

JAN 23 2015

A BILL FOR AN ACT

RELATING TO GOVERNMENT BUILDINGS.

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

1 SECTION 1. Section 445-112, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§445-112 Where and when permitted.** No person shall
4 erect, maintain, or use a billboard or display any outdoor
5 advertising device, except as provided in this section:

6 (1) The display of official notices and signs, posted by
7 order of any court or public office, or posted by any
8 public officer in the performance of a public duty, or
9 posted by any person required to do so by any law or
10 rule having the force of law;

11 (2) Any outdoor advertising device announcing a meeting or
12 series of meetings is not prohibited by this section
13 if displayed on the premises where the meeting or
14 series of meetings will be or is being held. Meeting,
15 as used in this section, includes all meetings
16 regardless of whether open to the public or conducted
17 for profit and includes but is not limited to sports



1 events, conventions, fairs, rallies, plays, lectures,
2 concerts, motion pictures, dances, and religious
3 services;

4 (3) Any outdoor advertising device indicating that the
5 building or premises on which it is displayed is the
6 residence, office, or place of business, commercial or
7 otherwise, of any individual, partnership, joint
8 venture, association, club, or corporation, and
9 stating the nature of the business;

10 (4) Any outdoor advertising device that advertises
11 property or services that may be bought, rented, sold,
12 or otherwise traded in on the premises or in the
13 building on which the outdoor advertising device is
14 displayed;

15 (5) The offering for sale of merchandise bearing
16 incidental advertising, including books, magazines,
17 and newspapers, in any store, newsstand, vending
18 machine, rack, or other place where such merchandise
19 is regularly sold;

20 (6) Any outdoor advertising device offering any land,
21 building, or part of a building for sale or rent, if



1 displayed on the property so offered or on the
2 building so offered;

3 (7) Any outdoor advertising device carried by persons or
4 placed upon vehicles used for the transportation of
5 persons or goods, except as provided under section
6 445-112.5, relating to vehicular advertising devices;

7 (8) Any outdoor advertising device warning the public of
8 dangerous conditions that they may encounter in nearby
9 sections of streets, roads, paths, public places,
10 power lines, gas and water mains, or other public
11 utilities;

12 (9) Signs serving no commercial purpose that indicate
13 places of natural beauty, or of historical or cultural
14 interest and that are made according to designs
15 approved by the department of business, economic
16 development, and tourism;

17 (10) Any outdoor advertising device or billboard erected,
18 placed, or maintained upon a state or county office
19 building, if erected, placed, or maintained by
20 authority of [a] the state or county agency,
21 department, or officer [~~for the sole purpose of~~



1 ~~announcing cultural or educational events within the~~
2 ~~State,~~ which uses the majority of the building and if
3 the design and location thereof has been approved by
4 the department of business, economic development, and
5 tourism;

6 (11) Signs urging voters to vote for or against any person
7 or issue, may be erected, maintained, and used, except
8 where contrary to or prohibited by law;

9 (12) Signs stating that a residence that is offered for
10 sale, lease, or rent is open for inspection at the
11 actual time the sign is displayed and showing the
12 route to the residence; provided that the sign
13 contains no words or designs other than the words
14 "Open House", the address of the residence, the name
15 of the person or agency responsible for the sale, and
16 an arrow or other directional symbol and is removed
17 during such time as the residence is not open for
18 inspection;

19 (13) The erection, maintenance, and use of billboards if
20 the billboard is used solely for outdoor advertising
21 devices not prohibited by this section;



