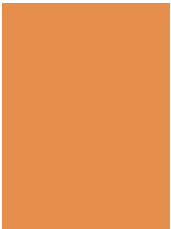
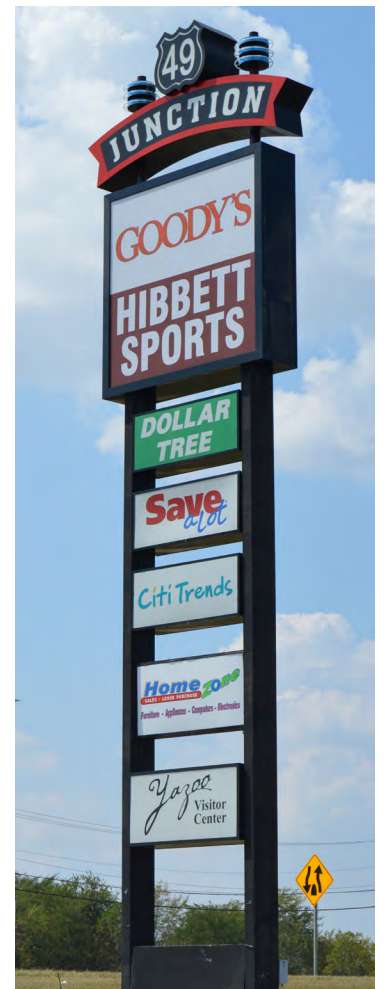
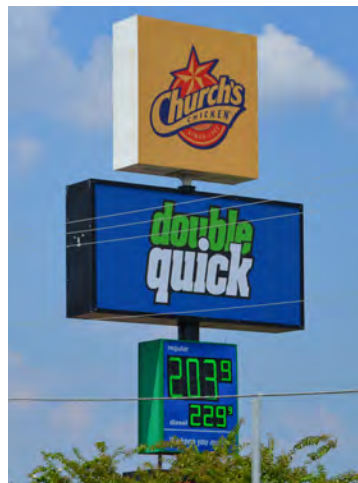


CITY OF Yazoo City

SIGN ORDINANCE



JANUARY 2016



PROMOTING REGIONAL EXCELLENCE SINCE 1968

CMPDD

CENTRAL MISSISSIPPI PLANNING AND DEVELOPMENT DISTRICT

1170 Lakeland Dr.
Post Office Box 4935
Jackson, MS 39296-4935

SIGN ORDINANCE

CITY OF YAZOO CITY

JANUARY 2016

AMENDED AND RESTATED ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF YAZOO CITY, MISSISSIPPI REGULATING THE SIZE, LOCATION, AND HEIGHT OF ALL SIGNS WITHIN THE CORPORATE LIMITS OF THE CITY AND ADOPTING PROVISIONS FOR THE PURPOSE AND APPLICATION, NONCONFORMING SIGNS, REPEAL AND SEVERABILITY, VIOLATIONS AND PENALTIES, VARIANCES, SPECIAL USE PERMITS, INTERPRETATIONS, DEFINITIONS, PERMITTED SIGNS BY ZONING DISTRICT, TEMPORARY SIGNS, GENERAL PROVISIONS, PROHIBITED SIGNS, PERMIT REQUIREMENTS AND OTHER PROVISIONS OF SAID ORDINANCE.

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ARTICLE I. INTRODUCTORY STATEMENT

1.1 Adoption: This Ordinance is adopted in accordance with the public health, safety and welfare of the citizens of the City of Yazoo City, Mississippi (the “City”). The Board of Mayor and Aldermen (the “Board”) have provided notice of public hearing and specifically find that this Ordinance was adopted only after public hearing in accordance with the provisions of Miss. Code Ann. Section 17-1-1 et. Seq. (1972), as amended.

1.2 Extension of Zoning Ordinance: This Ordinance is an extension of the Yazoo City Zoning Ordinance and shall be interpreted in accordance with the Miss. Code Ann. Sections 17-1-1 et. Seq. (1972), as amended. Additionally, all requirements, restrictions and powers that are imposed to Zoning Ordinances through Miss. Code Ann. Sections 17-1-1 et. Seq. shall apply to this Ordinance.

1.3 Amendments: Amendments to this Ordinance may only be adopted after notice of public hearing and a public hearing.

1.4 Variances: Variances as to depart from the literal requirements of this Ordinance generally involving dimensional and location provisions and Use Permits or Special Use Permits, but excluding land use, may be granted with public hearing.

1.5 Repeal and Severability:

(A) The sign regulations adopted by the Board of Mayor and Aldermen on the 22nd day of July, 1985 as part of the Zoning Ordinance and any and all sign ordinances previous to this one are hereby repealed; provided, that signs unlawfully constructed under said ordinance or under previous sign ordinances of the City are prohibited hereunder and shall be considered nonconforming signs.

(B) Should any portion or provision of this Ordinance be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. It is the express intent of the Board of Mayor and Aldermen that this Ordinance operate separately as to each provision contained herein and the invalidity of one provision shall not affect the enforceability of any other provision hereof.

1.7 Interpretation: If a provision of this Ordinance is subject to interpretation, the City Building Official shall control. All interpretations shall be subject to appeal to the Board of Mayor and Aldermen.

ARTICLE II. TITLE

2.1 Title: This Ordinance shall be known as the Sign Ordinance of the City of Yazoo City, Mississippi.

ARTICLE III. PURPOSE AND APPLICATION

3.1 Purpose and Application:

(A) Purpose: The purpose of this Ordinance regulating signs of all types is to:

1. Preserve and protect the public health, safety and welfare within the City.
2. Encourage development of private property in harmony with the desired character of the City while providing due regard for the public and private interests involved.
3. Promote the effectiveness of signs by preventing theft, over concentration, improper placement and excessive size and number.
4. Enhance the flow of traffic and the convenience, ease and enjoyment of travel within the City.
5. To protect travelers in the City from injury or damage as a result of distraction or obstruction of vision attributable to faulty construction or improper situation of signs.

(B) Intent: The Intent of the application of this Ordinance is to:

1. Reduce advertising distractions which may contribute to traffic accidents.
2. Assure that public benefits derived from expenditures of public funds for the improvement and beautification of streets and other public structures and spaces shall

be protected by exercising reasonable controls over the character and design of sign structures.

3. Provide an improved visual environment for the citizens of and visitors to the City by reducing the number and surface area of signs.
4. Provide an environment in which the traveling public can locate a business or service without the frustration of finding a proper sign and causing traffic problems.

(C) The Board of Mayor and Aldermen further find that:

1. The people of the City have a primary interest in controlling the erection, location, and maintenance of signs in a manner which will protect the public health and safety and promote the general public welfare;
2. Increased number and size of such signs, coupled with the increased use of motor vehicles, makes it imperative that the public streets and highways be kept free from signs which distract from traffic safety by diverting driver's attention away from the flow of traffic;
3. The number, size, and height of signs, both off and on premises, is excessive, is unduly distracting and confusing to motorists and pedestrians, creates a traffic hazard, and reduces the effectiveness of signs needed to direct the public;
4. The aesthetic appearance of the City is harmed by the excessive number of signs;
5. The aforementioned effects detract from the pleasure, safety and economic well-being of the community, and the number of distracting signs should be reduced in order to lessen the detrimental effects;
6. The construction, erection and maintenance of large signs suspended from or placed on top of buildings, walls and other structures constitute a direct danger

to pedestrian traffic below such signs, especially during winds of high velocity;

7. The size and location of signs may, if uncontrolled, constitute an obstacle to effective fire-fighting techniques;
8. Portable Signs, whether located on or off premises, generally create a higher degree of distraction and danger to the public, are less attractive aesthetically, are more difficult to monitor and regulate, are more susceptible to abuse, are more likely to be placed in areas which create a traffic hazard and are more likely to be blown and moved during periods of high winds, and therefore, should be prohibited or only allowed in strict conformance with the provisions of this Ordinance;
9. For promotion and preservation of the public health, safety and welfare of the people of the City, it is deemed necessary that the erection, construction, location and maintenance of signs be regulated and controlled; and
10. The regulations contained in this Ordinance are the minimum amount of regulations necessary to achieve its purpose.

(D) Procedures Established: This Ordinance establishes procedures for the enforcement, interpretation and processing of Variances, Use Permits, Special Use Permits, and appeals, and for violations and penalties for infractions of the sign regulations.

(E) Repeal Intent: It is not the intention of this Ordinance to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Ordinance.

(F) All Uses: All buildings, structures and uses of land shall be subject to the provisions of this Ordinance.

ARTICLE IV. DEFINITIONS OF TERMS

4.1 Rules for Words and Phrases: For the purposes of this Ordinance, words used in the present tense include the future tense; words in the singular number include the plural number, and words in the plural number include the singular; the word “shall” is MANDATORY and not directory; the word “may” is PERMISSIVE. Any term not defined in this Section shall be construed to be used in this Ordinance as by the latest edition of WEBSTER’S UNABRIDGED DICTIONARY.

