

ARTICLE IX. - SIGNAGE

Sec. A. - Purpose and intent.

The regulations and requirements herein set forth shall be the minimum requirements to promote the health, safety and general welfare of the public and to protect the character of the City of Starkville.

The purpose and intent of these regulations is to create the legal frame work for a comprehensive and balanced system of signage to improve and enhance the aesthetic environment of the city and to avoid the visual clutter that is potentially harmful to traffic and to the appearance of the community. The Mayor and Board of Aldermen of the City of Starkville find that the regulations set forth herein will improve the visual appearance of the city by limiting the number and size of signs within the corporate limits, consistent with constitutional guarantees, while continuing to provide an effective means of communication.

(Ord. No. 2011-2, § 1, 4-5-11)

Sec. B. - General.

For words, terms and phrases used in this article that are not defined in section C, below, or elsewhere in the City's Code of Ordinances, the city planner shall have the authority and power to interpret or define such words, terms and phrases.

In making such interpretations or definitions, the city planner may consult secondary sources related to the planning and legal professions, such as "Black's Law Dictionary" (West Publishing Company, St. Paul, Minn., most current edition), "The Latest Illustrated Book of Development Definitions" by Harvey S. Moskowitz and Carl G. Lindbloom (Center for Urban Policy Research, Rutgers University. N.J. 2007, or most current edition), for technical words, terms, phrases and graphics, or any "Webster's Dictionary" for other words, terms and phrases.

(Ord. No. 2011-2, § 2, 4-5-11)

Sec. C. - Definitions.

Abandoned and/or Obsolete Sign: Means a sign in such a state of disrepair so as to be considered an unsightly nuisance, a sign which no longer serves any useful purpose for the owner or the advertiser thereon, or a sign that contains obsolete advertising or no advertising matter for a period of one hundred and eighty (180) days.

Amortization means a method of eliminating nonconforming uses by requiring the termination of the nonconforming use after a specified period of time.

Animated sign means any sign or part of a sign that changes physical position or flashes, moves, or otherwise changes at intervals of no less than once every ten seconds.

Awning sign means any sign attached to, in any manner, or otherwise made a part of any awning or awning-like structure which projects beyond a building or extends along and projects beyond the wall of the building, generally designed and constructed to provide protection from the weather; sometimes referred to as a "canopy sign".

Balloon means a bag inflated with a gas, such as helium, that causes it to rise and float in the atmosphere, intended to be used for advertising or as an attention-getting device.

Banner means a display, informational sign or other advertising device constructed of cloth, canvas, fabric, wood, foam-core or fiber-board, or other temporary material, with or without a structural frame, and intended for a limited period of display and used to advertise an event, product, business or service.

Bench sign means a sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

Bypass sign means a sign located along a federal or state highway where the posted speed limit is at least 55 mph, to assist the travelling public. These types of signs shall be ground signs supported totally by a solid base of masonry, brick, or other material, which base is not less than 80 percent of the total sign area width and which is of a finished or decorative type construction. Any metal or nonmasonry structural components of the sign shall be painted a flat or matte color to blend aesthetically with other outdoor fixtures and furnishings. The area beneath and around the sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the monument sign with buildings, parking areas, surrounding vegetation and natural features of the landscape. Bypass signs are only allowed by right in C-2 zoning districts.

Construction site identification sign means a temporary sign erected on the site or premises where construction is taking place during the period of such construction, indicating the names of the design professionals, general contractor, subcontractors, suppliers, owners, sponsors, supporters, financiers, and similar individuals and groups having a role or interest with respect to the structure or project.

Copy area means the area of space on any face of the sign to be used for advertising purposes, including the spaces between open-type letter and figures, including the background structure, or other decoration or addition which is an integral part of the sign. Sign supports shall be excluded in determining the area of a sign. The largest face of a multi-faced sign shall be used in calculating the area of a sign to determine compliance with this article. The area of a wall sign shall be measured within a single, continuous perimeter of any straight-line geometric figure which encloses the extreme limits of the advertising message. Curved, spherical, or any other shaped sign shall be computed on the basis of actual surface area. The copy area of signs composed of individual letters, numerals, or other devices shall be the sum of the area of the smallest rectangle or other geometric figures encompassing each said letter or devices. The calculation for a double-faced sign shall be so constructed that the perimeter of both faces coincides and are parallel and not more than 24 inches apart.

Discontinued sign means any sign which no longer identifies an activity conducted or present on the premises where the sign is located.

Directional sign means any sign of a noncommercial nature which directs the reader to the location of public institutions, historical areas, emergency shelters, public parks, public buildings, organizations identified by Section 26 U.S.C. 501(c)(3) of the United States Internal Revenue Code. Directional signs are permitted in all zoning districts and in no instance will a directional sign be allowed to be placed in the public right-of-way.

Electronic message board sign means any sign that uses changing light to form a sign message wherein the sequence of message and the rate of change is electronically programmed and can be modified by electronic processes. Electric message boards shall change no less than once every ten seconds.

Flag means any fabric or flexible material attached to or designed to be flown from a flagpole or other similar structure. No more than three flags of a national, state, religious, educational, fraternal or civic organization shall be displayed.

Flashing sign means any sign, which, by method or manner of illumination, flashes on or off or winks or blinks with varying light intensity, shows motion, or creates the illusion of motion or revolves in a manner to create the illusion of being on or off. Flashing signs shall not be confused with electronic message boards. Flashing signs are not permitted in any zoning district.

Illuminated sign means a sign illuminated in any manner by an artificial light source such as a spotlight or internally through a translucent background. Transparent backgrounds or surfaces are not allowed to be used in the construction of an illuminated sign. A neon tube shall be classified as an illuminated sign if it is nonchanging and nonflashing.

Inflatable display means any display used for advertising or attention-getting purposes, whether a specific advertising message is used or not, that is held in a rigid or semi-rigid state by a pressurized gas

such as air or nitrogen, etc. Inflatable displays are prohibited by this article, except for holiday decorations in residentially-zoned areas.

Kiosk means a freestanding structure upon which temporary information and/or posters, notices and announcements are posted. A kiosk may incorporate a public pay phone, a trash receptacle and may include a small electronic message board sign. Its design should reflect the character of the surrounding area. Kiosks are allowed in all commercial and PUD zoning districts.

