

Carthage

Sign Ordinance

ADOPTED
JULY 1, 2013

PREPARED BY:



**SLAUGHTER
& ASSOCIATES**

URBAN PLANNING CONSULTANTS

POST OFFICE BOX 2401
OXFORD, MS 38655
662.234.6970

City Clerk's Office

Article I – Introductory Provisions

I

Section 100 – Purpose

The purpose of this Ordinance is to maintain and enhance the City's aesthetic environment and the City's ability to attract sources of economic development and growth, to encourage the effective use of signs as a means of communication, and to enable fair and consistent enforcement of signs.

Section 101 – General Provisions

1. All signs shall be manufactured and constructed in a professional manner.
2. All signs erected, placed, established, painted, created, or maintained in the City shall only be done so in conformance with the regulations and procedures established herein.
3. All signs shall comply with other applicable provisions in the Zoning Ordinance and Building Codes adopted by the City of Carthage.
4. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Ordinance at all times.
5. All signs shall be kept to a minimum number and size necessary.
6. All signs shall be proportional to the building they are placed on.

Section 102 – Exempt Signs

The following signs shall be exempt from the provisions of this Ordinance:

1. Official public notices and notices published by public officers in the performance of their duties.
2. Signs for the control or direction of traffic and other regulatory purposes.
3. Flags and insignia of the United States, the State of Mississippi or their political subdivisions.
4. Memorial and historical plaques or markers
5. Menu signs
6. Address signs
7. Directional signs

Section 103 – Enforcement and Appeal Process

It is the intent of this Ordinance that all questions of interpretation and enforcement shall first be presented to the Building Official. Any appeals of the Building Official's decision shall be presented to the Board of Adjustment as required by this Ordinance. Further appeals from the Board of Adjustment's decisions shall be directed to the Mayor and Board of Aldermen. Any person or persons, or any board, taxpayer, department, or bureau of the City aggrieved by any decision of the Mayor and Board of Aldermen may seek review by the courts in the manner provided by the laws of the State of Mississippi.

Section 104 – Schedule of fees, charges, and expenses

The Mayor and Board of Aldermen shall establish a schedule of fees, charges, and expenses and a collection procedure for matters pertaining to this Ordinance. The schedule of fees shall be posted in the office of the City Clerk and may be altered or amended only by the Mayor and Board of Aldermen.

Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

Section 105 – Effective Date

Be it ordained by the Mayor and Board of Aldermen of the City of Carthage, Mississippi, in regular meeting, as follows, to-wit:

That it is decidedly in the best interest, safety and welfare of the citizens of the City of Carthage, Mississippi, that this Ordinance shall be in full force and effect immediately for and after its passage.

Having first been reduced to writing, the foregoing ordinance was read aloud and considered Section by Section and as a whole by the Mayor and Board of Aldermen of the City of Carthage, Mississippi, and there was a motion made by Alderman David Herrington and seconded by Alderman Britt Barnes that the same be adopted by the Mayor and Board of Aldermen of the City of Carthage, Mississippi; and upon roll call vote, the Aldermen voted as follows, to-wit:

Aldermen Voting "AYE"


- 1 Britt Barnes
- 2 David Cockroft
- 3 Terry Jones
- 4 David Herrington

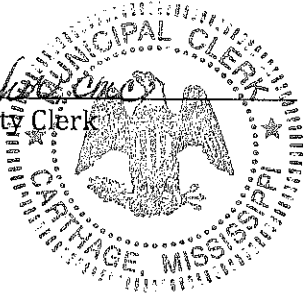
Aldermen Voting "NAY"

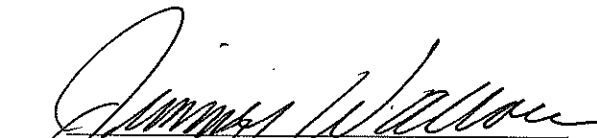
And the Mayor declared the Ordinance duly adopted.

Adopted this, 1st day of July, 2013, at the regular meeting of the Mayor and Board of Aldermen of the City of Carthage, Mississippi.

ATTEST:


Jan Wilcher, City Clerk




Jimmy Wallace, Mayor

Section 200 – Permitting Process

All permanent and temporary signs erected in the City of Carthage require a permit from the Building Official unless otherwise noted within this Ordinance.

