

1 **RELOCATING OUTDOOR ADVERTISING**

2 2006 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: David Ure**

5 Senate Sponsor: Michael G. Waddoups

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Utah Outdoor Advertising Act by amending provisions related to
10 the relocation of outdoor advertising structures.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ expands the regulations that may require the relocation of an outdoor advertising
14 sign to maintain the required distance from high voltage overhead lines;
- 15 ▶ provides that an owner of an outdoor advertising structure that is required to be
16 relocated shall have the option to relocate and remodel the structure to certain other
17 locations;
- 18 ▶ requires that a relocation shall be in a commercial or industrial zoned area or where
19 outdoor advertising is permitted;
- 20 ▶ requires that a county or municipality shall provide a special exception to its zoning
21 ordinance if necessary to provide for the relocation;
- 22 ▶ provides that the relocated and remodeled structure may be:
 - 23 • erected to a height and angle to make it clearly visible on the main-traveled way
24 of the highway;
 - 25 • the same size and at least the same height as the previous structure, but may not
26 exceed certain size and height limitations; and
 - 27 • relocated to a location with a comparable vehicular traffic count;
- 28 ▶ requires a governmental entity to pay just compensation if it prohibits the relocation
29 and remodeling; and

30 ▶ makes technical changes.

31 **Monies Appropriated in this Bill:**

32 None

33 **Other Special Clauses:**

34 None

35 **Utah Code Sections Affected:**

36 AMENDS:

37 **72-7-516**, as enacted by Chapter 316, Laws of Utah 2002



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

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

41 **72-7-516. Relocating outdoor advertising structure to maintain required distance**
42 **from high voltage overhead lines.**

43 (1) If an outdoor advertising structure needs to be moved away from a high voltage
44 power line or lines so that the sign can be reposted or maintenance performed without having
45 to comply with the distance or notification requirements of Section 54-8c-2, or in order to
46 comply with distance or notification requirements imposed by the National Electrical Safety
47 Code, International Building Code, a regulation, standard, or directive of the Occupational
48 Safety and Health Administration or any other similar applicable regulation [~~promulgated by a~~
49 federal agency], then the owner shall have the option to remodel the structure at the same
50 location or relocate and remodel the structure to another location within the same jurisdiction:

51 (a) on the same property;

52 (b) on adjacent property;

53 (c) within 2,640 feet of the previous location on either side of the same highway; or

54 (d) mutually agreed upon by the owner and the county or municipality in which the
55 structure is located.

56 (2) The relocation under Subsection (1) shall be in a commercial or industrial zoned
57 area or where outdoor advertising is permitted under this part.

58 (3) The county or municipality in which the structure is located shall, if necessary,
59 provide for the relocation or remodeling by ordinance for a special exception to its zoning
60 ordinance.

61 (4) The relocated and remodeled structure may be:

62 (a) erected to a height and angle to make it clearly visible to traffic on the
63 main-traveled way of the highway to which it is relocated or remodeled;

64 (b) the same size and at least the same height as the previous structure, but the
65 relocated structure may not exceed the size and height permitted under this part; and

66 (c) relocated to a location with a comparable traffic vehicular count.

67 (5) If a governmental entity prohibits the relocation and remodeling as provided in
68 Subsection (1)(a), (b), or (c), it shall pay just compensation as provided in Subsection
69 72-7-510(3).

70 ~~[(1) the owner shall have the right to relocate the same or similar type structure to the~~
71 ~~minimal number of feet necessary:]~~

72 ~~[(a) on the same property; or]~~

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

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