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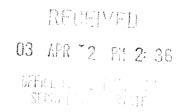
OFFICE OF MEST MESTINGS
SECRETARY OF MATE

WEST VIRGINIA LEGISLATURE

Regular Session, 2003

ENROLLED

SENATE BILL NO. <u>430</u>
(By Senators Rose, Sharpe and Oliverio
PASSED March 7, 2003
In Effect 90 days Com_Passage



ENROLLED

Senate Bill No. 430

(By Senators Ross, Sharpe and Oliverio)

[Passed March 7, 2003; in effect ninety days from passage.]

AN ACT to amend and reenact section four, article twenty-two, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to providing certain restrictions on outdoor advertising in addition to existing restrictions.

Be it enacted by the Legislature of West Virginia:

That section four, article twenty-two, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 22. OUTDOOR ADVERTISING.

§17-22-4. General restrictions as to outdoor advertising.

- 1 The following restrictions shall apply to all advertising
- 2 signs, displays and devices erected and maintained adja-
- 3 cent to any roads within the state road system, including
- 4 federal-aid interstate and primary roads.

- 5 (1) No advertising sign shall be erected or maintained
 - which involves rapid motion or rotation of the structure or
- 7 any part thereof: *Provided*, That an advertising sign that
- does involve motion or rotation which is not rapid to effect
- 9 changeable messages shall be permitted in accordance
- 10 with legislative rules to be proposed by the division of
- 11 highways of the department of transportation in accor-
- 12 dance with the provisions of article three, chapter twenty-
- 13 nine-a of this code:
- 14 (2) No advertising display or device shall use the word
- 15 "stop" or "danger" or present or imply the need or re-
- 16 quirement of stopping or the existence of danger;
- 17 (3) No advertising sign, display or device shall be a copy
- 18 or imitate a traffic sign or other official sign;
- 19 (4) No advertising display or device shall attempt or
- 20 purport to direct traffic;
- 21 (5) No advertising sign shall contain lighting which is
- 22 not shielded and any lighting shall be of such low intensity
- 23 as not to cause glare or impair the vision of the operator of
- 24 any motor vehicle;
- 25 (6) No advertising display or device shall be illuminated
- 26 by any rapid flashing, intermittent light or lights;
- 27 (7) No advertising display or device shall be painted,
- 28 affixed or attached to any natural feature;
- 29 (8) No advertising sign, display or device shall hinder the
- 30 clear, unobstructed view of approaching ormerging traffic
- 31 or obscure from view any traffic sign or other official sign;
- 32 (9) No advertising sign, display or device shall be so
- 33 located as to obscure the view of any connecting road or
- 34 intersection:
- 35 (10) No advertising sign, display or device shall be
- 36 erected, outside of any municipality, within five hundred
- 37 feet of any church, school, cemetery, public park, public

- 38 reservation, public playground or state or national forest 39 except markers for underground utility facilities;
- 40 (11) No advertising sign, the permit for which has been 41 applied for subsequent to the thirty-first day of December, two thousand three, that is composed of stacked sign faces, 42 43 one on top of the other, on the same structure, facing the
- 44 same direction, each having more than three hundred
- 45 square feet is permitted;
- 46 (12) No advertising device which is composed of separate
- sign faces in a side by side formation, on the same struc-47
- ture, facing the same direction, each having an area of 48
- more than three hundred square feet is permitted; 49
- 50 (13) No advertising device, the permit for which has been
- 51 applied for subsequent to the thirty-first day of December,
- two thousand three, which contains a sign facing a single 52
- direction may have an area greater than six hundred 53
- seventy-two square feet: Provided, That cutouts and 54
- extensions which expand the area may be allowed to the 55
- 56 extent the area is expanded by no more than thirty percent
- of its original permitted configuration; 57
- 58 (14) No more than one sign structure is permitted at a
- 59 location.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.
Chairman Senate Committee
NUG DUCKL Chairman House Committee
Originated in the Senate.
In effect ninety days from passage.
Clerk of the Senate
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Speaker House of Delegates
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Governor

PRESENTED TO THE GOVERNOR

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