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COUNTY ENFORCEMENT OF LOCAL ADVERTISING ORDINANCE

House Bill 5817

Sponsor: Rep. Ken Bradstreet

Committee: Local Government and
Urban Policy

Complete to 3-29-02

A SUMMARY OF HOUSE BILL 5817 AS INTRODUCED 3-20-02

House Bill 5817 would amend the Highway Advertising Act of 1972 to require a county that has prepared an ordinance regulating advertising signs and sign structures to enforce the ordinance in a city, village, township or charter township that adopts the ordinance and requests that the county enforce it.

The act regulates and controls the size, lighting, and spacing of “signs” and “sign structures” in areas adjacent to rights of way right of way of an interstate highway, freeway, or primary highway. (“Sign” means any outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard, or other thing, whether placed individually or on a T-type, V-type, back to back or double-faced display, designed, intended or used to advertise or inform. “Sign structure” refers to the assembled components that make up an outdoor advertising display.) The act allows a local governmental unit (i.e., city, village, township, or charter township) to enact an ordinance regulating and controlling the size, lighting, and spacing of advertising signs and sign structures, under conditions specified in the act. The act also allows a county, either on its own initiative or at the request of a local unit within the county to prepare a “model ordinance,” and specifies that a local unit may adopt the ordinance. Currently, the act does not address enforcement of the ordinance. (It appears that responsibility for enforcement lies with authorities in the local units that adopt the ordinance.)

House Bill 5817 would state that a county could prepare *an ordinance*, rather than a *model ordinance*, for the purpose of regulating and controlling advertising signs and sign structures. (Despite this change in terminology, the ordinance would still take effect only in those local units that adopted the ordinance.) If the local unit adopted an advertising sign and sign structure ordinance prepared by the county and requested that the county enforce the ordinance on its behalf, the county would be required to do so.

MCL 252.304

Analyst: J. Caver

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