

By: Senator(s) Harkins

To: Judiciary, Division A;
Highways and Transportation

SENATE BILL NO. 2509

1 AN ACT TO AMEND SECTION 49-23-9, MISSISSIPPI CODE OF 1972, TO
2 REMOVE THE MAXIMUM LIMITS ON THE HEIGHT AND SQUARE FOOTAGE 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) * * * Any embellishment on or cut-out extension of any
16 sign face shall not exceed twenty percent (20%) of the square
17 footage of such sign face.



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

21 (4) Sign structures erected on or after July 1, 2003, may
22 contain one (1) or two (2) signs per face and may use only a
23 side-by-side, back-to-back or V-type configuration and no other;
24 provided, however, that if two (2) signs are used facing the same
25 direction, the aggregate total area shall not exceed six hundred
26 seventy-two (672) square feet.

27 (5) All illuminated outdoor signs or other advertising
28 devices shall be so illuminated as to adhere to the customary
29 practices of the industry in Mississippi and in conformance with
30 national standards. No lighting devices shall be used which in
31 any way imitate any traffic control device, railroad sign or
32 signal, or highway directional signs.

33 (6) All outdoor signs and other advertising devices located
34 within one-half (1/2) mile of an intersection of two (2) or more
35 primary highways, or a primary highway and the Great River Road,
36 or an interchange on the interstate system shall be erected and/or
37 maintained with a minimum spacing between structures of five
38 hundred (500) feet, unless separated by another commercial
39 building or structure, other than outdoor advertising, in which
40 case outdoor advertising may be permitted on one or more sides of
41 building or buildings. The minimum spacing requirement of five



42 hundred (500) feet between structures shall not apply to signs in
43 existence on April 15, 2008.

44 (7) No two (2) signs shall be spaced less than five hundred
45 (500) feet apart, except as to signs in existence on April 15,
46 2008, which shall not be removed by Sections 49-23-1 through
47 49-23-29. This spacing limitation shall apply to areas within
48 incorporated cities, towns, villages and in zoned and unzoned
49 industrial or commercial areas.

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

