

HOUSE BILL No. 5817

March 20, 2002, Introduced by Rep. Bradstreet and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1972 PA 106, entitled
"Highway advertising act of 1972,"
by amending section 4 (MCL 252.304), as amended by 1998 PA 533.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. This act regulates and controls the size, lighting,
2 and spacing of signs and sign structures in adjacent areas and
3 occupies the whole field of that regulation and control except
4 for the following:

5 (a) A city, village, township, or charter township may enact
6 ordinances to regulate and control the size, lighting, and spac-
7 ing of signs and sign structures, but the ordinances shall not
8 permit a sign or sign structure that is otherwise prohibited by
9 this act or require or cause the removal of lawfully erected
10 signs or sign structures subject to this act without the payment
11 of just compensation. A sign owner shall apply for an annual

1 permit pursuant to section 6 for each sign to be maintained or to
2 be erected within that city, village, charter township, or
3 township. A sign erected or maintained within that city, vil-
4 lage, township, or charter township shall also comply with all
5 applicable provisions of this act.

6 (b) A city, village, charter township, or township vested by
7 law with authority to enact zoning codes has full authority under
8 its own zoning codes or ordinances to establish commercial or
9 industrial areas and the actions of a city, village, charter
10 township, or township in so doing shall be accepted for the pur-
11 poses of this act. However, except as provided in
12 subdivision (a), zoning ~~which~~ THAT is not part of a comprehen-
13 sive zoning plan and is taken primarily to permit outdoor adver-
14 tising structures shall not be accepted for purposes of this
15 act. A zone in which limited commercial or industrial activities
16 are permitted as incidental to other primary land uses is not a
17 commercial or industrial zone for outdoor advertising control
18 purposes.

19 (c) An ordinance or code of a city, village, township, or
20 charter township that existed on March 31, 1972 and that prohib-
21 its signs or sign structures is not made void by this act.

22 (d) A county, on its own initiative or at the request of a
23 city, village, township, or charter township within that county,
24 may prepare ~~a model~~ AN ordinance as described in
25 subdivision (a). A city, village, township, or charter township
26 within that county may adopt the ~~model~~ ordinance. IF THE CITY,
27 VILLAGE, TOWNSHIP, OR CHARTER TOWNSHIP WITHIN THE COUNTY ADOPTS

- 1 THE ORDINANCE AND REQUESTS THE COUNTY TO ENFORCE THE ORDINANCE,
- 2 THE COUNTY SHALL ENFORCE THE ORDINANCE ON BEHALF OF THE CITY,
- 3 VILLAGE, TOWNSHIP, OR CHARTER TOWNSHIP.