

# SENATE BILL No. 351

March 15, 2007, Introduced by Senator GILBERT and referred to the Committee on Transportation.

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 city, village, township, or charter township may enact  
6       ordinances to regulate and control the size, lighting, and spacing  
7       of signs and sign structures but shall not permit a sign or sign  
8       structure that is otherwise prohibited by this act or require or  
9       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 city,  
3 village, charter township, or township. A sign erected or  
4 maintained within that city, village, township, or charter township  
5 shall also comply with all applicable provisions of this act.

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

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

21 (D) IF A TOWNSHIP HAS NOT ENACTED AN ORDINANCE UNDER  
22 SUBDIVISION (A) OR A ZONING CODE OR ORDINANCE UNDER SUBDIVISION  
23 (B), A COUNTY MAY ENACT AN ORDINANCE DESCRIBED IN SUBDIVISION (A)  
24 OR A ZONING CODE OR ORDINANCE DESCRIBED IN SUBDIVISION (B). AN  
25 ORDINANCE OR CODE ENACTED BY A COUNTY UNDER THIS SUBDIVISION  
26 BECOMES VOID IF A TOWNSHIP WITHIN THE COUNTY ENACTS AN ORDINANCE  
27 UNDER SUBDIVISION (A) OR AN ORDINANCE OR CODE UNDER SUBDIVISION (B)

1   **SUBSEQUENT TO ENACTMENT OF THE COUNTY ORDINANCE OR CODE.**

2           **(E)** ~~(d)~~—A county, on its own initiative or at the request of a  
3   city, village, township, or charter township within that county,  
4   may prepare a model ordinance as described in subdivision (a). A  
5   city, village, township, or charter township within that county may  
6   adopt the model ordinance.