

HOUSE BILL No. 5851

May 20, 1992, Introduced by Rep. Gagliardi and referred to the Committee on Transportation.

A bill to amend sections 2, 3, 6, 13, and 21 of Act No. 106 of the Public Acts of 1972, entitled "Highway advertising act of 1972," being sections 252.302, 252.303, 252.306, 252.313, and 252.321 of the Michigan Compiled Laws; and to add sections 13a and 19a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 2, 3, 6, 13, and 21 of Act No. 106 of
2 the Public Acts of 1972, being sections 252.302, 252.303,
3 252.306, 252.313, and 252.321 of the Michigan Compiled Laws, are
4 amended and sections 13a and 19a are added to read as follows:

5 Sec. 2. As used in this act:

6 ~~(a) "Business area" means an adjacent area which is zoned~~
7 ~~under authority of state, county, township or municipal zoning~~
8 ~~authority for industrial or commercial purposes, customarily~~
9 ~~referred to as "b" or business, "c" or commercial, "i" or~~

~~1 industrial, "m" or manufacturing, and "s" or service, and all
2 other similar classifications and which: (i) is within a city,
3 village or charter township or (ii) is within 1 mile of the cor-
4 porate limits of a city, village or charter township or (iii) is
5 beyond 1 mile of the corporate limits of a city, village or
6 charter township and contains 1 or more permanent structures
7 devoted to the industrial or commercial purposes described in
8 this subdivision and which extends along the highway a distance
9 of 800 feet beyond each edge of the activity. Each side of the
10 highway is considered separately in applying this definition
11 except where it is not topographically feasible for a sign or
12 sign structure to be erected or maintained on the same side of
13 the highway as the permanent structure devoted to industrial or
14 commercial purposes, a business area may be established on the
15 opposite side of a primary highway in an area zoned commercial or
16 industrial or in an unzoned area with the approval of the state
17 highway commission. A permanent structure devoted to industrial
18 or commercial purposes shall not result in the establishment of a
19 business area on both sides of the highway. All measurements
20 shall be from the outer edge of the regularly used building,
21 parking lot or storage or processing area of the commercial or
22 industrial activity and not from the property lines of the activ-
23 ities and shall be along or parallel to the edge or pavement of
24 the highway. Commercial or industrial purposes are those activi-
25 ties generally recognized as commercial or industrial by zoning
26 authorities except that the following activities shall not be
27 considered commercial or industrial:~~

1 ~~(i) Agricultural, forestry, grazing, farming, and related~~
2 ~~activities, including, but not limited to, wayside fresh produce~~
3 ~~stands.~~

4 ~~(ii) Transient or temporary activities.~~

5 ~~(iii) Activities not visible from the main traveled way.~~

6 ~~(iv) Activities conducted in a building principally used as~~
7 ~~a residence.~~

8 ~~(v) Railroad tracks and minor sidings.~~

9 ~~(vi) Outdoor advertising.~~

10 ~~(vii) Activities more than 660 feet from the main traveled~~
11 ~~way.~~

12 ~~(b) "Unzoned commercial or industrial area" means an area~~
13 ~~which is within an adjacent area, which is not zoned by state or~~
14 ~~local law, regulation or ordinance, which contains 1 or more per-~~
15 ~~manent structures devoted to the industrial or commercial pur-~~
16 ~~poses described in subdivision (a), and which extends along the~~
17 ~~highway a distance of 800 feet beyond each edge of the activity.~~
18 ~~Each side of the highway is considered separately in applying~~
19 ~~this definition except where it is not topographically feasible~~
20 ~~for a sign or sign structure to be erected or maintained on the~~
21 ~~same side of the highway as the permanent structure devoted to~~
22 ~~industrial or commercial purposes, an unzoned commercial or~~
23 ~~industrial area may be established on the opposite side of a pri-~~
24 ~~mary highway in an area zoned commercial or industrial or in an~~
25 ~~unzoned area with the approval of the state highway commission.~~
26 ~~A permanent structure devoted to industrial or commercial~~
27 ~~purposes shall not result in the establishment of an unzoned~~

