

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

611

By: Senator Allen

For An Act To Be Entitled

"AN ACT TO AMEND ACT 640 OF 1967, AS AMENDED, [ARK. CODE ANN. §§27-74-101 et seq.] TO AMEND THE STATE'S OUTDOOR ADVERTISING REGULATIONS REGARDING HEIGHT AND LENGTH TO INCLUDE, WITHIN EXISTING REGULATIONS, SMALLER STRUCTURES OMITTED IN THE ORIGINAL ACT; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Subchapter 3 of Chapter 74 of Title 27 of the Arkansas Code is hereby amended by inserting two additional sections at the end thereof to read as follows:

"27-74-304. A 'Vertical Sign Structure' means outdoor advertising which utilizes an advertising display, sign or billboard of which the height is greater than the length.

27-74-305. (a) Outdoor advertising shall be subject to the following design and size requirements:

(1) A sign structure may consist of two facings so long as only one facing is visible for the approaching traveled way.

(2) A sign structure may contain one or two signs per facing and not more than four signs per structure.

(3) The maximum area of a single sign on one facing shall be 1,200 square feet and:

(A) for a vertical sign structure, a maximum length of 15 feet and a maximum height of 35 feet, inclusive of any border and trim but excluding ornamental base or apron supports and other structural members; and

(B) for all other outdoor advertising, a maximum length of 60 feet and a maximum height of 25 feet, inclusive of any border and trim but excluding ornamental base or apron supports and other structural members.

(4) When two signs are placed on one facing, the maximum area per

each sign will be 550 square feet and a maximum combined length of 70 feet and a maximum combined height of 35 feet, inclusive of any border and trim, but excluding ornamental base or apron supports and other structural members.

(5) The length will be measured at the maximum horizontal span, including cutouts and trim, and will include the space between signs when two signs are placed on the facing.

(6) The height shall be measured from the lowest and highest points, including cutouts and trim, on the sign or two signs, regardless of the facing on which they are located, and shall include the space between signs when one sign is placed over another sign on one facing.

(b) The Commission shall have the power and authority to promulgate regulations in addition to the requirements set forth in this section, so long as those regulations are not in conflict with the requirements set forth in this section."

SECTION 2. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 4. It is hereby found and determined by the General Assembly that the regulations promulgated by the State Highway Commission pursuant to Act 640 of 1967 make no provision for what is now known as the vertical sign structures, that vertical sign structures were not popular or in widespread use at the time the regulations were promulgated, that vertical sign structures are now widespread in use and accepted in the advertising industry, that present regulations hinder and unfairly discriminate against those in the vertical sign industry, and that this act is immediately necessary to bring the law within this state in conformity with the standards of the outdoor advertising industry. Therefore, an emergency is hereby declared to exist, and this act being necessary for the immediate protection of vertical outdoor advertisers, shall be in full force and effect from and after its passage and approval.