Marquee sign means any sign attached to, in any manner, or otherwise made a part of any permanent roof-like structure which projects beyond a building or extends along and projects beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Monument sign means any ground sign supported totally by a solid base of masonry, brick, or other material, which base is not less than 80 percent of the total sign area width and which is of a finished or decorative type construction. Any metal or nonmasonry structural components of the monument sign shall be painted a flat or matte color to blend aesthetically with other outdoor fixtures and furnishings. The area beneath and around the sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the monument sign with buildings, parking areas, surrounding vegetation and natural features of the landscape.

Motor vehicle sign means any sign mounted, placed, written or painted on a vehicle or trailer whether motor-driven or not.

Multi-tenant business sign means a sign constructed and supported by a monument-type structure, displayed at the entrance or exit to a mall or shopping center facility that supports multiple businesses. Such mall or shopping center facility must be designed to support more than three separate businesses and include a minimum of 25,000 square feet before it qualifies as a site eligible for a multi-tenant business sign. Any metal or nonmasonry structural components of the multi-tenant business sign shall be painted a flat or matte color to blend aesthetically with other outdoor fixtures and furnishings. The area beneath and around the sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the multi-tenant business sign with buildings, parking areas, surrounding vegetation and natural features of the landscape. Multi-tenant business signs are only allowed in C-2 commercial and M-1 manufacturing zoning districts.

Nameplate means any sign less than one square foot in size which is not lighted and used primarily in residentially-zoned areas to convey a message or warning. Signage installed on a residence or mailbox with a name, street name, address number or other form of identification, shall not be considered a name plate for the purpose of these regulations.

Nonconforming sign means any sign existing at the effective date of the adoption of this article which could not be built under the terms of this article.

Nonconforming use means a lawful use of land that does not comply with the use regulations for its zoning district but which complied with applicable regulations at the time the use was established.

Off-site sign means any sign which directs attention to a business, commodity, service, entertainment, attraction, sold, offered or existing elsewhere other than upon the same parcel or lot where such sign is displayed. The term "off-site" shall include an outdoor advertising sign (billboard) on which space is leased or rented by the owner thereof to others for the purpose of conveying a commercial or noncommercial message. It shall also include "yard sale," "garage sale," and similar types of signage.

Outdoor advertising sign (billboard) means any off-site sign commonly referred to as a billboard and supported by one or more poles and is leased or rented by the owner thereof to others for the purpose of conveying a commercial or noncommercial message or product that is not available on the same parcel or lot that the billboard is situated.

Parapet means the edge of a roof or the tip of a wall, which forms the top line of a building silhouette. When a building has several roof levels, the roof or parapet shall be the one belonging to that portion of the building where the sign is located.

Pole sign means any sign erected, constructed, or maintained for the purpose of displaying outdoor advertising by means of posters, pictures, pictorial and/or reading matter when such sign is supported by one or more upright poles, posts, columns, or braces affixed in the ground or on the ground and not attached to any part of a building. By adoption of this article, pole signs shall be considered nonconforming signs and no new pole signs shall be permitted.

Political sign means any sign of temporary construction, which supports any political candidate or issue. These signs are permitted in all zoning districts.

Post sign means any on-site sign other than a monument sign, generally constructed of wood or metal posts with or without a frame or backing, which is primarily used to display banners or other signs of temporary construction.

Portable sign means a sign, usually of a temporary nature, which is by design not permanently affixed to the ground or to a building or structure. Portable signs are not permitted in any zoning district if the sign also meets the definition of a flashing sign. A portable sign must be placed a minimum of 20 feet from the edge of the paved road or the right-of-way line, whichever is greater, and a portable sign cannot be used in the construction of any other type of sign.

Real estate sign means a temporary sign placed upon property for the purpose of advertising to the public the sale or lease of said property.

Residential message sign means any sign of temporary construction, four square feet or less in size, which is used in residentially-zoned areas to convey a statement of support or affirmation for a civic or charity group, school or athletic team, personal statement, or other noncommercial message to the community. Residential message signs shall be placed a minimum of ten feet from the edge of the paved road, back of curb or right-of-way line, whichever is greater, and shall not be placed within the sight-distance triangle of any intersection. Only one residential message sign shall be allowed per each residential unit.

Right-of-way means a strip of land occupied or intended to be occupied by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees or other special use.

Roof sign means any sign wholly erected, constructed or maintained on the roof structure or parapet wall of any building. By adoption of this article, roof signs shall be considered nonconforming signs and no new roof signs shall be permitted.

Projecting sign. Any sign other than a wall sign that is attached to and projects from the wall or face of a building or structure at a right angle. Projecting signs shall conform to the same requirements as a wall sign.

Searchlight means any light that produces an intense concentrated beam of light. These lights are not permitted as a permanent or temporary use in any zoning district. Airport rotating beacons shall be exempted from this definition.

Setback means to measure from the closest edge of the sign to the closest edge of the paved road or the right-of-way line, whichever is greater.

Sight-distance triangle means a triangular shaped portion of land established at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving an intersection or driveway, the dimensions of which can be found in Appendix A, Article VI, Section A of the city's Code of Ordinances.

Sign means any identification, description, illustration, or device illuminated or nonilluminated which is affixed to or represented directly or indirectly upon a building, structure or land, and which directs attention to a product, service, place, activity, person, institution, or business. A structure or device designed or intended to convey information to the public in written or pictorial form. Signs erected by an authorized public agency for the purpose of directing traffic or providing information, are not affected by these regulations. National and state flags, when properly displayed, are not considered a sign under these regulations.

Snipe sign means any sign of any material whatsoever that is attached in any way to a utility pole, tree, or any object located or situated on any public right-of-way, easement, alley or on private property. Political signs shall not be considered snipe signs.

Subdivision sign means any sign located at the entry to a residential subdivision or planned development. A pair of subdivision signs that are designed and constructed to form an entrance to a subdivision, whether such signs are located across the street or on opposite corners from one another at the entry to the named subdivision, shall considered a single subdivision sign.

Temporary sign means a sign not constructed or intended for a long-term use, and not designed to be permanently attached to the ground, a building or structure intended for a limited period of display, including decorative displayed for holidays or public demonstrations. Included under this term are portable signs.

