

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE
Revised

House Bill 606

(Delegate Beitzel)

Environmental Matters

Judicial Proceedings

Garrett County - County Commissioners - Signs Adjacent to State and Local
Roadways - Authority to Adopt Local Ordinance

This bill authorizes the County Commissioners of Garrett County to enact ordinances regulating the height, size, location, and setback of an advertising sign adjacent to a State or county road in Garrett County, so long as these ordinances are not less stringent than any applicable State or federal law.

Fiscal Summary

State Effect: The bill does not materially affect State finances.

Local Effect: Garrett County finances are not expected to be materially affected.

Small Business Effect: Potential meaningful impact on small businesses seeking to advertise in Garrett County.

Analysis

Current Law: Subject to specified exceptions, a person may not erect or maintain any outdoor sign outside the limits of any municipal corporation and within 500 feet of a State highway unless the person has a permit issued by the State Highway Administration (SHA) for that sign. Any person who removes, damages, or defaces any SHA sign, signal, or marker is guilty of a misdemeanor and subject to a fine of up to \$100.

A person may not erect or maintain any outdoor sign along or near any federal aid primary highway, unless the person has been issued a permit. Federal law and regulations require states to control advertising on the sides of federally funded highways. Failure to control the outdoor advertising could result in the loss of 10% of all federal highway aid.

A county or municipality must pay the fair market value of an outdoor advertising sign, removed or required to be removed by the county or municipality, which was lawfully erected and maintained under any State, county, or municipal law or ordinance.

Harford County prohibits outdoor advertising adjacent to State or county highways and has authority to remove signs erected in violation of this prohibition.

Background: For the past several years, the Garrett County Board of Commissioners has discussed concerns about the height, location, and size of advertising signs in the county. Signs are regulated in part of the county, but not countywide. The Deep Creek Lake zoning ordinance requires permits for signs; specifically, a permit is required for on-premises signs over six square feet in area and off-premises signs (except governmental signs) of any size. The commissioners appointed an exploratory committee in June 2008 to review outdoor advertising sign issues. The bill is an outcome of the commissioners' efforts.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Garrett County, Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - February 20, 2009
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