

State of North Carolina

PAT McCRORY
GOVERNOR

August 23, 2013

EXECUTIVE ORDER NO. 23

LIMITING CLEAR CUTTING AROUND LOCAL BILLBOARDS

WHEREAS, the General Assembly has determined that outdoor advertising is a legitimate commercial use of private property adjacent to roads and highways; and

WHEREAS, the erection and maintenance of outdoor advertising in the vicinity of the roadways within the State should be controlled and regulated in order to promote the safety, health, welfare of our local communities and the convenience and enjoyment of travel on and protection of the public investment in highways within the State; and

WHEREAS, the Department of Transportation is charged with enforcing the laws and regulations related to outdoor advertising in order to promote highway safety while preserving and enhancing the natural scenic beauty of the highways, and to promote the prosperity, economic well-being and general welfare of the State by ensuring the reasonable, orderly and effective display of outdoor advertising; and

WHEREAS, the Department of Transportation can better promote the prosperity, economic well-being and general welfare of the State by consulting with local municipalities about the display of outdoor advertising in local communities.

NOW, THEREFORE, pursuant to the authority vested in me as Governor by the Constitution and laws of the State of North Carolina, **IT IS ORDERED:**

Section 1.

Pursuant to N.C. General Statute 136-133.1, as rewritten in Section 8.(a) of House Bill 74, as enacted by the 2013 General Assembly, the Department of Transportation, upon a request by a selective vegetation removal permittee to modify the cut or removal zone pertaining to an outdoor advertising sign as defined in GS 136-133.1(a), may authorize a one-time modification or adjustment of the cut or removal zone that will permit the sign to be more clearly viewed.

Section 2.

The Department of Transportation shall establish and record the new cut zone as the permanent cut or removal zone in accordance with SL2011-397. If any existing trees, as defined in GS 136-

133.1 (b) are pruned, cut, thinned, or removed outside the cut or removal zone as defined in SL2011-397, GS 136-133.1 (b), (c), (d), and (e) would be applicable.

Section 3.

The Department of Transportation shall apply the provisions of Title 19A NCAC 02E .0609 (b) (4) in the event of removal of vegetation planted as part of a local, State, or Federal beautification project.

Section 4.

The Department shall consult with local municipalities before approving plans for the cutting, thinning, pruning, or removal of vegetation outside of the cut or removal zone pursuant to N.C.G.S. § 136-133.1.

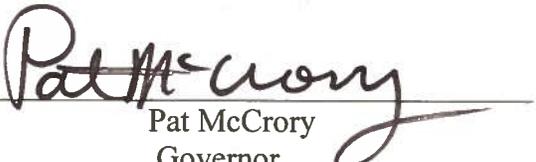
Section 5.

The Department shall conform to the provisions set out in SL2011-397.

Section 6.

This Executive Order is effective immediately and shall remain in effect until rescinded.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this twenty-third day of August, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eight.


Pat McCrory
Governor



ATTEST:


Elaine F. Marshall
Secretary of State
Chief Deputy