4.2 Definitions:

Abandoned Sign: A sign, which no longer correctly advertises a bona fide business, lessor, owner, project, or activity conducted or product available on the premises where such sign is displayed.

Advertising Sign: See “**Off Premises Sign.**”

Animated Sign: Any sign which moves or which appears to move by any means, including fluttering or rotating. Animated signs shall include but are not limited to pennants, flags, balloons, ribbons, streamers, or propellers. For purposes of this ordinance, this term does not refer to flashing or changing signs, all of which are separately defined.

Attached Sign: Any sign which is fastened, attached, connected or supported in whole or in part by a building.

Background Area: The entire area of a sign on which copy could be placed, but does not include permanent building surface.

Balloons: Any display or arrangement of inflated objects, including large inflated characters, blimps, replicas of hot air balloons, etc. which are anchored to the ground, a building or pole with the intention to attract the attention of the public to a location or business.

Banner: Any streamer, flag-like pennant or other object, whether constructed of fabric or of other materials, furnished by a recognized manufacturer, which with or without insignia, attracts the attention of citizenry to a location or business.

Billboard: An outdoor advertising sign structure, which advertises goods, products or services. The poster panels or bulletins, usually free-standing, illustrate such advertising in the form of pasted paper, painted copy, or changeable copy.

Board: Board of Mayor and Aldermen of the City of Yazoo City, Mississippi.

Box Sign: A sign that contains all the text or text and logo symbols within a single enclosed cabinet which may or may not be illuminated. Also called a can sign or a raceway.

Building: Any structure used or intended for supporting or sheltering any use or occupancy.

Building Face or Wall: All window and wall areas of a building in one plane or elevation.

Business Sign: A sign that directs the attention to a business, profession, commodity, service or entertainment conducted, sold, or offered upon the same lot where the sign is located.

Campus Environment Office Project: A multi-building commercial development consisting of buildings with uniform architecture located within a subdivision containing covenants and restrictions and arranged with common areas and similar landscaping.

Canopy Sign: A sign mounted on and supported by a canopy, or found on the sign of, below the roof line, or hanging beneath the canopy, but in all cases mounted perpendicular to the building or primary direction of pedestrian travel.

Changeable Copy Sign (Manual): A sign on which copy is changed manually (i.e., reader boards with changeable copy) the area of which shall be included within the allotted face of sign square footage, and if ground mounted, enclosed under a locked and vandal-proof case, at the discretion of the Building Official.

Changing Sign (Automatic): A sign such as an electronically or electrically controlled public service time, temperature and date sign, message center or reader board, where different copy changes are shown on the same lamp bank. No mechanical means.

Civic Signs: Signs used for announcements, directing and identification by churches, schools and civic organizations. i.e. Lions Club, Rotary Club, etc.

Commemorative Sign: Any sign commemorating persons, organizations, or events having some historical relationship to the property upon which such sign is located.

Comprehensive Sign Plan: See Section 5.6(I) of this Ordinance.

Construction Sign: A temporary sign erected on the premises on which construction is taking place, during the period of construction, and indicating the names of the architects, contractors, owners, financial supporters, sponsors and similar persons or firms involved with the construction and development of the project.

Copy: The wording or graphics on a sign surface.

Development Sign: A temporary sign relating to the promotion of a sale or rental of a new development or subdivision being constructed on the site upon which the sign is located, or located off-site and containing information and directions to a new development or subdivision.

Directional Sign: An off-premise sign denoting the name and direction to a civic organization.

Double-face Sign: Sign with more than one face. If the angle formed between the backs of the signs is more than 90 degree it shall constitute one sign face for determination of sign area or size.

Exterior Directory Sign: A sign containing the building identification and address and the name and location of each tenant, and allowed in any project where one or more tenants does not have an exterior entrance or does not qualify for an exterior sign.

Façade: The face of a building most nearly parallel with the right-of-way line of the street upon which the building faces.

Face of Sign: The entire area of a sign on which copy could be placed, and in the instance where a double faced sign is utilized,

the area of one face shall be included to determine face square footage, if both faces include the same copy.

Flashing Sign: Any sign, which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation, changes in the degree of light intensity, or any externally mounted intermittent light source.

Freestanding Sign: A sign not attached to any building.

Front Footage: The linear width of a lot or parcel measured parallel to the street frontage of the heated and enclosed structure, not including out-building or appurtenant structures, unless said structure has no street frontage in which case the front footage shall be the structure's side width of principal entrance.

Ground Level: Immediate surrounding grade.

Ground Mounted Sign: A sign mounted on a free-standing frame, mast, or pole 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, highway, or right-of-way. This sign type is not attached to any building.

Height of Sign: The vertical distance measured above the centerline of the adjacent street, highway, or right-of-way to the highest point of the sign.

Illegal Sign: A sign which contravenes this ordinance, or a non-conforming sign for which a permit required under a previous ordinance was not obtained.

Instructional Sign: A sign conveying instructions strictly for the direction, safety, and convenience of the public with respect to the premises on which it is maintained, such as a sign designating the entrance to or exit from a parking area, a sign identifying restrooms, a trespassing sign, a danger sign, and similar signs.

Interior Sign: Sign legible only inside a building. If a sign is legible from the street right-of-way, that sign will be considered an exterior sign and regulated under this ordinance.

Logo: Any pictorial or graphic representation that may be presented by itself or with verbiage to identify a business. Where used will be considered as a sign or part of a sign.

Maintenance: The repair or replacement in kind of individual sign components including paper, fabric or plastic copy panels; electrical wiring and bulbs; or paint, stucco or other exterior finishes. This definition shall not include the replacement of metal or wood cabinets, structural faces, supporting structural members, primary uprights, posts and poles, or the sign in its entirety.

Marquee Sign: A sign affixed to a projecting structure which is attached to the exterior façade of a building above the building's entrance.

Multi-Tenant Freestanding Sign: A Freestanding Sign which identifies tenants in a multi-tenant building or complex and which is located in the development for which it is advertising.

Non-conforming Sign: A sign existing prior to enactment of this ordinance, which does not meet all requirements of this ordinance. If a permit is obtained this will be a legal non-conforming sign.

Non-conforming Use: Any land use, which lawfully existed prior to the passage of this ordinance but which subsequently does not comply with the use regulations and/or dimensional requirements of the zoning district in which it is located.

Non-regulated Sign: Sign not visible from a street right-of-way.

Office Building: A building principally used by companies to conduct business.

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-Site or Off-Premises Sign: A sign directing attention to a business, profession, commodity, service, entertainment, or product sold or offered elsewhere than upon the premises where the sign is located, including, but not limited to, billboard. A Multi-tenant Freestanding Sign shall not be regulated as an Off-Site Sign.

On-Premise Sign: See “Business sign.”

Opening Sign: A temporary sign erected only for that limited period during which an enterprise not theretofore in operation begins its operation initially or at a new location.

Ordinance: The Sign Ordinance of the City of Yazoo City, Mississippi.

Outdoor Advertising Sign: An off-premises sign commonly referred to as a billboard and supported by one or more poles.

Pole Sign: A sign erected on one or more free-standing poles or mast(s).

Political and Campaign Sign: A temporary sign erected to publish the name of a candidate or to enlist votes in any official public election.

Portable Sign: Any sign constructed on a trailer with wheels which may or may not be detached or which is designed to be transported from place to place by any means for temporary use and is not designed to be nor is it permanently affixed to a building or lot.

Project Sign: A sign erected to display the identity of a single building, business, office, or shopping complex. The name of each tenant is to be displayed.

Projecting Sign: Any sign attached to any outside building wall and extending more than 12 inches beyond the surface of such wall.

Real Estate Sign: A temporary sign employed to announce or display the sale or lease of real property, said sign being erected on the property for sale or lease.

Roof Line: The apex, or highest point of the roof. If there is a series of roofs, the apex of the lowest will be considered.

Roof Sign: A sign attached to a roof or a sign extending above the parapet of a building.

Seasonal or Special Occasion Temporary Sign: A sign that is not permanent and is limited to a specific activity or in the celebration of holidays or other special events.

Set Back: The minimum horizontal distance between the face of curb, the edge of pavement, or the right-of-way line and the sign structure as specified in a particular section of this ordinance.

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, structure, fixture, or placard using graphics, symbols, and/or written copy designed specifically for the purpose of advertising or conveying either commercial or non-commercial messages or both commercial and non-commercial messages.

The term "Sign" shall not include decorative devices or emblems that may be displayed at residential doors, windows, or mail boxes. Also not included is yard or building decoration associated with legal holidays, provided no business logo, name or advertising message is displayed.

