

JAN 23 2009

A BILL FOR AN ACT

RELATING TO OUTDOOR ADVERTISING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that owners and residents
2 of residential properties should be allowed to display signs and
3 other outdoor advertising devices on their property in a manner
4 that will not, by their size, location, or method of display,
5 interfere with traffic safety or otherwise endanger the public
6 health, safety, and welfare.

7 The purpose of this Act is to:

- 8 (1) Preserve the character of residential neighborhoods;
9 (2) Preserve order and cleanliness;
10 (3) Avoid the appearance of clutter;
11 (4) Protect property values;
12 (5) Avoid the propagation of litter and the growth of
13 weeds around signs;
14 (6) Reduce traffic hazards caused by distractions to
15 motorists and impairment of sight lines;
16 (7) Ensure that the State remains an attractive place to
17 live, work, and visit;



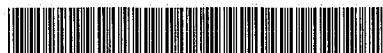
- 1 (8) Protect the outstanding scenic beauty of our
- 2 community;
- 3 (9) Reduce administrative burdens; and
- 4 (10) Protect the health, safety, and welfare of the public.

5 It is not the purpose of this Act to regulate or control
6 the copy, content, or viewpoint of any type of sign, nor is it
7 the intent of this Act to create any greater or less protection
8 for any specific type of speech, commercial or non-commercial.

9 SECTION 2. Chapter 445, Hawaii Revised Statutes, is
10 amended by adding a new section to part IV to be appropriately
11 designated and to read as follows:

12 "§445- Residential property limitations. (a) No sign,
13 billboard, or outdoor advertising device subject to section 445-
14 112 and displayed on residential property may be larger than
15 four feet by two feet; provided that the total area of all signs
16 for each residential property unit shall not exceed sixteen
17 square feet.

18 (b) No sign, billboard, or outdoor advertising device
19 under section 445-112 may be displayed on residential property
20 if the tenant or owner of the property has received any payment,
21 fee, or valuable consideration in return for the display;
22 provided that valuable consideration does not include any



1 benefit derived by the tenant or owner of the property from the
2 effect of the advertising.

3 (c) In a multi-unit residential structure, each separate
4 unit shall be entitled to display signs, billboards, or outdoor
5 advertising devices meeting the requirements listed in
6 subsection (a); provided that multi-unit residential structures
7 may display, in their common areas, signs that are no larger
8 than eight feet by four feet; and provided further that the
9 total area of all signs in the common areas shall not exceed
10 sixty-four square feet. This subsection shall apply only if
11 signs are permitted to be displayed by the rules of the
12 association of apartment owners.

13 (d) Nothing in this section is intended to permit any
14 sign, billboard, or outdoor advertising device otherwise
15 prohibited by county ordinance.

16 (e) For purposes of this section, the term "residential
17 property" refers to separate residential properties that have
18 separate tax map keys."

19 SECTION 3. New statutory material is underscored.

20 SECTION 4. This Act shall take effect July 1, 2009.

21
INTRODUCED BY: Norman Sacansky



Report Title:

Outdoor Advertising

Description:

Limits the size of outdoor advertising displays on residential property.

