

Act No. 447
Public Acts of 2006
Approved by the Governor
December 14, 2006
Filed with the Secretary of State
December 14, 2006
EFFECTIVE DATE: January 1, 2007

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006**

Introduced by Senator George

ENROLLED SENATE BILL No. 567

AN ACT to amend 1972 PA 106, entitled "An act to provide for the licensing, regulation, control, and prohibition of outdoor advertising adjacent to certain roads and highways; to prescribe powers and duties of certain state agencies and officials; to promulgate rules; to provide remedies and prescribe penalties for violations; and to repeal acts and parts of acts," (MCL 252.301 to 252.325) by adding section 7a.

The People of the State of Michigan enact:

Sec. 7a. (1) Except as otherwise provided in this section, the department shall not issue annual permits for new signs on or after January 1, 2007.

(2) Permits issued by the department before the effective date of the amendatory act that added this section remain in force and valid.

(3) On and after January 1, 2007, the department shall issue an interim permit or permits to a holder of a valid permit or permits if all of the following conditions are met:

(a) The holder of the valid permit or permits is otherwise in compliance with this act.

(b) The holder of the permit or permits surrenders the permit or permits to the department upon the removal of a sign structure or sign structures that have a valid permit under this act.

(c) The holder of the permit or permits verifies the removal of the sign structure or sign structures in writing to the department.

(d) The department verifies that the sign structure or structures have been removed or the removal has been deemed effective under this section.

(e) If a permit holder has a valid annual permit or permits for a site or sites where no sign structure exists or no construction has begun to build a sign structure on January 1, 2007, the permit holder may exchange the permit or permits for an interim permit under this section or begin construction under the valid permit or permits no later than 1 year after January 1, 2007. The number of permits that can be received in an exchange shall be determined under subsection (4).

(3) An interim permit that is issued under this section shall only be utilized for the construction of a new sign structure and shall remain in effect without expiration with fees renewed on an annual basis.

(4) Subject to subsections (2) and (8), a permit holder who is exchanging a permit or permits under subsection (2)(e) shall be issued 1 interim permit for each of the first 3 permits surrendered. For each permit surrendered under subsection (2)(e) after the first 3 permits surrendered, a permit holder under subsection (2)(e) shall receive 1 interim permit for each 3 permits surrendered. A permit holder shall have 1 year from January 1, 2007 to exchange permits pursuant to subsection (2)(e) and this subsection. A permit that is not exchanged pursuant to subsection (2)(e) and this subsection cannot be exchanged and shall expire no later than 1 year after January 1, 2007.

(5) The department shall verify that an existing sign structure has been removed no later than 30 days after the department receives written notice from the permit holder that the sign structure has been removed. If the department does not respond to the written notice within 30 days after receipt of the written notice, then the permit holder shall be deemed to have removed the sign structure in compliance with this section.

(6) A holder of 2 valid permits for a sign structure with 2 faces who complies with this section shall receive 2 interim permits for the construction of a sign structure with 2 faces. A permit holder under this subsection shall not receive 2 interim permits to construct 2 single-face sign structures.

(7) A holder of a valid permit for a sign structure with a single face is entitled to exchange that permit under this section for an interim permit with a single face. A holder of valid permits for 2 different single-face structures may exchange the 2 permits under this section for 2 interim permits to construct 2 single-face sign structures or 2 interim permits to construct 1 sign structure with 2 faces.

(8) A holder of more than 2 valid permits for a sign structure with more than 2 faces may exchange the permits under this section for a maximum of 2 interim permits. The 2 interim permits received under this section shall only be used to construct 1 sign structure with no more than 2 faces.

(9) After construction of a sign structure under an interim permit is complete, the department shall issue renewable permits annually for the completed sign structure.

(10) If a permit holder for a sign structure that exists on January 1, 2007 requires additional permits for any reason, the department may issue a valid renewable permit renewable on an annual basis without complying with subsection (2) even if the permit holder has more than 2 valid permits as a result.

Enacting section 1. This amendatory act takes effect January 1, 2007.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 568 of the 93rd Legislature is enacted into law.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Ray E. Randall

Clerk of the House of Representatives

Approved

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Governor