Sign Area: The surface area of a sign computed as including the entire area within a rectangle, triangle, circle, or other regular geometric form, or aggregates thereof, encompassing all of the display area of the sign and including all of the elements of the matter displayed. Sign base, apron, supports, and other structural members not bearing advertising matter shall not be included in computation of surface area. Border or trim shall be included in computation of surface area.

Sign Conversion: The permanent affixation to building, pole, or lot of a portable sign.

Sign Height: The vertical distance to the top of a sign, including the sign structure and embellishments, measured from the finished grade at the approved sign location. Any additional fill material under the sign and above finished grade shall be included in the sign height.

Sign Structure: The supports, uprights, braces and framework of a sign.

Single Office Building: An office building containing four (4) or less tenants or occupants and less than three stories in height.

Size: Determination of the measured area of a sign including the mounting surface where can be determined. In the case of lettering on a wall, size shall be determined by the measured area of the letter and the space between the letters.

Spreader Bar: A horizontal member, parallel to the ground, connecting two columns.

Street: A public thoroughfare which affords the principal means of access to abutting property.

Street Frontage: The linear footage associated with the side of a building facing a private or public street where the main entrance is located. A building shall only have one (1) main entrance.

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

Subdivision Entrance Sign: An on-site sign, masonry wall, landscaping, or similar materials or features, which separately or together form a display to identify the subdivision, provided the legend of such sign shall consist only of the name of the subdivision.

Temporary Sign: A Sign either portable or stationary used to display information relating to a land use or event of limited duration, which is intended to be removed upon termination of said land use or event.

Traffic Directional Sign: Any sign that aids the flow of traffic.

Variance: Authorization issued by the City's Board of Mayor and Aldermen to depart from the literal requirements of this Ordinance generally involving dimensional and location provisions, but excluding land use.

Vehicle Sign: A sign mounted, painted or otherwise placed on a trailer, truck, automobile or other vehicle so parked or placed so that the sign thereon is visible from a public street or right-of-way.

Wall Sign: A sign which is fastened and parallel to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for or forms the background surface of the sign, and which does not extend more than twelve (12) inches from such building or structure.

Window Sign: A business sign painted on or affixed to the inside or outside of a window.

ARTICLE V. GENERAL PROVISIONS – EXCEPTIONS – SUPPLEMENTAL PROVISIONS – SIGN PERMITS – DESIGN AND CONSTRUCTION SPECIFICATIONS – REMOVAL OF ILLEGAL SIGNS – SIGN MAINTENANCE

5.1 Purpose and Intent:

The purpose of this chapter is to allow for consideration of unusual or special situations that may require additional provisions and regulations. It is also the intent to provide procedures for the administration of this ordinance, to identify prohibited signs, to establish procedures for obtaining permits, and to provide for the removal of dangerous and discontinued signs.

5.2 City Building Official has Discretion in Issuing Sign Permits:

Sign permits shall not be issued by the City Building Official if, in instances where the number, and/or location of signs as provided for above constitute, in his judgment, a traffic hazard, nuisance or infringement upon the rights of an adjacent property owner. If any party is aggrieved by the decision of the Building Official, appeals shall be made directly to the Board of Mayor and Aldermen through the Building Official.

5.3 Design Review for New Signs:

After the effective date for this ordinance, all new signs shall meet the requirements of this Ordinance, and the proposed design shall be submitted to the City Building Official for review. Prior to the issuance of a permit for a new sign, the design of any sign shall be subject to the review and approval of the Building Official or his designated representative. If any party is aggrieved by the decision of the Building Official, appeals shall be made directly to the Board of Mayor and Aldermen through the Building Official.

5.4 Exceptions and Signs Not Requiring a Permit:

- (A) Exceptions: The provisions of this ordinance shall not apply to the following, and are therefore excepted:
1. Flags, pennants or insignia of any nation, state, county, city or other political unit, or any church or religious organization;

2. Tablets, grave markers, headstones, statuary or remembrances of persons or events non-commercial in nature;
3. Temporary decorations or displays celebrating the occasion of traditionally accepted patriotic, religious or local holidays or events;
4. Temporary Signs, except political and campaign signs;
5. Signs not visible beyond the boundaries of the lot or parcel upon which they are located, or from any public right-of-way;
6. The placement and maintenance of official traffic, fire and police signs, signals and devices and markings of the State of Mississippi and the city or other authorized public agency, and the posting of notices as required by law;
7. Non-illuminated directional or informational signs of a non-commercial public or quasi-public nature, including street, building or suite numbers which do not exceed six (6) square feet;
8. Signs displayed within the interior of a building and not visible from the exterior of the building; and
9. On-site directional and similar informational signs provided such signs are utilized only when necessary for traffic directional or similar informational purposes. Such signs shall be wall-mounted or, if detached, shall not exceed a sign height of three (3) feet.

(B) Permits Not Required: Sign Permits are not required for the following signs or actions associated with signs provided that such signs are subject to all other provisions of this ordinance.

1. Relocation as required by the City.

2. Temporary Signs are not required to have permits, except political and campaign signs, which require a fee to help with post-election cleanup.

5.5 Prohibited Signs:

(A) The following signs and conditions are prohibited by this Ordinance:

1. “A” frame and all Portable Signs;
2. Vehicle Signs on vehicles primarily or consistently parked for display as advertising signs, except for delivery vehicles or work trucks actively used for business purposes other than advertising. After business hours, all vehicles with vehicle signs shall be parked in areas where the vehicles cannot be seen from the street, if such a parking location is available. Vehicles with vehicle signs that are not moved during a seven (7) day period will be deemed to be primarily or consistently parked for display as advertising signs;
3. The use of ribbons, streamers, balloons, inflatable objects or flags for advertising, except if allowed under Section 6.5;
4. Billboards and off-site signs;
5. Signs that are animated or audible, or rotate or have intermittent or flashing illumination, or emit audible sound or visible matter (does not include neon signs);
6. Signs located within a public right-of-way;
7. Signs displayed in a location prohibited by this Ordinance;
8. Signs placed so as to prevent or inhibit free ingress from any door, window, or any exit way required by the International Building Code, or by Fire Department regulations;

9. Signs attached to any public utility pole or structure, street light, tree, fence fire hydrant, bridge, curb, sidewalk, park bench or other location on public property;
10. Signs placed in any location which by reason of their location will obstruct the view of any authorized traffic sign, signal or other traffic control device. Nor may any sign by reason of shape, color or position interfere with or be confused with any authorized traffic signal or device. Further, no sign shall be placed in a location that will obstruct vision of a vehicle operator while entering, exiting or traveling upon the public right-of-way.
11. Signs that employ any stereopticon or motion picture projection or have visible moving parts, or any portion of which moves or given the illusion of motion;
12. Discontinued signs under Chapter 8.1 (C);
13. The maximum area of any sign located within the city shall not exceed three hundred (300) square feet;
14. Raceways, box signs or can signs except in the case of lighting an individual letter or an individual logo symbol that does not include text;
15. Roof signs are not permitted in any zoning district; and
17. Permanently-mounted signs painted freehand. Signs must be professionally made.

5.6 Supplemental Provisions:

- (A) Schools and places of worship located in any zoning district are permitted signage as follows:
 1. If a school or place of worship is located in an area zoned for residential use, then the provisions of the ordinance associated with C-1 zoning apply.

2. If a school or place of worship is located in an area zoned for commercial use, then the provisions of the ordinance associated with the zoning of the location of the school or place of worship apply.
- (B) If a sign is externally illuminated the source of illumination shall not be visible from any adjacent residential zone district.
 - (C) Buildings exceeding three (3) stories shall only be identified by the building, building complex or development name.
 - (D) No Freestanding Sign shall be located within fifty (50) feet of any other freestanding sign on any parcel or development site.
 - (E) A Freestanding Sign may consist of more than one (1) sign panel provided all such sign panels are attached to one (1) common integrated sign structure.
 - (F) Statues, either genuine or simulated, used for commercial identification purposes are permitted in all multifamily residential districts, commercial and industrial districts subject to approval of a special use permit. Except for decorative figurines and statues used as a part of landscaping, the area of said statue shall be deducted from the total allowable sign area.
 - (G) Residential subdivision may display permanent entry identification signs as follows:
 1. A maximum of two (2) such subdivision entries may be identified by one (1) sign on each side of said entry, to be wall-mounted or ground mounted only.
 2. Each such sign shall not exceed thirty-two (32) square feet in area, and the letters comprising the sign shall not exceed a sign height of eight (8) feet.
 3. Such signs shall consist of low maintenance materials such as metal or ceramic tile.

4. Such signs shall be located on private property, not within the public right-of-way.

(H) On-site directional or similar informational signs are permitted in conjunction with any multiple residence, commercial, official or industrial development provided such signs:

1. Do not exceed three (3) square feet in area and three (3) feet in sign height; and
2. Are utilized only when necessary for traffic directional or other informational purposes.

