# BILL ANALYSIS

Senate Research Center                                                                           S.B. 1345
By: Brown
State Affairs
3/23/1999
As Filed

## DIGEST

Historically, cities have passed sign ordinances, but have grandfathered or used an amortization plan for off-premise signs (billboards), which were already displayed, and did not conform to the ordinance. Those nonconforming signs were allowed to be regularly maintained and even repaired as long as the signs were not damaged to a certain extent or destroyed. If significant damage or destruction did occur, the signs were no longer authorized and the remaining structures had to be removed. Thus, a sign voluntarily removed or blown down by a storm cannot be rebuilt or replaced if the location was previously declared illegal by city ordinance. Yet, some cities ignore policy for off-premise signs, allowing new nonconforming signs to be built or rebuilt. S.B. 1345 clarifies the intent for nonconforming signs and requires those signs to remain attached to their location.

## PURPOSE

As proposed, S.B. 1345 clarifies the definition of an off-premise sign and that the nonconforming status of a sign attaches to the sign's structure and not to its location.

## RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

## SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 216.002, Local Government Code, to define "non-conforming sign" as a sign that was lawfully installed at its current location, but no longer complies with local regulations. Sets forth provisions included in the nonconforming status of a sign.

SECTION 2. Amends Section 216.013, Local Government Code, to define Subsection (e), to prohibit certain nonconforming signs from being eligible for replacement or reconstruction at their current location. Provides that the nonconforming use attaches to the original off-premise sign and shall not authorize another new, nonconforming, off-premise sign at such location.

SECTION 3.   Emergency clause.
                    Effective date: upon passage.