

CHAPTER 23
APPENDIX A. BUILDING ORDINANCES

EXTERIOR SIGN ORDINANCE

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ARTICLE I GENERAL PROVISIONS

SECTION 101 – Title - This ordinance shall be known as “**The Sign Ordinance of the City of Florence, Mississippi**” and may be so cited.

SECTION 102 – Purpose - The purpose of this ordinance is to regulate and control the size, location, character, appearance, purpose, content and other pertinent features of all exterior signs in the city of Florence, Mississippi.

SECTION 103 – Conflict - All ordinances or parts of ordinances in conflict herewith are repealed.

ARTICLE II DEFINITIONS

SECTION 201 – Definitions - For the purpose of interpreting this ordinance, certain words used herein are defined as follows.

- (A) **Sign**- Any identification, description, illustration, or device illuminated or non-illuminated which is affixed to or represented directly or indirectly upon a building, structure, or land which is visible from any public place, and which directs attention to a product, service, place, activity, person, institution, or business. For the purpose of determining number of signs, a sign shall be considered to be a single display surface or display device containing elements

organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.

- (B) **Sign Area**- The total area of the space to be used for advertising purposes, including the spaces between open-type letters and figures, including the background structure, or other decoration or addition which is an integral part of the sign. Sign supports, frames, and structural members not bearing advertising material shall be excluded in determining the area of a sign. A double faced sign shall be allowed the total area of a single faced sign on each face.
- (C) **Abandoned Sign**- A sign which no longer properly directs nor advertises a bona fide business, lessor, owner, project or activity conducted or product available on the premises where such sign is displayed. Any sign which has been abandoned is prohibited and must be removed by the owner of the sign or the premises. Any existing non-conforming sign shall not be altered or repaired to accommodate a new lessor even if the owner of the premises remains the same.
- (D) **Advertising Device**- Streamers, wind operated devices, flashing lights, balloons, any display or arrangement of inflated objects, blimps and other similar devices when displayed in connection with a commercial promotion or having commercial connotations.
- (E) **Bench Sign**- An advertising message located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.
- (F) **Billboard**- Any sign in excess of fifty (50) square feet, and/or in excess of ten (10) feet in height, excluding **Wall Signs**, **Ground Signs**, and **Directory Signs** as defined in Section 305 (A); (1), (2), and (3) respectively.
- (G) **Board**- Mayor and Board of Aldermen of the City of Florence.
- (H) **Directory Sign**- Any sign on which the names and indications of occupants or the use of the building is given.
- (I) **Ground Sign**- A sign which is supported by one or more uprights, post, mast, brace, or pole affixed in the ground and not attached to any part of a building or structure.
- (J) **Height of Sign**- The vertical distance measured to the top of the sign from the immediate surrounding grade, nearest curb, sidewalk or street grade whichever is higher.
- (K) **Non-conforming Sign**- A sign existing prior to enactment of this Ordinance which does not meet all requirements of this Ordinance.
- (L) **Off-Site Sign**- A sign which advertises an activity, business, product or service not conducted on the premises on which the sign is located.
- (M) **Permanent Sign**- A sign that is affixed or installed for a long-term and not merely temporary, use generally being for a period in excess of six (6) months.
- (N) **Personal Flag**- A flag that represents a school, sports team, hobby, etc. which does not exceed three by five feet (3ft x 5ft) and does not have a connection with a commercial promotion.
- (O) **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 the ground or to a building or structure.