~~1 commercial or industrial area on both sides of the highway. All~~
~~2 measurements shall be from the outer edge of the regularly used~~
~~3 building, parking lot or storage or processing area of the com-~~
~~4 mercial or industrial activity and not from the property lines of~~
~~5 the activities and shall be along or parallel to the edge or~~
~~6 pavement of the highway. Commercial or industrial purposes are~~
~~7 those activities generally recognized as commercial or industrial~~
~~8 by zoning authorities except that the following activities shall~~
~~9 not be considered commercial or industrial:~~

~~10 (i) Agricultural, forestry, grazing, farming and related~~
~~11 activities, including, but not limited to, wayside fresh produce~~
~~12 stands.~~

~~13 (ii) Transient or temporary activities.~~

~~14 (iii) Activities not visible from the main traveled way.~~

~~15 (iv) Activities conducted in a building principally used as~~
~~16 a residence.~~

~~17 (v) Railroad tracks and minor sidings.~~

~~18 (vi) Outdoor advertising.~~

~~19 (vii) Activities more than 660 feet from the main traveled~~
~~20 way.~~

~~21 (c) "Erect" means to construct, build, raise, assemble,~~
~~22 place, affix, attach, create, paint, draw, or in any other way~~
~~23 bring into being or establish.~~

~~24 (d) "Interstate highway" means a highway officially desig-~~
~~25 nated as a part of the national system of interstate and defense~~
~~26 highways by the department and approved by the appropriate~~
~~27 authority of the federal government.~~

1 ~~(e) "Freeway" means a divided highway of not less than 2~~
2 ~~lanes in each direction to which owners or occupants of abutting~~
3 ~~property or the public do not have a right of ingress or egress~~
4 ~~to, from or across the highway, except at points determined by or~~
5 ~~as otherwise provided by the authorities responsible therefor.~~

6 ~~(f) "Primary highway" means a highway, other than an inter-~~
7 ~~state highway or freeway, officially designated as a part of the~~
8 ~~federal aid primary system as defined in section 103 of title 23~~
9 ~~of the United States code, as amended, by the department and~~
10 ~~approved by the appropriate authority of the federal government.~~

11 ~~(g) "Main traveled way" means the traveled way of a highway~~
12 ~~on which through traffic is carried. The traveled way of each of~~
13 ~~the separate roadways for traffic in opposite directions is a~~
14 ~~main traveled way of a divided highway. It does not include~~
15 ~~facilities as frontage roads, turning roadways or parking areas.~~

16 ~~(h) "Sign" means any outdoor sign, display, device, figure,~~
17 ~~painting, drawing, message, placard, poster, billboard, or other~~
18 ~~thing, whether placed individually or on a T type, V type, back~~
19 ~~to back or double faced display, designed, intended or used to~~
20 ~~advertise or inform.~~

21 ~~(i) "Sign structure" means the assembled components which~~
22 ~~make up an outdoor advertising display, including but not limited~~
23 ~~to uprights, supports, facings and trim. Such sign structure may~~
24 ~~contain 1 or 2 signs per facing and may be double faced, back to~~
25 ~~back, T type or V type.~~

26 ~~(j) "Visible" means capable of being seen by a person of~~
27 ~~normal visual acuity.~~

1 ~~(k) "Location" means a place where there is located a~~
2 ~~single, double faced, back to back, T type, or V type sign~~
3 ~~structure.~~

4 ~~(l) "Maintain" means to allow to exist and includes the~~
5 ~~periodic changing of advertising messages, customary maintenance~~
6 ~~and repair of signs and sign structures.~~

7 ~~(m) "Abandoned sign or sign structure" means a sign or sign~~
8 ~~structure subject to the provisions of this act, the owner of~~
9 ~~which has failed to secure a permit, has failed to identify the~~
10 ~~sign or sign structure or has failed to respond to notice.~~

11 ~~(n) "Department" means the department of state highways and~~
12 ~~transportation.~~