1. Submit an application for a sign permit to the Building Official that includes the following:
 - a. Permit fee set by the City of Carthage
 - b. Name of applicant, owner, and business for proposed sign
 - c. Location of proposed sign (property location and existing zoning district)
 - d. Drawing of the proposed design providing details of the size, dimensions, materials, finishes, colors, etc. which meet the requirements of this Ordinance
2. The Building Official shall review the proposed application and shall render a decision within fifteen (15) days of receiving the application. The Building Official shall make written findings regarding the final decision and notify the applicant.
3. Permanent signs shall display a decal with the following information: permit number, issue date, and name of owner on the sign.
4. Temporary signs shall display the permit number and date of expiration. Temporary permits are valid for only thirty (30) days.
5. Sign permits shall become null and void if construction and installation has not begun within six (6) months of the issue date.
6. **Appeals:**
 - a. If the applicant wishes to appeal the Building Official's decision, a written appeal shall be filed with the Board of Adjustment within ten (10) days of the previous decision.
 - b. The Board of Adjustment shall review each application and affirm, amend, or reverse the decision of the Building Official.
 - c. Any further appeals shall be made to the Mayor and Board of Aldermen within ten (10) days.

Section 201 – Inspections and Maintenance

1. All signs shall be inspected periodically by the Building Official to ensure compliance with this Ordinance.
2. All signs shall be kept in good condition and repair and in safe, neat, clean and attractive conditions.
3. The Building Official shall provide written notice of any signs that are in violation of this Ordinance or in violation of the approved permit and provide written notice for the removal of any illegal signs.
4. The Building Official may remove any sign that presents an immediate threat to the safety of the public. The sign removal shall be at the expense of the property owner.

Article III – Sign Allotments

III

Section 300 – Determining Sign Area

Sign area is calculated by drawing a continuous polygon at the outer edges of and enclosing the extreme limits of a sign including any frame, border, text, logos, images, etc. The polygon used for calculating sign area should include the smallest perimeter applicable while still enclosing all non-structural components of a sign. Curved, spherical, or any other three dimensional sign face shall be computed on the basis of the actual surface area. Determining the sign area for a changeable copy sign shall include the entire useable copy area.



The sign area shall not include the main supporting structure. Only one face is counted towards the overall sign area when a two-sided sign exists.

Property or business owners may address any concerns regarding the allowable sign area through the variance process with the Board of Adjustment, subject to guidelines in Article VIII.

Section 301 – Determining Sign Height

The vertical distance measured from the average elevation of the finished grade along the front of the sign base to the highest point of the sign structure.

Section 302 – Sign Allotments by Zoning District

Allowed and prohibited permanent and temporary signs are determined according to individual zoning districts as established in the Carthage Zoning Ordinance. This section details the number, type and square footage of allowed signage within each zoning district.

Business Districts - Signage Requirements

C-1 Central Business District

Max. permanent signs: 3 signs
Maximum sign area: 50 square feet

Allowed Permanent Signs

- 1 Wall sign¹
- 2 Canopy sign
- 3 Suspended sign
- 4 Projecting sign
- 5 Window sign²

Prohibited Signs

- 1 Ground sign
- 2 Pole sign
- 3 Changeable Copy sign
- 4 Electronic sign
- 5 Any other signs prohibited in whole by this Ordinance.

Notes:

- ¹ Wall signs shall not exceed 65% of the upper façade of any building
- ² Window signs shall not exceed 25% of the total glass area on which they are displayed

C-2 Neighborhood Commercial District

Max. permanent signs: 2 signs
Maximum sign area: 50 square feet

Allowed Permanent Signs

- 1 Wall sign
- 2 Ground sign
- 3 Canopy sign
- 4 Suspended sign
- 5 Window sign
- 6 Changeable copy (civic/assembly uses only)

Prohibited Signs

- 1 Pole sign
- 2 Electronic sign
- 3 Any other signs prohibited in whole by this Ordinance.

C-3 Highway Commercial District

Max. permanent signs: 3 signs
Allowable sign area: 1 square foot per linear foot of building frontage
Maximum sign area: 150 square feet

Allowed Permanent Signs

- 1 Ground sign
- 2 Pole sign = Bill Board
- 3 Wall sign
- 4 Canopy sign
- 5 Suspended sign
- 6 Window sign
- 7 Tenant sign
- 8 Changeable copy sign
- 9 Electronic sign

Business Districts - Signage Requirements

I-1 and I-2 Industrial Districts

Max. permanent signs: 2 signs
Maximum sign area: 75 square feet

Allowed Permanent Signs

- 1 Wall sign
- 2 Ground sign
- 3 Canopy sign
- 4 Window sign

Prohibited Signs

- 1 Pole sign
- 2 Changeable copy sign
- 3 Electronic sign
- 4 Tenant sign
- 5 Any other signs prohibited in whole by this Ordinance.