- (P) **Political Sign-** A sign announcing or supporting political candidates or issues in connection with any national, state or local election.
- (Q) **Premises-** A tract of land including building or buildings, other structures and grounds including adjacent properties with the same owner/lessee with same or similar uses.
- (R) **Private Sale Sign-** A sign advertising a private sale of personal property at a house sale, garage sale, estate sale, rummage sale, yard sale, and other similar events.
- (S) **Projecting Sign-** A sign placed above the ground, permanently affixed at more or less a right angle to and which extends more than 12 inches from the face of a wall of a building or a structure to which it is attached.
- (T) **Public Median-** That strip of land between northbound and southbound traffic lanes on U.S. Highway 49, and any other streets or boulevards within the city that contain a median strip of land between lanes.
- (U) **Public Right-of-Way-** A strip of land that has been dedicated to, and accepted by the City, State of Mississippi, and/or the Federal Government for use for vehicular or pedestrian access or passage. Typically ten (10) feet on either side of the visible margin of the street or highway, but in situations where the exact distance is in question, same will be determined by the Public Works Director or his designee.
- (V) **Real Estate Sign-** Any sign advertising the sale of lease of property on which it is located.
- (W) **Roof Sign-** Any sign erected, constructed, or maintained upon the roof of any building or any wall sign which extends more than 36 inches above the lowest edge of the main roof or parapet wall of a building. All bracing to the roof shall not be visible from the ground, Public Street or road. Face of sign must be parallel to the exterior wall of the building on which it is located.
- (X) **Structure-** Anything which is built or constructed or any piece of work artificially built up or composed of parts, including, but not limited to, buildings, fences and mechanical equipment.
- (Y) **Temporary Sign-** Sign that is not a permanent sign. Sign designed and intended to advertise future use or development of property, for a special, unique, limited activity, promotion, product or sale.
- (Z) **Traffic Directional Sign-** Any sign directing and guiding traffic, parking, and or which aids the flow of traffic, but bearing no advertising matter.
- (AA) **Vehicle Sign-** A sign mounted, painted or otherwise placed on a trailer, truck, automobile or other vehicle so parked or placed so the sign thereon is visible from a public street or right-of-way and is so parked primarily for the purpose of displaying advertising signage.
- (BB) **Wall Sign-** Any sign or poster on any surface or plane with the face parallel to the front, side, or rear wall of a building or structure and which does not extend more than twelve (12) inches from such building or structure. Any sign on or in a window or painted on the interior or exterior of a window visible from the exterior which exceeds more than twenty (20) percent of the window area is

considered a wall sign and the total area shall be included in the computation of allowable **Sign Area** as defined in (B) above.

ARTICLE III SIGN REQUIREMENTS BY ZONES

SECTION 301 - Purpose and Intent - The purpose of this section is to provide reasonable permanent signage for the identification of buildings, developments and individual occupancies that is compatible with the associated land use and neighboring developments. The following sign regulations are intended to include every zone in the City of Florence. The zones are as defined by the zoning ordinance and official zoning map. Only signs described herein will be allowed in each zone, except for public signs and City, State and Federal historic markers.

SECTION 302 - Residential Zones - This section shall apply to all zones designated by the zoning ordinance as R-1, R-2, R-3, R-1-E and R-1-T.

(A) Allowable Signs

- (1) **Wall Sign** for home occupations shall be limited to one (1) unlighted sign with a maximum **Sign Area** of one (1) square foot and attached flat against the building.
- (2) **Personal Flag** attached to the dwelling and not more than two (2) flags per dwelling.
- (3) **Ground Sign** for subdivision identification. The **Sign Area** (letters and spaces between letters) shall be limited to thirty-two (32) square feet on one side and in no case shall exceed a total of sixty four (64) square feet per subdivision entrance. The **Height** shall be a maximum of six (6) feet. Signs shall be set back a minimum of ten (10) feet from the right-of-way. The setback requirement may be reduced by application for a variance provided the height of the sign does not exceed three (3) feet.
- (4) **Ground Sign or Wall Sign** for schools, churches, hospitals, nursing homes, apartments, group homes, day care centers or public or semipublic institutions. The **Sign Area** of ground sign shall be limited to a maximum of forty (40) square feet for one side with a maximum of one single or double faced sign. Mounting poles, unless decorative in nature and integrated into the overall design, shall be concealed by masonry or other materials equal to the width of the sign. **Height** of ground signs shall be a maximum of six (6) feet and setback a minimum of five (5) foot from the right-of-way. **Wall sign** shall have a maximum total **Sign Area** of thirty five (35) square feet, or one (1) square foot for each linear foot of the wall of the building on which the sign is erected whichever results in the smaller **Sign Area**. Total area of all signs on premises shall not exceed seventy-five (75) square feet.