(I) A comprehensive sign plan for a proposed or existing development may be approved by the Board of Mayor and Aldermen in conjunction with the granting of a special use permit. The purpose of a comprehensive sign plan is to provide for the establishment of signage criteria that are tailored to a specific development or location, and which may vary from specific ordinance provisions. The intent is to provide for flexible sign criteria that promote superior design through architectural integration of the site, buildings, and signs. A comprehensive sign plan shall include the location, size, height, construction material, color, type of illumination and orientation of all proposed signs either permanent or temporary.

A comprehensive sign plan containing elements which exceed the permitted height, area and number of signs specified in this ordinance may be approved by the Board of Mayor and Aldermen only upon a finding that:

1. The development site contains unique or unusual physical conditions, such as topography, proportion, size or relation to a public street that would limit or restrict normal sign visibility; or
2. The proposed or existing development exhibit unique characteristics of land use, architectural style, site location, physical scale, historical interest or other distinguishing features that represent a clear variation from conventional development; or

3. The proposed signage incorporates special design features such as logos, emblems, murals or statuary that are integrated with the building architecture.

The construction and placement of individual signs contained in the approved comprehensive sign plan shall be subject to the issuance of sign permits in accordance with this ordinance and subject to submission of the comprehensive sign and the individual signs to the City Building Inspector and Code Enforcement Officer for approval.

- (J) Notwithstanding any other provision of this ordinance to the contrary, any noncommercial message may be substituted for the message on any commercial sign permitted by this ordinance, and any other noncommercial message may be substituted for any noncommercial message on any sign permitted by this ordinance, subject to the approval by the City Building Inspector or Code Enforcement Officer.
- (K) Special event signs intended to support, promote, identify, or advertise a nonprofit special event as authorized by the City Building Official are permitted in all zoning districts, in accordance with the following:
 1. Such signs are located entirely upon private property with the authority of the land owner where the signs are located.
 2. Such signs shall not occupy any portion of a public right-of-way.
 3. Such signs shall not be displayed more than seven (7) days prior to the special event and shall be removed the day after the special event.
 4. Such signs are permitted in addition to signage otherwise permitted in Article V of this ordinance.
- (L) Multiple colored bands, stripes, patterns, outlines or delineations displayed for the purpose of commercial identification, which constitute a sign as defined in Article IV of this ordinance, and which exceed the maximum permitted

signage as specified in Article VIII of this ordinance shall only be permitted upon being submitted to the City Building Inspector and Code Enforcement Officer for review and upon a finding by the Board of Mayor and Aldermen, that such signs:

1. Clearly serve as an architectural embellishment to the building or development;
2. Are compatible and harmonious with the primary color(s), style, and architecture of the building or development;
3. Are integrated into the primary physical elements of the building or development; and
4. Are constructed or composed of architectural-grade materials such as ceramic tile, metal, glass, or masonry.

5.7 Sign Permits and Fees:

- (A) Except as provided in Section 5.4 of this Article, it shall be unlawful for any person to place, display, alter or relocate a sign without first submitting the sign for approval by and obtaining a permit or permits from the City Building Official.
- (B) No person shall construct, place, display or maintain any sign upon any property without the consent of the owner, owner's agent or other authorized representative.
- (C) The City Building Official shall withhold permits for the use, construction, reconstruction, or alteration of any sign structure, unless adequate information is submitted to determine the proposed action is in conformance with the provisions of this ordinance.
 1. Application for a permit shall be on the official form provided therefore and accompanied by the following information for review by the City Building Official:

Scale drawings; the sign legend or commercial message; sign location; dimensions, construction specifications; electrical components and wiring;

method of attachment and design of structured members to which attachment is to be made; and location in relation to the property line and public right-of-way. A color rendering shall also be provided with the application.

2. The City Building Official shall not be compelled to issue a permit for the use, construction, reconstruction or alteration of any sign structure if such use, construction, reconstruction or alteration is found to be in conflict with the provisions of this ordinance.
- (D) Every permit issued by the City Building Official under the provisions of this ordinance shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the work authorized by such permit is suspended or abandoned for a period of one hundred twenty (120) days or more at any time after the work is commenced. Before such work can be commenced or resumed thereafter a new permit shall first be obtained and the fee shall be one-half (1/2) the amount required for a new permit for such work, provided no changes have been made in the original plans and specifications for such work and provided further that such suspension or abandonment has not exceeded one (1) year.
- (E) The City Building Official may, in writing, suspend or revoke a permit issued under provisions of this section whenever the permit is issued on the basis of a material omission or misstatement of fact, or in violation of this ordinance or any other regulation of the city.
- (F) No permit for a sign issued by the city shall be deemed to constitute permission or authorization to maintain a public or private nuisance, nor shall any permit issued hereunder constitute a defense in any action to abate a nuisance.
- (G) Sign permits for new or additional signs shall not be issued for a specific occupancy if such occupancy displays unlawful or nonconforming signs except as provided in Article VII. A

sign permit may be issued for a specific occupancy provided the terms thereof specify modification or removal of nonconforming signs resulting in conformity with the provisions of this ordinance.

- (H) Signs for which a permit has been issued shall not be constructed, installed, displayed or maintained except in complete conformance with all terms, requirements, and stipulations specified by the approved plans and permit.
- (I) When the City Building Official refuses to issue a permit on the grounds of violation of this ordinance or other regulations of the city, appeal from such decision may be made to the Board of Mayor and Aldermen.
- (J) Before issuing any sign permit required by this chapter, the city shall collect a fee in accordance with the following schedule:
 - 1. Signs up to eight (8) square feet in size: \$100.00.
 - 2. Signs over eight (8) square feet and up to forty (40) square feet in size: \$150.00.
 - 3. Sign maintenance, including re-facing signs: \$50.00.
 - 4. Temporary **off-site** signs are required to have permits(including political campaign signs, etc.: \$25.00 to help pay for sign cleanup after event. No limit on number of signs. Must notify Building Official first.

EXCEPTION:

- 1. Temporary **on-site** signs are not required to have permits.
- (K) Whenever any sign for which a permit is required by this chapter has been place or displayed without first obtaining a permit, a special investigation shall be made before a permit may be issued. An investigation fee equal to, and in addition to, the permit fee shall be collected.

(L) All signs for which a permit is required shall be subject to the following inspections by the City Building Official, unless waived by the City Building Official:

1. Location of off-building signs before sign construction and
2. Final inspection, which shall cover the sign location, sign height, structural members and placement of the insignia.

(M) Sign permits may be issued for individual signs authorized by an approved comprehensive sign plan in accordance with Section 5.6(I) of this chapter, provided:

1. Such signs conform to all applicable conditions of the Special Use Permit or within a time period specified by the City Building Official; or
2. Such sign permits are applied for within one (1) year of the date of approval of the Special Use Permit or within a time period specified by the City Building Official; or
3. Such Sign permits are applied for prior to any subsequent amendment to the Ordinance that is more restrictive than provisions existing when the Special Use Permit was approved.

When sign permits may not be issued due to non-compliance with the terms specified above, a modification to the comprehensive sign plan may be requested pursuant to the procedures set forth in 5.6(I).

5.8 Design and Construction Specifications:

(A) Design Specifications:

1. All signs shall comply with the appropriate detailed provisions of the International Building Code relating to the design, structural members and connections. Signs shall also comply with the applicable provisions of the National Electrical Code and shall be approved by the City Building Official.

(B) Construction Specifications:

1. No combustible materials other than approved plastics shall be used in the construction of electric signs.
2. Nonstructural trim may be wood, metal, approved plastics, or any combination thereof.
3. Signs attached to masonry, concrete, or steel shall be safely and securely fastened thereto by means of metal anchors, bolts, or approved expansion screws of sufficient size and anchorage to support safely the loads applied.
4. There shall be no visible angle iron supports, guy wires, braces or secondary supports. All signs supports shall be an integral part of the sign design.
5.
 - a. All electric signs shall conform in design and construction to the appropriate sections of the then current National Electrical Code and other requirements as may be deemed necessary by the City Building Official in accordance with International Building Codes adopted by the city.
 - b. Electric discharge tubing (neon, argon, etc.) not terminated in an exterior metal sign raceway shall be terminated in receptacles designed and approved for the purpose.

5.9 Removal of Dangerous, Discontinued or Illegal Signs:

(A) Removal of Signs:

1. The City Building Official may remove or cause to be removed any discontinued, dangerous, defective, illegal, prohibited or nonconforming sign subject to removal under the provisions of this ordinance, or any other sign maintained in violation of the provisions of this ordinance.
2. Notwithstanding the above, in case of emergency, the City Building Official may institute the immediate

removal of a dangerous or defective sign without notice.