Wall sign means any sign that shall be affixed parallel to the wall or printed/painted onto the wall of any building in such a manner as to read parallel to the wall on which it is mounted. For the purposes of this article, any sign display surface that is affixed flat against the sloping surface of a mansard roof shall be considered a wall sign. Any sign that is affixed to the face of a building marquee, building awning or a building facade shall be considered a wall sign. Permanent and temporary signs affixed to or displayed in windows and doors shall be considered to be wall signs. Permanent signs affixed to walls may protrude above the roof line of a building by a maximum height of 20 percent of the height of the sign, or up to a total height of four feet above the roof line, whichever is less.

Window sign means any sign placed inside or upon the window panes of glass of any window or door.

Zoning overlay district means an area that encompasses one or more underlying zoning classifications that imposes additional requirements or restrictions beyond those required for the underlying zone.

(Ord. No. 2011-2, § 3, 4-5-11, ~~2017-X~~)

Sec. D. - Sign requirements for zoning districts.

This article shall supersede article VI, section C of the zoning ordinance.

A. Agricultural district (A-1) and residential districts (R-E, R-1, R-2, R-3, R-3A, R-4, R-4A):

1. In residential zoning districts, a sign is permitted to advertise a permitted home occupation when attached to the dwelling and shall not be over six square feet in area. There shall be no public display of goods and/or services and the sign shall not be illuminated.

A single name plate sign is permitted at each residence so long as it is not more than one square foot in size, unlighted and placed at least five feet from the edge of the paved road, back of curb or right-of-way line, whichever is greater.

3. Banners are permitted in these zoning districts so long as they are used for aesthetic and/or festive purposes such as seasons, holidays, family occasions, athletic team events or similar events. Permits are not required for these noncommercial banners.
4. Subdivision signs are permitted and shall conform to the following:
 - a. One subdivision sign shall be permitted for each entrance into a subdivision.
 - b. Subdivision signs shall not exceed 32 square feet in size.
 - c. Subdivision signs shall not exceed a maximum height of eight feet above the crown of the adjacent roadway.
 - d. Subdivision signs shall not be placed within the sight-distance triangle of any intersection and/or shall be placed at least five feet from the edge of the paved road, back of curb or right-of-way line, whichever is greater.

e. All subdivision signs existing at the time of adoption of this article shall be allowed to remain as nonconforming signs. If replacement were ever to become necessary, the new subdivision sign shall be required to comply with this section.

5. The following signs are prohibited: Electronic message board signs, canopy, marquee or awning signs, illuminated signs, wall signs, offsite outdoor advertising signs (billboard), roof signs, pole signs, multi-tenant business signs, and portable signs.

B. Residential districts (R-5, R-6 and R-M):

1. In single-family residential districts, a sign is permitted to advertise a permitted home occupation when attached to the dwelling, not over six feet square in area. There shall be no public display of goods and/or services and the sign shall not be illuminated.

Mobile home park signs shall be a minimum of five feet from the edge of the paved road, back of curb or the right-of-way line, whichever is greater.

3. A single name plate sign is permitted at each residence so long as it is not more than one square foot in size, unlighted and placed at least five feet from the edge of the paved road or right-of-way line, whichever is greater.

4. Banner signs are allowed by permit in R-5, R-6 and R-M zoning districts.

5. Advertising signs, structures or devices of any character, placed or maintained on any land used as a mobile home park, shall be used only for the purpose of identifying and advertising the mobile home park and accommodations offered. Before being erected, the size, character, location and number of all such advertising, signs and structures, shall be approved by the development review committee as part of a site plan review.

6. Small directional and traffic control signs, lighted and unlighted, shall be erected and maintained within the limits of the mobile home park or on adjoining property when specified by the city engineer as to location and character.

7. The following signs are prohibited: Offsite outdoor advertising signs (billboards), multi-tenant business signs, roof signs, flashing signs, electronic message board signs, canopy, marquee, wall signs, pole signs and portable signs.

C. Commercial district (C-2) and manufacturing district (M-1). The following signs are permitted in the C-2 and M-1 zoning districts of the City of Starkville under the following conditions:

1. Monument signs.

a. Monument signs advertising the name of a business and services provided by a business shall not exceed 80 square feet in area and shall be a minimum of five feet from the edge of the paved road, back of curb or right-of-way line, whichever is greater, and shall not be placed within the sight-distance triangle of any intersection.

b. The area beneath and around the sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the monument sign with buildings, parking areas, surrounding vegetation and natural features of the landscape.

c. Multiple on-site signs advertising the name and services provided by the same business must be separated by a minimum of 330 linear feet of frontage along a public roadway.

d. Monument signs shall not exceed eight feet in height above the finished grade.

Wall signs.

a. Wall signs are permitted and the aggregate square footage of all wall signs displayed upon an individual wall shall not exceed 50 percent of the total square footage of the individual wall, not to exceed 150 square feet, where the square footage of the wall is measured in its entirety without regard to the placement or number of windows and doors. If the primary structure is located more than 200 feet from the nearest adjacent public roadway, the square footage may be increased to 250 square feet.

