

SUBSTITUTE FOR
SENATE BILL NO. 351

A bill to amend 1972 PA 106, entitled
"Highway advertising act of 1972,"
by amending section 4 (MCL 252.304), as amended by 2006 PA 448.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. This act regulates and controls the size, lighting,
2 and spacing of signs and sign structures in adjacent areas and
3 occupies the whole field of that regulation and control except for
4 the following:

5 (a) A **COUNTY**, city, village, township, or charter township may
6 enact ordinances to regulate and control the size, lighting, and
7 spacing of signs and sign structures but shall not permit a sign or
8 sign structure that is otherwise prohibited by this act or require
9 or cause the removal of lawfully erected signs or sign structures
10 subject to this act without the payment of just compensation. A

1 sign owner shall apply for an annual permit pursuant to section 6
2 for each sign to be maintained or to be erected within that **COUNTY**,
3 city, village, charter township, or township. A sign erected or
4 maintained within that **COUNTY**, city, village, township, or charter
5 township shall also comply with all applicable provisions of this
6 act.

7 (b) A **COUNTY**, city, village, charter township, or township
8 vested by law with authority to enact zoning codes has full
9 authority under its own zoning codes or ordinances to establish
10 commercial or industrial areas and the actions of a **COUNTY**, city,
11 village, charter township, or township in so doing shall be
12 accepted for the purposes of this act. However, except as provided
13 in subdivision (a), zoning which is not part of a comprehensive
14 zoning plan and is taken primarily to permit outdoor advertising
15 structures shall not be accepted for purposes of this act. A zone
16 in which limited commercial or industrial activities are permitted
17 as incidental to other primary land uses is not a commercial or
18 industrial zone for outdoor advertising control purposes.

19 (c) An ordinance or code of a city, village, township, or
20 charter township that existed on March 31, 1972 and that prohibits
21 signs or sign structures is not made void by this act.

22 **(D) A COUNTY ORDINANCE THAT REGULATES AND CONTROLS THE SIZE,**
23 **LIGHTING, AND SPACING OF SIGNS AND SIGN STRUCTURES SHALL ONLY APPLY**
24 **IN A TOWNSHIP WITHIN THE COUNTY IF THE TOWNSHIP HAS NOT ENACTED AN**
25 **ORDINANCE TO REGULATE AND CONTROL THE SIZE, LIGHTING, AND SPACING**
26 **OF SIGNS AND SIGN STRUCTURES.**

27 **(E)** ~~(d)~~—A county, on its own initiative or at the request of a

1 city, village, township, or charter township within that county,
2 may prepare a model ordinance as described in subdivision (a). A
3 city, village, township, or charter township within that county may
4 adopt the model ordinance.