SECTION 303 - Downtown Historical Zones: This section shall apply to all zones designated by the zoning ordinance as M-1 and HC-1.

(A) Allowable Signs

- (1) **Wall Sign** for home occupations shall be limited to one (1) unlighted sign with a maximum **Sign Area** of one (1) square foot, attached flat against the wall of the building, and constructed of wood or similar materials.
- (2) **Ground Sign** or **Wall Sign** advertising the professional services of the limited commercial uses specified in the Zone in keeping with the quality, character, and integrity of the Zone. The **Sign Area** of ground signs shall be limited to twenty-four (24) square feet for one side with a maximum of one single or double faced sign. Mounting poles, unless decorative in nature and integrated into the overall design, shall be concealed by masonry or other materials equal to the width of the sign. **Height** shall be a maximum of six (6) feet and setback a minimum of five (5) feet from the right-of-way. **Wall Sign** shall have a maximum total **Sign Area** of twenty-four (24) square feet, or one (1) square foot for each linear foot of the wall of the building or wall of the lease space on which the sign is erected whichever results in the smaller **Sign Area**. Signs shall be constructed of wood, brick, stone or similar materials and not lighted except by external lights. Total area of all signs on premises shall not exceed forty-eight (48) square feet.
- (3) **All proposed signs shall reviewed by the Architectural Review Committee.**

SECTION 304 - Central Commercial Zone:- This section shall apply to the zone designated by the zoning ordinance as C-1.

(A) Allowable Signs

- (1) **Wall Sign** shall have a maximum total **Sign Area** of fifty (50) square feet, or one (1) square foot for each linear foot of the wall of the building or wall of the lease space on which the sign is erected whichever results in the smaller **Sign Area**.
- (2) **Ground Sign** shall have a maximum **Sign Area** of fifty (50) square feet, or one and one half (1 1/2) square foot per foot of lineal frontage whichever results in the smaller **Sign Area**. Frontage being determined by the principal entrance to the premises and on only one side of the lot or parcel of land. Signs shall be setback a minimum of five (5) feet from the right-of-way. There shall not be more than one sign per one hundred (100) feet. The separation of signs on adjoining lots shall include a minimum distance of one-hundred (100) feet between signs. In instances where an individual property owner does not own sufficient land to meet the minimum separation distance between signs, one sign will be allowed on the property at a location as remote from existing signs as possible. **Height** shall be a maximum of eight (8) feet. Mounting poles, unless decorative in nature and integrated into the overall design, shall be concealed by masonry or other materials equal to the width of the sign.
- (3) **Roof Sign** or **Awning Sign** shall have a maximum **Sign Area** of fifty (50) square feet not to exceed one and one half (1 1/2) square feet per foot of lineal frontage. The frontage shall be determined by the principal entrance to the premises and only on one side of the lot.

- (4) **Projecting Sign** shall not exceed fifteen (15) square feet in area and shall not be less than eight (8) feet in height from the pavement or sidewalk line.
- (5) **Bench Sign** shall not exceed twelve (12) square feet in total area and shall be at least five feet from the right-of-way.
- (6) **Total Area** of all signs on premises shall not exceed one hundred (100) square feet or fifty (50) square feet per lease space.

SECTION 305 - Commercial Zones:- This section shall apply to all zones designated by the zoning ordinance as C-2, C-3, C-4, C-5, C-6, C-7, I-1 and I-2.

