

By: Senator(s) Harkins

To: Judiciary, Division A;
Highways and Transportation

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2509

1 AN ACT TO AMEND SECTION 49-23-9, MISSISSIPPI CODE OF 1972, TO
2 REVISE PROVISIONS CONCERNING THE MAXIMUM LIMITS ON THE HEIGHT OF
3 OUTDOOR ADVERTISING SIGNS; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 49-23-9, Mississippi Code of 1972, is
6 amended as follows:

7 49-23-9. (1) In addition to the authority set out in this
8 chapter, the commission shall have authority to promulgate rules
9 and regulations regarding the configuration and location of
10 outdoor advertising signs provided for in Section 49-23-5. At a
11 minimum, the rules and regulations shall conform to the national
12 standards promulgated pursuant to Title 23 of the United States
13 Code and the standards set out in an agreement entered into under
14 Section 49-23-27.

15 (2) (a) For signs erected prior to July 1, 2003, the
16 maximum size of any outdoor sign or other advertising device shall
17 be one thousand two hundred (1,200) square feet;



18 (b) For sign structures erected on or after July 1,
19 2003, the maximum area for any one (1) sign face shall be six
20 hundred seventy-two (672) square feet, the maximum height shall be
21 fourteen (14) feet and the maximum length shall be forty-eight
22 (48) feet, inclusive of any border and trim on the sign face, but
23 excluding any embellishment on, and cut-out extension of, the sign
24 face, the base or apron, supports and other structural
25 members. * * * The height of sign structures erected on or after
26 April 15, 2008, or any replacements thereof shall not exceed forty
27 (40) feet above the level of the road grade unless the grade of
28 the land adjacent to the road is higher than the level of the road
29 grade, then the height of the sign structure may exceed forty (40)
30 feet above the level of the road grade but shall not exceed forty
31 (40) feet above the grade of the site where the sign is placed.
32 Any embellishment on or cut-out extension of any sign face shall
33 not exceed twenty percent (20%) of the square footage of such sign
34 face.

35 (3) The area of any sign face shall be measured by the
36 smallest square, rectangle, triangle or circle or combination
37 thereof which will encompass the entire sign.

38 (4) Sign structures erected on or after July 1, 2003, may
39 contain one (1) or two (2) signs per face and may use only a
40 side-by-side, back-to-back or V-type configuration and no other;
41 provided, however, that if two (2) signs are used facing the same



42 direction, the aggregate total area shall not exceed six hundred
43 seventy-two (672) square feet.

44 (5) All illuminated outdoor signs or other advertising
45 devices shall be so illuminated as to adhere to the customary
46 practices of the industry in Mississippi and in conformance with
47 national standards. No lighting devices shall be used which in
48 any way imitate any traffic control device, railroad sign or
49 signal, or highway directional signs.

50 (6) All outdoor signs and other advertising devices located
51 within one-half (1/2) mile of an intersection of two (2) or more
52 primary highways, or a primary highway and the Great River Road,
53 or an interchange on the interstate system shall be erected and/or
54 maintained with a minimum spacing between structures of five
55 hundred (500) feet, unless separated by another commercial
56 building or structure, other than outdoor advertising, in which
57 case outdoor advertising may be permitted on one or more sides of
58 building or buildings. The minimum spacing requirement of five
59 hundred (500) feet between structures shall not apply to signs in
60 existence on April 15, 2008.

61 (7) No two (2) signs shall be spaced less than five hundred
62 (500) feet apart, except as to signs in existence on April 15,
63 2008, which shall not be removed by Sections 49-23-1 through
64 49-23-29. This spacing limitation shall apply to areas within
65 incorporated cities, towns, villages and in zoned and unzoned
66 industrial or commercial areas.



67 **SECTION 2.** This act shall take effect and be in force from
68 and after July 1, 2022.

