

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



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

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

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

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



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

