erected on a freestanding frame, mast or pole, and not attached to any building which is supported by a single stationary post or pole. Signs erected by an authorized public agency for the purpose of directing traffic or providing information are not affected by these regulations; national and state flags, when properly displayed, are not considered a sign under these regulations.

PURPOSE OF ORDINANCE

The purpose of this Ordinance is to regulate, through the permitting process, Off-Premises Outdoor Billboard Signs, as defined herein, and regulation by permitting and other means, of all On Premises Outdoor Billboard Signs, as defined herein, including any and all other signs, including but not limited to balloons, banners, streamers, stake signs and the like, as defined herein for the following reasons:

- a. To assure that such signs will be appropriate to the land or use to which they are appurtenant, thereby protecting the character, safety and economic stability of the surrounding property.

- b. To assure that such signs will be adequate, but not excessive, for their intended purpose, and to protect property values.
- c. To prohibit the erection, placement or retention, (in the case of signs existing prior to the adoption of this Ordinance) of any sign which in any way constitutes a hazard to the public health, safety and general welfare; such regulation authorized by Mississippi law, including, but not limited to Section 19-3-40 and Section 19-3-41 of the Mississippi Code of 1972, as amended.
- d. To prohibit the erection, placement, or retention of any sign which constitutes a nuisance by reason of glare, noise, animation, flashing, excessive clutter due to excessive signs or other objectionable influence.

PERMITS REQUIRED

- a. All permanent Off-Premises Outdoor Billboard Signs and On-Premises Billboard Signs regulated under this Ordinance shall require a permit. No such sign shall hereafter be erected, constructed, displayed, replaced, altered, or maintained except as provided in this Ordinance and as specified in the *SOUTHERN STANDARD BUILDING CODE*, until a permit for the same has been issued by the Building Inspector or his designee. The term "Off-Premises Sign" shall mean a sign which advertises an activity, business, product or service not conducted on the premises on which the sign is located. The term "On-Premises Sign" shall mean a free-standing sign exceeding 50 square feet in surface area which advertises an activity, business, product or service conducted on the premises on which the sign is located.
- b. Electrical permits as required shall be obtained at the same time as the sign permit.
- c. Applications for sign permits shall be filed with the Building Inspector, or his designee, on forms provided by the Building Inspector and approved by the Rankin county Board of Supervisors. The permit application shall contain the location of the sign structure, sign type requested, the name and address of the sign owner and of the sign erector, the name, address and signature of the property owner if different from the sign owner, drawings showing the design, location,

materials, finishes of the sign and such other pertinent information as the Building Inspector may require to insure compliance with the Ordinance. The Building Inspector will maintain a record of all applications and permits. A separate application form shall be submitted for each sign to be erected.

- d. An application fee of \$100.00 for signs containing 150 square feet or less; \$250.00 for signs in excess of 150 square feet, is established which shall be paid simultaneously with the submission of the application for the sign permit.

PERMIT NULLIFICATION

A sign permit shall become null and void if (1) the work for which the permit was issued has not been completed within a period of six (6) months after the date of the permit; or, (2) the sign varies in any respect from the approved design or location. A new application with fee is required in the event of any nullification.

SIGNS ALLOWED WITHOUT PERMITS

The following signs are subject to regulations, and may be erected, constructed and maintained; but permits are not required. These signs shall be erected in a manner which is consistent with "THE PURPOSES" of this Ordinance and are subject to regulation. Any person who plans to install these signs should contact the Rankin County Building Inspector's Office for details.

- a. Signs approved through Rankin County's normal and existing site plan approval procedure.
- b. On-Premises advertising signs attached to any building and ground-mounted or pole signs having less than 50 square feet of surface area.
- c. Subdivision identification entrance signs.
- d. Temporary political signs.
- e. Temporary signs advertising the sale or lease of real estate when located upon property to which the sign refers and when not located closer than 10 feet to a lot line, which signs shall be removed upon the sale or lease of the property.
- f. Temporary ground signs advertising future use or development of property on which such signs are located

provided such signs do not exceed 100 square feet in area and are properly maintained.

