



90           ~~[(8)]~~ (7) "Highway service zone" means a highway service area where the primary use  
 91 of the land is used or reserved for commercial and roadside services other than outdoor  
 92 advertising to serve the traveling public.

93           ~~[(9)]~~ (8) "Information center" means an area or site established and maintained at rest  
 94 areas for the purpose of informing the public of:

95           (a) places of interest within the state; or

96           (b) any other information that the department considers desirable.

97           ~~[(10)]~~ (9) "Interchange or intersection" means those areas and their approaches where  
 98 traffic is channeled off or onto an interstate route, excluding the deceleration lanes, acceleration  
 99 lanes, or feeder systems, from or to another federal, state, county, city, or other route.

100           ~~[(11)]~~ (10) "Maintain" means to allow to exist, subject to the provisions of this chapter.

101           ~~[(12)]~~ (11) "Maintenance" means to repair, refurbish, repaint, ~~§~~ → ~~§~~ → remodel, utilize in  
 101a conformance with this part, ←§ ←§ or otherwise keep an  
 102 existing sign structure safe and in a state suitable for use, including signs destroyed by  
 103 vandalism or an act of God.

104           ~~[(13)]~~ (12) "Main-traveled way" means the through traffic lanes, including auxiliary  
 105 lanes, acceleration lanes, deceleration lanes, and feeder systems, exclusive of frontage roads  
 106 and ramps. For a divided highway, there is a separate main-traveled way for the traffic in each  
 107 direction.

108           (13) "Major sponsor" means a sponsor of a public assembly facility or of a team or  
 109 event held at the facility where the amount paid by the sponsor to the owner of the facility, to  
 110 the team, or for the event is at least \$100,000 per year.

111           (14) "Official signs and notices" means signs and notices erected and maintained by  
 112 public agencies within their territorial or zoning jurisdictions for the purpose of carrying out  
 113 official duties or responsibilities in accordance with direction or authorization contained in  
 114 federal, state, or local law.

115           (15) "Off-premise signs" means signs located in areas zoned industrial, commercial, or  
 116 H-1 and in areas determined by the department to be unzoned industrial or commercial that  
 117 advertise an activity, service, event, person, or product located on premises other than the  
 118 premises at which the advertising occurs.

119           (16) "On-premise signs" means signs used to advertise the major activities conducted  
 120 on the property where the sign is located.

121 (17) "Outdoor advertising" means any outdoor advertising structure or outdoor  
 122 structure used in combination with an outdoor advertising sign or outdoor sign within the  
 123 outdoor advertising corridor which is visible from a place on the main-traveled way of a  
 124 controlled route.

125 (18) "Outdoor advertising corridor" means a strip of land 350 feet wide, measured  
 126 perpendicular from the edge of a controlled highway right-of-way.

127 (19) "Outdoor advertising structure" or "outdoor structure" means any sign structure,  
 128 including any necessary devices, supports, appurtenances, and lighting that is part of or  
 129 supports an outdoor sign.

130 (20) "Point of widening" means the point of the gore or the point where the intersecting  
 131 lane begins to parallel the other lanes of traffic, but the point of widening may never be greater  
 132 than 2,640 feet from the center line of the intersecting highway of the interchange or  
 133 intersection at grade.

134 (21) "Public assembly facility" means a convention facility as defined under Section  
 135 59-12-602 and that:

136 (a) includes all contiguous interests in land, improvements, and utilities acquired,  
 137 constructed, and used in connection with the operation of the public assembly facility, whether  
 138 the interests are owned or held in fee title or a lease or easement for a term of at least 40 years,  
 139 and regardless of whether the interests are owned or operated by separate governmental  
 140 authorities or districts;

141 [~~(a)~~] (b) is wholly or partially funded by public money; [~~and~~]

142 [~~(b)~~] (c) requires a person attending an event at the public assembly facility to purchase  
 143 a ticket or that otherwise charges for the use of the public assembly facility as part of its regular  
 144 operation[-]; and

145 (d) has a minimum and permanent seating capacity of at least ~~12,000~~ **10,000** ~~12,000~~  
 145a people.

146 (22) "Public assembly facility sign" means a sign located on a public assembly facility  
 147 that only advertises the public assembly facility, major sponsors, events, the sponsors of events  
 148 held or teams playing at the facility, and products sold or services conducted at the facility.

149 [~~(22)~~] (23) "Relocation" includes the removal of a sign from one situs together with the  
 150 erection of a new sign upon another situs in a commercial or industrial zoned area as a  
 151 substitute.