3. The City Building Official may cause the removal of unauthorized advertising signs from the public right-of-way. Such signs may be impounded as evidence, or disposed of as abandoned property unless claimed by the owner within thirty (30) days. Such signs shall be deemed a nuisance and subject to removal without notice.

(B) Disposal of Signs:

Any Sign removed by the City Building Official pursuant with the provisions of this Ordinance shall become the property of the city and may be disposed of in any manner deemed appropriate by the city. Cost of removal of the sign by the city shall be considered a debt owed to the city by the owner of the sign and the owner of the property, and may be recovered in an appropriate court action. The cost of abatement or removal shall include any and all incidental expenses incurred by the city in connection with the sign abatement or removal.

5.10 Sign Maintenance:

It shall be unlawful for any person to maintain or permit to be maintained on any premises owned or controlled by said person any sign that is in a dangerous or defective or damaged condition. Any such sign shall be removed or repaired by the owner of the sign or the owner of the premises.

5.11 Sign Permits:

No sign permit will be issued unless all proposed signs comply with this ordinance. All existing and future signs must be approved by the city prior to issuance of a certificate of occupancy.

ARTICLE VI. TEMPORARY SIGNS

6.1 Purpose and Intent:

The purpose of this chapter is to allow temporary signage for specified land uses and events of a limited duration. It is intended that these provisions shall provide for increased flexibility of the ordinance by recognizing the distinction between permanent and temporary signage. Temporary Signs do not require a permit.

6.2 Real Estate Signs:

(A) Rigid Signs pertaining only to the lease, sale or rental of the land or buildings upon which such signs are displayed are permitted in all zoning districts in accordance with the following limitations:

1. Real Estate Signs for individual lots, buildings, or tenant space located in a residential district shall not exceed six (6) square feet of surface area, and must be displayed on the property, lots, building or tenant space offered for lease, sale or rental.
2. Real Estate Signs located in all commercial districts shall not exceed thirty-two (32) feet of surface area and ten (10) feet in sign height and shall be displayed on the property, lots, building, or tenant space offered for lease, sale or rent.
3. Real Estate Sign shall be removed within ten (10) days after the lease, sale or rental of the property or building has been accomplished.

6.3 Contractor Signs: See Section 6.4.

6.4 Development Signs:

(A) Signs pertaining only to the proposed development of the property on which such signs are located, including any information regarding the architects, contractors, lenders and other development-related professions engaged in the development of sites upon which such signs are displayed, are permitted in all zoning districts subject to the following limitations:

1. Only one (1) development sign (including architects, contractors, lenders and other development-related services professions) per development site shall be allowed, except that in regard to subdivision developments one (1) development sign will be allowed at each entrance to the subdivision.
2. Development Signs for developments of five (5) acres or less shall not exceed thirty-two (32) square feet in sign area and ten (10) feet in sign height.
3. Development Signs for developments in excess of five (5) acres, and not more than ten (10) acres, shall not exceed sixty-four (64) feet in sign area and ten (10) feet in sign height.
4. Development Signs for developments in excess of ten (10) acres shall not exceed one hundred (100) square feet of sign area, and ten (10) feet in sign height.
5. No development Sign shall be erected on the lot before construction starts or remain on the lot for more than ten (10) days after completion of the development.

6.5 Banners and Non-Rigid Signs:

- (A) Up to two (2) canvas signs, banners, advertising flags, pennants, streamers, garlands and similar devices are permitted only for the first thirty (30) days after the initial opening of a new business, after new occupancy or after a change of the proprietor.
- (B) Canvas Signs, banners, advertising flags, pennants, streamers, garland and similar devices may also be allowed for a maximum of thirty (30) days prior to non-profit events as long as the primary reason for the banner is to advertise the non-profit event.

6.6 Financing Signs: See Section 6.4

6.7 Garage Sale Signs: Signs announcing garage sales.

6.8 Political and Campaign Signs:

(A) Signs pertaining to candidates for public office, measures or issues on primary, general or special election ballots are permitted in all zoning districts subject to the following limitations:

1. In single family residential districts on lots smaller than or equal to one (1) acre, one (1) Sign per street frontage for each candidate or measure not exceeding eight (8) square feet in area and six (6) feet in sign height.
2. In single-family residential districts on lots larger than one (1) acre and in all other zoning districts, one (1) sign per street frontage per lot or parcel for each candidate or measure not exceeding sixteen (16) square feet in area or eight (8) feet in sign height.
3. Signs shall not be displayed earlier than forty-five (45) days prior to an election and shall be removed within five (5) days following said election. Signs for successful primary election candidates, eligible for the general election, may remain after the primary election but shall be removed within five (5) days after the general election.
4. Signs shall not be placed in any portion of the public right-of-way located between a street or sidewalk and a property line fence (i.e. residential lot backs up to an arterial street) or on any public properties.
5. The person, party or parties responsible for the distribution and display of such signs shall be individually and jointly responsible for their removal.

6.9 SPECIAL SALES EVENTS:

Limited to 30 days and no Sunday temporary advertising.

ARTICLE VII: NONCONFORMING AND DISCONTINUED SIGNS

7.1 Nonconforming and Discontinued Signs:

- (A) Signs for a legal nonconforming use:
1. After the effective date of this ordinance, new or additional signs for a nonconforming use shall be permitted in accordance with the signage permitted for the zoning district in which the nonconforming use is located.
 2. A nonconforming sign for a nonconforming use that is discontinued for a period exceeding six (6) months, or is superseded by a conforming use, shall be considered a prohibited sign and shall be removed or brought into conformance upon establishment of a conforming use. A nonconforming use shall be deemed discontinued when such use is suspended as indicated by the cessation of activities or conditions that constitute the nonconforming status of the use.
- (B) Signs Rendered Nonconforming:
1. If at the time of the adoption of this ordinance, or amendments thereto, or of any extension resulting from annexation, or of any amendment to the Yazoo City regulations, any sign that is being used in a manner or for a purpose that was otherwise lawful, but does not conform to the provisions of this ordinance, shall be deemed nonconforming. Such sign may continue only in the manner and to the extent that it existed at the time of such adoption, amendment or extension.
 2. Any sign that becomes nonconforming after the effective date of this ordinance, as a result of annexation into the city, or amendment of this ordinance or the Zoning Ordinance, shall be subject to the provisions of this ordinance.
 3. Notwithstanding any other provision of this chapter, legal nonconforming signs that are located on a parcel

of property that is severed from a larger parcel of property and acquired by a public entity for public use by condemnation, purchase or dedication may be relocated on the remaining parcel without extinguishing the legal nonconforming status of that sign provided that the nonconforming sign:

- a. is not increased in area or height;
- b. remains structurally unchanged except for reasonable repairs or alterations;
- c. is placed in the same relative position on the remaining property that it occupied prior to the relocation; and
- d. is relocated in a manner so as to comply with all applicable safety requirements.

After relocation pursuant to this subsection, the legal nonconforming sign shall be subject to all provisions of this ordinance in its new location.

(C) Signs Rendered Discontinued:

1. The use of any sign that is located on property which becomes vacant unoccupied for a period exceeding six (6) months shall be deemed to have been discontinued. Any sign which use has been discontinued is prohibited and shall be removed by the owner of the sign or owner of the premises. Signs and sign structures shall be deemed discontinued if left vacant and unoccupied for a period exceeding six (6) months; provided, that signs related to existing on-site businesses which become unused because the building is temporarily vacant may remain so long as the building is on the market for sale.
2. Signs and sign structures which remain vacant, unoccupied devoid of any message, or display a message pertaining to a time, event or purpose that no longer applies shall be deemed to be discontinued.

3. A sign whose use has been discontinued is prohibited and shall be removed by the owner of the sign or owner of the premises.

(D) Alteration or Removal of Nonconforming Signs:

1. A nonconforming sign or sign structure shall not be re-erected, relocated, or replaced unless it is brought into compliance with the requirements of this ordinance, except as provided in Section 7.1(B)3. If fifty percent (50%) or more of the sign area of a sign is replaced or if fifty percent (50%) or more of the sign structure is replaced, both the sign and the sign structure shall be brought into compliance with the requirements of this ordinance.
2. Any construction permit which involves certificate of occupancy requirements shall specify and require that any nonconforming sign located within the boundaries of the development site authorized by said permit shall be brought into conformance with the provisions of this ordinance, provided that if the nonconforming sign is a type of sign that is prohibited under Section 5.5 of this ordinance, it shall be removed.
3. Any nonconforming sign shall be removed or rebuilt, including the sign structure, in full conformity to the terms of this ordinance if it is damaged or allowed to deteriorate to such an extent that fifty percent (50%) or more of the sign area of the sign or fifty percent (50%) or more of the sign structure must be replaced.

