



583680

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/20/2009	.	
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The Committee on Community Affairs (Altman) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 577 and 578  
insert:

Section 16. Sections 479.01, 479.015, 479.02, 479.03, 479.04, 479.05, 479.07, 479.08, 479.10, 479.105, 479.106, 479.107, 479.11, 479.111, 479.12, 479.14, 479.15, 479.155, 479.156, 479.16, 479.21, 479.24, and 479.25, Florida Statutes, are designated as part I of chapter 479, Florida Statutes.

Section 17. Sections 479.261, 479.262, 479.27, 479.28, and 479.30, Florida Statutes, are designated as part II of chapter



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12 479, Florida Statutes.

13       Section 18. Part III of chapter 479, Florida Statutes,  
14 consisting of sections 479.310, 479.311, 479.312, 479.313, and  
15 479.314, is created to read:

16                   Part III

17                   Sign Removal

18       479.310 Legislative intent.—It is the intent of this part  
19 to relieve the department from the financial burden incurred in  
20 the removal of unpermitted and illegal signs located within the  
21 controlled areas adjacent to the State Highway System,  
22 interstate, or federal-aid primary system; to place the  
23 financial responsibility for the cost of such removal directly  
24 upon those benefiting from the location and operation of such  
25 unpermitted and illegal signs; and to provide clear authority to  
26 the department for the recovery of cost incurred by the  
27 department in the removal of such unpermitted and illegal signs.

28       479.311 Jurisdiction; venue.—The county court shall have  
29 jurisdiction concurrent with the circuit court to consider  
30 claims filed by the department in amounts that are within their  
31 jurisdictional limitations. Venue shall be the Leon County for  
32 the purpose of a claim filed by the department to recover its  
33 costs as provided in this section.

34       479.312 Unpermitted signs; cost of removal.—All costs  
35 incurred by the department in connection with the removal of a  
36 sign located within a controlled area adjacent to the interstate  
37 highway system, the federal-aid primary highway system, or the  
38 State Highway System shall be assessed against and collected  
39 from the following persons if they have not been issued a permit  
40 under part I of this chapter:



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- 41       (1) The owner of the sign;
- 42       (2) The advertiser displayed on the sign; or
- 43       (3) The owner of the property upon which the sign is
- 44 located.

45

46 For the purpose of this subsection, a sign that does not display

47 the name of the owner of the sign shall be presumed to be owned

48 by the owner of the property upon which the sign is located.

49       479.313 Permit revocation; cost of removal.—All costs

50 incurred by the department in connection with the removal of a

51 sign located within a controlled area adjacent to the interstate

52 highway system, the federal-aid primary highway system, or the

53 State Highway System following the revocation of the permit for

54 such sign shall be assessed against and collected from the

55 permittee.

56       479.314 Highway rights-of-way; cost of sign removal.—All

57 costs incurred by the department in connection with the removal

58 of a sign located within a right-of-way of the interstate

59 highway system, the federal-aid primary highway system, or the

60 State Highway System shall be assessed against and collected

61 from the owner of the sign or the advertiser displayed on the

62 sign.

63

64 ===== T I T L E   A M E N D M E N T =====

65 And the title is amended as follows:

66       Delete line 77

67 and insert:

68       repeal, rescind, or modify certain laws; designating

69       parts I and II of ch. 479, F.S.; creating part III of



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70 ch. 479, F.S.; providing legislative intent; providing  
71 that the county court and circuit court have  
72 concurrent jurisdiction; requiring that all costs  
73 incurred by the department to remove signs in certain  
74 locations on the interstate highway system, the  
75 federal-aid primary highway system, or the State  
76 Highway System to be assessed and collected from  
77 certain persons under certain conditions; amending s.