Historic District Overlay

The Historic District Overlay outlines signage requirements in addition to the underlying zoning district. Those requirements are discussed below. Refer to the Historic Preservation Commission guidelines, underlying zoning districts in this Article, and the Carthage Zoning Ordinance for additional regulations.

- 1 Signs should not conceal or cover architectural features of a building.
- 2 Signs should not cover more than 65% of the upper façade of a building.
- 3 The size and design of signs should be pedestrian scale oriented.
- 4 The size and design of signs should be appropriate to the scale of the building.
- 5 The design, color scheme, and materials should relate harmoniously to the façade of the building.
- 6 Window and door signs should complement other signs on the building's façade.

Article IV – Permanent Signs

IV

This section provides detailed regulations for each permanent sign type. Allowed and prohibited permanent signs are determined according to individual zoning districts as established in the Carthage Zoning Ordinance. Permanent signs are limited by number per establishment and are also limited in size by square footage area. All permanent signs are required to obtain a sign permit from the Building Official.

Section 400 – Building Signs

Permanent building signs are signs that are permanently attached in some way to the principle building. These include wall signs, projecting signs, suspended signs, canopy signs and window signs. Building signs in shopping centers or strip centers may have coordinated color schemes for lettering.

Permanent Building Sign Regulations					
Type of Regulation	Wall Sign	Projecting Sign	Suspended Sign	Canopy Sign	Window Sign
Location	Principle façade	Principle or side façade	Suspended from canopy frame	Printed on Canopy surface	Exterior window or door glass
Clearance Regulations	Max. 6 inches from wall	Min. 8 feet from ground	Min. 8 feet from ground	Min. 8 feet from ground	-
Maximum Sign Area	See Article III	2 square feet	2 square feet	25% of canopy	25% of window

Section 401 – Individual Ground Signs

Permanent individual ground signs are signs for a single establishment that are permanently mounted and affixed to the ground surface. These include monument signs for residential, commercial, industrial, and civic uses as well as all hanging ground signs and pole signs.

Permanent Individual Ground Sign Regulations				
Type of Regulation	Non-Residential Monument Sign	Residential Subdivision Monument Sign	Hanging Sign	Pole Sign
Minimum ROW Setback	5 feet	25 feet	5 feet	5 feet
Maximum Height	7 feet	7 feet	4 feet	20 feet
Minimum Base	18 inches	18 inches	-	-
Base Design	Solid	Solid	Open	Open
Base/Frame Materials	Masonry or stone or similar to bldg material	Masonry or stone	Metal or wood	Metal/Masonry or Stone
Maximum Sign Area	See Article III	25 square feet	6 square feet	See Article III
Landscaping	Landscaping is required at base of all types of ground signs. (Hardship relief may be sought through the variance process)			

Section 402 – Changeable Copy Signs

Changeable copy signs are allowed only in certain zoning districts and are classified by the traditional manual changeable copy sign and the electronic message center with changeable copy. Each of these sign types has specific, individual regulations. Where these are allowed (see Article III for the appropriate zoning district), the changeable copy portion shall be incorporated into a monument ground sign or a pole sign. Changeable copy signs shall not be incorporated into any type of permanent building sign or multiple tenant sign. The changeable copy portion of the sign shall not exceed forty (40) percent of the proposed ground sign or pole sign area for that establishment. *See Section 401 for setback, height, and base requirements.*

Permanent Changeable Copy Signs		
Type of Regulation	Changeable Copy Sign	Electronic Message Sign
Frame Materials	Masonry or stone or similar to bldg material	Masonry or stone or similar to bldg material
Maximum Sign Area	40% of proposed ground sign or pole sign (see Article III)	40% of proposed ground sign or pole sign (see Article III)
Landscaping	Required at base	Required at base
Maximum Letter Height	6 inches	-
Copy Regulations	Black letter manual copy only	Minimum 8 second delay between messages

Section 403 – Gasoline Station Signs

Gasoline stations engaged in the retail distribution of petroleum and petroleum products shall be regulated by the following table. The table below supersedes where any signage requirements differ between Article III and this table. A price sign as allowed below may be in the form of a manual changeable copy or an electronic message sign. Where the following regulations allow a price sign, the price portion shall also be incorporated into the ground sign or pole sign. All signage shall also follow the regulations and requirements under this Section.