ARTICLE VIII. REQUIREMENTS FOR PERMANENT SIGNS PERMITTED BY DISTRICT (ZONE)

8.1. GENERAL

- A. Districts: The districts are as defined by the Zoning Ordinance and Official Zoning Map. Only permanently located signs as described herein and as may be described under Temporary Signs will be permitted in each particular district, except for public signs and City, County, State and Federal regulatory signs.
- B. New District: If a new district is created after the enactment of this Ordinance, no new signs shall be permitted therein until this Ordinance is amended to include the new district. All existing regulated signs must have a City Permit or be removed in ninety (90) days.
- C. Existing Signs in Annexed Areas: Signs lawfully existing in areas annexed after the passage of this ordinance may be continued for a period of one year from the date of annexation provided they are properly maintained. Within three (3) months/90 days after the date of annexation all signs in the newly annexed area shall be submitted to the City Sign Official for a permit or be removed within the next ninety (90) days. At the end of the one year period, any sign not in conformance with this Ordinance shall be removed by the agent or person having beneficial use of the structure or land on which the sign is located.
- D. Construction: All signs shall conform with the pertinent requirements of the current Standard Building code and current National Electrical Code.
- E. Ground Mounted Signs: All permanent ground mounted signs shall either utilize a double-pedestal base or a fully enclosed base. If the base is fully enclosed, the base will not be counted in the allowable 13 square footage of the sign face. In either event, the area surrounding the base shall be appropriately landscaped.

8.2. AGRICULTURAL (A-1) LOW AND MODERATE DENSITY RESIDENTIAL DISTRICT (R-E, R-1, R-2, AND R-3), APPLICABLE PUD AREAS AND CHURCHES IN ALL ZONING DISTRICTS

- A. General: This section of the Ordinance shall apply to all districts designated by the Zoning ordinance as Agricultural (A-1), Low and Moderate density Residential (R-E, R-1, R-2, and R-3) such uses in PUD areas and churches in all zoning districts.
- B. Allowable Signs: 1. Subdivision Identification Sign – One subdivision identification shall be allowed at each entrance.
- (i) a ground mounted sign is acceptable.
 - (ii) a wall mounted sign which is one integral surface mounted unit is acceptable. 2. Church, public or semi-public building and public park identification signs. Changeable copy must be enclosed and secured against vandalism.
- C. Size: The area of one face of the sign portion of the subdivision entrance identification shall not exceed thirty-two (32) square feet. In no case shall total sign area exceed sixty-four (64) square feet regardless of the number of faces.
- D. Location:
- 1. Subdivision Identification Sign – shall be set back a minimum of twenty (20') feet from the face of curb or edge of the pavement of any arterial street. In some instances a setback of more than twenty (20') feet may be required by the Sign Official for safety reasons.
 - 2. Church, public or semi-public building or park signs – setback for these signs shall be one-half the distance of other buildings in the district.
- E. Content:
- 1. Subdivision Identification and other identification signs shall indicate only the name of the subdivision or the name and address of the building or business.
 - 2. Signs shall be restricted to letters, numbers and a business logo.

3. Public or semi-public building or park signs shall only display the name of the building or park, as well as information relating to scheduled activities therein.

F. Specific Church Sign Requirement: Any other provision of this article notwithstanding, the following provisions shall apply to church signs:

1. The height of any church signs shall be not more than six (6) feet from the* surrounding grade.
2. The total sign area shall not exceed thirty-two (32) square feet per face and the area of the total sign structure, base included, shall not exceed fifty-two (52) square feet, per face.
3. The content of the sign shall only include the name of the church, the name of the pastor, and a schedule of services and activities.

8.3. MULTI-FAMILY RESIDENTIAL (R-4), MOBILE HOME PARK DISTRICT (R-M), MIXED USE RESIDENTIAL DISTRICT (R-MX), RETIREMENT VILLAGE DISTRICT (S-1) AND APPLICABLE PUD AREAS

A. General: This section of the Ordinance shall apply to all Districts designated by the Zoning Ordinance as MultiFamily, Residential (R-4), Mobile Home Parks (R-M), Mixed Use Residential (R-MX) Retirement Village (S-1) and applicable PUD areas.

B. Allowable Signs:

1. A wall sign face mounted on building wall provided said wall contains the main entrance and store front of the business or occupant. The following wall signs may also be allowed:
 - a. Signs on other wall of occupant in lieu of or in combination with sign on wall containing a main exterior entrance.
 - b. More than one sign when there is more than one entrance.
2. Ground Mounted Identification Sign – One ground mounted sign shall be allowed per project, except where the project fronts on two or more streets. A ground mounted sign shall be allowed

for each street frontage provided the project has a major traffic entrance on the frontage.

3. Traffic dimensional signs – shall not exceed a maximum total area of two hundred sixteen (216) square inches per face (12” x 18”) with a maximum of two faces per sign, not to exceed a total of four hundred thirty-two (432) inches. Such signs shall not exceed thirty-one (31) inches above the existing grade.

C. Size: Not larger than eight (8) square feet.

D. Location:

1. Ground mounted identification signs – setback for signs shall be one half of the distance required for buildings in the district.
2. Traffic directional signs – may be located anywhere on the property.

E. Maximum Height of Signs:

The maximum height of signs shall be no more than six (6) feet as measured from surrounding grade.

F. Content:

1. Ground mounted and wall mounted identification signs – shall indicate only the identification of the project and its address.
2. Signs shall normally be restricted to letters and numbers only; however, graphic logos may be approved by the Sign Official.
3. Changeable copy signs – shall only display information regarding scheduled activities.
4. Traffic/intra-site directional signs – shall indicate “enter” or “exit” only, except as noted above, in which case intra-site directional signs shall be limited to designation of specific parking, drive- up business windows or service designations.

8.4. ALL COMMERCIAL AND INDUSTRIAL DISTRICTS, HISTORIC COMMERCIAL DISTRICT, SPECIAL PLANNED CORRIDOR DISTRICT AND SPECIAL MEDICAL SERVICES DISTRICT:

A. General:

This section of the Ordinance shall apply to all commercial districts, all industrial districts, the Historic Commercial District, the Special Planned Corridor District, and the Special Medical Services District.

B. Allowable Signs:

1. A wall sign face mounted on building wall provided said wall contains the main entrance and store front of the business or occupant. The following wall signs may also be allowed.
 - a. Sign on another wall of occupant in lieu of or in combination with sign on wall containing a main exterior entrance, or
 - b. One sign over each entrance, or
 - c. Where frontage is on more than one (1) street, only signs computed with the frontage of that street shall face that street.
2. Ground mounted signs – In no case shall more than one ground mounted sign be allowed per street frontage.
 - a. For building, tenant or project identification signs in lieu of or in combination with wall signs – one sign is allowed for each street frontage.
 - b. Multi-tenant sign for building or Development and tenant identification for office buildings, office parks and professional complexes only. In lieu of or in combination with wall signs – one ground mounted sign is allowed for each street. If a multi-tenant sign is used, no other individual ground-mounted or pole sign for tenants may be used.
3. Permanent project signs.
4. Traffic/Intra-site directional signs – two (2) are allowed at each vehicular entrance to property.

5. Changing signs (automatic) – automated changing signs which provide community event information, time and temperature, in addition to advertisement. Sign may not change more than once every sixty (60) seconds and change must be completed in one (1) second.
6. Changeable copy signs – for schools and churches.
7. Temporary Signs.
8. Canopy Signs.
9. Non-illuminating commemorative wall mounted signs – constructed of metal or wood only.
10. Window Signs – one per window. Window signs are allowed in addition to wall and monument signs, and must be permitted separately, because they are generally added after the business opens.
11. Pole Signs. No more than one pole sign shall be allowed per street frontage. Pole signs may not be used in combination with ground-mounted signs.

C. Size:

1. Wall signs – a maximum total sign area of forty (40) square feet or one-half (1/2) square foot for each lineal foot of building wall width or lease space on which the sign is erected, whichever results in the smaller sign area, with a minimum of twenty (20) square feet. A wall sign must not take up an entire wall.
2. Ground mounted signs – in lieu of or in combination with Wall Signs – shall conform to paragraph 1 above. Ground mounted signs shall not exceed forty (40) square feet per face and total sign area shall not exceed eighty (80) square feet total of all faces.
3. Pole mounted signs – Pole mounted signs shall not exceed forty (40) square feet per face and total sign area shall not exceed eighty (80) square feet total of all faces. Pole sign height shall not exceed twenty-five (25) feet.

