

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 2378

Short Title: Outdoor Advertising User Fees.

(Public)

Sponsors: Representative Colton; and Hurley.

Referred to: Finance.

June 6, 1990

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE FEES PAID FOR OUTDOOR ADVERTISING PERMITS SHALL BE BASED ON TRAFFIC DENSITY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 136-133 reads as rewritten:

"§ 136-133. Permits required.

No person shall erect or maintain any outdoor advertising within 660 feet of the nearest edge of the right-of-way of the interstate or primary highway system, except those allowed under G.S. 136-129, subdivisions (2) and (3) in this Article, or beyond 660 feet of the nearest edge of the right-of-way of the interstate or primary highway system, except those allowed under G.S. 136-129.1, subdivisions (2) and (3), without first obtaining a permit from the Department of Transportation or its agents pursuant to the procedures set out by rules and regulations promulgated by the Department of Transportation. The permit shall be valid until revoked for nonconformance with this Article or rules and regulations promulgated by the Department of Transportation thereunder. Any person aggrieved by the decision of the Department of Transportation or its agents in refusing to grant or in revoking a permit may appeal the decision in accordance with the rules and regulations enacted by the Department of Transportation pursuant to this Article to the Secretary of Transportation who shall make the final decision on the agency appeal. The Department of Transportation shall have the authority to charge permit fees to defray the costs of administering the permit procedures under this Article and based on the usage of the highways. The fees for directional signs as set forth in G.S. 136-129(1) and G.S. 136-129.1(1) shall not exceed a twenty dollar (\$20.00) initial fee and a fifteen dollar (\$15.00) annual renewal fee. The

1 fees for outdoor advertising structures, as set forth in G.S. 136-129(4) and (5) shall ~~not~~
2 ~~exceed a sixty dollar (\$60.00) initial fee and a thirty dollar (\$30.00) annual renewal fee~~ be set
3 by the Department and shall be based on the official Department traffic count of the
4 vehicles travelling on the highways from which the outdoor advertising can be seen, but
5 may not exceed one hundred dollars (\$100.00) per year.”

6 Sec. 2. This act shall become effective October 1, 1990.