
DIGEST

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HCR 4 Original

2019 Regular Session

McFarland

Proposed LAC 70:III.126 places a moratorium on the issuance of all new permits for off-premise controlled outdoor advertising and prohibits the renewal of a permit if the permit expires or if the annual renewal fee is not received by the department by Jul. 1st. Further provides that no request or petition for reset will be granted by the department except for the movement of a sign to comply with present LAC.

Present LAC 70:III.127 provides for definitions relative to regulations for control of outdoor advertising.

Proposed LAC 70:III.127 adds the definition of "commercial advertising sign" and defines it as any off-premise display advertising a business that owns or operates a facility within a 3 mile radius of the display and meets the structures and grounds criteria provided in present LAC.

Present LAC 70:III.132 provides for the definition of and qualifying criteria for off-premise changeable message signs.

Proposed LAC 70:III.132 retains present LAC and specifies that no existing off-premise outdoor advertising structure may be retrofitted or converted to an off-premise changeable sign.

Present LAC 70:III.134 in pertinent part, specifies that no two structures can be spaced less than 1000 feet apart on the interstate highways and freeways on the federal-aid primary system and national highway system.

Proposed LAC 70:III.134 increases the space permitted between two structures on the interstate highways and freeways on the federal-aid primary system and national highway system from 1000 feet to 2000 feet and otherwise retains present LAC.

Present LAC 70:III.134 specifies that the provisions applying to the spacing between structures do not apply to structures separated by buildings or other obstructions in such a manner that only one sign facing located within the permitted spacing distance is visible from the highway at any one time and specifies that the exception does not apply to vegetation.

Proposed LAC 70:III.134 retains present LAC and adds that the exception does not apply to proposed LAC, which requires interstate, federal-aid primary highways, and national highway system signs be located to meet the requirements of commercial advertising.

Present LAC 70:III.137 provides the conditions and requirements that apply to continue and maintain a nonconforming sign.

Proposed LAC 70:III.137 retains present LAC and adds that an off-premise outdoor advertising display will be considered nonconforming if advertisements appear on more than one single side of the structure and the single side of the structure with the advertisement is not facing the main-traveled way.

Present LAC 70:III.149 provides that the following fee schedule is applicable to outdoor advertising signs, beginning on the effective date of the rule change:

- (1) 1 to 100 square feet - \$75 per sign face for a 12 month period until installation. Annual renewal fee after erection is \$7.50 per sign face.
- (2) 101-300 square feet - \$125 per sign face for a 12 month period until installation. Annual renewal fee after erection is \$12.50 per sign face.
- (3) 301 square feet and up - \$250 per sign face for a 12 month period until installation. Annual renewal fee after erection is \$25 per sign face.

Proposed LAC 70:III.149 removes the 12 month period prior to installation and the annual renewal fee after erection and provides for an annual permit fee applicable to outdoor advertising signs, beginning on the effective date of the rule change, as follows:

- (1) 1 to 100 square feet - from \$75 to \$150.
- (2) 101-300 square feet - from \$125 to \$250.
- (3) 301 square feet and up - from \$250 to \$500.

Present LAC 70:III.149 provides for annual renewal due dates and extensions and requires that the department provide notice of the amount due for each permit no later than Apr. 30th of each year.

Proposed LAC 70:III.149 changes annual renewal due dates and extensions to annual permit fees due dates and extensions and deletes the provision requiring the department to provide notice of the amount due for each permit no later than Apr. 30th of each year.

Present LAC 70:III.149 specifies that a permit will expire and the sign structure will become illegal if the annual renewal fees are not paid by Jul. 31st of each year. Provides that extensions may be granted for 30 days provided that a request is made prior to Jul. 1st.

Proposed LAC 70:III.149 provides that a permit will expire and the sign structure will become illegal if the annual permit fees are not paid by Jul. 1st of each year. Specifies that no extensions will be granted.

Requires that a copy of this Resolution be transmitted to the office of the state register and the secretary of the Dept. of Transportation and Development.

Directs the office of the state register to print and incorporate the amendments to LAC 70:III.127, 132(C), 134, and 149 and the enactment of LAC 70:III.126, 132(D), and 137(A)(9) into the La. Administrative Code.

(Amends LAC 70:III.127, 132(C), 134, and 149; Adds LAC 70:III.126, 132(D), and 137(A)(9))