

AMENDED IN ASSEMBLY APRIL 7, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1556

Introduced by Assembly Member Maddox

February 26, 1999

An act to amend Section ~~+~~ 5442.8 of the Business and Professions Code, relating to ~~professions and vocations~~ *outdoor advertising*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1556, as amended, Maddox. ~~Professions and vocations~~ *Highways: outdoor advertising.*

The Outdoor Advertising Act regulates the placement of advertising displays adjacent to and within specified distances of certain highways. The act prohibits, with specified exemptions, the placement of an advertising display on property adjacent to a section of landscaped freeway.

Existing law exempts from that prohibition an advertising display used exclusively to identify development projects, business centers, or associations located within, or sponsored by, the City of Costa Mesa to support economic development activities, if the display meets specified conditions.

This bill would extend the exemption to the same advertising displays in the City of Garden Grove.

The bill would set forth facts and declare that the provisions specified above constitute necessary special legislation.

~~Existing law specifies that the Business and Professions Code shall be known as such.~~

~~This bill would also permit the code to be cited as such.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~—yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 1 of the Business and Professions~~
2 ~~Code is amended to read:~~

3 ~~1. This act shall be known and may be cited as the~~
4 ~~Business and Professions Code.~~

5 *SECTION 1. Section 5442.8 of the Business and*
6 *Professions Code is amended to read:*

7 5442.8. Section 5440 does not apply to any advertising
8 structure or sign if the advertising display is used
9 exclusively to identify development projects, business
10 centers, or associations located within the jurisdiction of,
11 or sponsored by, the City of Costa Mesa *or the City of*
12 *Garden Grove* to support economic development
13 activities, if all of the following conditions are met:

14 (a) No other display is used by ~~the~~ *that* city pursuant
15 to this section.

16 (b) The governing body of ~~the~~ *that* city has authorized
17 placement of the display by an ordinance or resolution
18 adopted following a duly noticed public hearing
19 regarding the display.

20 (c) Placement of the display will not necessitate the
21 immediate trimming, pruning, topping, or removal of
22 existing trees in order to make the display visible or to
23 improve its visibility, unless done as part of the normal
24 landscape maintenance activities that would have been
25 undertaken without regard to the placement of the
26 display.

27 (d) The display does not cause a reduction in federal
28 aid highway funds, as provided in Section 131 of Title 23
29 of the United States Code.

30 *SEC. 2. The Legislature finds and declares that a*
31 *special law is necessary and that a general law cannot be*
32 *made applicable within the meaning of Section 16 of*
33 *Article IV of the California Constitution because of the*
34 *unique circumstances that exist in the City of Garden*



1 *Grove. The facts constituting the special circumstances*
2 *are as follows:*

3 (a) *Existing law prohibits certain retail businesses in*
4 *the City of Garden Grove from erecting advertising signs*
5 *or displays along the freeway, because they are located*
6 *next to a portion of the freeway that has been designated*
7 *a landscaped freeway, as defined in Section 5216 of the*
8 *Business and Professions Code. Other competing retail*
9 *centers in Orange County, located along the same*
10 *freeway, but not next to a portion of the freeway that has*
11 *been designated a landscaped freeway, are not*
12 *prohibited from erecting those signs or displays. This*
13 *situation places those retail businesses in Garden Grove*
14 *that are located next to a landscaped freeway at a serious*
15 *competitive disadvantage.*

16 (b) *The City of Garden Grove has an obligation to*
17 *secure for its businesses the same advantages enjoyed by*
18 *businesses in other communities to ensure that they can*
19 *compete on a level playing field with businesses in those*
20 *other communities. Success of these businesses is in the*
21 *public interest since their operations generate tax*
22 *revenues to support vital public services and projects, and*
23 *provide jobs to persons within the community.*

24 (c) *This enactment will greatly assist the City of*
25 *Garden Grove.*

