

## 2006 SESSION

INTRODUCED

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### HOUSE BILL NO. 1254

Offered January 11, 2006

Prefiled January 11, 2006

A *BILL to amend the Code of Virginia by adding a section numbered 33.1-95.2, relating to adjustment or relocation of outdoor advertising structures in lieu of just compensation in certain condemnation actions.*

Patron—Hugo

Referred to Committee on Transportation

#### **Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 33.1-95.2 as follows:**

*§ 33.1-95.2. Adjustment or relocation of outdoor advertising structures in the event of exercise of eminent domain.*

*Notwithstanding any contrary provision of law, if an outdoor advertising structure owned by a outdoor advertiser licensed under § 33.1-356 is subject to taking by the Commonwealth Transportation Commissioner using the power of eminent domain, the Commissioner shall authorize, at no cost to the Commonwealth or any local government, the owner of the outdoor advertising structure to (a) adjust the height or angle of the structure to a height or angle that restores the visibility of the structure to the same or comparable visibility as before the taking or (b) relocate the structure to another location on the same parcel of land or on another parcel of land, within 2,640 feet of the original location of the structure, where the owner of the structure has secured a right to construct a structure, and the relocation restores the visibility of the structure to the same or comparable visibility as before the taking.*

*Nothing in this section shall authorize the owner of an outdoor advertising structure to increase the size of the sign face.*

*The provisions of this section apply to lawfully erected conforming and nonconforming outdoor advertising structures; however, these provisions shall not be construed to change the designation of an existing nonconforming outdoor advertising structure from nonconforming to conforming.*

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HB1254