(A) Allowable Signs

- (1) **Wall Sign** shall have a maximum total **Sign Area** of one hundred (100) square feet, or two (2) square foot for each linear foot of the wall of the building or wall of the lease space on which the sign is erected whichever results in the smaller **Sign Area**.
- (2) **Ground Sign** shall have a maximum **Sign Area** of ninety (90) square feet. Signs shall be setback a minimum of five (5) feet from the right-of-way. There shall not be more than one sign per one hundred (100) feet. The separation of signs on adjoining lots shall include a minimum distance of one-hundred (100) feet between signs. In instances where an individual property owner does not own sufficient land to meet the minimum separation distance between signs, one sign will be allowed on the property at a location as remote from existing signs as possible. **Height of Ground Sign** shall be a maximum of ten (10) feet. Mounting poles, unless decorative in nature and integrated into the overall design, shall be concealed by masonry or other material equal to the width of the sign.
- (3) **Directory Sign** shall have a maximum **Sign Area** of one hundred sixty (160) square feet. One **Directory Sign** shall be allowed where there are three or more businesses located on a single premises. **Height** shall be a maximum of twenty (20) feet or the highest part of the building and or buildings to which it relates. Sign shall be setback a minimum of five (5) feet from the right-of-way. The separation of the sign from signs on adjoining lots shall include a minimum distance of one-hundred (100) feet between signs. In instances where an individual property owner does not own sufficient land to meet the minimum separation distance between signs, the sign will be allowed on the property at a location as remote from existing signs as possible. Mounting poles, unless decorative in nature and integrated into the overall design, shall be concealed by masonry or other material equal to the width of the sign.
- (4) **Roof Sign** or **Awning Sign** shall have a maximum **Sign Area** of fifty (50) square feet.
- (5) **Projecting Sign** shall not exceed fifteen (15) square feet in area and shall not be less than eight (8) feet in height from the pavement or sidewalk line.
- (6) **Bench Sign** shall not exceed twelve (12) square feet in total area and shall be at least five (5) feet from the right-of-way.
- (7) **Total Area** of all signs, excluding **Directory Signs**, on premises shall not exceed one hundred fifty (150) square feet or thirty-five (35) square feet per lease space.

SECTION 306 - Agricultural Zone - this section shall apply to all zones designated by the zoning ordinances as A-1.

(A) Allowable Signs

- (1) Signs advertising activities conducted on the property. The maximum total **Sign Area** shall not exceed fifty (50) square feet or a total of one-hundred (100) square feet for all signs on the property. Signs shall not be erected within one-hundred (100) feet of road intersections, or no more than one sign per one-hundred feet of road frontage and must be a minimum of five (5) feet from the road right of way. **Height** shall be a maximum of ten (10) feet.

SECTION 307- All Zones - this section shall apply to all zones designated in the zoning ordinances.

(A) Allowable Signs

- (1) **Temporary Sign** erected on the premises on which construction is taking place, during ongoing construction, indicating the names of the architects, contractors, owners, financial supporters, sponsors, similar persons or firms involved with the construction and development of the project and or relating to the promotion of a sale or rental of the development or subdivision. The **Temporary Sign** shall be setback five (5) feet from the right-of-way, **Sign Area** shall not exceed thirty-two (32) square feet and the **Height** shall be a maximum of six (6) feet. Total area of all signs shall not exceed sixty four (64) square feet. **Temporary Sign** erected on a single family premises which construction is ongoing shall be limited to the regulation of a **Real Estate Sign** and shall be limited to one (1) sign plus one (1) **Real Estate Sign**.
- (2) **Real Estate Signs** shall be located at least five (5) feet from the right-of-way and must be removed no later than seven (7) days after the sale. **Height** shall be a maximum of six (6) feet. Sign area of one face shall not exceed nine (9) square feet, total **Sign Area** of all signs on the property shall not exceed sixteen (16) square feet. In commercial zones, C-2, C-3, C-4, C-5, C-6, C-7, I-1, and I-2 sign area of one face shall not exceed twelve (12) square feet, total **Sign Area** of all signs on the property shall not exceed twenty-five (25) square feet.
- (3) **Temporary Commercial Banner** shall be located at least five (5) feet from the right of way and **Height** shall be a maximum of three (3) feet. Total area of banner shall be a maximum of thirty (30) square feet. Banners may be placed on property once for a maximum of thirty days in any one six month period, however they are allowed only on business premises to which they pertain. If banner becomes unsightly then it shall be removed immediately.
- (4) **Temporary Non-Commercial Banner** advertising an event by the City of Florence, school, church, civic organization, or other similar entity. Banner shall be located on the property owned or controlled by entity to which sign relates. Banner shall be allowed ten (10) days prior to event and must be removed three (3) days after the event. If banner becomes unsightly then it shall be removed immediately.