- b. Those signs hanging or projecting over the right-of-way shall be placed a minimum of eight feet above the finished grade, shall not present a danger to and shall not alter the walking path of the public.
3. Window signs.
 - a. Window signs are permitted and shall not exceed 25 percent of coverage for any individual window or door.
 - b. This includes temporary signage of any type placed inside windows.
4. Multi-tenant signs.
 - a. Multi-tenant business signs must be freestanding, and constructed and supported by a monument-type structure.
 - b. The central part of the multi-tenant sign, normally reserved for advertising the name of the shopping facility or mall itself, shall be no more than a maximum of 100 square feet in area.
 - c. The area beneath and around the sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the monument sign with buildings, parking areas, surrounding vegetation and natural features of the landscape.
 - d. The entire structure may not exceed 12 feet in height above the finished grade, and must meet all applicable setbacks.
 - e. Additional multi-tenant business signs may be allowed on the same property, providing that the signs are separated in distance by 330 linear feet of frontage along a public roadway.
 - f. Multi-tenant signs shall be a minimum of five feet from the edge of the paved road, back of curb or right-of-way line, whichever is greater, and shall not be placed within the sight-distance triangle of any intersection.
5. Bypass signs.
 - a. Bypass signs must be freestanding, and constructed and supported by a monument-type structure.
 - b. The sign area shall not exceed 160 square feet in area and shall be a minimum of five feet from the edge of the paved road, back of curb or right-of-way line, whichever is greater, and shall not be placed within the sight-distance triangle of any intersection. Monument signs shall not exceed 20 feet in height above the finished grade.
 - c. The area beneath and around the sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the monument sign with buildings, parking areas, surrounding vegetation and natural features of the landscape.
 - d. Multiple on-site signs advertising the name and services provided by the same business must be separated by a minimum of 660 linear feet of frontage along a public roadway.
6. Other signs.
 - a. Awning signs, marquee signs and electronic message board signs are permitted in C-2 and M-1 zoning districts.
 - b. Banners are allowed only by permit in the C-2 and M-1 zoning districts.
 - c. Portable signs are temporarily permitted in C-2 and M-1 zoning districts; shall be displayed for a maximum of 15 days; are permitted for only four periods per location per calendar year and cannot be moved to a new location within 500 feet of the previous location if it is to be used by the same business.
 - d. Roof signs shall be considered nonconforming signs.

- e. The following signs shall be prohibited: Flashing signs, pole signs, post signs, inflatable displays, snipe signs, motor vehicle signs (other than those for businesses located on the premises) and portable signs that also meet the definition of a flashing sign.

D. Buffer district (B-1) and commercial districts (C-1 and C-3):

- 1. Monument signs advertising the name of a business and services rendered by a business shall not exceed 80 square feet in area and shall be a minimum of five feet from the edge of the paved road, back of curb or the right-of-way line, whichever is greater, and shall not be placed within the sight-distance triangle of any intersection. Monument signs shall not exceed eight feet in height above the finished grade. Multiple on-site signs advertising the name and services provided by the same business must be separated by a minimum of 330 linear feet of frontage along a public roadway.

Wall signs are permitted in this zone and the aggregate square footage of all wall signs displayed upon an individual wall shall not exceed 50 percent of the total square footage of the individual wall, not to exceed 150 square feet, where the square footage of the wall is measured in its entirety without regard to the placement or number of windows and doors. If the primary structure is located more than 200 feet from the nearest adjacent public roadway, the square footage may be increased to 250 square feet.

- 3. Those signs hanging or projecting over the right-of-way shall be placed a minimum of eight feet above the finished grade, shall not present a danger to the public and shall not alter the walking path of the public.
- 4. Banners are allowed only by permit in the B-1, C-1 and C-3 zoning districts.
- 5. Awning, marquee and monument signs are permitted in these zoning districts.
- 6. The following signs are prohibited: Off-site outdoor advertising signs (billboards), roof signs, inflatable displays, flashing signs, pole signs, post signs, multi-tenant business signs electronic message board signs, and portable signs.

E. Planned unit development (PUD):

- 1. The board of aldermen will assign freestanding and monument signage limitations at time of the adoption of a PUD rezoning.
Bypass signs are allowed along federal or state highways if authorized by the board of alderman at time of adoption of a PUD rezoning.
- 3. All PUD districts already designated as such at the time of the adoption of this article shall comply with R-5 zoning district guidelines.
- 4. Wall signs, awning signs, marquee signs, subdivision signs and kiosks, which reflect the general character of the area, are permitted.
- 5. Off-site outdoor advertising signs (billboards) are not permitted in PUD districts, unless approved by the board of aldermen at time of the adoption of a PUD rezoning.

(Ord. No. 2011-2, § 4, 4-5-11)

Sec. E. - Banners.

- A. All banners displaying commercial advertisements shall be displayed for a maximum of 15 calendar days per permit period.
- B. Banners are permitted for only six periods per location per calendar year.
- C. A banner permit shall be issued for a specific banner and shall be nontransferable.
- D. Banners shall not be affixed to poles, trees, wire utility lines or any publicly-owned property.

- E. A banner shall not exceed 24 square feet in size except for advertising a special event with approval of the Board of Aldermen.
- F. Banners shall not be placed within ten feet of the edge of the paved road, back of curb or the right-of-way line, whichever is greater.
- G. A banner shall not be located within a sight-distance triangle so that it substantially interferes with the view necessary for motorists to proceed safely through an intersection or to enter onto or exit from public streets, private roads or driveways.
- H. Banners shall not advertise alcohol or tobacco products.
- I. "Grand opening" banners are allowed one time only for a change in use or a change in occupancy of the premises from 15 days prior to the change in use or occupancy until 15 days after the change in use, ownership or occupancy. The grand opening banner shall require a permit, but shall not count as one of the six periods allowed for banners per year.
- J. One banner sign is allowed per premises during any period of road construction projected to last for a period of six months or more and involving more than one continuous mile of roadway. Such banner signs are allowed only for the duration of the roadway construction. Such banner signs shall not exceed 12 square feet in size and shall not face residential areas. Banner signs must be substantially attached to a building, as opposed to being mounted on poles and a permit is required.
- K. Banners are not allowed across public or private streets within the municipal boundaries, except as approved by the City of Starkville's Mayor and Board of Aldermen in conjunction with a special event. These banners shall not contain any commercial advertising. Banners shall not exceed three feet high by thirty feet long. The banner shall have perforations to reduce the wind load and have eyelets spaced a maximum of 24" along the top and bottom for mounting.
- L. Banners are intended for commercial uses and shall not be permitted in residential zoning districts except as specifically allowed elsewhere in this article.

(Ord. No. 2011-2, § 5, 4-5-11, ~~2017-X~~)

Sec. F. - Balloons.

- A. Balloons no larger than 24 inches in diameter and attached to a lead no greater than six feet in length, and not extending above the roofline of the nearest structure, shall be allowed for a period not to exceed three days for special holidays, such as Valentine's Day, Easter and the Fourth of July and for the "grand openings" of new businesses.
- B. Balloons shall be placed a minimum of ten feet from the edge of the paved road, back of curb or the right-of-way line, whichever is greater, and shall not be placed within the sight-distance triangle of any intersection.
- C. In a multi-tenant shopping center or office complex, the placement of balloons shall be limited to the front façade or primary entryway of the specific premises.

