

A-Engrossed
Senate Bill 607

Ordered by the Senate May 1
Including Senate Amendments dated May 1

Sponsored by Senator HASS (at the request of Oregon State Federation of Garden Clubs Inc. and Oregon Roadside Council)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Prohibits use of certain lighting on signs viewed by traveling public on certain highways. Directs local government to impose fines for violation.]

Provides that city or county may not prohibit replacement of existing outdoor advertising sign if sign meets specified criteria.

Prohibits Department of Transportation from issuing permit to replace sign unless person seeking permit submits certification by city or county that sign complies with criteria.

A BILL FOR AN ACT

1
2 Relating to outdoor advertising signs; creating new provisions; and amending ORS 377.723.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS 377.700 to**
5 **377.840.**

6 **SECTION 2. Notwithstanding ORS 377.740, a city or county may not prohibit a person**
7 **from replacing an existing outdoor advertising sign in the same location if:**

8 **(1) The existing outdoor advertising sign has a permit issued under ORS 377.725;**

9 **(2) The existing outdoor advertising sign was erected before the effective date of this 2009**
10 **Act;**

11 **(3) The outdoor advertising sign replacing the existing sign is erected within one year**
12 **from the date the existing sign was removed; and**

13 **(4) The outdoor advertising sign replacing the existing sign:**

14 **(a) Is no larger than the existing sign;**

15 **(b) Uses substantially similar materials or construction as the existing sign;**

16 **(c) Uses the same technology as the existing sign;**

17 **(d) Is the same height as the existing sign; and**

18 **(e) Has the same orientation as the existing sign.**

19 **SECTION 3. ORS 377.723 is amended to read:**

20 377.723. Notwithstanding any other provision of ORS 377.700 to 377.840, the Department of
21 Transportation *[shall]* **may** not issue a permit under ORS 377.725 or 377.767 unless the applicant for
22 the permit submits affidavits that meet the following requirements:

23 **(1) The applicant must submit an affidavit from each city or county that would have jurisdiction**
24 **over the proposed sign.**

25 **(2) Each affidavit must contain a certification by the respective city or county that the proposed**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 sign would comply with all applicable ordinances, plans, rules and other requirements of the city
2 or county **or that the sign would comply with the provisions of section 2 of this 2009 Act.**

3 (3) Each affidavit must be on a form prepared by the department.

4