- (5) The Board of Alderman may approve any sign deemed appropriate under special circumstances.

ARTICLE IV ILLUMINATION

SECTION 401- Purpose - The purpose of this section is to regulate **Illuminated Signs** which shall adhere to the following provisions and restrictions in addition to those requirements stated in this ordinance.

SECTION 402- Regulations

- (A) **Signs** shall not have blinking, flashing or other illuminating devices which change light intensity, brightness or color. Beacon lights are not permitted. Automatic changing signs displaying time, temperature, date or electronically controlled message centers are permitted, and area shall be included in the computation of the total allowable **Sign Area**.
- (B) The light for or from any illuminated **Sign** shall be so shaded, shielded or directed that the light intensity will not be objectionable to the surrounding areas.
- (C) No colored lights shall be used on any **Sign** at any location in any manner so as to be confused with or construed as traffic control devices.
- (D) Neither direct nor reflected light from primary sight sources shall create a traffic hazard to operators of motor vehicles on public thoroughfares.

ARTICLE V EXEMPT SIGNS

SECTION 501 - Purpose and Intent - The purpose of this section is to identify the following types of **Signs** that are exempted from all the provisions of this ordinance and shall be allowed in addition to all other **Signs** allowed by this ordinance. Any **Signs** which exceed the provisions of this section shall comply with the other sections of this ordinance.

SECTION 502 - Exempt Signs

- (A) **Public Signs** - Signs erected by, or on the order of, a public officer in the performance of his public duty, by an authorized public agency such as safety signs, danger signs, traffic signs, legal notices, or providing information.
- (B) **Government Flags** - Flags and insignia of any government, except when displayed in connection with a commercial promotion.
- (C) **Historical Markers** - Historical markers as recognized by Local, State, or Federal authorities.
- (D) **Architectural Features** - Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or lights.
- (E) **Name Plates** - Sign not exceeding one (1) square foot in size and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations.
- (F) **Traffic Directional Signs** - Sign not exceeding four (4) square feet in size and located one (1) foot from the right-of-way.

(G) **Window Signs** - Signs in or on windows not exceeding twenty (20) percent of the window area.

(H) **Holiday Decorations** - Decorations or lights temporarily displayed during and/or in observation of a holiday or in commemoration of an event.

ARTICLE VI PROHIBITED SIGNS

SECTION 601 - Purpose The purpose of this section is to identify the following signs which are prohibited in all zones under this ordinance.

SECTION 602 - Prohibited Signs

(A) **Portable Signs**

(B) **Advertizing Devices**

(C) **Vehicle Signs**

(D) **Signs** which by color, location, or design resemble or conflict with traffic control signs or devices. No sign shall be placed in a location that will obstruct vision of vehicle operator while entering, exiting or traveling upon the public right-of-way.

(E) **Off-Site Signs** except in Zones I-1 and I-2, May be allowed in other Zones as Special Exception approved by the Board of Alderman.

(F) **Billboards**

(G) **Signs** located within or over a public right-of-way.

(H) **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.

(I) **Abandoned Sign**

(J) **Signs** advertizing the sale of beer including signs located outside a building or any type of sign located within a building, which is visible from the outside.

(K) **Neon Signs**

(L) **Signs** which exhibit more than two (2) faces.

(M) **Signs** which contain words or pictures of an obscene, indecent, or immoral character which could offend public morals or decency.

(N) **Beacon** or strobe lights.

(O) **Signs** which are structurally unsound or which are rendered structurally sound by guy wires or unapproved facing or bracing.

(P) **Signs** painted directly on the surface of the wall or surface of a building.

