

March 4, 1999

**H 299. OUTDOOR ADVERTISING CONTROL ACT. TO MODIFY AND UPDATE THE OUTDOOR ADVERTISING CONTROL ACT.** Amends GS 136-133 to delete maximums for permit fees and to direct Board of Transportation (BOT) to review and adjust permit fees established by Department of Transportation (DOT) biennially. Adds new provision to section allowing DOT to issue stop work orders for outdoor advertising under construction when DOT determines that required permit has not been issued, and permits DOT to remove outdoor advertising if stop work order not complied with. Amends GS 136-134 to make clear that DOT can assess cost of removing illegal outdoor advertising against owner thereof and to make clarifying changes. Adds new GS 136-133.1 providing that contested case hearings arising from outdoor advertising act shall be heard in Wake county and that the burden of proof is on party petitioning for review. Adds GS 133-134.2 requiring that DOT give certified mail notice of adverse decisions regarding outdoor advertising. Rewrites GS 133-134.1 to specify that judicial review of final agency decisions regarding outdoor advertising permits is governed by GS Chapter 150B, Article 4. Amends GS 150B-1(e) to exempt from contested case provisions of Chapter 150B DOT actions under GS 133-133.1 and -134.1. Amends GS 136-135 to allow DOT to seek injunctive relief against outdoor advertising in county where advertising is located, as well as in Wake county. Adds new GS 136-18.7 to permit BOT to establish fees to defray costs of administering permit procedures for DOT's selective vegetation removal policy. Makes other technical changes.

**Intro. by Hackney.**

Ref. to Transportation

GS 136