

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 220

Short Title: Outdoor Advert./Just Compensation.

(Public)

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Sponsors: Representatives G. Wilson, J. Brown, Fitch; Aldridge, Allred, Arnold, Baker, Berry, Black, Brawley, Brubaker, Cansler, Carpenter, Cocklereece, Crawford, Creech, Culp, Cummings, Davis, Dickson, Dockham, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, H. Hunter, Ives, Justus, Kiser, Linney, McComas, McCombs, McMahan, Miner, Mitchell, Nichols, Nye, Owens, Pate, Preston, Pulley, Reynolds, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Thompson, Warner, Watson, Weatherly, C. Wilson, and Wood.

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Referred to: Business and Labor, if favorable, Judiciary II.

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February 20, 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 11 of Chapter 136 of the General Statutes is amended by adding a new section to read:

**"§ 136-131.2. 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.

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

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

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

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

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