

HIGHWAY ADVERTISING ACT OF 1972 (EXCERPT)
Act 106 of 1972

252.307a Issuance of annual permit for new sign on or after January 1, 2007; permit issued before January 1, 2007; interim permit; conditions; limitations; renewable permit; size limitation on service club signs or religious organization signs; sign advertising product, service, or retail business owned and operated by sign owner; transfer of permit; permit canceled due to nonpayment of renewal fees.

Sec. 7a.

(1) Except as otherwise provided in this section, section 6(2)(a), and section 7b, the department shall not issue an annual permit for a new sign on or after January 1, 2007.

(2) A permit issued by the department before January 1, 2007 remains in force and valid.

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

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

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

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

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

(4) An interim permit issued under this section shall only be utilized for the construction of a sign structure and shall remain in effect without expiration with fees renewed on an annual basis. A sign erected using an interim permit shall not be closer than 1,000 feet to another sign structure on the same side of the highway along interstate highways and freeways or closer than 500 feet to another sign structure on the same side of the highway along primary highways. An interim permit shall not be used to erect a sign in a location where existing vegetation is greater than 8 feet tall or where existing vegetation was removed without the department's permission.

(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, or if the owner of a sign that meets the requirements of section 17(10) applies for a permit before July 1, 2011, the department may issue a valid renewable permit renewable on an annual basis without complying with subsection (1) even if the permit holder has more than 2 valid permits as a result.

(11) The department may issue a permit for a new sign structure that measures no more than 8 square feet for service club signs or religious organization signs.

(12) Notwithstanding anything in this act to the contrary, permits issued under subsection (11) are not eligible to be surrendered for an interim permit.

(13) Notwithstanding anything in this act to the contrary, the department may issue a permit for an existing sign that advertises a product, service, or retail business that is owned and operated by the sign owner if the location for the sign meets all existing requirements of this act, or if the sign is an existing nonconforming sign that advertises a product, service, or retail business that is owned and operated by the sign owner and the sign owner held an original permit for that sign on January 1, 2007.

(14) A permit issued under subsection (13) is not transferable and is not eligible to be surrendered for an interim permit.

(15) Notwithstanding anything in this act to the contrary, the department may issue a permit for a sign that is no more than 150 square feet in size and that advertises a product, service, attraction, destination, or retail business

that is owned and operated or served by the sign owner, if the sign meets all other requirements of this act. A permit issued under this subsection is not transferable and is not eligible to be surrendered for an interim permit. The department shall not issue more than 4 permits under this subsection to an attraction, destination, or retail business.

(16) Both of the following apply to the owner of an existing sign or sign structure whose permit was canceled due to nonpayment of renewal fees:

(a) He or she may apply for a new annual permit by submitting an application for a new annual permit and surrendering an interim permit.

(b) No later than 60 days after notice is sent under section 7(4)(a), the owner of an existing sign or sign structure whose permit expired during December 2012 due to nonpayment of renewal fees may apply for a new annual permit by submitting an application for a new annual permit and surrendering 1 interim permit per sign, but shall not be required to submit more than 1 interim permit per sign structure.

History: Add. 2006, Act 447, Eff. Jan. 1, 2007 ;-- Am. 2009, Act 86, Imd. Eff. Sept. 3, 2009 ;-- Am. 2010, Act 350, Imd. Eff. Dec. 22, 2010 ;-- Am. 2011, Act 13, Imd. Eff. Mar. 24, 2011 ;-- Am. 2014, Act 2, Imd. Eff. Jan. 30, 2014