

2017 Assembly Bill 595 (LRB -4429)

An Act to create 84.30 (5) (br) of the statutes; relating to: the removal of nonconforming outdoor advertising signs along highways. (FE)

2017

10-27.	A.	Introduced by Representatives Vorpapel, Allen, Ballweg, Felzkowski, Fields, Horlacher, Jacque, Kleefisch, Kulp, Thiesfeldt, Tusler and VanderMeer ; cosponsored by Senators Feyen, Olsen and Tiffany	487
10-27.	A.	Read first time and referred to Committee on Transportation	487
11-17.	A.	Representative Vruwink added as a coauthor	570
12-05.	A.	Public hearing held	
12-14.	A.	Fiscal estimate received	
12-18.	A.	Assembly Amendment 1 offered by Representative Billings (LRB a1656)	599

2018

02-14.	A.	Assembly Substitute Amendment 1 offered by Representative Vorpapel (LRB s0332)	747
02-14.	A.	Assembly Amendment 1 to Assembly Substitute Amendment 1 offered by Representative Billings (LRB a2155)	747
02-14.	A.	Assembly Substitute Amendment 2 offered by Representative Vorpapel (LRB s0338)	747
02-14.	A.	Assembly Amendment 1 to Assembly Substitute Amendment 2 offered by Representative Billings (LRB a2161)	747
02-15.	A.	Executive action taken	
02-15.	A.	Report Assembly Substitute Amendment 2 adoption recommended by Committee on Transportation, Ayes 9, Noes 4	757
02-15.	A.	Report passage as amended recommended by Committee on Transportation, Ayes 9, Noes 4	757
02-15.	A.	Referred to committee on Rules	757
02-15.	A.	Made a special order of business at 1:16 PM on 2-20-2018 pursuant to Assembly Resolution 26	767
02-20.	A.	Read a second time	798
02-20.	A.	Assembly Substitute Amendment 2 adopted	798
02-20.	A.	Ordered to a third reading	798
02-20.	A.	Rules suspended	798
02-20.	A.	Read a third time and passed	798
02-20.	A.	Ordered immediately messaged	798
02-21.	S.	Received from Assembly	784
03-12.	S.	Read first time and referred to committee on Senate Organization	819
03-12.	S.	Available for scheduling	
03-15.	S.	Public hearing requirement waived by committee on Senate Organization, pursuant to Senate Rule 18 (1m), Ayes 3, Noes 2	832
03-15.	S.	Placed on calendar 3-20-2018 pursuant to Senate Rule 18(1)	833
03-20.	S.	Read a second time	
03-20.	S.	Ordered to a third reading	
03-20.	S.	Rules suspended	
03-20.	S.	Read a third time and concurred in	
03-20.	S.	Ordered immediately messaged	
03-21.	A.	Received from Senate concurred in	891

MB



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2017 ENROLLED BILL

Adopted Documents

Original

Engrossed

Substitute Amdt

17 50338,1

Amendments: None or Listed below.

Corrections: None or Listed by date below.

Topic: Same as relating clause or other, indicated below.

3/27/18

Date

Enrolling Drafter



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBs0338/1
EVM:wlj&ahe

**ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO ASSEMBLY BILL 595**

February 14, 2018 - Offered by Representative VORPAGEL.

1 **AN ACT** *to create* 84.30 (5) (br) of the statutes; **relating to:** the removal of
2 nonconforming outdoor advertising signs along highways.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 84.30 (5) (br) of the statutes is created to read:

4 84.30 (5) (br) 1. In this paragraph:

5 a. "Copy" means the advertising or other information or images on a sign face
6 created to communicate to the public.

7 b. "Copy change" means the process of substituting copy on a sign face, which
8 may include removing a face and substituting another face or other processes such
9 as painting on wood, metal, or vinyl, affixing printed paper or vinyl to the face,
10 changing the message mechanically, or electronically changing the copy from a
11 remote location.

1 c. "Customary maintenance" on a sign includes nailing, bolting, fastening,
2 cleaning, and painting; replacing its components with equivalent or similar
3 components; except as provided in this subd. 1. c., replacing structural components,
4 including upright supports; making copy changes; upgrading existing illumination
5 for energy efficiency or worker safety; adding catwalks or handrails to address
6 safety; installing an apron to a sign structure to display identification of the sign
7 owner; or replacing the sign face. "Customary maintenance" does not include repairs
8 that involve, within a period of 36 consecutive months, replacing more than 60
9 percent of the wooden upright supports of a sign or replacing more than 30 percent
10 of the length above ground of each broken, bent, or twisted upright metal support of
11 a sign.

12 d. "Destroyed," with respect to a nonconforming sign, means that upright
13 supports are physically damaged such that, within a period of 36 consecutive
14 months, in the case of a sign structure with wooden upright supports, more than 60
15 percent of the supports are broken and, under normal repair practices, would need
16 to be replaced or, in the case of a sign structure with metal upright supports, more
17 than 30 percent of the length above ground of each broken, bent, or twisted support
18 would, under normal repair practices, need to be replaced.

19 e. "Sign face" or "face" means the material components of a sign on which the
20 advertising or other information is displayed including any trim, border, or molding.

21 f. "Substantial change," with respect to a nonconforming sign, includes
22 increasing the number of upright supports; changing the physical location;
23 increasing the square footage or area of the sign face; adding changeable message
24 capability; or adding illumination, either attached or unattached, to a sign that was

1 previously not illuminated. "Substantial change" does not include customary
2 maintenance.

3 g. "Substantially the same," with respect to a nonconforming sign, means that
4 no substantial change has been made to the sign since it became nonconforming.

5 2. Notwithstanding par. (a) or (b), signs described in sub. (3) (a), (d), (e), (f), or
6 (h) that were lawfully erected but that no longer conform to applicable requirements
7 are, upon notice by registered mail from the department to the sign owner, declared
8 nonconforming but are not subject to removal, except as provided in subds. 4. and 5.

9 3. Subject to subd. 4., a sign described in subd. 2. shall remain substantially
10 the same as it was on the date it became nonconforming. To allow a sign described
11 in subd. 2. to exist, to perform customary maintenance on such a sign, or to change
12 the advertising message on such a sign, does not constitute a violation of sub. (3) or
13 (4).

14 4. Except as provided in this subdivision, to make a substantial change to a sign
15 described in subd. 2. or to erect additional signs shall constitute a violation of subs.
16 (3) and (4). In determining whether a change to a sign constitutes a violation of sub.
17 (3) or (4), the department may not consider any changes to that sign that no longer
18 exist. If the department determines that a change to a sign constitutes a violation
19 of sub. (3) or (4), the department shall notify by registered mail the sign owner and
20 the owner of the property upon which the sign is located of the alleged violation. If
21 the alleged violation is remedied within 60 days of receipt of the notice under this
22 subdivision, the activity does not constitute a violation of sub. (3) or (4).

23 5. a. Except as provided in subd. 5. b., and notwithstanding subd. 3., a sign
24 described in subd. 2. that is destroyed is subject to removal without compensation.