13 ~~(o) "Adjacent area" means the area measured from the nearest~~
14 ~~edge of the right of way of an interstate highway, freeway, or~~
15 ~~primary highway and extending 3,000 feet perpendicularly and then~~
16 ~~along a line parallel to the right of way line.~~

17 ~~(p) "Person" means any individual, partnership, private~~
18 ~~association, or corporation, state, county, city, village, town-~~
19 ~~ship, charter township, or other public or municipal association~~
20 ~~or corporation.~~

21 (A) "ABANDONED SIGN OR SIGN STRUCTURE" MEANS A SIGN OR SIGN
22 STRUCTURE SUBJECT TO THE PROVISIONS OF THIS ACT, THE OWNER OF
23 WHICH HAS FAILED TO SECURE A PERMIT, HAS FAILED TO IDENTIFY THE
24 SIGN OR SIGN STRUCTURE, OR HAS FAILED TO RESPOND TO NOTICE.

25 (B) "ADJACENT AREA" MEANS THE AREA MEASURED FROM THE NEAREST
26 EDGE OF THE RIGHT-OF-WAY OF AN INTERSTATE HIGHWAY, FREEWAY, OR
27 PRIMARY HIGHWAY UNDER THE JURISDICTION OF THE DEPARTMENT OR A

1 SECONDARY HIGHWAY, MAJOR STREET, OR LOCAL ROAD AND EXTENDING
2 3,000 FEET PERPENDICULARLY AND THEN ALONG A LINE PARALLEL TO THE
3 RIGHT-OF-WAY LINE.

4 (C) "BUSINESS AREA" MEANS AN ADJACENT AREA THAT IS ZONED
5 UNDER AUTHORITY OF STATE, COUNTY, TOWNSHIP, OR MUNICIPAL ZONING
6 AUTHORITY FOR INDUSTRIAL OR COMMERCIAL PURPOSES, CUSTOMARILY
7 REFERRED TO AS "B" OR BUSINESS, "C" OR COMMERCIAL, "I" OR INDUS-
8 TRIAL, "M" OR MANUFACTURING, AND "S" OR SERVICE, AND ALL OTHER
9 SIMILAR CLASSIFICATIONS AND CONTAINS 1 OR MORE PERMANENT STRUC-
10 TURES DEVOTED TO THE INDUSTRIAL OR COMMERCIAL PURPOSES DESCRIBED
11 IN THIS SUBDIVISION AND THAT EXTENDS ALONG THE HIGHWAY A DISTANCE
12 OF 800 FEET BEYOND EACH EDGE OF THE ACTIVITY. EACH SIDE OF THE
13 HIGHWAY IS CONSIDERED SEPARATELY IN APPLYING THIS DEFINITION
14 EXCEPT WHERE IT IS NOT TOPOGRAPHICALLY FEASIBLE FOR A SIGN OR
15 SIGN STRUCTURE TO BE ERECTED OR MAINTAINED ON THE SAME SIDE OF
16 THE HIGHWAY AS THE PERMANENT STRUCTURE DEVOTED TO INDUSTRIAL OR
17 COMMERCIAL PURPOSES, A BUSINESS AREA MAY BE ESTABLISHED ON THE
18 OPPOSITE SIDE OF A PRIMARY HIGHWAY IN AN AREA ZONED COMMERCIAL OR
19 INDUSTRIAL OR IN AN UNZONED AREA WITH THE APPROVAL OF THE STATE
20 HIGHWAY COMMISSION. A PERMANENT STRUCTURE DEVOTED TO INDUSTRIAL
21 OR COMMERCIAL PURPOSES SHALL NOT RESULT IN THE ESTABLISHMENT OF A
22 BUSINESS AREA ON BOTH SIDES OF THE HIGHWAY. ALL MEASUREMENTS
23 SHALL BE FROM THE OUTER EDGE OF THE REGULARLY USED BUILDING,
24 PARKING LOT, OR STORAGE OR PROCESSING AREA OF THE COMMERCIAL OR
25 INDUSTRIAL ACTIVITY AND NOT FROM THE PROPERTY LINES OF THE ACTIV-
26 ITIES AND SHALL BE ALONG OR PARALLEL TO THE EDGE OR PAVEMENT OF
27 THE HIGHWAY. COMMERCIAL OR INDUSTRIAL PURPOSES ARE THOSE