(Q) **Signs** which are unsightly and/or not aesthetically consistent with the area.

(R) **Signs** which are not commercially produced.

ARTICLE VII INSPECTION, REMOVAL AND SAFTEY

SECTION 701 – Purpose - To provide for inspection of **Signs** to confirm safety and conformance to the regulations of this ordinance.

SECTION 702 - Regulations

(A) **Signs** may be inspected periodically by the Police Chief, Fire Marshal/Chief, Zoning Administrator or their designee for compliance with this ordinance.

- (B) **Signs** and components thereof shall be kept in good repair and in safe, neat, clean, and attractive condition which will protect the public health, safety and morals, and promote the general welfare, preserve and protect the beauty, character, economic, and aesthetic value of the land.
- (C) The inspecting official shall give written notice for the removal of any **Sign** erected or maintained in violation of this ordinance. Upon failure to comply with this notice, the inspecting official shall take legal action to enforce compliance with this ordinance. The inspecting official may remove a **Sign** immediately and without notice if the sign presents an immediate threat to the safety of the public. Any **Sign** removal cost shall be assessed to the property owner and any non-payment will result in a lien on the property.

ARTICLE VIII NONCONFORMING SIGNS

SECTION 801 – Purpose - The purpose of this section is to allow signs existing at the time this ordinance is adopted to remain and to provide for conditions that would result in their eventual removal.

SECTION 802 – Regulations

- (A) **Signs** that are nonconforming to the requirements of this ordinance and any supporting structure other than a building existing at the time this ordinance is adopted may be allowed remain for a time not to exceed five (5) years from the date that this ordinance is adopted provided that after proper notice the owner of said sign makes a written application to the Zoning Administrator or his designee within ninety (90) days of the adoption of this ordinance.
- (B) No nonconforming **Sign** shall be enlarged or altered in any way which increases its nonconformity.
- (C) No nonconforming **Sign** which has been damaged or requires repairs equal to fifty percent (50%) or more of its fair market value, shall not be restored or repaired except in conformity with the regulations of this ordinance. The Zoning Administrator or his designee shall provide written notification to the owner of a nonconforming sign which he determines is in need of repair. Within thirty (30) days of said notification the owner of the sign shall remove the sign or provide the Zoning Administrator or his designee with an inspection report from an authorized sign repairman indicating cost of repairs and the fair market value of the sign.
- (D) **Signs** which are moved for any reason for any distance shall thereafter be erected in conformance to the regulations for the zone in which it is located after it is moved.
- (E) **Signs** which were prohibited by any previous City of Florence Zoning Ordinance and not allowed by this ordinance shall be discontinued and removed.

ARTICLE IX EXISTING BILLBOARDS

SECTION 901 - Purpose and Intent The purpose of this section is to address existing billboards at the time these regulations are adopted to allow them to remain and to

provide for conditions that would result in their eventual removal. **Existing Billboard Signs** are to be considered **Nonconforming Signs** and are subject to conditions thereof.

SECTION 902 – REGULATIONS

- (A) **No existing Billboard Sign shall be relocated.**
- (B) Permits for all existing **Billboard Signs** must be obtained after proper notice, within ninety (90) days of the adoption of these regulations, or be removed within the next ninety (90) days if no permit is obtained.
- (C) Permit applications shall be filed with the Zoning Administrator on forms provided by the City. The permit application shall contain the location of the billboard sign structure, zoning district, the name, address and phone number of the billboard sign owner, the name, address and phone number of the erector of the **Billboard Sign**, the name, address and phone number of the property owner where the **Billboard Sign** is located, the date the **Billboard Sign** was erected and cost of **Billboard Sign**. A photo and/or drawing of the **Billboard Sign** showing the design, size, materials and finishes shall be submitted with the permit application. The Zoning Administrator will maintain a record of all applications and permits. A separate application form shall be submitted for each **Billboard Sign**.
- (D) Fees for sign permits shall be as fixed by the Mayor and Board of Aldermen.