- g. Off-premises real estate signs for new real estate developments with three or more lots for sale shall be allowed one (1) sign at the entrance to the subdivision to advertise lots for sale for a period of two (2) years. Off-premises real estate signs shall not exceed 20 square feet nor shall be more than 5 feet high.
- h. Church or public building bulletin boards not exceeding 24 square feet in area. Church, Public or Semi-Public Building and Public Park identification signs.
- i. Traffic, directional and official public information signs.
- j. Historical markers as recognized by local, State or Federal authorities.
- k. Bench signs containing advertising messages.
- l. Miscellaneous on-premises yard signs and home occupation signs not exceeding 35 square feet in area and rising no higher than 8 feet as measured from surrounding grade.
- m. The installation and/or erection of numerous pole or stake signs, banners shall be regulated to avoid clutter and these signs are subject to enforcement as outlined on page eight (8) of this Ordinance. Lot width, building size, activity, intent, purpose, surrounding conditions and other factors will be considered when determining these conditions.

GENERAL REGULATIONS OF SIGNS

All other signs requiring a permit shall be subject to the following regulations:

- a. Permitted signs shall not be illuminated by flashing or intermittent lights and shall have no moving parts, except that *Tri-Vision* type action signs are allowed.
- b. Permitted signs shall not be erected within 100 feet of road or street intersections or 500 feet of the intersection of two primary or interstate highways.
- c. There shall not be more than one sign for each 500 lineal feet of roadway frontage.
- d. No ground signs or advertising billboards shall be at any point over 40 feet above the ground level of the existing roadbed nearest the location of said sign, and shall have an

open space of at least eight (8) feet between the lower edge of such sign and the ground level. The ends of all signs shall be at least six feet distant from any wall or fence or any obstruction that would prevent a clear passage around the ends and shall be at least 10 feet distant from any lot line. No sign or structure for supporting a sign shall be located within 500 feet of another sign of the type requiring a permit under this Ordinance except new businesses erecting on premise business signs.

- e. No permitted sign shall exceed 400 square feet in total surface area or 800 square feet for the total of both sides. For the purposes of this Ordinance, the term "surface area" shall mean the total space to be used for advertising purposes, including the spaces between open-type letters and figures, including the background structure, or other decoration or addition which is an integral part of the sign. Sign supports shall be excluded in determining the area of a sign. A double faced sign shall be allowed the total area of a single faced sign on each face.
- f. No sign or structure for supporting a sign shall be permitted within 15 feet of the right of way of any public road, nor within 100 feet of any dwelling or any public road intersection, as measured from the right of way. No permitted sign shall be placed nearer than 1500 feet from the boundary line of any lot of a platted subdivision.
- g. Signs must be located within 500 feet of the boundary line of property whereupon commercial activity or business enterprise is routinely conducted.
- h. Signs located along Primary, (State) and Interstate Highways shall be subject to any additional regulations imposed by the Mississippi State Highway Department.
- i. Portable signs to be used as permanent signs are prohibited except as may be permitted by the Board of Supervisors; provided however that such signs must be securely fastened or otherwise secured and shall not exceed 50 square feet of surface area on each facing.
- j. All signs over 100 square feet in size shall be of single pole, steel construction.
- k. The light for or from any illuminated sign shall be so shaded, shielded or directed that the light intensity will not be

objectionable to surrounding areas. Neither direct nor reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles.

- l. No colored lights shall be used on any sign at any location in any manner so as to be confused with or construed as traffic control devices. Signs or devices which by color, location or design resemble or conflict with traffic control signs or devices are prohibited.
- m. Signs which are made structurally sound by guide wires or bracing are prohibited.
- n. Signs which are not expressly permitted by this Ordinance are prohibited.
- o. Electrical requirements for all signs shall conform to the pertinent requirements of the current *National Electrical Code*.