4. Window signs – window signs cannot exceed 20 percent of window area.
4. Changing and changeable copy signs – In lieu of or in combination with Mounted Signs shall comply with paragraph 2 above.
5. Permanent project signs – shall not exceed fifty (50) square feet per face per street frontage and the total sign area shall not exceed two hundred (200) square feet.
6. Traffic directional signs – shall not exceed a maximum total area of two hundred sixteen (216) square inches per face (24” x 24”) with a maximum of two (2) faces per sign, not to exceed a total of four hundred thirty-two (432) square inches for signs denoting “enter” or “exit”. Signs denoting intra-site directions should not exceed a single face side of twenty-six (26) inches by fifteen (15) inches (26” x 15”), with two (2) faces (back to back) allowable. Intra-site directional signs shall have letters, numbers, or graphics no larger than two inches (2”) in height, and no more than forty percent (40%) of the face may be blank. Lettering for “enter” or “exit” signs shall not exceed three and one-half inches (3 ½”) in height. Such signs shall not exceed thirty-one inches (31”) above existing grade.
7. Canopy signs – in lieu of or in combination with wall signs and ground mounted signs shall conform to the restrictions set forth in Section 8.4 (C)1. Length of canopy is not to be considered in allowable signage.
8. Multi-tenant signs – overall sign size is to follow same wording as rules governing ground mounted signs. Individual tenant signs shall be as follows:
 - a. All lettering shall be uniform in size for all tenants’ names with a letter height of three (3) inches.
 - b. Color of background shall be uniform on entire sign and letters shall be uniform on entire sign with dark background and color of letters shall be uniform on entire sign. If more than one sign is used, as in the case of a

corner with two (2) frontages, both signs shall be uniform in color.

- c. Individual tenant signs shall be mounted to the main sign. In no case shall individual tenant signs be allowed to hang from the main sign. Individual tenant signs must be identical in size, shape, material and color. The size of tenant signs shall be no taller than nine (9) inches and shall be the width of the main sign background. However, where the entrance to an individual tenant's business fronts on a private street, and tenant may have a separate sign, not to exceed four square feet in size, in lieu of any other signage. This sign, which must front on the private street, will be deducted from the total sign area allowed for the site.
9. Commemorative wall mounted signs – Shall not exceed one hundred ninety-two (192) square inches in area. Such signs may be erected in addition to other signs created by this section. No more than one such commemorative sign shall be permitted per building or per lot.

D. Location:

1. Wall signs – All signs shall be face mounted on the building wall. Wall Mounted Signs shall not project more than twelve (12) inches from the face of the building. Signs shall not project above the roof line unless incorporated in the roof design and only if approved by variance as provided in Article X.
2. Ground mounted identification signs – Setback for signs shall be one-half of the distance required for buildings in the district.
3. Height of ground mounted identification sign – shall be a maximum of six (6) feet as measured for surrounding grade.
4. Permanent project signs – The project sign shall be setback one-half of the distance required for buildings in the district. Height of sign shall be a maximum of six (6) feet as measured from surrounding grade.
5. Traffic/Intra-site directional signs – shall be located a minimum of one foot from the right-of-way (existing and/or proposed

whichever is greater) of any street. Such signs shall not exceed thirty-one inches (31”) above existing grade. Intra-site directional information (words other than “enter” or “exit”) shall be allowed only to owners with one business or single use per property.

6. Canopy signs – bottom of sign shall have a minimum seven (7) foot clearance from finish grade directly below.
7. Changeable copy and automatic changing signs – shall conform to paragraph 1 or 2 and 3 above.
8. Regulatory information signs – as required by federal, state, county and city authorities.
9. Commemorative wall mounted signs – Commemorative wall signs shall not project more than four (4) inches from the face of the building.
10. Pole signs – See Section 8.5 (D)c.

E. Contents:

1. Wall signs – shall be limited to the name of the development, business, address, hours, dates, instructions and primary products and services to be located at the one main entrances as determined by owner.
2. Ground mounted signs – shall be limited to the name of the development or business, address, hours, dates, instructions and primary products and services.
3. Pole mounted signs – shall be limited to the name of the development or business, address, hours, dates, instructions and primary products and services.
4. Permanent project signs – shall be limited to the name and address of the project. Tenant names shall not allowed on permanent project signs.
5. Logos.
6. Changeable copy signs – for schools and churches shall only display information concerning scheduled activities.

7. Traffic/Intra-site directional signs - shall indicate “enter” or “exit” and approved logos only, except as noted above, in which case intra-site directional signs shall be limited to designation of specific parking, drive-up business windows or service designations.
8. Canopy signs – shall be limited to the name of the business, address, hours, dates, instructions and primary products and services.
9. Multi-tenant sign – shall be limited to the name of the building or development and/or its address and the name of each business and/or tenant. A minimum of the top twenty-five percent (25%) of the sign shall be used to identify the name of the building or development and/or its address.
10. Changing signs (automatic) – refers to Section 8.4 (B)5.

8.5. SPECIAL REGULATIONS FOR SERVICE STATIONS AND CONVENIENCE STORES

- A. General: A section of the Ordinance shall apply to only those properties engaged in the retail gasoline and petroleum products business.
- B. Allowable Signs:
 1. One ground mounted, one wall-mounted, or one pole-mounted brand Identification sign per street frontage, which includes pump prices.
 2. One non-illuminated permanent price sign per pump island or one illuminated permanent price sign as part of a ground mounted brand identification sign.
 3. Two non-illuminated self-service or full service signs per pump island.
 4. Federal and state stamps, octane ratings, pump use directions, no smoking signs as required by federal, state and local authorities.
 5. A canopy sign, identifying the brand, shall be allowed if the canopy-sign side of the property abuts a public street; alternatively, in lieu of a canopy sign an illuminated spreader bar sign is allowed.

6. Window signs are allowed in addition to wall and monument signs, but they cannot exceed twenty (20) percent of window area and must be permitted separately, because they are generally added after the business opens.

C. Size:

1. Brand identification signs: a. Wall signs – a maximum total sign area of forty (40) square feet, or one-half (1/2) square foot for each lineal foot of building frontage, whichever results in the smaller sign area with a minimum of twenty (20) square feet. b. Ground mounted sign – Where one ground mounted sign, with or without pricing information, is allowed, the allowable square footage would be forty-five square feet (45 sq. ft.) per face for a total of ninety square feet (90 sq.ft.). Not more than fifty percent (50%) of the sign face shall be devoted to the price information.
2. Wall signs (other than brand identification) - a maximum total sign area of forty (40) square feet, or one-half (1/2) square foot for each lineal foot of building footage, whichever results in the smaller sign area, with a minimum of twenty (20) square feet.
3. Pole signs – Same as number 1 above.
4. Canopy signs – area to be included in area permitted for Brand Identification signs under Section 8.5 (C)1.
5. Price signs – a maximum total sign area of sixteen (16) square feet and no more than eight (8) square feet per face when affixed to the end of a pump island.
6. Self-service signs and/or full service signs – a maximum total area per sign of one hundred sixty (160) square inches.
7. Federal and state stamps, octane ratings, pump use directions, no smoking signs and other mandatory signs and stamps shall be as required by the governing authority.

D. Location:

1. Brand identification signs.
 - a. Wall signs – all signs shall be face-mounted on the building wall. Wall signs shall not project more than twelve (12) inches from

the face of the building. Signs shall not project above the roof line or be mounted on any part of the roof.

- b. Ground mounted signs – shall be set back a minimum of one-half (1/2) distance required for buildings in the district.
 - c. Pole mounted signs -- shall not be placed on public right-of-way, nor shall any part of the sign extend over the street right-of-way.
 - d. Height of sign – shall be a maximum of six (6) feet as measured for surrounding grade.
2. Price signs – price signs shall be attached to pump island, or ground mounted, but not both. A decision to use a ground mounted sign for price information shall not be justification for any increase in size of the ground mounted sign.
 3. Self-service signs – Self-Service signs shall be attached to pump or pump island or spreader bars.
 4. All no smoking signs, federal and state stamps, octane rating, and pump use directions shall be placed on the body of the gasoline pump.

E. Content:

1. Brand identification signs – shall contain only the accepted logo or brand name.
2. Wall signs – (non-brand identification) shall contain only the name of the business, address, hours, dates, instructions and the primary products and services.
3. Price signs – shall identify pump fuel only, “Cash”, “Self-service” and/or “Full Service”. Letters and/or numbers on price signs shall be a maximum of ten (10) inches in height but not less than three (3) inches in height. 28
4. Trim – to include company slogans, the use of decorative logos or trademarks, and striping, shall be located and be of such size and content as approved by the Sign Review Official.

5. All lighted exterior signs shall be extinguished when the service station is not open for public business.
6. Self-service and full service signs shall have a maximum letter height of three (3) inches.