(Ord. No. 2011-2, § 6, 4-5-11)

Sec. G. - Bench signs.

- A. Bench signs are allowed only on benches authorized by an approved transit provider along established bus routes.
- B. Bench signs shall not advertise alcohol or tobacco products.
- C. No other bench signs are permitted.

(Ord. No. 2011-2, § 7, 4-5-11)

Sec. H. - Inflatable displays.

- A. Inflatable displays are allowed in residentially-zoned districts for holiday use.
- B. The maximum allowed height shall be 20 feet.
- C. The minimum setback shall be 20 feet from the edge of the paved road, back of curb or right-of-way line, whichever is greater.
- D. These displays shall not be placed on a roof structure.

(Ord. No. 2011-2, § 8, 4-5-11)

Sec. I. - Political signs.

Political sign means any sign of temporary construction, which supports any political candidate or issue. These signs are permitted in all zoning districts and shall conform to the following:

- A. Political signs shall not be placed within any public right-of-way.
- B. Political signs shall not be placed upon governmental buildings or adjacent lawns, or upon public utility poles or traffic control signage posts.
- C. Political signs may be placed on private property with the permission of the property owner.
- D. Political signs shall not be placed within the sight-distance triangle of any intersection.
- E. Political signs placed on tracts of land less than three acres in size shall not exceed six square feet in size.
- F. Smaller political signs (six square feet or less in size) placed on private property along roadways shall be placed at least ten feet from the edge of the paved road, back of curb or right-of-way line, whichever is greater.
- G. Political signs placed on tracts of land larger than three acres in size and/or along state or federally-designated roadways shall not exceed 16 square feet in size.
- H. Larger political signs (up to 16 square feet in size) placed on private property along roadways shall be placed at least 20 feet from the edge of the paved road or right-of-way line, whichever is greater.
- I. All political signs for the same candidate or issue shall maintain at least a 100-foot separation between political signs per parcel of land on which they are placed.
- J. Political signs erected or installed as permanent or semi-permanent signage, shall submit an application for a sign permit and be approved by the city's building department; standard signage regulations shall apply.
- K. Political signs shall not be erected or placed more than 90 days in advance of the election to which they pertain.
- L. All political signs shall be removed within three days following the election to which they pertain.
- M. If a political sign is not removed or is placed improperly, the city is authorized to remove the sign, even if it is placed on private property.
- N. If any political sign fails to comply with this article, the candidate or issue sponsor being advertised shall be responsible for any enforcement penalties and costs.

(Ord. No. 2011-2, § 9, 4-5-11)

Sec. J. - Outdoor advertising sign (billboards).

- A. Classes of Outdoor Advertising Signs (Outdoor Advertising Signs- Billboards): All existing outdoor advertising signs within the City of Starkville shall be divided into two classes as follows:
1. Class 1: Class 1 Outdoor Advertising Signs (Billboards) shall be those subject to the provisions of Sections 49-23-1 through 49-23-29 of the Mississippi Code of 1972 as the same exists on the effective date of this ordinance.

Class 2: Class 2 Outdoor Advertising Signs (Billboards) shall include all such signs within the City of Starkville which are not regulated by the provisions of 49-23-1 through 49-23-29 of the Mississippi Code of 1972
- B. Prohibited Signs (Billboards): Billboards are hereby declared prohibited signs within the City of Starkville, subject to the right to remain within the City as Non-conforming Billboards.
- C. Non-conforming Billboards: Outdoor Advertising Signs (Billboards) which were legally in existence prior to the adoption of this Ordinance are declared Non-conforming Billboards. It is the intent of this section to recognize that the eventual elimination, as expeditiously and fairly as possible, of Non-conforming Billboards is as much a subject of health, safety, and welfare as it is the prohibition of new signs that would violate the provisions of this Ordinance. All Outdoor Advertising Signs (Billboards) heretofore lawfully constructed within the City of Starkville are hereby declared legal Nonconforming Billboards. All such Class 1 Non-conforming Outdoor Advertising Signs shall be classified as Class 1 Non-conforming Billboards. All such Class 2 Outdoor Advertising Signs are classified as Class 2 Non-conforming Billboards.
- D. Continuance of Class 1 Non-conforming Billboards: Class 1 Non-conforming Billboards may continue provided that the non-conforming billboard shall not be:
1. Changed to or replaced with another non-conforming sign except to periodically change the sign face.
 2. Structurally altered so as to extend their useful life
 3. Expanded.
 4. Relocated except as hereinafter provided.
 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.
- E. Continuance of Class 2 Non-Conforming Billboards:
1. Any non-conforming sign or sign structure which is partially destroyed by fire, accident, or natural cause beyond fifty percent (50%) of its current physical replacement costs shall thereafter be removed or reconstructed in conformance to the provisions of this Ordinance.
 2. Class 2 Non-conforming Billboards shall be removed according to the following schedule:
 - a. Signs with an original construction cost of less than \$250,000.00 – Ten Years
 - b. Signs with an original construction cost of \$250,000.00 or more –Twelve Years.
 3. It is the intent that all Class 2 Signs shall be removed not later than 12 years from the effective date of this ordinance. No improvements, relocations, repairs or modifications shall extend beyond the specified amortization period as defined above.
 4. The amortization of Class 2 Billboards shall begin as of the effective date of the adoption of this Ordinance.
- F. Strengthening or Restoring to a Safe Condition: Nothing in this Ordinance shall prevent the strengthening or restoring to a safe condition of any portion of a sign or structure declared unsafe by the Building Inspector. Such signs may be improved only to the extent that such improvement does not exceed fifty percent (50%) of the current physical replacement costs of the existing sign structure.

