

RESOLUTION NO. 2002- 27

A RESOLUTION REGARDING OUTDOOR ADVERTISING; URGING THE ST. JOHNS COUNTY LEGISLATIVE DELEGATION TO OPPOSE LEGISLATION THAT IMPAIRS OR REDUCES THE AUTHORITY OF LOCAL GOVERNMENTS TO REGULATE BILLBOARDS AND OTHER OUTDOOR ADVERTISING SIGNS WITHIN ITS GEOGRAPHICAL BOUNDARIES; URGING THE GOVERNOR TO OPPOSE AND, IF NECESSARY, VETO ANY SUCH LEGISLATION; PROVIDING FOR TRANSMITTAL OF COPIES OF THE RESOLUTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, St. Johns County has a long history of seeking to improve the aesthetics and public safety along its public rights-of-way through the exercise of its regulatory authority over signs; and

WHEREAS, the Board of County Commissioners of St. Johns County (the "Board") is aware that legislation is frequently filed in the Florida Legislature which would impair or preempt the home rule authority of local governments to regulate outdoor advertising signs located adjacent to any part of the state highway system; and

WHEREAS, St. Johns County derives its home rule authority from Chapter 125, Florida Statutes and the Florida Constitution; and

WHEREAS, the Board is opposed to state legislation that would impair or preclude local governments from regulating outdoor advertising signs within their geographical boundaries; and

WHEREAS, the Board has learned that the outdoor advertising industry is lobbying for legislative action in the 2002 Legislative Session which may include amendments to Section 479.15, Florida Statutes, to further erode the regulatory authority of local governments by removing existing lawful options available to local governments for sign regulation; and

WHEREAS, the legislation being sought would impose additional financial burdens on those local governments seeking to effectively regulate outdoor advertising without providing any funding from the state; and

WHEREAS, the ultimate effect of the proposed legislation, if passed into law, would be to prohibit local governments from using the legally recognized alternative of amortization of non-conforming billboard uses and to further prohibit local governments from requiring alteration of existing billboards without payment of compensation; and

WHEREAS, the proposed legislation would apply not only to billboards located along interstate or federal-aid primary highway systems, but also to billboards located along other state roads, as well as local roads; and

WHEREAS, the County Land Development Code requires a future cessation of use of existing signs in St. Johns County which do not comply with current requirements by 2009, except those which are protected by Section 479.15(2) Florida Statutes; and

WHEREAS, the proposed legislation, if passed, could have the effect of undoing existing legal obligations to reduce the size of billboard structures.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County, Florida that:

Section 1. The Board of County Commissioners of St. Johns County does hereby express its opposition to any proposed legislation which attempts, by amendment of Section 479.15, Florida Statutes, or otherwise, to compromise the authority of local governments to regulate the outdoor advertising industry through the elimination of existing rights and alternatives available to local governments or by creating new requirements for payment of compensation without funding from the state.

Section 2. The Board of County Commissioners of St. Johns County urges the St. Johns County Legislative Delegation to resist, work against and defeat any efforts to adopt legislation that would impair or reduce the existing home rule authority of local governments to: (1) require the removal of outdoor advertising signs and billboards within their geographical boundaries after the expiration of an amortization period; and/or (2) to require the alteration of outdoor advertising signs and billboards, including reduction in height and/or size. The Board of County Commissioners of St. Johns County further urges the Governor to oppose and, if necessary, veto any such legislation.

Section 3. The St. Johns County Clerk of Court is authorized and directed to send copies of this Resolution to each member of the St. Johns County Legislative Delegation and to the Governor.

Section 4. Effective Date. This resolution shall become effective upon signature by the Chairman of the Board of County Commissioners.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, State of Florida, this 19th day of February, 2002.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____

Marc A. Jacalone, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: _____

Deputy Clerk