ARTICLE X POLITICAL SIGNS

SECTION 1001 – Purpose - The purpose of this section is to regulate political signs. Political signs shall comply with the following.

SECTION 1002- Allowable Political Signs

- (A) **Political Signs**- no greater than eight (8) square feet are allowed in Zoning Districts of R-1, R-2, R-3, HC-1, M-1 and C-1.
- (B) **Political Signs**- no greater than thirty-two (32) square feet are allowed in Zoning Districts C-2, C-3, C-4, C-5, C-6, C-7, I-1, I-2 and A-1.
- (C) **Political Signs** shall have a maximum of two (2) faces per sign (e.g. back-to-back).
- (D) **Political Signs** shall be **Temporary**.
- (E) No sign supporting any political candidate shall be erected more than forty-five (45) days prior to an election primary. In the case of signs relating to a proposition rather than a candidate, no such sign shall be placed or erected more than forty five (45) days prior to balloting on the proposition.
- (F) **Political Signs** shall be placed minimum of ten (10) feet from the public right-of-way.
- (G) **Political Signs** shall not be located on any public right-of-way, public median, or public area between the street and the sidewalk (where sidewalks are present), nor attached to any tree, utility pole or publicly owned structure located within public right-of-way or public median. Any **Political Sign** so placed is defined as litter and is subject to removal by any person. Should removal be effected by the Public Works Department or its designee, a cost of twenty-five dollars (\$25.00) per sign

will be assessed against the party erecting the sign, if known, and if unknown, against the candidate.

- (F) **Political Signs** supporting any candidate or regarding any ballot proposition shall be removed not more than seven (7) days following balloting which either terminates the candidate's campaign or which decides the issue or proposition. **Political Signs** not so removed accordingly may be removed by the Department of Public Works or its designee at a cost of twenty-five dollars (\$25.00) per sign.

ARTICLE XI PRIVATE SALE SIGNS (ORD. 312. 03.06.12)

SECTION 1101 – Purpose- The purpose of this section shall be to regulate private sale signs.

SECTION 1102 - Allowable Private Sale Signs

- (A) **Private Sale\Garage Sale Signs** shall be **Temporary** and shall be placed out after 5:00 P.M. on the day prior to the event and shall be removed by 6:00 P.M. on the day the event concludes.
- (B) **Sign** copy shall identify the address of the sale, the date of the sale, the time of the sale and display the Sale Permit number.
- (C) **Signs** shall be placed on private properties and shall not obstruct the vision of vehicular or pedestrian traffic in anyway. No such sign may be located in any public right-of-way, or **Public Median**, or public area between the street and sidewalk (where sidewalks are present), nor attached to any tree, utility pole or publicly owned structure. Any sign so placed is defined as litter and is subject to removal by any person. Should removal be effected by the Public Works Department or its designee, a charge of twenty-five dollars (\$25.00) per sign to cover the cost of such removal shall be made.
- (D) **Signs** shall not exceed four (4) square feet.
- (E) **Sign Height** shall not exceed three (3) feet.

ARTICLE XII ADULT ENTERTAINMENT BUSINESS SIGNS

SECTION 1200 – Purpose - The purpose of this section is to provide regulations for signage of any sexually oriented business operated within the City of Florence.

SECTION 1201 - Allowable Signage Notwithstanding any other City ordinance, code, or regulation to the contrary, it shall be unlawful for the owner or operator of any sexually oriented business or any other person to erect, construct, or maintain any sign for the sexually oriented business, other than provided herein.

- (A) **Ground Sign** shall have a maximum **Sign Area** of fifty (50) square feet. **Height** shall be a maximum of ten (10) feet. Signs shall be setback a minimum of ten (10) feet from the right of way.
- (B) **Wall Sign** shall have a maximum total **Sign Area** of twenty (20) square feet.
- (C) **Design Restrictions**
- (1) One ground sign and one wall sign shall be allowed.
 - (2) Signs shall be flat plane and rectangular in shape.