- G. Removal: Upon the determination of the City of Starkville that a sign remains non-conforming after termination of the allowable time periods provided for hereinabove, the City shall notify the sign owner and/or the owner of the land on which the non-conforming sign is located and such owner shall have thirty (30) days after such written notice within which to remove said sign. At the end of the thirty (30) day period, if the sign has not been removed or brought into compliance, the City shall issue a summons in Municipal Court.
- H. Abandonment: A billboard that, upon recommendation of the Community Development Department and approval of the Starkville Board of Aldermen, is determined to be Abandoned and/or Obsolete, as defined in Sec. C- Definitions above, shall terminate immediately the right to maintain such a sign. The Sign Owner shall have thirty (30) days to remove said sign after written notice from the City of Starkville at the owner(s) sole expense with no compensation from the City.
1. An "Available for Lease" or similar message that concerns the availability of the sign itself does not constitute advertising matter. A sign with such a message will be treated as an obsolete sign.
A sign whose message has been partially obliterated by the owner so as not to identify a particular product, service or facility is considered to be an obsolete sign.
- I. Annexation: In the event a sign becomes subject to this ordinance as a result of annexation the amortization period set out above shall apply from and after the effective date of such annexation.
- J. Petition: The owner of any existing billboard may voluntarily petition the Mayor and Board of Aldermen to allow the relocation or modification of an existing billboard. Approval of any such Petition shall be conditioned on an overall net reduction in the number of billboards within the city by voluntary removal. The approval of the Mayor and Board of Aldermen is discretionary. At a minimum, the Petition shall set out the following:
1. A description of any modification to an existing sign.
The existing and proposed locations of a relocated sign.
 3. The location of any signs proposed to be removed from within the City of Starkville
 4. An acknowledgement that the request is voluntary and that to the extent that compensation may have otherwise been required any such compensation is waived.
 5. The time required to remove any existing signs.
 6. Other such information as may be requested by the Community Development department.
- K. Net Reduction Required for Modification or Removal: No billboard may be substantially modified or moved unless the modification or relocation results in the removal of one or more existing billboards. The result must be a net reduction in the number of billboards in the City of Starkville.
- L. Modification: Modification(s) to existing billboards shall only be made upon approval by the Mayor and Board of Aldermen upon the Petition of the owner of the billboard. Any such modification(s) must be reviewed by Community Development Department who may provide a recommendation to the Mayor and Board of Aldermen. The approval of the Mayor and Board of Aldermen is discretionary. Approval shall only be granted if the Mayor and Board of Aldermen make an affirmative finding that the grant of the Petition will further the purposes of this Ordinance. If the petition is approved by the Board of Aldermen, then any such approved sign shall become a legal conforming sign.
- M. Permitting: All billboards erected or relocated by approval of a petition shall be permitted by the Community Development Department. A fee established by the Board of Aldermen shall be paid for each permit issued. The owner or operator of such sign must furnish acceptable proof of the sign's cost in the form of construction cost and/or bill of sale including installation cost. Any permit granted hereunder shall in no way create any rights not heretofore available to the owner of any billboard.

Sec. K. - Real estate signs.

Real estate signs advertising property for sale or lease shall conform to the following:

A. C-2, M-1 and A-1 zoning districts.

1. Signs of up to 32 square feet in size are allowed for properties with linear roadway frontages of 100 feet or more.

For larger tracts of land for sale or lease, additional signs may be utilized so long as there is at least a 660-linear foot separation between the signs.
3. Signs of up to 16 square feet in size are allowed for properties with less than 100 linear feet of frontage.
4. On a corner lot, two sign faces may be placed together to form a "V-shaped" sign for visibility in both directions.
5. All real estate signs shall be placed at least 20 feet from the edge of the paved road or the right-of-way line, whichever is greater.
6. Signs advertising the rental, sale or lease of property shall be removed within 15 days after such action has been completed.

B. C-1, C-3, B-1 and PUD zoning districts.

1. Signs of up to 16 square feet in size are allowed for properties with linear roadway frontages of 100 feet or more.

For larger tracts of land for sale or lease, additional signs may be utilized so long as there is at least a 330-linear foot separation between the signs.
3. Signs of up to 12 square feet in size are allowed for properties with less than 100 linear feet of frontage.
4. On a corner lot, two sign faces may be placed together to form a "V-shaped" sign for visibility in both directions.
5. All real estate signs shall be placed at least 20 feet from the edge of the paved road or the right-of-way line, whichever is greater.
6. Signs advertising the rental, sale or lease of property shall be removed within 15 days after such action has been completed.

C. Residential zoning districts.

1. Signs shall not exceed six square feet in size and shall be located at least ten feet from the edge of the paved road or right-of-way line, whichever is greater.

Off-site directional signage advertising an "open house" event shall be allowed subject to the following:
 - a. The sign shall be no greater than six square feet in size.
 - b. No more than two signs shall be utilized for each "open house" event.
 - c. The sign may be utilized from Friday afternoon until Monday morning; exceptions will be granted for extended holiday weekends.
 - d. The signs shall be placed so as not to interfere with driver's vision at an intersection.

(Ord. No. 2011-2, § 11, 4-5-11)

Sec. L. - Construction site identification signs.

- A. Construction site identification signs shall not exceed 32 square feet in size for nonresidential construction sites.
- B. Construction site identification signs shall not exceed 16 square feet in size for residential construction sites.
- C. Construction site identification signs shall be placed at least ten feet from the edge of the paved road, back of curb or right-of-way line, whichever is greater.
- D. Construction site identification signs shall not be placed within the sight-distance triangle of any intersection.
- E. Off-site signage providing directions to construction entrances shall be allowed upon the approval of the city planner and/or city engineer.
- F. Construction site identification signs shall be removed within 15 days after the issuance of a certificate of occupancy. This does not include banners and other signs that are permitted on a temporary basis by this article.

(Ord. No. 2011-2, § 12, 4-5-11)

Sec. M. - Directional signs.

