

Ordinance Number 295
Sign Ordinance
City of Senatobia, Mississippi

#1 Purposes.

This ordinance is adopted for the following purposes:

- a) To encourage the effective use of signs as a means of communication in the city;
- b) To maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth;
- c) To minimize the possible adverse effects of signs on nearby public and private property;
- d) To enable the fair and consistent enforcement of these sign restrictions.

#2. Definitions and interpretation.

For the purposes of this ordinance the following definitions shall apply:

Animated sign Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

Banner Any sign of lightweight fabric or similar material that is permanently mounted to a pole by a permanent frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

Billboard A sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

Changeable copy sign A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this ordinance. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this ordinance.

Flag Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.

Ground level Immediate surrounding grade.

Ground sign A sign mounted at or near ground level the face of which is no more than thirty-six (36) inches and no less than twenty-four (24) inches above the centerline of the adjacent street or right of way.

Incidental sign A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking," "entrance," "loading only," "telephone," and other similar directives. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental.

Lot Any piece or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument of record, that is recognized and intended as a unit for the purpose of transfer of ownership.

Nonconforming sign Any sign that does not conform to the requirements of this ordinance.

Office Park A project of one or more buildings that has been planned as an integrated unit or cluster on property that is under unified control or ownership.

Off Premises Sign A sign directing attention to a business, profession, commodity, service or entertainment conducted, sold or offered elsewhere than upon the premises where the sign is maintained, including, but not limited to, billboard signs.

Pennant Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

Portable Sign Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

Projecting sign Any sign affixed to a building or wall in such a manner that its leading edge extends more than eighteen (18) inches beyond the surface of such building or wall.

Residential sign Any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located, if offering such service at such location conforms with all requirements of the zoning ordinance.

Roof sign Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

Setback The distance from the property line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line.

Shopping center A commercial area consisting of two or more retail businesses providing convenience goods, general merchandise, office or recreational activities; providing for off-street parking adjacent to such activities.

Sign Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

Single office building An office building containing four (4) or less tenants.

Street A strip of land or way subject to vehicular traffic (as well as pedestrian traffic) that provides direct or indirect access to property, including, but not limited to, alleys, avenues, boulevards, courts, drives, highways, lanes, places, roads, terraces, trails, or other thoroughfares.

Street frontage The distance for which a lot line adjoins a public street, from one lot line intersecting said street to the furthest distant lot line intersecting the same street.

Strip plaza A linear arrangement of two or more businesses or offices under one or many ownerships or management providing off-street parking and consisting of a similar or compatible architectural or graphic character of theme.

Wall sign Any sign attached parallel to, but within eighteen (18) inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

Window sign Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

#3 Sign Heights

1. Maximum sign height for pole signs shall be thirty-five (35) feet with a minimum of 8.5 feet of clearance from the ground to the bottom of the of the sign.
2. Maximum sign height of ground signs shall be thirty-six (36) inches

#4. Sign requirements for Business and Industrial Districts.

The following types of signs, subject to the limitations prescribed for them, shall be the only signs permitted for uses authorized in the business and industrial zoning districts of the City of Senatobia. In instances where a sign setback requirement from the public right of way is not physically possible, the City Inspector/Code Enforcement Officer may allow for a smaller sign setback from the right of way if in his judgment the placement of the sign will in no manner constitute a traffic hazard, create a nuisance or infringe upon the rights of an adjacent property owner. In no instance will a sign be allowed to be placed in the public right of way.

A. Single Business Location. (One building/one tenant)

- 1 The occupant of a single business structure may have no more than two signs on each street upon which the structure fronts. The total area of signage shall not exceed one and one-half (1-1/2) square feet of sign for every foot of front footage of the applicable building, subject to the following restrictions:
 - a) The maximum square footage wall/window sign allotment shall not exceed one hundred and fifty (150) square feet except as provided herein.
 - b) Where the front footage of a building would allow for more than the maximum wall/window sign size as stated above, additional square footage may be allowed, upon approval of the Planning Commission. This additional square footage shall not exceed 1-1/2 square feet per linear foot of a building, and shall not exceed a maximum wall sign size of 300 square feet.
 - c) Where a single business fronts on more than one street, the allowable square footage for the wall sign shall be computed separately for each street.
2. If the occupant of a single business structure elects to use a wall sign, the wall signs shall not be higher than the roof line or fascia of the building.
3. If the occupant elects to use changeable copy, only one of the signs, wall or ground sign, may have changeable copy.

