

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

- (1) If an outdoor advertising structure needs to be moved away from a high voltage power line or lines so that the sign can be reposted or maintenance performed without having to comply with the distance or notification requirements of Section 54-8c-2, or in order to comply with distance or notification requirements imposed by the National Electrical Safety Code, International Building Code, a regulation, standard, or directive of the Occupational Safety and Health Administration or any other similar applicable regulation, then the owner shall have the option to remodel the structure at the same location or relocate and remodel the structure to another location within the same jurisdiction:
 - (a) on the same property;
 - (b) on adjacent property;
 - (c) within 2,640 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 structure is located.
- (2) The relocation under Subsection (1) shall be in a commercial or industrial zoned area or where outdoor advertising is permitted under this part.
- (3) The county or municipality in which the structure is located shall, if necessary, provide for the relocation or remodeling by ordinance for a special exception to its zoning ordinance.
- (4) The relocated and remodeled 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 structure, but the relocated structure may not exceed the size and height permitted under this part; and
 - (c) relocated to a location with a comparable traffic vehicular count.
- (5) If a governmental entity prohibits the relocation and remodeling as provided in Subsection (1) (a), (b), or (c), it shall pay just compensation as provided in Subsection 72-7-510(3).

Amended by Chapter 330, 2006 General Session