Gasoline Station Signage Allotments	
Type of Regulation	Neighborhood (C-2) and Highway (C-3) Commercial Zoning
Number and Type of Signs	One (1) wall sign One (1) ground sign or One (1) pole sign One (1) price sign per street frontage
Maximum Height	7 feet ground sign/20 feet pole sign
Minimum Base	18 inches ground sign
Base Design	Solid or Open
Base/Frame Materials	Masonry, stone or other similar building material
Maximum Total Sign Area	150 square feet
Landscaping	Required at base <i>(Hardship relief may be sought through the variance process)</i>

Section 404 – Multiple Tenant Ground Signs

Permanent multiple tenant signs are signs for shopping centers or strip centers with more than one tenant. These signs shall be permanently mounted and affixed to the ground surface.

Permanent Multiple Tenant Ground Sign Regulations	
Type of Regulation	Commercial Zoning
Minimum ROW Setback	10 feet
Maximum Height	20 feet
Maximum Width	10 feet
Minimum Solid Base	2 feet
Base Design	Solid or Open
Base/Frame Materials	Masonry or stone or similar to bldg material
Allowed Sign Types	Ground or Pole Sign
Maximum Sign Area	10 square feet per tenant 15 sq. feet for center name
Landscaping	Required at base

Section 600 – Prohibited Signs

All signs not expressly permitted or exempt under this Ordinance are prohibited by the City of Carthage. Prohibited signs specifically include:

1. Off-premise signs
2. Roof signs
3. Pennant signs
4. Inflatable signs or displays
5. Portable signs
6. Free standing changeable copy signs

Section 601– Additional Sign Restrictions

1. No temporary signage shall be used in place of permanent signage (i.e. using a temporary banner instead of a permanent wall sign).
2. No temporary signs shall be attached to the outside wall of the building.
- ✓ 3. No sign shall be erected in the public right-of-way.
4. No sign shall be placed on private property without the owner's consent.
5. No sign shall be placed on stop signs or utility poles except for utility purposes.
6. No sign shall in the lighting, design, symbol, color, or character resemble signs customarily used for public safety or transportation.
7. No sign shall have neon, blinking, flashing or fluttering lights that also have the ability to change light intensity and color.
8. No sign shall be placed or constructed so as to obstruct or interfere with any door, window, fire escape or other means of egress, light or ventilation.
9. No sign shall be located so that they obscure the view of pedestrian or vehicular traffic in a manner so as to endanger safe movement, particularly at entrances, exits, and intersections.

Section 700 – Nonconforming Signs

Permanent Signs

Signs that were legally in existence prior to the adoption of this Ordinance that do not conform to the provisions of this Ordinance shall be declared nonconforming. Any nonconforming sign may continue in operation and maintenance after the effective date of this Ordinance provided they are not changed or replaced with another nonconforming sign, structurally altered, expanded in height or width, reestablished after damage of more than fifty percent (50%) of the value of the sign at the time of damage or destruction, etc. Regular maintenance shall continue for all signs conforming and nonconforming.

Temporary Signs

The City of Carthage shall notify all property owners of nonconforming temporary signage. The property owner of any nonconforming temporary signage shall bring such signage into compliance with these regulations within six (6) months of the effective date of this Ordinance. The City of Carthage and the Building Official may remove nonconforming signage at the expense of the property owner once this time period has lapsed.

Section 701 – Abandoned and Vacant Signs

This Ordinance defines abandoned signs as being discontinued in use, blank, vacant, or in disrepair for sixty (60) or more days. The Building Official shall notify all property owners which are determined to have abandoned signage. The property owner shall remove abandoned signage within thirty (30) days of the notification process. The City of Carthage and the Building Official may remove abandoned signage at the expense of the property owner once this time period has lapsed.

Business owners should remove existing signage when the business closes or changes location. The City of Carthage and the Building Official may remove the signage from vacant or closed business at the expense of the property owner.

Section 800 – General Provisions

Where the strict application of this Ordinance would result in peculiar and exceptional practical difficulties to or exceptional hardship on the owner of such property, the Board of Adjustment is empowered to grant a variance.

It is the power and duty of the Board of Adjustment (1) to review variance applications, (2) to examine any questions involved with the variance, (3) to apply conditions and safeguards as appropriate to approve variances, and (4) to deny variances which are not in harmony with the purpose and intent of this Ordinance.

