



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 351 (as enacted)
Sponsor: Senator Jud Gilbert, II
Senate Committee: Transportation
House Committee: Transportation

PUBLIC ACT 93 of 2008

Date Completed: 8-5-08

RATIONALE

There has been a longstanding debate in this State over the proper extent of advertising along Michigan roads and highways. Some believe that signs should be limited to preserve unobstructed views of the State's scenic beauty, while others say that restricting outdoor advertising discourages economic activity and prevents businesses from reaching consumers. To limit the proliferation of billboards and other signs along Michigan roads, the Highway Advertising Act permits local governments to regulate signs and sign structures. Those provisions did not apply to counties, however. It was suggested that counties should be authorized to regulate signs in areas where there are no existing ordinances regarding outdoor advertising.

CONTENT

The bill amended the Highway Advertising Act to permit a county to enact an ordinance regulating signs and sign structures and establish commercial or industrial areas under zoning codes; and apply a county sign ordinance only to townships within the county have not enacted an ordinance regulating signs.

The Act permits a city, village, township, or charter township to enact ordinances to regulate and control the size, lighting, and spacing of signs and sign structures. Those entities may not permit a sign or sign structure that otherwise is prohibited by the Act or require or cause the removal of lawfully erected signs or sign structures

subject to the Act without the payment of just compensation.

In addition, a city, village, charter township, or township vested with authority to enact zoning codes has full authority under its own zoning codes or ordinances to establish commercial or industrial areas. (Under the Act, various provisions apply to signs in unzoned commercial or industrial areas.) Zoning that is not part of a comprehensive plan and is taken primarily to permit outdoor advertising structures is not acceptable for purposes of the Act.

The bill also permits a county to enact an ordinance regulating signs and sign structures and to establish commercial or industrial areas under a zoning code or ordinance, as provided above. A county ordinance that regulates and controls the size, lighting, and spacing of signs and sign structures applies only in a township within the county if the township has not enacted an ordinance to regulate signs and sign structures.

The bill took effect April 8, 2008.

MCL 252.304

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Although the Highway Advertising Act permits cities, villages, townships, and

charter townships to enact ordinances or zoning codes to limit the use of outdoor advertising, some townships do not have ordinances for billboards. In those cases, the bill allows counties to regulate signs along roadways, reflecting local preferences and preserving scenic views.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill will have no fiscal impact on State or local government.

Fiscal Analyst: David Zin

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.