- A. Directional signs shall be allowed to direct the reader to the location of public institutions, historical areas, emergency shelters, public parks, public buildings, or organizations identified by 26 U.S.C. § 501(c)(3) of the United States Internal Revenue Code to include, religious, educational, charitable, scientific, literary, testing for public safety, fostering national or international amateur sports competition, or preventing cruelty to children or animals.
- B. Each organization may have two off-premises directional signs. The signs shall be no larger than six square feet, and no higher than six feet, measured from the finished grade to the bottom of the sign. The sign shall be a minimum of five feet from the edge of the paved road, back of curb, or right-of-way line, whichever is greater, and shall not be placed within the sight-distance triangle of any intersection. There shall be at least a 25-foot spacing between such signs, measured from the outermost edge of one sign to the outermost edge of the next sign. The copy area of the sign may contain only the name of the organization, its logo and a directional arrow. In no instance shall a directional sign be allowed to be placed in the public right-of-way.
- C. Any sign which is not approved by the board of aldermen, government-sponsored, or placed by a government institution, such as local governments or state agencies, shall submit an application for a sign permit and be approved by the City of Starkville City Engineer and Building Department after a determination by the city that said sign conforms with all traffic and sight-distance triangle requirements.
- D. Applications for placement of all directional signs shall only be submitted by entities which are located within the corporate boundary of the City of Starkville. Entities located outside the corporate boundary are prohibited from submitting applications for placement of directional signs on the public rights-of-way.
- E. If the applicant is denied a sign permit by the city, the applicant may submit a written grievance to the building department within ten calendar days after notification of the denial. Such grievance shall be submitted to the board of aldermen for final determination at the next regularly scheduled meeting.
- F. All signs that are permitted by this article shall be kept in good repair and shall be legible. All signs whose message is not determinable by reason of normal wear and tear, graffiti, destruction, whether by the elements or by man, and that are not representative of good condition must be replaced within 30 days after the owners of such signs are notified by the city, that such signage does not conform to this article.

(Ord. No. 2011-2, § 13, 4-5-11)

Sec. N. - Inspection, removal and safety.

- A. All signs shall be kept in good repair and in safe, neat, clean and attractive condition.
- B. All signs shall comply with the pertinent requirements of the current adopted International Building Code and the National Electric Code.
- C. No sign shall be placed within the sight-distance triangle of any intersection.
- D. Upon failure to comply with this notice, the code enforcement inspector shall issue a summons to municipal court
- E. The code enforcement inspector may remove or have a sign removed at the expense of the person, organization, business or entity responsible for the sign, immediately and without notice if the sign presents an immediate threat to the safety of the public. Any sign removed shall be done so at the expense of the person, organization, business or entity responsible for the sign.
- F. The code enforcement inspector shall be authorized to physically remove a sign or banner if this can be accomplished without possible harm to the inspector, violator or the general public. The sign or banner will be stored at city hall for a period of not more than ten days for collection by the person, organization, business or entity responsible for the sign.

(Ord. No. 2011-2, § 14, 4-5-11, ~~2017-X~~)

Sec. O. - Permits required.

- A. This permit can be obtained from the building department or the code enforcement office.
- B. The size and type of sign will determine the cost. The costs of these permits shall be determined by resolution of the mayor and board of aldermen.
- C. All permanent signs, whether new or replacement, shall obtain a building permit from the building department.
- D. If any sign or banner is erected or installed prior to the issuance of a permit for such signage and banners, the permit fee shall be triple the regular permit fee amount.
- E. Three or more violations in a calendar year by individuals, businesses or sign installation companies, shall result in the loss of signage erection/installation privileges for one year from the date of the action.

(Ord. No. 2011-2, § 15, 4-5-11)

Sec. P. - Signs exempted from permitting.

The following signs and banners are subject to all provisions of this article, but are exempted from all permitting requirements.

- A. Political signs as defined by this article.
- B. Nondirectional and noncommercial signs that do not exceed four square feet in area do not have to maintain a permit, but shall comply with the ordinance guidelines for placement.
- C. Signs and banners placed upon the property of any public or private school, college or university supported entirely or partly by taxation, or by individual payments of tuition from attending students, or upon the property of any fraternal or social institution recognized as a student organization by such school, college or university, provided that the advertising contained on such sign or banner is directly related to an on-site activity conducted by such school, college, university or fraternal or social organization.

- D. Signs and banners placed upon the property of churches, provided that the advertising contained on such sign or banner is directly related to an on-site activity conducted by such church.
- E. Signs and banners placed upon the property of not-for-profit organizations that have valid 501(c)3 status, provided that the message contained on such sign or banner is directly related to an on-site activity conducted by such not-for-profit organization.
- F. The following regulations shall apply to all such signs and banners referenced in this section:
 - 1. Signs and banners shall be removed within 15 days of erection or installation.
Signs and banners shall not be affixed to poles, trees, wire utility lines or any publically-owned property.
 - 3. Signs and banners shall not exceed 24 square feet in size.
 - 4. Signs and banners shall not be placed within ten feet of the edge of the paved road, back of curb or the right-of-way line, whichever is greater.
 - 5. Signs and banners shall not be placed within any sight-distance triangle.
- G. Schools, parks and athletic fields.
 - 1. Signage for public schools, private schools, parks and athletic fields, which is located internally on the site and not generally intended to be viewed from the adjacent roadways, or are at least 150 feet from the nearest adjacent roadway, shall be exempt from the general requirements of this article. Signage located adjacent to roadways, or intended to be viewed from roadways, shall comply with the appropriate sections of this article.

The intent of this section is to allow flexibility for signage on a large site or campus setting which is generally not visible from adjacent roadways and unique or specific to the site or use of the property.
 - 3. Examples of these signs include, but are not expressly limited to, directional and/or "wayfinding" signs, informational signs for nature trails and/or exercise circuits, informational kiosks, sponsorship signs placed internally on athletic fields, electronic and manual message boards or centers, and scoreboards.
 - 4. Such signage shall require a permit and approval shall be at the discretion of the city planner. Appeals of the denial of such a permit shall be submitted to the chief administrative officer for review by the mayor and board of aldermen at their next regularly scheduled meeting.

(Ord. No. 2011-2, § 2, 4-5-11)

Sec. Q. - Nonconforming signs.

- A. In instances where a sign is nonconforming to any of the requirements of this article, such sign and any supporting structure may be allowed, although such a sign does not conform to the provisions hereof.
- B. No such nonconforming sign or sign structure may be enlarged or altered in any way which increases its nonconformity.
- C. Any nonconforming sign or sign structure which is partially destroyed by fire, accident, or other natural or man-made cause beyond 50 percent of its fair market value, shall thereafter be removed or reconstructed to comply with the provisions of this article.
- D. Any nonconforming sign or sign structure which is improved, altered or reconstructed to comply with the provisions of this article shall thereafter be considered as conforming.
- E. For purposes of determining fair market value of the sign or sign structure, the property owner or the owner of the sign or sign structure, must furnish acceptable proof of the sign's original cost in the form of:

1. Original value from sign permit, if available.
An original bill of sale, including installation costs, fees, etc.
 3. Depreciation schedules from federal or state tax returns showing original cost.
- F. Any alteration or maintenance of a nonconforming sign such as painting of panels or frame, changing outface panels, or repairs to frame or panel requires a permit from the building department.
- G. Movement of a portable sign to conform to setback regulations does not invalidate the nonconforming status of the sign.
- H. Abandonment or obsolescence of a nonconforming sign shall terminate immediately the right to maintain such a sign.
- I. The addition of a manual or electronic message board up to 16 square feet in size, to the existing supporting structure of a nonconforming sign does not invalidate the nonconforming status of the sign.