Section 801 – Procedure

Those seeking a variance shall follow the procedure outlined in this Ordinance. Any application not meeting these requirements shall not be granted by the Board of Adjustment.

1. Submit a written application for a variance indicating the Zoning District under which the variance is sought and stating the grounds on which it is requested based on the criteria in Section 802.
2. Submit a site plan and signage detail showing the nature of the request as part of the application.
3. The Board of Adjustment shall review the variance and make written findings that the reasons set forth in the application justify the granting of the variance and that the variance constitutes the minimum variance that will make possible the reasonable application of these requirements. In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and punishable under this Ordinance.
4. The Board of Adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this Ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
5. Appeals regarding the Board of Adjustment's ruling shall be taken to the Mayor and Board of Aldermen within ten (10) days of the ruling.

Section 802 – Review Criteria

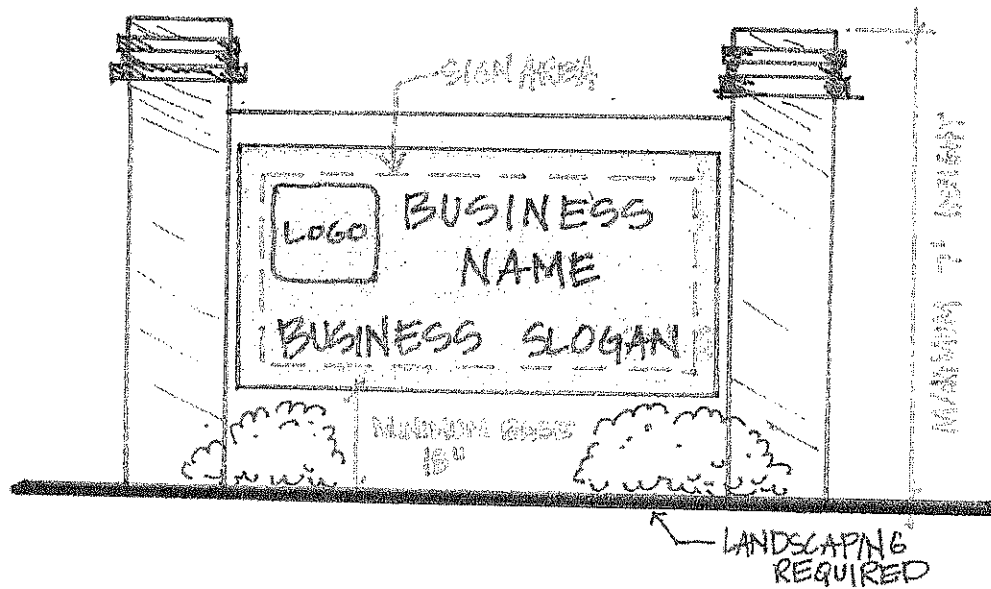
Before any variance shall be granted, the Board of Adjustment shall make written findings certifying compliance with the specific rules governing individual variances and that satisfactory provision and arrangement has been made concerning the review criteria determined by this Ordinance. When reviewing a variance application, the following criteria should be discussed:

1. The application of this Ordinance would substantially limit the applicant's ability to put the property to its highest and best use.
2. Neighboring property owners would not be detrimentally harmed by the grant of the variance.
3. The hardship suffered is unique to the property and was not created by the applicant for the variance.
4. Under no circumstances shall the non-conforming use of neighboring lands, structures, or buildings in the same district and permitted or non-conforming use of lands, structures, or buildings in other districts be considered grounds for the issuance of a variance.

