

1                                   **OUTDOOR ADVERTISING - HEIGHT**  
2                                   **ADJUSTMENT OF SIGNS**

3                                   2006 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Chief Sponsor: Parley G. Hellewell**

6                                   House Sponsor: Stephen H. Urquhart

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8   **LONG TITLE**

9   **General Description:**

10           This bill modifies the Utah Outdoor Advertising Act by amending provisions related to  
11 the height adjustment of outdoor advertising signs.

12   **Highlighted Provisions:**

13           This bill:

14           ▶ provides that if the view and readability of an outdoor advertising sign, including  
15 certain signs, is obstructed due to an improvement created on real property  
16 subsequent to the department's disposal of the property, the owner of the sign may  
17 adjust the height of the sign or relocate the sign within 500 feet of its prior location  
18 if the sign complies with certain provisions; and

19           ▶ makes technical changes.

20   **Monies Appropriated in this Bill:**

21           None

22   **Other Special Clauses:**

23           None

24   **Utah Code Sections Affected:**

25   AMENDS:

26           **72-7-510.5**, as last amended by Chapter 298, Laws of Utah 2002



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

29 Section 1. Section **72-7-510.5** is amended to read:

30 **72-7-510.5. Height adjustments for outdoor advertising signs.**

31 (1) If the view and readability of an outdoor advertising sign, including a sign that is a  
 32 nonconforming sign as defined in Section 72-7-510, a noncomplying structure as defined in  
 33 Sections 10-9a-103 and 17-27a-103, or a nonconforming use as defined in Sections 10-9a-103  
 34 and 17-27a-103 is obstructed due to a noise abatement or safety measure, grade change,  
 35 construction, directional sign, highway widening, or aesthetic improvement made by an agency  
 36 of this state ~~§→ [;] ←§ [directional sign, or widening]~~ ~~§→ [f]~~ **along an interstate, federal aid**  
 36a **primary highway**  
 37 **existing as of June 1, 1991, [h] ←§ [or] §→ [f] national highway systems highway [h] , or state**  
 37a **highway ←§ or by an improvement**  
 38 created on real property subsequent to the department's disposal of the property under Section  
 39 72-5-111, the owner of the sign may:

40 (a) adjust the height of the sign; or

41 (b) relocate the sign to a point within 500 feet of its prior location, if the sign complies  
 42 with the spacing requirements under Section 72-7-505 and is in a commercial or industrial  
 43 zone.

44 (2) A height adjusted sign under this section does not constitute a substantial change to  
 45 the sign.

46 (3) The county or municipality in which the outdoor advertising sign is located shall, if  
 47 necessary, provide for the height adjustment or relocation by ordinance for a special exception  
 48 to its zoning ordinance.

49 (4) (a) The height adjusted sign may be erected to a height and angle to make it clearly  
 50 visible to traffic on the main-traveled way of the highway and shall be the same size as the  
 51 previous sign.

52 (b) The provisions of Subsection (4)(a) are an exception to the height requirements  
 53 under Section 72-7-505.

**Legislative Review Note**

as of 2-3-06 12:40 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 SB0222**

**Outdoor Advertising - Height Adjustment of Signs**

*13-Feb-06*

*11:20 AM*

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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 required to adjust sign heights because of provisions of this will incur the cost of those changes.

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**Office of the Legislative Fiscal Analyst**