

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 168

Short Title: Outdoor Advert./Just Compensation.

(Public)

Sponsors: Senators Ballance, Kincaid; Foxx and McDaniel.

Referred to: Judiciary II/Election Laws.

February 9, 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 4 of Chapter 40A of the General Statutes is amended by
adding a new section to read:

"§ 40A-69.1. 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 lawfully established outdoor advertising, as defined in G.S. 136-128(3), without the payment of just compensation.

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.

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

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

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

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

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