

HOUSE BILL No. 1101

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-23-20-25.6.

Synopsis: Adjustment or movement of advertising signs. Provides that the owner or operator of an outdoor advertising sign may adjust the height of the sign or relocate the sign due to changes that would obstruct the sign's visibility. Provides that a height adjustment does not alter a nonconforming sign's status. Provides that a county or municipality must (if necessary) provide for the height adjustment or relocation by ordinance for a special exception to its zoning ordinance. Establishes guidelines for the size and viewing angle of a height adjusted or relocated sign.

Effective: July 1, 2017.

Cherry

January 5, 2017, read first time and referred to Committee on Roads and Transportation.



First Regular Session of the 120th General Assembly (2017)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

HOUSE BILL No. 1101

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-23-20-25.6 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2017]: **Sec. 25.6. (a) This section applies only**
4 **to an outdoor advertising sign located along the interstate and**
5 **primary system, as defined in 23 U.S.C. 131(t) on June 1, 1991, or**
6 **any other highway where control of outdoor advertising signs is**
7 **required under 23 U.S.C. 131.**

8 (b) **If an outdoor advertising sign is no longer visible or becomes**
9 **obstructed, or must be moved or removed, due to a noise**
10 **abatement or safety measure, grade changes, construction,**
11 **directional sign, highway widening, or aesthetic improvement**
12 **made by any agency of the state along the interstate and primary**
13 **system or any other highway, the owner or operator of the outdoor**
14 **advertising sign, to the extent allowed by federal law, may:**

- 15 (1) **adjust the height of the outdoor advertising sign; or**
16 (2) **relocate the outdoor advertising sign to a point within five**
17 **hundred (500) feet of its prior location, if the outdoor**



1 **advertising sign complies with the applicable spacing**
2 **requirements and is located in land zoned for commercial or**
3 **industrial purposes.**

4 **(c) The adjustment of the height of a nonconforming outdoor**
5 **advertising sign does not alter the nonconforming outdoor**
6 **advertising sign's status as being substantially the same as it was**
7 **on the date that the sign became a nonconforming outdoor**
8 **advertising sign.**

9 **(d) The county or municipality, under IC 36-7-4, shall, if**
10 **necessary, provide for the height adjustment or relocation by**
11 **ordinance for a special exception to the zoning ordinance of the**
12 **county or municipality.**

13 **(e) The height adjusted outdoor advertising sign or outdoor**
14 **advertising sign to be relocated shall be the same size as the**
15 **previous outdoor advertising sign and, to the extent allowed by**
16 **federal law, may be modified to:**

17 **(1) a height to make the entire advertising content of the sign**
18 **visible; and**

19 **(2) an angle to make the entire advertising content of the sign**
20 **visible.**