214 (5) A public assembly facility is exempt from the requirement under this part to have a  
 215 state outdoor advertising permit.

216 Section 3. Section **72-7-505** is amended to read:

217 **72-7-505. Sign size -- Sign spacing -- Location in outdoor advertising corridor --**  
 218 **Limit on implementation.**

219 (1) (a) Except as provided in Subsection (2), a sign face within the state may not exceed  
 220 the following limits:

221 (i) maximum area - 1,000 square feet;

222 (ii) maximum length - 60 feet; and

223 (iii) maximum height - 25 feet.

224 (b) No more than two facings visible and readable from the same direction on the  
 225 main-traveled way may be erected on any one sign structure. Whenever two facings are so  
 226 positioned, neither shall exceed the maximum allowed square footage.

227 (c) Two or more advertising messages on a sign face and double-faced, back-to-back,  
 228 stacked, side-by-side, and V-type signs are permitted as a single sign or structure if both faces  
 229 enjoy common ownership.

230 (d) A changeable message sign is permitted if the interval between message changes is  
 231 not more frequent than at least eight seconds and the actual message rotation process is  
 232 accomplished in three seconds or less.

233 ~~Ĥ→ [(e) The illumination of an electronic changeable message sign may not be limited,~~  
 234 ~~except to prevent an electronic sign face from increasing ambient lighting levels by more than~~  
 235 ~~0.3 footcandles when measured:~~

236 ~~—— (i) perpendicular to the sign face; and~~

237 ~~—— (ii) at a distance in feet calculated by taking the square root of the product of the~~  
 238 ~~following:~~

239 ~~—— (A) the area of the electronic sign face measured in square feet; and~~

240 ~~—— (B) 100.]~~

240a **(e) An illumination standard adopted by any jurisdiction shall be uniformly applied to**  
 240b **all signs, public or private, on or off premise.** ←Ĥ

241 (2) (a) An outdoor sign structure located inside the unincorporated area of a  
 242 nonurbanized county may have the maximum height allowed by the county for outdoor  
 243 advertising structures in the commercial or industrial zone in which the sign is located. If no  
 244 maximum height is provided for the location, the maximum sign height may be 65 feet above

307 (d) the sign for which a permit was issued is not in a reasonable state of repair, is  
 308 unsafe, or is otherwise in violation of this part.

309 (2) The establishment, operation, repair, maintenance, or alteration of any sign contrary  
 310 to this chapter is also a public nuisance.

311 (3) Except as provided in Subsection (4), in its enforcement of this section, the  
 312 department shall comply with the procedures and requirements of Title 63G, Chapter 4,  
 313 Administrative Procedures Act.

314 (4) (a) The district courts shall have jurisdiction to review by trial de novo all final  
 315 orders of the department under this part resulting from formal and informal adjudicative  
 316 proceedings.

317 (b) Venue for judicial review of final orders of the department shall be in the county in  
 318 which the sign is located.

319 (5) If the department is granted a judgment, the department is entitled to have any  
 320 nuisance abated and recover from the responsible person, firm, or corporation, jointly and  
 321 severally:

322 (a) the costs and expenses incurred in removing the sign; and

323 (b) ~~[\$100]~~ (i) \$500 for each day the sign was maintained following the expiration of 10  
 324 days after notice of agency action was filed and served under Section 63G-4-201[-];

325 (ii) \$750 for each day the sign was maintained following the expiration of 40 days after  
 326 notice of agency action was filed and served under Section 63G-4-201;

327 (iii) \$1,000 for each day the sign was maintained following the expiration of 70 days  
 328 after notice of agency action was filed and served under Section 63G-4-201; and

329 (iv) \$1,500 for each day the sign was maintained following the expiration of 100 days  
 330 after notice of agency action was filed and served under Section 63G-4-201.

331 (6) (a) Any person, partnership, firm, or corporation who vandalizes, damages, defaces,  
 332 destroys, or uses any sign controlled under this chapter without the owner's permission is liable  
 333 to the owner of the sign for treble the amount of damage sustained and all costs of court,  
 334 including a reasonable attorney's fee, and is guilty of a class C misdemeanor.

335 (b) This Subsection (6) does not apply to the department, its agents, or employees if  
 336 acting to enforce this part.

337 (7) The following criteria shall be used for determining whether an existing sign  
 337a ↔ within an interstate outdoor advertising corridor ↔ has as