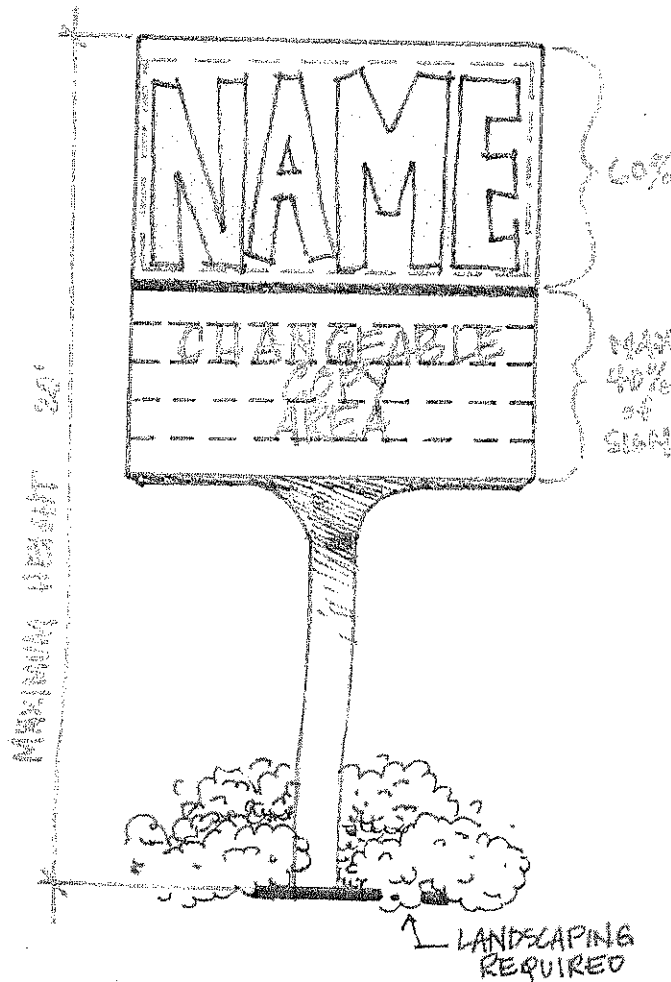
Appendix A – Signage Design Guidelines

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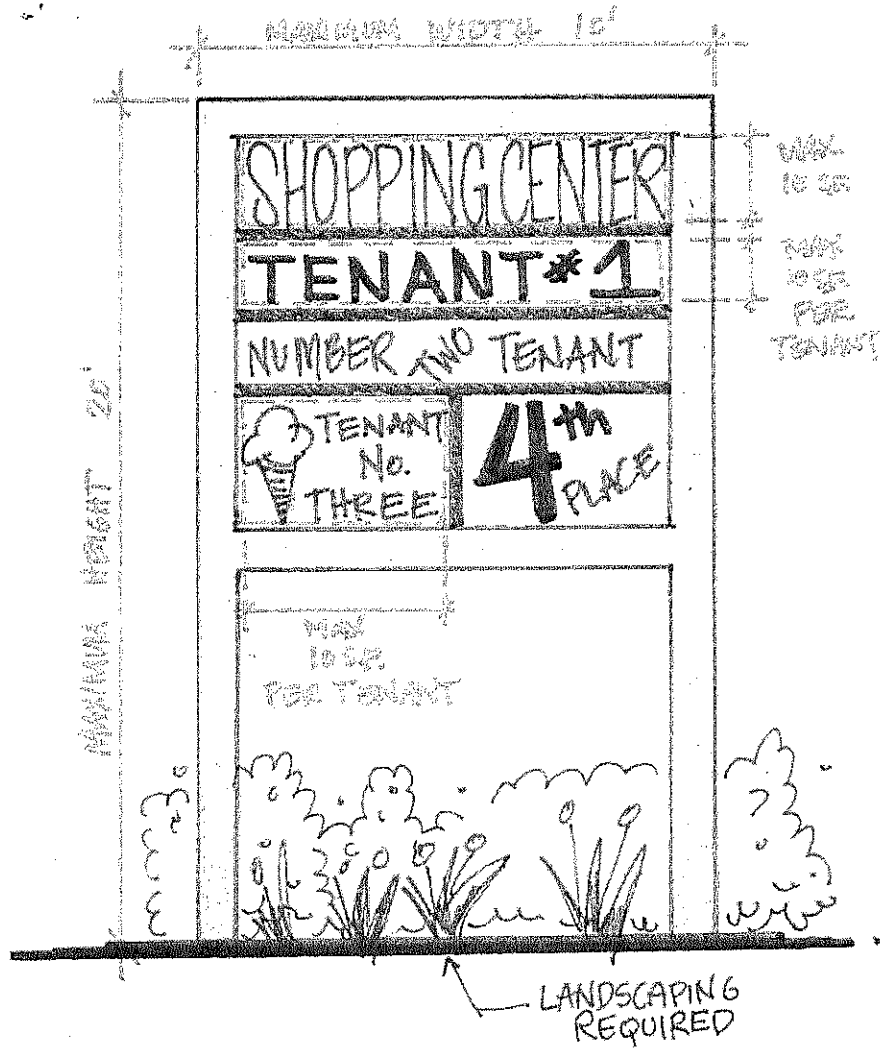
Appendix A-1 – Monument Sign



Appendix A-2 – Pole Sign



Appendix A-3 – Tenant Sign



Appendix A-4 – Building Signage