- 1 (14) The continued display and maintenance of outdoor
2 advertising devices actually displayed on
3 July 8, 1965, in accordance with all laws and
4 ordinances immediately theretofore in effect;
- 5 (15) The continued maintenance of any billboard actually
6 maintained on July 8, 1965, and the display thereon of
7 the same or new advertising devices, all in accordance
8 with all laws and ordinances in effect immediately
9 prior to July 9, 1965;
- 10 (16) Any outdoor advertising device displayed with the
11 authorization of the University of Hawaii on any
12 scoreboard of any stadium owned by the university. An
13 outdoor advertising device displayed under this
14 paragraph shall be on the front of the scoreboard and
15 face the interior of the stadium;
- 16 (17) Any temporary outdoor advertising device attached to
17 or supported by the structure of any stadium owned by
18 the University of Hawaii, located within and facing
19 the interior of the stadium, and authorized to be
20 displayed by the university. For the purpose of this
21 paragraph, "temporary" means displayed for a short



1 period before the official start of organized athletic
2 competition, during the organized athletic
3 competition, and for a short period after the official
4 end of the organized athletic competition; [and]

5 (18) Any outdoor advertising device displayed with the
6 authorization of the stadium authority on any
7 scoreboard of any stadium operated by the stadium
8 authority. An outdoor advertising device displayed
9 under this paragraph shall be on the front of the
10 scoreboard and face the interior of the stadium[-];
11 and

12 (19) Any outdoor advertising device displayed with the
13 authorization of the stadium authority on the exterior
14 of any stadium operated by the stadium authority. The
15 outdoor advertising devices displayed under this
16 paragraph shall be limited to five identical
17 advertising devices per stadium."

18 SECTION 2. Section 445-113, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "§445-113 Regulation by counties. Except for outdoor
21 advertising devices authorized under section [445-112(16) and]



1 445-112(10), (16), (17), and (19), the several counties may
2 adopt ordinances regulating billboards and outdoor advertising
3 devices not prohibited by sections 445-111 to 445-121. The
4 ordinances may:

5 (1) Classify billboards and outdoor advertising devices in
6 the classes set forth in section 445-112, or in any
7 other reasonable manner of classification;

8 (2) Regulate the size, manner of construction, color,
9 illumination, location, and appearance of any class of
10 billboard or outdoor advertising device;

11 (3) Prohibit the erection or maintenance of any type of
12 billboard or the displaying of any outdoor advertising
13 device in particular parts, or in all parts, of the
14 county; provided that the prohibition shall not apply
15 to any official notice or sign described in section
16 445-112(1); and provided further that, unless a county
17 ordinance specifies otherwise, the prohibition shall
18 extend to billboards or outdoor advertising devices
19 located in the airspace or waters beyond the
20 boundaries of the county that are visible from any



1 public highway, park, or other public place located
2 within the county;

3 (4) Control and license the business of making, erecting,
4 posting, renting, and maintaining outdoor advertising
5 devices and billboards as a business providing
6 advertising for others, and require each person
7 engaging in such business to obtain an annual license,
8 the fee for which shall not exceed \$100. The license
9 shall be conditioned upon the maintenance of all
10 outdoor advertising devices and billboards in a safe
11 state, and the observance of sections 445-111 to
12 445-121 and all applicable ordinances and shall be
13 revocable by the licensing authority upon breach of
14 such condition;

15 (5) Require that no person, whether licensed under
16 paragraph (4) or not, shall erect or maintain any
17 billboard unless it is licensed by a permit issued by
18 the county, the issuance of which permit shall be
19 conditioned upon compliance with this chapter and all
20 applicable ordinances and the payment to the county of
21 an annual fee not to exceed \$25 per billboard; and



1 (6) Provide for such other regulation of billboards and
2 outdoor advertising devices as will promote the public
3 health, welfare, safety, and convenience; encourage
4 and promote the tourist and visitor trade; conserve
5 and develop the natural beauty of the State, as well
6 as objects and places of historic and cultural
7 interest; foster sightliness and physical good order;
8 and promote the purposes and provisions of sections
9 445-111 to 445-121."

10 SECTION 3. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect upon its approval.

13
INTRODUCED BY:


By Request



Report Title:

State Buildings; Outdoor Advertising Device; Sponsorship

Description:

Authorizes the use of outdoor advertising devices for purposes of all owing the naming rights of state buildings.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

