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To: The Senate Committee on Transportation and Veterans Affairs
From: Sen. Dan Feyen
Re: Senate Bill 496

Mr. Chairman, members of the committee, thank you for holding this hearing today.

Almost all highway projects affect outdoor advertising signs on private land adjacent to the highway. Currently, Wisconsin taxpayers have been paying more for highway improvement projects, and getting less for their tax dollar, because of the practices of the DOT and municipalities that prohibit outdoor advertising signs from being relocated or adjusted to remain visible due to construction.

This bill aims to change the process surrounding realigning or relocating a sign that is affected by a transportation project.

Current law gives municipalities the option of allowing the realignment of an affected sign on the same "site" or paying the condemnation costs associated with the State acquiring the sign. In many instances, relocation options for a sign are available that would meet all State and Federal requirements for outdoor advertising signs, but local ordinances prevent the relocation of the sign because of a municipal ban on the construction of new outdoor advertising signs. In these instances, the cost to the State can escalate up to 14 times the relocation cost because the State must condemn the sign and pay fair market value.

Relocation allows the outdoor advertising companies to continue to provide marketing services to Wisconsin advertisers and will ensure jobs for the employees of these companies. This bill also creates the ability to transfer a sign within a municipality with agreement from the sign owner and the municipality. Relocation would save Wisconsin taxpayers millions of dollars by avoiding the high cost of condemning outdoor advertising signs.

AB 594 offers the following simple solutions to sign owners, the DOT, and municipalities:

1. Allows for the "repositioning" of a sign on the same parcel 25 feet in either direction
2. Allows for signs to be raised, lowered or rotated providing substantially the same view from the roadway if the sign's visibility is reduced because of a state project
3. Allows for signs that cannot be "repositioned" to be transferred to a parcel on the same highway. If transferring the sign to a parcel on the same highway is not possible, the sign could be transferred to another parcel that the sign owner and municipality agree upon.

Thank you for your time today. I welcome any questions you may have.



TYLER VORPAGEL

STATE REPRESENTATIVE • 27TH ASSEMBLY DISTRICT

SB 496: relating to outdoor advertising signs that do not conform to local ordinances and that are affected by certain transportation-related projects.

Written Testimony Submitted by State Representative Tyler Vorpagel
Senate Committee on Transportation and Veterans Affairs
December 5, 2017

Thank you, Chairman Petrowski and members of the Transportation and Veteran Affairs Committee for hearing Senate Bill 496 today. SB 496 specifically would eliminate the definition of realignment and replace it with “reposition” and allow for reposition of a sign on the same parcel but not more than 25 feet either direction along the road and not more than 660 feet away from the roadway. It allows a sign to be “transferred” within a municipality or to raise, lower and rotate if the sign’s visibility is reduced because of the state transportation project. SB 496 also allows for signs that can not be “repositioned” to be transferred to a parcel along the same highway or transferred to another parcel with a municipality that the sign owner and municipality agree upon.

Almost every state highway project affects outdoor advertising signs on private land near the highway. Current law gives municipalities the option of allowing the realignment on the same “site” or paying condemnation costs that go along with the state acquiring the sign. Many instances relocation options are available for signs that would meet all State and Federal requirements but some local ordinances prevent relocation by banning construction of new outdoor advertising signs.

In many of these instances the state is paying up to 14 times the relocation cost because they now must condemn the sign and pay fair market value. SB 496 saves Wisconsin taxpayers millions of dollars by avoiding the high cost of condemning outdoor advertising signs.

Thank you for your time today, I am happy to answer any questions at this time.



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DATE: December 5, 2017

TO: Members of the Senate Committee on Transportation & Veterans Affairs
Senator Jerry Petrowski, Chairman

FROM: Kathi Kilgore, Executive Director and Lobbyist

RE: **SB 496 and AB 594 Relating to the Repositioning or Transferring of Outdoor Advertising Signs**

Almost all State highway projects affect outdoor advertising signs on private land adjacent to the highway. Examples include:

- The footprint of the project requires the removal and condemnation of the sign structure. Condemnation of sign structures costs the state taxpayers large sums of money. Outdoor advertising companies would rather be able to relocate the signs than receive payment for the condemnation of the signs.
- Changes in road grade and/or the addition of sound barrier walls diminish or eliminate the visibility of existing outdoor advertising signs. These types of changes constitute an uncompensated taking. Outdoor advertising companies would like to be able to adjust the height and position of sign structures or relocate the sign to continue the value these signs provide advertisers.
- Were it not for some local regulations, a sign could be adjusted or relocated and the State would save the condemnation expense.

Passage of legislation in 2011 gave municipalities with prohibitive ordinances the option of allowing the realignment of an affected sign on the same "site" or paying the condemnation costs associated with the State acquiring the sign minus the costs of relocating the sign. Since passage the 2011 law, some signs have been able to be "realigned"; however, "realign" is defined too narrowly to help in more situations.

SB 496 and AB 594 would do the following:

- Eliminate the definition of "realignment" and replace it with a new definition to "reposition" a sign on the same parcel within a certain distance of the initial sign site.
- Create a new definition allowing the "transfer" of a sign within the same municipality.
- Allow for a sign to be raised, lowered or rotated providing substantially the same view from the roadway if the sign's visibility is reduced because of a state project.
- Allow for a sign that cannot be "repositioned" to be transferred to a parcel on the same highway. If transferring the sign to a parcel on the same highway is not possible, the sign could be transferred to another parcel that the sign owner and municipality agree upon.

This legislation will save Wisconsin taxpayers millions of dollars by avoiding the high cost of condemning outdoor advertising signs, and allow outdoor advertising companies to continue to provide marketing services to Wisconsin advertisers. The members of the OAAW urge you to recommend passage of SB 496 and AB 594. Thank you for your time today and your consideration.