MAINTENANCE

All signs and components thereof shall be kept in good repair and in safe, neat, clean and attractive condition.

REMOVAL OF SIGN

The Building Inspector or his designee, shall give written notice for the removal of any permanent sign erected or maintained in violation of this Ordinance. Upon failure to comply with this notice within thirty (30) days, the Building Inspector or his designee, shall remove the sign. The Building Inspector or his designee shall remove any sign immediately and without notice if the sign presents an immediate threat to the safety of the public. Any cost of sign removal shall be at the expense of the property owner.

EXISTING NON-CONFORMING SIGNS

Signs which were legally in existence prior to the adoption of this Ordinance which do not conform to the provisions of this Ordinance are declared non-conforming signs. It is the intent of this section to recognize that the eventual elimination, as expeditiously and fairly as possible, of non-conforming signs is as much a subject of health, safety and welfare as is the prohibition of new signs that would violate the

provisions of this Ordinance. Any non-conforming signs may be continued in operation and maintenance after the effective date of this Ordinance, provided that non-conforming signs shall not be:

- a. Changed to or replaced with another non-conforming sign.
- b. Structurally altered so as to extend their useful life.
- c. Expanded.
- d. Relocated.
- e. Re-established after damage of more than fifty percent (50%) of the value at the time of such damage or destruction.
- f. Modified in any way that would increase the degree of non-conformity of such sign.

Nothing in this Ordinance shall prevent the strengthening or restoring to a safe condition of any portion of a sign or structure declared unsafe by the Building Inspector or his designee. Such signs may be improved only to the extent that such improvement does not exceed fifty percent (50%) of the current market value of the existing sign structure.

Any non-conforming sign or sign structure which is partially destroyed by fire, accident or natural cause beyond fifty percent (50%) of its current market value shall thereafter be removed or reconstructed in conformance to the provisions of this Ordinance.

Abandonment or obsolescence of a non-conforming sign shall terminate immediately the right to maintain such a sign.

ENFORCEMENT

The Building Inspector or his designee, is hereby authorized and directed to enforce all of the provisions of this Ordinance. Upon presentation of proper credentials, the Building Inspector or his designee may, at all reasonable times, enter upon the premises whereupon a sign may be located to perform any duty imposed upon him by this Ordinance.

VARIANCES

A variance may be granted by the Board of Supervisors for location and amount of surface area of signs only.

APPEAL FROM DECISION OF THE BUILDING INSPECTOR

The decision of the Building Inspector, or his designee, may be appealed to a Hearing officer selected by the Board of Supervisors. All appeals shall be submitted in writing to the Building Inspector within thirty (30) days of receipt of the decision. The appellant shall cite the grounds for appeal of the decision. The Hearing Officer shall render a written decision within thirty (30) day's receipt of the appeal unless there is a mutual agreement for an extension of such time. An appeal may be taken from the decision of the Hearing Officer by submitting, in writing, an appeal to the Board of Supervisors and such appeal shall cite the grounds for appeal of the Hearing Officer's decision. The Board of Supervisors shall render its decision within sixty (60) days of receipt of the appeal.

PENALTIES

Any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon a conviction thereof, shall be fined not more than Fifty Dollars, (\$50.00). Each day's continuance of a violation shall be considered a separate offense and punishable as such. The owner of any sign, building or premises, or part thereof, where anything in violation of this Ordinance shall be placed, or shall exist, and any person who may have knowingly assisted in the commission of any such violation, shall be guilty of a separate offense.

SEVERABILITY

If any section or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared invalid.

EFFECTIVE DATE

This Ordinance shall be in force and take effect from and after the date of its adoption. This Ordinance replaces and supercedes any prior existing Ordinance regulating Outdoor Billboard Signs as defined herein.