

1323

Sponsor(s): Representatives Mitchell, K. Schmidt, Fisher, Romero, Rockefeller, Haigh and Ogden; by request of Department of Transportation

Brief Title: Strengthening the Scenic Vistas Act.

HB 1323 - DIGEST

Declares that, if the sign owner or the owner of the property on which the sign is located fails to either comply with chapter 47.42 RCW or remove any such sign within fifteen days after being notified in accordance with this act, the sign owner or the property owner has maintained a public nuisance and committed a violation of the Scenic Vistas Act. Beginning the sixteenth day after being notified to either comply with this chapter or remove the sign, the sign owner or the property owner is subject to a civil penalty of one hundred dollars for that day and for each day thereafter, up to a maximum of thirty days, that the sign is maintained.

Provides that a sign, except an official traffic control sign installed by a public agency, erected or maintained on a public right of way adjacent to a state highway, a county road, or a city or town street, and funded wholly or in part with state funds, is considered to be litter and a public nuisance.

Authorizes the department, for highways under its jurisdiction, a county, for roads under its jurisdiction, and a city or town, for streets under its jurisdiction, to remove any such sign without notice.

Authorizes a monetary penalty to be assessed in lieu of sign removal by public agencies.

Provides that persons incurring a civil penalty imposed by the department may appeal the penalty to the secretary of transportation or a designee within thirty days of receipt of the notice of penalty. Appeals to decisions by the secretary of transportation or a designee are contested cases under chapter 34.05 RCW.