1 ACTIVITIES GENERALLY RECOGNIZED AS COMMERCIAL OR INDUSTRIAL BY
2 ZONING AUTHORITIES EXCEPT THAT THE FOLLOWING ACTIVITIES ARE NOT
3 CONSIDERED COMMERCIAL OR INDUSTRIAL:

4 (i) AGRICULTURAL, FORESTRY, GRAZING, FARMING, AND RELATED
5 ACTIVITIES, INCLUDING, BUT NOT LIMITED TO, WAYSIDE FRESH PRODUCE
6 STANDS.

7 (ii) TRANSIENT OR TEMPORARY ACTIVITIES.

8 (iii) ACTIVITIES NOT VISIBLE FROM THE MAIN-TRAVELED WAY.

9 (iv) ACTIVITIES CONDUCTED IN A BUILDING PRINCIPALLY USED AS
10 A RESIDENCE.

11 (v) RAILROAD TRACKS AND MINOR SIDINGS.

12 (vi) OUTDOOR ADVERTISING.

13 (vii) ACTIVITIES MORE THAN 660 FEET FROM THE MAIN-TRAVELED
14 WAY.

15 (D) "DEPARTMENT" MEANS THE STATE TRANSPORTATION DEPARTMENT.

16 (E) "ERECT" MEANS TO CONSTRUCT, BUILD, RAISE, ASSEMBLE,
17 PLACE, AFFIX, ATTACH, CREATE, PAINT, DRAW, OR IN ANY OTHER WAY
18 BRING INTO BEING OR ESTABLISH.

19 (F) "FREEWAY" MEANS A DIVIDED HIGHWAY OF NOT LESS THAN 2
20 LANES IN EACH DIRECTION TO WHICH OWNERS OR OCCUPANTS OF ABUTTING
21 PROPERTY OR THE PUBLIC DO NOT HAVE A RIGHT OF INGRESS OR EGRESS
22 TO, FROM, OR ACROSS THE HIGHWAY, EXCEPT AT POINTS DETERMINED BY
23 OR AS OTHERWISE PROVIDED BY THE AUTHORITIES RESPONSIBLE FOR THE
24 HIGHWAY.

25 (G) "INTERSTATE HIGHWAY" MEANS A HIGHWAY OFFICIALLY DESIG-
26 NATED AS A PART OF THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE

1 HIGHWAYS BY THE DEPARTMENT AND APPROVED BY THE APPROPRIATE
2 AUTHORITY OF THE FEDERAL GOVERNMENT.

3 (H) "LOCATION" MEANS A PLACE WHERE THERE IS LOCATED A
4 SINGLE, DOUBLE-FACED, BACK TO BACK, T-TYPE, OR V-TYPE SIGN
5 STRUCTURE.

6 (I) "MAINTAIN" MEANS TO ALLOW TO EXIST AND INCLUDES THE
7 PERIODIC CHANGING OF ADVERTISING MESSAGES, CUSTOMARY MAINTENANCE,
8 AND REPAIR OF SIGNS AND SIGN STRUCTURES. MAINTAIN DOES NOT
9 INCLUDE THE ENLARGING OF A SIGN OR OTHERWISE ALTERING THE SIGN
10 STRUCTURE.

11 (J) "MAIN-TRAVELED WAY" MEANS THE TRAVELED WAY OF A HIGHWAY
12 ON WHICH THROUGH TRAFFIC IS CARRIED. THE TRAVELED WAY OF EACH OF
13 THE SEPARATE ROADWAYS FOR TRAFFIC IN OPPOSITE DIRECTIONS IS A
14 MAIN-TRAVELED WAY OF A DIVIDED HIGHWAY. IT DOES NOT INCLUDE
15 FACILITIES AS FRONTAGE ROADS, TURNING ROADWAYS, OR PARKING
16 AREAS.

