



28 AMENDS:

29 **72-7-516**, as enacted by Chapter 316, Laws of Utah 2002



31 *Be it enacted by the Legislature of the state of Utah:*

32 Section 1. Section **72-7-516** is amended to read:

33 **72-7-516. Relocating outdoor advertising structure to maintain required distance**  
34 **from high voltage overhead lines.**

35 [H] (1) As used in this section:

36 (a) "Noncomplying structure" has the same meaning as defined in Sections 10-9a-103  
37 and 17-27a-103.

38 (b) "Nonconforming sign" has the same meaning as defined in Section 72-7-510.

39 (c) "Nonconforming use" has the same meaning as defined in Sections 10-9a-103 and  
40 17-27a-103.

41 (2) Notwithstanding any county or municipal ordinance to the contrary, if an outdoor  
42 advertising structure needs to be moved so that the sign can be reposted or maintenance  
43 performed without having to comply with the distance or notification requirements of Section  
44 54-8c-2, or in order to comply with distance or notification requirements imposed by the  
45 National Electrical Safety Code, International Building Code, a regulation, standard, or  
46 directive of the Occupational Health and Safety Administration, or any other similar applicable  
47 regulation [promulgated by a federal agency], then:

48 [H] (a) the owner shall have the right to relocate the same or similar type structure [to  
49 the minimal number of feet necessary:];

50 [a) on the same property; or]

51 [b) if the same property is not available, on another property; and]

52 [(2) the county or municipality in which the outdoor advertising structure is located  
53 shall, if necessary, accommodate the move by a special exception to its zoning ordinance.]

54 (b) in relocating, the owner shall have the right to maintain full visibility of the  
55 structure; and

56 (c) if the structure is a nonconforming use, noncomplying structure, or nonconforming  
57 sign, the owner shall not be required to take any action that would diminish the owner's rights  
58 to the nonconforming use, noncomplying structure, or nonconforming sign, including:

59            (i) lowering the structure; or

60            (ii) placing the structure at a greater setback from the highway.

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**Legislative Review Note**

**as of 2-3-06 12:26 PM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number HB0394**

**Relocating Outdoor Advertising**

*10-Feb-06*

*12:01 PM*

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**State Impact**

Provisions of this bill can be enacted within existing budgets.

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**Individual and Business Impact**

Individuals and businesses will have the cost of relocation of signs that are nonconforming.

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**Office of the Legislative Fiscal Analyst**