ARTICLE IX: VIOLATIONS AND ENFORCEMENT

9.1 Violations and Enforcement:

- (A) Declaration and Unlawful Acts: It is hereby declared unlawful for any person, firm or corporation to construct, place, alter, change, maintain, use or to permit the construction, placement, installation, alteration, change, maintenance, or use of any sign contrary to or in violation of any provisions of this ordinance, or of any sign contrary to or in violation of any provision of this ordinance, or of any provision designated as a condition of approval by the Board of Mayor and Aldermen made in compliance with the provisions of this ordinance, Zoning Ordinance or other regulations of the city.
- (B) Unlawful Acts: The installation, construction or display of any illegal or prohibited sign is hereby declared unlawful and a violation of this ordinance.
- (C) If the City Building Official finds that any of the provisions, of this ordinance are being violated, he shall notify in writing the person believed to be responsible for such violations, indicating the nature of the violations and ordering the action necessary to correct the violations. The City Building Official shall order removal of any illegal, non-permitted, or unauthorized Signs. The City Building Official shall take any other action authorized by this ordinance to ensure compliance with or to prevent violation of its provisions. Any action by the City Building Official to enforce, ensure compliance, or prevent violation of this ordinance is subject to appeal to the Board of Mayor and Aldermen.
- (D) The Chief of Police will assist the City Building Official in the enforcement of this Ordinance.
- (E) This ordinance may further be enforced by injunction or declaratory judgment proceedings in a court of competent jurisdiction, Mississippi. Nothing in this section shall preclude the city from seeking voluntary compliance with the provisions of this ordinance, or from enforcing this ordinance through notices of violation, warnings or through other

informal devices designed to achieve compliance in the most efficient and effective manner under the circumstances. Violations of this ordinance are in addition to any other violation established by law, and this ordinance shall not be interpreted as limiting the penalties, actions or abatement procedures, which may be taken by the city or other persons under other laws, ordinances or rules.

(F) Defendants and Responsible Parties:

Any owner or occupant who causes, permits, facilitates, aids or abets any violation of this ordinance, or who fails to perform any act or duty required pursuant to this ordinance, is subject to the enforcement provisions of this ordinance. The owner and occupant are individually and jointly responsible for the violations, the prescribed civil or criminal sanctions, and for abating the violations.

(G) Fines and Each Day Separate Violation:

Any person, firm, or corporation who knowingly violates, neglects, or refuses to comply with any of the provisions of this ordinance shall be guilty of a misdemeanor and shall upon conviction for each offense be fined not more than one Hundred Dollars (\$100.00). Each calendar day that a violation exists, without reasonable effort on part of defendant to correct the violation, shall constitute a separate offense.

(H). Failure to Provide Evidence of Identity:

A person who fails or refuses to provide evidence of his or her identity to a duly authorized agent of the city upon request, when such agent has reasonable cause to believe the person has committed a violation of this ordinance, is guilty of a misdemeanor. Evidence of identity under this section shall consist of a person's full name, residence address, and date of birth.

ARTICLE X: ADMINISTRATION OF VARIANCES AND INTERPRETATIONS

10.1 Variances and Interpretations:

- (A) Application: An application for a request for Variance from the provisions of this Ordinance shall be submitted to the City Building Official.
- (B) Hearing: All applications for a Variance shall be heard by the Board and Mayor of Aldermen after notice and with a public hearing. Although the Mayor and Board may grant variances from the literal requirements of this ordinance generally involving dimensional and location-related provisions, it may not grant variances from the land use requirements.
- (C) Granting Conditions: A variance may only be granted upon a finding by the Board of Mayor and Aldermen that:
 - 1. There are special circumstances or conditions applying to the land, building, or use application; and
 - 2. That such special circumstances or conditions are pre-existing and not created by the property owner or appellant; and
 - 3. The authorizing of the variance is necessary for the preservation and enjoyment of substantial property rights; and
 - 4. The authorizing of the variance will not be materially detrimental to persons residing or working in the vicinity of the property, to the neighborhood, or the public welfare in general.

10.2 Variance Fees:

- (A) At the time of filing an application for a variance there shall be paid to the City Clerk a fee of Fifty Dollars (\$50.00) to cover incidental expenses of the city for the processing of said application. This fee shall not be refundable.
- (B) The applicant shall be responsible for performing, at his expense, all actions required by this ordinance or by law for

the request, if authorized or granted, to be effective, including the preparation of all applications, draft orders, notices, exhibits, affidavits, transcripts, and records; the publication of all notices required to be published, the posting of all notices required to be posted, the mailing of all notices required to be mailed, and the certification of all statements required to be certified.

10.3 Variance Application and Notice Procedure:

- (A) An applicant seeking a Variance shall file a request therefore in the form of an application with the City Building Official. The application must be completed in its entirety. The application shall be reviewed for sufficiency by the City Building Official. When the application is found sufficient, the City Building Official shall determine the date for a public hearing on the request before the Board of Mayor and Aldermen. Such date shall be a regularly scheduled meeting of the Board of Mayor and Aldermen, who shall set the request for public hearing on the agenda for that meeting.

In determining the date of the regularly scheduled meeting of the Board of Mayor and Aldermen at which the public hearing is to be held, the City Building Official shall take into consideration the time necessary for the provision of all notices required prior to said hearing, the dates acceptable to the applicant, and the substance and duration of other matters set for hearing and debate at such regularly scheduled meetings. Provided, unless the applicant consents in writing, the public hearing shall be held at a regularly scheduled meeting of the Board of Mayor and Aldermen within ninety (90) days of the date the City Building Official determines the application to be sufficient.

- (B) The City Building Official shall notify the applicant of the date, time, and location of the regularly scheduled meeting of the Board of Mayor and Aldermen during which the hearing shall be held.
- (C) The applicant for a Variance shall give Public Notice of the date, time, and place for the required public hearing before the Board of Mayor and Aldermen by causing notice thereof

to be published at least fifteen (15) days prior to the date of said public hearing. The notice shall be titled "PUBLIC NOTICE," be signed by the applicant or the officer, agent or attorney of the applicant, and shall read substantially as follows:

"Notice is hereby given to any and all persons interested in or in any way affected thereby that (insert name of person or party holding the controlling ownership interest in the property where the sign is located) has filed an application with the City Building Official requesting a Variance to allow the following described sign to be (insert description of proposed use, duration, relief requested, etc.)

A copy of said application is on file with the City Clerk and is available for review during normal business hours. Said application and request will come before the Board of Mayor and Aldermen for public hearing on (insert date of hearing) during their regularly scheduled meeting which begins at (insert time of meeting) and which is to be held at (insert place name). Any person desiring to express his or her views on the application and request may be present and do so at said hearing or may deliver his or her written statement to the City Clerk prior to said hearing. Written statements about the application and proposed amendment should be addressed to the undersigned at (insert the address and telephone number of the applicant or officer, agent or attorney of the applicant) with a copy to the City Clerk at Yazoo City City Hall, 128 E. Jefferson Street, Yazoo City, MS 39194."

- (D) The City shall also post at least one (1) sign at a conspicuous location along each public or private street on which the subject property where the sign is located abuts, or if the subject land does not abut a public or private street, than at a conspicuous location on the subject property where the sign is located. Each sign will be posted for at least fifteen (15) days during the three (3) weeks immediately preceding the public hearing.

1. On each sign, the title “PUBLIC NOTICE” shall be two (2) inches high and all other words and letters shall be legible.
 2. Each sign shall give notice to the public that the property is subject to a request for a Variance and that the application requesting same is available for review at the Yazoo City City Hall.
- (E) The applicant shall serve notice by Certified Mail to each owner of a part or parcel of land situated within one hundred sixty (160) feet (excluding street rights-of-way) of the subject property where the sign is located.
1. This required mailed notice shall read substantially the same as the required published public notice.
 2. The required mail notice shall be mailed at least fifteen (15) days prior to the scheduled date of the required public hearing.

10.4 Public Hearings:

- (A) The applicant for a Variance shall be required to present orally and in writing credible evidence that the proposed Variance will not adversely affect the neighborhood, public interest, and general welfare and, in the case of a Variance, that the granting conditions detailed in 10.1 (C) exist on the subject property.
- (B) The applicant shall provide proof that all the actions necessary to affect all required notices were performed, including the proof of publication of the notice in a newspaper of general circulation in the City and the U.S. Postal Service receipts for certified mail sent to owners of all parts and parcels of property within one hundred sixty (160) feet, excluding street rights-of-way.
- (C) The Board of Mayor and Aldermen may limit in any reasonable manner oral presentations by the applicant and any other person or persons present at the hearing desiring to express his or her views on the application and request. Such limitations shall be uniformly applied.

- (D) At the direction of the Mayor and Board, the City Building Official may preside at any public hearing.

10.5 Order Granting Request:

- (A) The City Building Official will prepare, with the assistance of the applicant, the order necessary to authorize or deny the Variance as proposed in the application.
- (B) If the Board of Mayor and Aldermen pass the order according to the procedure required therefore by law and this ordinance, the order shall be entered into the minutes of the meeting and shall be effective when the minutes are approved as provided by law.

10.6 Interpretations:

- (A) Interpretations: Requests for interpretations of the provisions of this ordinance shall be filed with the City Clerk on a form prescribed by the City Building Official. The terms and provisions of this ordinance cannot be changed through an interpretation.