17 (K) "PERSON" MEANS ANY INDIVIDUAL, PARTNERSHIP, ASSOCIATION,
18 CORPORATION, GOVERNMENTAL ENTITY, OR OTHER LEGAL ENTITY.

19 (L) "PRIMARY HIGHWAY" MEANS A HIGHWAY, OTHER THAN AN INTER-
20 STATE HIGHWAY OR FREEWAY, OFFICIALLY DESIGNATED AS A PART OF THE
21 FEDERAL AID PRIMARY SYSTEM AS DEFINED IN SECTION 103 OF CHAPTER 1
22 OF TITLE 23 OF THE UNITED STATES CODE, 23 U.S.C. 103, BY THE
23 DEPARTMENT AND APPROVED BY THE APPROPRIATE AUTHORITY OF THE FED-
24 ERAL GOVERNMENT.

25 (M) "SECONDARY HIGHWAY" MEANS A STATE SECONDARY ROAD OR
26 COUNTY PRIMARY ROAD.

1 (N) "SIGN" MEANS ANY OUTDOOR SIGN, DISPLAY, DEVICE, FIGURE,
2 PAINTING, DRAWING, MESSAGE, PLACARD, POSTER, BILLBOARD, OR OTHER
3 THING, WHETHER PLACED INDIVIDUALLY OR ON A T-TYPE, V-TYPE, BACK
4 TO BACK, OR DOUBLE-FACED DISPLAY DESIGNED, INTENDED, OR USED TO
5 ADVERTISE OR INFORM.

6 (O) "SIGN STRUCTURE" MEANS THE ASSEMBLED COMPONENTS THAT
7 MAKE UP AN OUTDOOR ADVERTISING DISPLAY, INCLUDING, BUT NOT
8 LIMITED TO, UPRIGHTS, SUPPORTS, FACINGS, AND TRIM. THE SIGN
9 STRUCTURE MAY CONTAIN 1 OR 2 SIGNS PER FACING AND MAY BE
10 DOUBLE-FACED, BACK TO BACK, T-TYPE, OR V-TYPE.

11 (P) "UNZONED COMMERCIAL OR INDUSTRIAL AREA" MEANS AN AREA
12 THAT IS WITHIN AN ADJACENT AREA, WHICH IS NOT ZONED BY STATE OR
13 LOCAL LAW, REGULATION, OR ORDINANCE, THAT CONTAINS 1 OR MORE PER-
14 MANENT STRUCTURES DEVOTED TO THE INDUSTRIAL OR COMMERCIAL PUR-
15 POSES DESCRIBED IN SUBDIVISION (C), AND THAT EXTENDS ALONG THE
16 HIGHWAY A DISTANCE OF 800 FEET BEYOND EACH EDGE OF THE ACTIVITY.
17 A PERMANENT STRUCTURE DEVOTED TO INDUSTRIAL OR COMMERCIAL PUR-
18 POSES SHALL NOT RESULT IN THE ESTABLISHMENT OF AN UNZONED COMMER-
19 CIAL OR INDUSTRIAL AREA ON BOTH SIDES OF THE HIGHWAY. ALL MEA-
20 SUREMENTS SHALL BE FROM THE OUTER EDGE OF THE REGULARLY USED
21 BUILDING, PARKING LOT, OR STORAGE OR PROCESSING AREA OF THE COM-
22 MERCIAL OR INDUSTRIAL ACTIVITY AND NOT FROM THE PROPERTY LINES OF
23 THE ACTIVITIES AND SHALL BE ALONG OR PARALLEL TO THE EDGE OR
24 PAVEMENT OF THE HIGHWAY. COMMERCIAL OR INDUSTRIAL PURPOSES ARE
25 THOSE ACTIVITIES GENERALLY RECOGNIZED AS COMMERCIAL OR INDUSTRIAL
26 BY ZONING AUTHORITIES EXCEPT THAT THE FOLLOWING ACTIVITIES ARE
27 NOT CONSIDERED COMMERCIAL OR INDUSTRIAL:

1 (i) AGRICULTURAL, FORESTRY, GRAZING, FARMING, AND RELATED
2 ACTIVITIES, INCLUDING, BUT NOT LIMITED TO, WAYSIDE FRESH PRODUCE
3 STANDS.