B. Single Office Building(with 4 or less tenants):

Each business within a single office building which has an exterior entrance shall be allowed one wall mounted sign no larger than two square feet adjacent to the entrance, and subject to the total sign square footage limitations set in A.1.

C. Strip Plaza, Office Parks, and Shopping Centers:

- 1 Strip plazas, office parks, and shopping centers shall be allowed to display one sign. The maximum height for all signs in strip plazas, office parks, and shopping centers shall be thirty-five (35) feet. The maximum size of the sign shall be thirty-two (32) square feet plus a maximum of six (6) square feet for each additional tenant. The minimum clearance from the ground must be no less than eight and one half (8½) feet. The minimum setback for said sign shall be five (5) feet from the nearest road right-of-way.
2. Each individual business within the strip plaza, office park, or shopping center shall be allowed to display one wall sign. The size of the wall sign shall be computed by taking the length of the wall of the tenant's leased area and multiplying it by 1.5 (the length of the wall in linear feet times 1.5 = total square feet allowed for sign). The maximum square footage wall sign allotment shall not exceed one hundred fifty (150) square feet.

#5. Residential Signs.

The following types of signs, subject to the limitations prescribed for them, shall be the only signs permitted for use within the residential, apartment, and trailer park zoning districts of the City of Senatobia.

A. Subdivisions Entrance Signs.

In single family detached residential developments which have an approved plat of record, there shall be permitted two signs at the intersection of every major street with the subdivision. The entrance signs shall be permanent signs constructed of BV, stone, concrete, or similar material and shall contain only the name of the subdivision. The planning commission must approve height and size of the sign, as well as the setback distance from the road right-of-way. The base of all signs shall be fully landscaped with planters and/or shrubbery in all directions, not less than the dimensional width of the sign.

B. Real Estate Signs.

In all residential districts, one temporary sign advertising the sale or lease of real estate shall be permitted upon the premises of the property for sale or lease. Said signs shall not exceed the dimensions of two (2) feet by three (3) feet, with a total maximum sign face area of six (6) square feet per face, with a maximum of two (2) faces on a single plane of material. The maximum height of said signs shall be five (5) feet, and said signs shall be set back no less than five (5) feet outside of the right of way. Signs shall be removed within seven (7) days of the sale or lease of the property.

Two temporary off-premises signs conveying direction to property for sale or lease of real estate are permitted and said signs shall not exceed the dimensions of twelve (12) inches by twenty-four (24) inches, with a total maximum sign face area of two (2) square feet per face, with a maximum of two (2) faces on a single plane of material. The maximum height of said signs shall be two(2) feet. Signs shall not be allowed on any state maintained right of way. Signs shall be removed within seven (7) days of the sale or lease of the property.

Two (2) temporary off-premises signs conveying direction to new subdivisions are permitted and said signs shall not exceed the dimensions of twenty-four (24) inches by forty-eight (48) inches, with a total maximum sign face area of eight (8) square feet per face, with a maximum of two (2) faces on a single plane of material. The maximum height of said signs shall be four (4) feet. Signs shall not be allowed on any state maintained right of way. Signs shall be removed within six (6) months of issuance.

#6. Civic Signs.

The following types of signs, subject to the limitations prescribed for them, shall be the only signs permitted for use by churches, schools, clubs, and other non-profit organizations located in the City of Senatobia. In instances where a sign setback requirement from the public right of way is not physically possible, the City Inspector may allow for a smaller sign setback from the right of way if, in his judgment, the placement of the sign will in no manner constitute a traffic hazard, create a nuisance, or infringe upon the rights of an adjacent property owner. In no instance will a sign be allowed to be placed in the public right of way.

