

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 220
Corrected Copy 2/24/95
Committee Substitute Favorable 5/2/95

Short Title: Outdoor Advert./Just Compensation.

(Public)

Sponsors:

Referred to:

February 20, 1995

A BILL TO BE ENTITLED
AN ACT REQUIRING JUST COMPENSATION FOR TAKING OF OUTDOOR
ADVERTISING.

The General Assembly of North Carolina enacts:

Section 1. Article 11 of Chapter 136 of the General Statutes is amended by adding a new section to read:

"§ 136-131.2. Rights of property owners.

(a) No municipality, county government, or other political subdivision of the State shall alter, remove, or cause to be altered or removed, any outdoor advertising, as defined in G.S. 136-128(3), excluding portable signs, which was lawful when erected, without the payment of just compensation as determined in accordance with the provisions of the second, third, and fourth paragraphs of G.S. 136-131.

Just compensation shall be cash or other legal tender, but shall not include allowing the continuation of outdoor advertising over a specified period of time.

The use of amortization for whatever period by a city, county, or other political subdivision of the State shall not constitute just compensation.

1 (b) This section shall not apply to a municipality, city, or other political
2 subdivision of the State where any of the following has occurred:

3 (1) The continuation or amortization period or any variance period has
4 expired.

5 (2) The continuation or amortization period would have expired had it not
6 been tolled by litigation.

7 (3) The continuation or amortization period would have expired had it not
8 been extended by a consent judgment between the parties in a court of
9 law."

10 Sec. 2. This act is effective upon ratification.