4 (ii) TRANSIENT OR TEMPORARY ACTIVITIES.

5 (iii) ACTIVITIES NOT VISIBLE FROM THE MAIN-TRAVELED WAY.

6 (iv) ACTIVITIES CONDUCTED IN A BUILDING PRINCIPALLY USED AS
7 A RESIDENCE.

8 (v) RAILROAD TRACKS AND MINOR SIDINGS.

9 (vi) OUTDOOR ADVERTISING.

10 (vii) ACTIVITIES MORE THAN 660 FEET FROM THE MAIN-TRAVELED
11 WAY.

12 (Q) "VISIBLE" MEANS CAPABLE OF BEING SEEN BY A PERSON OF
13 NORMAL VISUAL ACUITY.

14 Sec. 3. To improve and enhance scenic beauty consistent
15 with ~~the provision of~~ section 131 OF CHAPTER 1 of title 23 of
16 the United States ~~code~~ CODE, 23 U.S.C. 131, as amended, the
17 legislature finds it appropriate to regulate and control outdoor
18 advertising adjacent to the interstate highway, freeway, ~~and~~
19 primary highway, SECONDARY HIGHWAY, MAJOR STREET, AND LOCAL ROADS
20 systems within this state. ~~and that outdoor advertising is a~~
21 ~~legitimate commercial use of private property, is an integral~~
22 ~~part of the marketing function and an established segment of the~~
23 ~~economy of this state.~~

24 Sec. 6. ~~A sign~~ THE owner OF A SIGN shall apply for an
25 annual permit on a form prescribed by the department for each
26 sign to be maintained or to be erected in an adjacent area where
27 the facing of the sign is visible from an interstate highway,

1 freeway, or primary highway. ~~The owner shall apply for the~~
 2 ~~permit for such signs in existence on the effective date of this~~
 3 ~~act within 2 months after the effective date of this act. All~~
 4 ~~permits applied for within this period shall be effective until~~
 5 ~~June 30, 1973.~~ The form shall require ~~the~~ ALL OF THE
 6 FOLLOWING:

7 (A) THE name and business address of the applicant. ~~the~~
 8 ~~the~~

9 (B) THE name and address of those people who have an inter-
 10 est in the property on which the sign is to be located. ~~the~~

11 (C) THE date the sign, if currently maintained, was
 12 erected. ~~the~~

13 (D) THE zoning classification of the property. ~~a~~

14 (E) A general description of ~~where~~ THE LOCATION OF the
 15 sign. ~~is or will be situated and a~~

16 (F) A certification that the sign is not prohibited pursuant
 17 to ~~subdivisions (a), (b), (c) or (d) of~~ section 18 OR LOCAL
 18 ZONING REQUIREMENTS and that the sign does NOT violate any
 19 ~~provisions~~ OTHER PROVISION of this act.

20 Sec. 13. (1) ~~A~~ AFTER THE EFFECTIVE DATE OF THE AMENDATORY
 21 ACT THAT ADDED SECTION 19A, EXCEPT WITH THE PRIOR APPROVAL OF THE
 22 COUNTY IN WHICH THE SIGN IS LOCATED, A sign shall not be erected
 23 or maintained in ~~an adjacent area where the facing of the sign~~
 24 ~~is visible from an interstate highway, freeway, or primary~~
 25 ~~highway~~ THIS STATE except FOR the following:

26 (a) ~~Directional and~~ A DIRECTIONAL OR other official
 27 ~~signs, including, but not limited to, signs pertaining to~~

1 ~~natural wonders, scenic and historical attractions, which are~~
2 SIGN THAT IS required or authorized by law ~~—~~ and ~~which comply~~
3 THAT COMPLIES with rules promulgated by the department relative
4 to the lighting, size, number, and spacing ~~thereof~~ OF THE
5 SIGN.

6 (b) ~~Signs~~ A SIGN advertising the sale or lease of real
7 property upon which ~~they are~~ IT IS located.