A. Ground Signs.

Each civic organization shall be allowed one ground sign per location. This sign shall have a height no greater than thirty-six (36) inches, an area of no more than eighteen (18) square feet and shall be set back at least five (5) feet from the edge of pavement or curb, or outside of the right of way, whichever is further. The area surrounding the sign shall be landscaped.

B. Wall Signs.

Each civil organization may have one (1) wall sign. The total area of signage shall not exceed one and one-half (1½) square feet of sign for every foot of front footage of the applicable building.

C. Changeable Copy Sign.

In lieu of the ground sign set out in "A" above, the civic organization may have a changeable copy sign.

#7. Temporary Signs

A civic organization may request permission from the City Inspector for a temporary conditional use sign. The temporary sign, which may be made of fabric, but cannot be a portable sign, shall not exceed thirty-two (32) square feet nor be higher than six (6) feet. The sign shall be set back from the edge of the right of way at least ten (10) feet. Temporary signs issued will be able to be displayed for a time of two weeks.

#8. Exempt Signs.

The following signs are exempt from the provisions of this Ordinance:

- A. Official public notices and notices posted by public officers in the performance of their duties.
- B. Governmental signs for the control or direction of traffic and other regulatory purposes.
- C. Flags or emblems of the United States, the State of Mississippi, or their political subdivisions. The flag shall not exceed 60 square feet in area and shall not be flown from a pole, the top of which is more than 40 feet in height.
- D. Memorial plaques, cornerstones, historical tablets, and the like.
- E. Signs not legible off the lot upon which they are situated, such as drive-up menu boards at drive-in eating places.
- F. Small, illuminated or non-illuminated incidental signs, none exceeding four (4) square feet in surface area.
- G. ~~Political signs, limited in size and structure to a height of thirty-six (36) inches and total sign face area not to exceed six (6) square feet. Such signs shall be permitted only on private property with the consent of the owner and located no less than six (6) feet from the curb face or edge of pavement of any street. Such signs shall be permitted for no longer than thirty (30) days prior to the date of the election. A deposit of fifty dollars (\$50.00) is required for any candidate who displays election signs in the city. This deposit will be refunded given that said candidate's signs are removed within seven (7) days after the election.~~

THIS SECTION HAS BEEN AMENDED. PLEASE SEE THE LAST PAGE OF THIS SIGN ORDINANCE FOR THE REVISION.

9. Non-Conforming Signs.

A. Intent.

Signs that were legally in existence prior to the adoption of this Ordinance that do not conform to the provisions of this Ordinance are declared non-conforming signs.

B. General Non-Conforming Sign Provisions.

Subject to the exceptions hereinafter set forth, 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:

1. Changed to or replaced with another non-conforming sign including changing the sign face (except on changeable copy signs which comply with this regulation).
2. Structurally altered so as to extend their useful life.
3. Expanded.
4. Relocated.
5. Re-established after damage of more than fifty percent (50%) of the value at the time of such damage or destruction.
6. 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 City Inspector. 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.

C. Termination of Non-Conforming Signs.

1. Any non-conforming sign or sign structure that 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.
2. Any non-conforming sign or sign structure that is improved and altered to comply with the provisions of this Ordinance shall thereafter be considered as conforming.

- 3 Any non-conforming on premise sign shall be removed or brought into compliance with this Ordinance immediately upon a change in the principal use or ownership of this site.

#10. Prohibited Signs.

A. Subject to immediate removal.

1. Off-premises signs that carry a commercial message.
2. Signs that are not securely affixed to the ground, or otherwise affixed in a permanent manner to an approved supporting structure.
3. Portable Signs, whether or not they have been permanently attached to the ground or a structure.

B. Subject to removal when or if said sign is partially destroyed by fire, accident, or natural cause beyond fifty percent (50%) of it's current market value.