(Ord. No. 2011-2, § 17, 4-5-11)

Sec. R. - Amortization of nonconforming signs.

- A. The following nonconforming signs shall be removed, changed, altered, or otherwise made to comply with the provisions of this article within a ten-year amortization period:
1. Monument signs.
Multi-tenant business signs.
 3. Pole signs.
 4. Roof signs.
- B. The ten-year amortization period shall begin from the effective date of the adoption of this article, or May 5, 2011.
- C. All nonconforming wall signs shall be removed or brought into compliance within one year from the effective date of this article.
- D. All nonconforming window signs shall be removed or brought into compliance within 180 days from the effective date of this article.
- E. Upon determination of the City of Starkville that a sign remains nonconforming after termination of the amortization period provided above, the city shall notify the sign owner and/or the owner of the land on which the nonconforming sign is located, and such owner shall have 30 days after written notice is received within which to remove said sign or bring it into compliance. At the end of the 30-day period, if the sign has not been removed or brought into compliance, the code enforcement inspector shall issue a summons to municipal court.
- F. In the event that a sign becomes subject to this article as a result of annexation into the City of Starkville, the amortization period set forth in this section shall apply from and after the effective date of such annexation.
- G. This amortization schedule shall not affect signage which was erected and/or installed in accordance with Sign Ordinance Number 2008-10. df
- H. This amortization schedule shall not apply to Class I type Outdoor Advertising (Billboard) Signs as defined in Appendix A- Zoning, Article IX.- Signage, Section J, A, 1.

(Ord. No. 2011-2, § 18, 4-5-11, ~~2017-X~~)

Sec. S. - Sign restrictions and prohibitions.

- A. Any sign not permitted by this article shall be prohibited.
- B. No sign shall be placed on the public right-of-way with the exception of traffic control and directional signage.
- C. Post signs shall be removed within a period of 90 days from the effective date of this article.
- D. Discontinued signs not in use for a period of 90 days or more shall have the sign face, not the sign structure, removed, by painting over the sign face or replacing the sign face with a blank insert.
- E. Snipe signs are prohibited in all zoning districts.
- F. Inflatable displays are allowed in residentially-zoned districts only for holiday use.
- G. Any use of searchlights is prohibited, except for airport operations.
- H. Motor vehicle signs are prohibited except when the motor vehicle is actively engaged in making deliveries, pick-ups or otherwise actively in use and has as its primary purpose some use other than a sign.
- I. Banners, pennants, balloons and streamers are prohibited, except as specifically permitted by this article.
- J. No sign shall be located within a sight-distance triangle so that it substantially interferes with the view necessary for motorists to proceed safely through an intersection or to enter onto or exit from public streets, private roads or driveways.
- K. No sign may be erected so that by its location, color, size, shape, nature or message it would tend to obstruct the view of or be confused with official traffic signs or other signs erected by governmental agencies.
- L. All signs must be designed to withstand sustained wind speeds of 90 miles per hour with three-second gusts.
- M. No sign may be constructed, erected, moved, enlarged, illuminated or altered except in accordance with the provisions of this article.
- N. No person, organization, business or entity, may, for the purpose of increasing or enhancing the visibility of any sign, damage, trim, destroy or remove any trees, shrubs or other vegetation located within the right-of-way of any public street or road, unless the work is done pursuant to the expressed written authorization of the city planner or city engineer.
- O. If, in the future, the mayor and board of aldermen adopt zoning overlay districts which include specific design standards and criteria for signage, then those shall take precedence over this article.

(Ord. No. 2011-2, § 19, 4-5-11)

Sec. T. - Enforcement.

- A. The City of Starkville City Planner and Code Enforcement Inspector shall be directed to enforce all of the provisions of this article.
- B. Any signs not complying with this article may be collected by the code enforcement inspector and stored at city hall for a period not to exceed ten days, at which time the signs shall be disposed of.
- C. Any person, organization, business or entity, violating any provision of this article shall, upon conviction, be fined and also pay any administrative costs for each offense, and each day such violation continues, shall constitute a separate offense. These fines and costs shall be determined by resolution of the mayor and board of aldermen.
- D. Noncompliance and/or nonpayment of fines and/or costs by business owners may result in suspension or revocation of city privilege license.

- E. Ultimately, the property owner shall be responsible for payment of any and all fines and/or costs not collected from the violator after 90 days.
- F. The municipal court shall be the method of prosecuting violations of this article for the City of Starkville.

(Ord. No. 2011-2, § 20, 4-5-11, ~~2017-X~~)

Sec. U. - Variances.

- A. The City of Starkville's Board of Adjustments and Appeals shall review any variance requests regarding the dimensional requirements of this article at a public hearing during a regularly scheduled meeting of the Board of Adjustment and Appeals upon application to the Planning Department.
- B. The City of Starkville's Planning and Zoning Commission shall review any requested non-dimensional variance from the requirements of this article at a public hearing during a regularly scheduled meeting of the Planning and Zoning Commission upon application to the Planning Department.
- C. Upon recommendation of approval for a variance, the Board of Aldermen shall make final approval at the next regularly scheduled meeting. Any person aggrieved by the recommendations of approval or denial by the Board of Adjustment and Appeals or the Planning and Zoning Commission in regards to a sign variance, may within five business days file a written request to the Planning Department for a public hearing with the Board of Aldermen for affirming, modifying or reversing the recommendations of the Board of Adjustment and Appeals or the Planning and Zoning Commission.

(Ord. No. 2011-2, § 21, 4-5-11, ~~2017-X~~)