

72-7-513 Relocation on state highways.

- (1) As used in this section, "state highway" means those highways designated as state highways in Title 72, Chapter 4, Designation of State Highways Act, on July 1, 1999, and any subsequently designated state highway.
- (2) If any outdoor advertising use or structure may not be continued because of the widening, construction, or reconstruction along a state highway, the owner shall have the option to relocate and remodel the use or structure to another location:
 - (a) on the same property;
 - (b) on adjacent property;
 - (c) within 2640 feet of the previous location on either side of the same highway; or
 - (d) mutually agreed upon by the owner and the county or municipality in which the use, structure, or permit is located.
- (3) The relocation under Subsection (2) shall be in a commercial or industrial zoned area or where outdoor advertising is permitted under this part.
- (4) The county or municipality in which the use or structure is located shall, if necessary, provide for the relocation and remodeling by ordinance for a special exception to its zoning ordinance.
- (5) The relocated and remodeled use or structure may be:
 - (a) erected to a height and angle to make it clearly visible to traffic on the main-traveled way of the highway to which it is relocated or remodeled;
 - (b) the same size and at least the same height as the previous use or structure, but the relocated use or structure may not exceed the size and height permitted under this part;
 - (c) relocated to a comparable vehicular traffic count.
- (6)
 - (a) The governmental entity, quasi-governmental entity, or public utility that causes the need for the outdoor advertising relocation or remodeling as provided in Subsection (2) shall pay the costs related to the relocation, remodeling, or acquisition.
 - (b) If a governmental entity prohibits the relocation and remodeling as provided in Subsection (2) (a), (b), or (c), it shall pay just compensation as provided in Subsection 72-7-510(3).

Amended by Chapter 72, 1999 General Session