1. Projecting signs.
2. Roof signs.
3. Billboards.

C. General.

1. No sign or other device regulated by this Ordinance shall be erected or continue to be displayed in such a manner as to obstruct the free and clear vision of vehicle drivers; or at any location where, by reason of the position, shape, or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic or government sign, signal, or device; or which makes use of the words "stop", "look", "danger", or any other words, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse traffic.
2. No sign or advertising device shall be erected on, be placed on, projected, or overhang any right of way, walkway, street, alley, or easement.
3. It shall be unlawful to use a vehicle or a trailer as a sign in circumvention of this ordinance.
4. No signs shall be placed on any private property without the consent of the owner thereof.
5. No signs shall be placed or painted on any tree or rock.

- 6 No signs shall be placed on any utility pole except for utility identification or similar purposes.

D. Placing signs on public property.

- 1 No signs shall be allowed on public property except for the following

Permanent signs including:

- a) Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic;
- b) Bus stop signs erected by a public transit company that contain no commercial message;
- c) Informational signs of a public utility regarding its poles, lines, pipes, or facilities.

Temporary signs including:

Temporary signs for which a permit has been issued in accordance with this Ordinance which shall be issued only for signs meeting the following requirements:

- a) Such signs shall contain no commercial message; and
- b) Such signs shall be no more than six (6) square feet in area.

Emergency signs including:

Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right of way.

#11. Structural Requirements.

All signs shall comply with the pertinent requirements of the Southern Building Code and the National Electric Code.

#12. Inspection, Removal, and Safety.

A. Inspection.

All signs shall be inspected periodically by the City Inspector/Code Enforcement Officer for compliance with this Ordinance.

B. Permit Number Display.

All temporary signs, except real estate signs, requiring a permit shall display, in the lower right hand corner, the sign permit number and expiration date. All permanent signs shall display a permit decal with permit number, date of issuance, and name of owner.

C. Maintenance.

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

D. Removal of Sign.

The City Inspector shall give written notice of the removal of any permanent sign erected or maintained in violation of this Ordinance. Upon failure to comply with this notice, the City Inspector shall issue a summons to the owner into City Court. Temporary signs erected or maintained in violation of this Ordinance may be removed by the City Inspector without notice. The City Inspector shall remove any sign immediately and without notice if the sign presents an immediate threat to the safety of the public. Any sign that is not in compliance with this ordinance may be removed by the city of Senatobia. Any sign removal shall be at the expense of the property owner.

#13. Permits and Fees.

A. Permits and Fee Requirement.

All permanent signs permitted under this Ordinance, including existing signs, shall require a permit.

B. Applications.

The permit application shall contain the location of the sign structure, the name and address of the sign owner and of the sign erector, drawing showing the design, location, materials, finishes, and colors of the sign and such other pertinent information as may be required to ensure compliance with the ordinance and requirements of the City. Applications shall be on forms provided by the City.

C. Fee Establishment.

Fees for sign permits are fifty cents per square foot, with a minimum of ten dollars. 

D. 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; (2) the sign varies in any respect from the approved design or location.

E. Permit Exceptions.

The repainting, cleaning, and other normal maintenance to prolong the life of the sign as originally approved shall not be considered as creating a sign and does not require a sign permit.

Administration and Penalties.

A. Enforcement (City Inspector).

The building official or his duly authorized representative is hereby authorized and directed to enforce all the provisions of this Ordinance. Upon presentation of proper credentials, the City Inspector/Code Enforcement Officer may enter at reasonable times any building, structure, or premises in the City of Senatobia to perform any duty imposed upon him by this Ordinance.

B. Penalties.

Any person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than fifty dollars (\$50.00). Each day's continuance of violations shall be considered a separate offense. The owner of any sign, building, or premises, or part thereof, where any matter 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.

Appeals.