8 (c) ~~Signs~~ A SIGN advertising activities conducted or main-
9 tained on the property on which ~~they are~~ IT IS located.

10 (d) ~~Signs located in a business area or an unzoned commer-~~
11 ~~cial and industrial area and which comply with sections 12, 15,~~
12 ~~16, and 17 except that a sign not described in subdivision (a),~~
13 ~~(b), or (c) shall not be erected or maintained beyond 660 feet of~~
14 ~~the nearest edge of the right of way. A SIGN ERECTED OR MAIN-~~
15 ~~TAINED BY THE DEPARTMENT.~~

16 (2) A SIGN ERECTED OR MAINTAINED IN THIS STATE SHALL COMPLY
17 WITH THE ZONING REQUIREMENTS FOR THE COUNTY IN WHICH THE SIGN IS
18 LOCATED.

19 (3) ~~(2) If the department is authorized by law to designate~~
20 ~~scenic areas~~ EXCEPT WHEN AUTHORIZED BY LAW, THE STATE SHALL NOT
21 ERECT OR MAINTAIN A SIGN OR OTHERWISE ADVERTISE along an inter-
22 state highway, freeway, or primary highway. ~~—, outdoor advertis-~~
23 ~~ing signs shall not be erected or maintained within areas so des-~~
24 ~~ignated unless located within a business area or an unzoned com-~~
25 ~~mercial or industrial area where signs may be erected or main-~~
26 ~~tained in compliance with this act.~~

1 SEC. 13A. A LOCAL UNIT OF GOVERNMENT MAY ALLOW THE ERECTING
 2 AND MAINTAINING OF MOTORIST INFORMATION PANELS NEXT TO COUNTY
 3 PRIMARY AND SECONDARY HIGHWAYS, MAJOR STREETS, AND LOCAL ROADS
 4 THAT PERTAIN TO SITES OF SCENIC VALUES, SAFETY, AND THE NEEDS OF
 5 TRAVELERS FOR INFORMATION. SIGNS ERECTED AND MAINTAINED ON
 6 COUNTY PRIMARY AND SECONDARY HIGHWAYS SHALL BE DONE IN COOPERA-
 7 TION WITH THE COUNTY ROAD COMMISSION.

8 SEC. 19A. IN ADDITION TO THE REMOVAL OF SIGNS AND SIGN
 9 STRUCTURES UNDER SECTION 13 OR 19, AT ITS DISCRETION, THE DEPART-
 10 MENT MAY, UPON PAYMENT OF JUST COMPENSATION, REQUIRE THE REMOVAL
 11 OF ANY SIGN OR SIGN STRUCTURE.

12 Sec. 21. (1) A person who erects, ~~or~~ maintains, ~~any~~ OR
 13 FAILS TO REMOVE A sign or sign structure or other object for out-
 14 door advertising subject to ~~the provisions of~~ this act without
 15 complying with this act is liable for a penalty of not less than
 16 ~~\$100.00~~ \$1,000.00 nor more than ~~\$1,000.00~~ \$50,000.00 for each
 17 violation which shall be paid into the ~~state trunk line~~
 18 MICHIGAN HIGHWAY ADVERTISING fund. Penalties shall be sued for,
 19 by and in the name of the department and shall be recoverable
 20 with ~~the~~ reasonable costs ~~thereof~~ in the ~~district or~~ cir-
 21 cuit court ~~in~~ FOR the county ~~where~~ IN WHICH the person main-
 22 tains his OR HER principal place of business or ~~in~~ FOR the
 23 county ~~where~~ IN WHICH the ~~signs~~ NONCOMPLYING SIGN IS erected
 24 or maintained. ~~without complying with this act are located.~~

25 (2) A person who falsely misrepresents information submitted
 26 in a permit form pursuant to section 6 is guilty of a
 27 misdemeanor. A sign erected or maintained under a permit falsely

1 secured in such a manner ~~shall be deemed~~ IS CONSIDERED to be
2 abandoned and ~~is not eligible for removal~~ MAY BE REMOVED
3 WITHOUT compensation.