- (3) Signs shall not contain any flashing lights, photographs, silhouettes, drawings, or pictorial representations in any manner, and may contain only the name of the enterprise.
- (4) Each letter forming a word shall be of solid color. The background behind such letters on the display surface shall be of a uniform and solid color.
- (5) The wall sign shall not exceed five (5) feet in height and four (4) feet in width and shall be affixed or attached to a wall or door of the enterprise.

ARTICLE XIII APPROVAL (ORD. 277)

SECTION 1301 – Purpose – The purpose of this section is to provide the procedure to obtain approval of all proposed signage conforming to this ordinance pursuant to the provisions of the City of Florence Zoning Ordinance.

SECTION 1302 – Approval Procedure – Prior to the installation of any signage the following shall be submitted to the Zoning Administrator or his/her designee.

- (A) Address of premises where proposed signage is to be located. A detailed, dimensioned, color representation of the proposed signage indicating area, size, design, material, wording/text, height, method of illumination, if any, and the exact location of the proposed signage in relation to streets, buildings, and property lines. If applicable indicate any existing or proposed signage within one hundred (100) feet of proposed signage and any other information to clearly represent compliance with this ordinance.

SECTION 1303 – Approval - Zoning Administrator shall submit the above information to the Architectural Review Committee for approval.

SECTION 1304 – Appeal - Any person aggrieved by the interpretation of this ordinance by the Zoning Administrator, his/her designee or the Architectural Review Committee may appeal same to the Board of Aldermen. Such appeals shall be taken within a reasonable time, not to exceed ten (10) days, by filing with the Zoning Administrator a notice of appeal specifying the grounds thereof.

SECTION 1305 – Approval Exclusion – The following are exempt from the above approval procedure. However they are not exempt from any other requirements contained in this exterior sign ordinance.

- (A) Wall sign, at single family dwelling, Section 302, (A), (1).
- (B) Personal Flag, at single family dwelling, Section 302, (A), (2).
- (C) Temporary Sign, erected on a single family premises which construction is ongoing, Section 307, (A), (1).
- (D) Real Estate Sign, Section 307, (A), (2).
- (E) Temporary Non-Commercial Banner, 307, (A), (4).
- (F) Exempt Signs, Section 502.
- (G) Political Signs, Section 1002.
- (H) Private Sale Signs, Section 1102.

ARTICLE XIV VIOLATIONS (ORD 277)

SECTION 1401 – Purpose - The purpose of this section is to provide enforcement of ordinance pursuant to the provisions of the City of Florence Zoning Ordinance.

SECTION 1402 – ENFORCEMENT- The City of Florence Police Chief, Fire Marshal/Chief, Zoning Administrator or their designee is directed to enforce all of the provisions of this Ordinance in the following manner:

(A) **Violation** – In the event of a violation that the owner refuses to correct, the following action is to be taken:

- (1) Enforcement official or his designee shall complete a “Violation Form” (copy attached) containing all information of the violation, including address of the owner, (if known), description of the violation, city ordinance violated with copy attached, along with any photographs or other evidence of the violation attached.
- (2) Violation form shall be delivered to the Chief of Florence Police Department with a request for Citation (copy attached) to be issued against the violator.
- (3) Chief of Police or his designee shall execute the Citation by personally serving said Citation on the violator, requiring appearance of violator at a time and date certain of the Florence City Municipal Court, which has jurisdiction over all Violations of the City Ordinances as found in Section 21-23-7(1), Mississippi Code of 1972, as annotated.
- (4) Appeals from decisions made by the Municipal Court shall be taken within a reasonable time, not to exceed ten (10) days, by filing with the City Clerk a notice of appeal specifying the grounds thereof, said appeal to be heard by the Circuit Court of Rankin County, Mississippi.

SECTION 1403 – PENALTIES – Violation of this Ordinance may result in a fine of up to one-thousand dollars (\$1,000.00) and/or imprisonment not exceeding ninety (90) days or both, in accordance with Section 21-13-1. *Mississippi Code of 1972*, as annotated.