- a) Any person entitled to be served with a notice of violation shall have the right to appeal from any notice of violation to the Planning Commission. The Planning Commission shall hear each duly filed appeal and decide whether to affirm, amend or reverse the notice of violation or other action appealed. In doing so, the Planning Commission may interpret the provisions of this ordinance.

- b) An appeal shall be in writing and shall be in such form and provide such information as the Planning Commission may require. An appeal must be delivered to the office of the City Clerk within ten days from the date of service of the notice of violation. Only those matters or issues specifically raised by the appellant in the written appeal shall be considered in the appeal hearing.
- c) The timely filing of an appeal to the Planning Commission shall stay enforcement of the notice of violation or action appealed, including abatement, until the appeal is finally determined. Failure of a person entitled to appeal under this chapter either to make appeal or to timely file his or her appeal shall constitute a waiver of his right to an administrative hearing and adjudication of his complaint, and such person will be unable to deny the validity of any order or action which could have been timely appealed.

#16. Liberal Construction.

The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes in the interest of public health, safety, welfare and convenience.

#17. Severability.

If any section, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

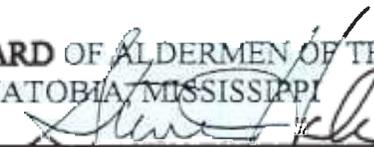
#18. Effective Date.

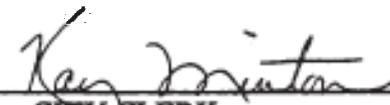
This ordinance shall take effect immediately upon adoption by the Board of Aldermen of the City of Senatobia, Mississippi, for the immediate and temporary preservation of the public peace, health and safety.

Alderman Callicott moved for the adoption of said ordinance, seconded by Alderman Sykes, and upon being put to a vote was as follows:

| | YEA | NAY | ABSTAIN |
|-------------|----------|-----|---------|
| Callicott | X | | |
| Cathey | <u>X</u> | | |
| Loftin | <u>X</u> | | |
| Sinquefield | <u>X</u> | | |
| Sykes | <u>X</u> | | |

PASSED AND DULY ADOPTED BY THE BOARD OF ALDERMEN OF THE CITY OF SENATOBIA, MISSISSIPPI this 4th day of November, 1997.

BOARD OF ALDERMEN OF THE CITY OF
SENATOBIA, MISSISSIPPI
By: 
MAYOR

ATTEST:
By: 
CITY CLERK

ORDINANCE NO. 305

AN ORDINANCE AMENDING ORDINANCE NO. 295 THE SIGN ORDINANCE

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SENATOBIA, MISSISSIPPI, AS FOLLOWS:

That Article 8 Paragraph G of Ordinance No. 295 be amended to read as follows:

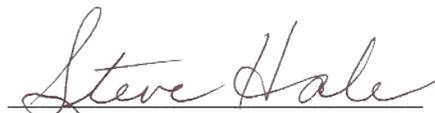
- G. Political signs, limited in size and structure to a height of thirty-six (36) inches and total sign face area not to exceed six (6) square feet. Such signs shall be permitted only on private property with the consent of the owner and located no less than six (6) feet from the curb face or edge of pavement of any street. Such signs shall be permitted for no longer than ninety (90) days, prior to the date of the election. A deposit of fifty dollars (\$50.00) is required for any candidate who displays election signs in the city. This deposit will be refunded given that said candidate's signs are removed within seven (7) days after the primary election, or the general election for successful primary candidates.

Said Ordinance No. 295 shall and does remain the same in all its particulars except the hereinabove amendment.

Alderman Sinquefield, seconded by Alderman Sykes, moved the adoption of said Ordinance, and upon the motion being put to a vote, was voted on as follows:

| | |
|-------------|------------|
| CALLICOTT | <u>YEA</u> |
| CATHEY | <u>YEA</u> |
| LOFTIN | <u>YEA</u> |
| SINQUEFIELD | <u>YEA</u> |
| SYKES | <u>YEA</u> |

The Mayor declared the Ordinance duly adopted on this the 2nd day of March 1999.



STEVE HALE - MAYOR