



ADMINISTRATIVE RULES OF MONTANA



18.6.205 OFF-PREMISE SIGNS - LOCATIONS - COMPLIANCE WITH STATUTES, RULES, ORDINANCES

- (1) Off-premise signs visible from a controlled route which advertise activities not conducted on the property on which the sign is located require a permit from the department. Any outdoor advertising sign or structure which generates income for the sale or lease of the outdoor advertising sign, or the sale, lease, or rental of advertising space on the sign requires an off-premise sign permit from the department. The department shall be the sole determinant as to whether a sign qualifies as an off-premise sign after meeting all requirements of the Outdoor Advertising Act and these rules.
- (2) Off-premise signs may be located in areas that are zoned industrial or commercial by a bona fide state, county, or local zoning authority.
- (3) Off-premise signs may be located in unzoned commercial or industrial areas, which area contains a qualifying commercial or industrial activity, as determined by the department in accordance with the Outdoor Advertising Act and ARM 18.6.203 and 18.6.206.
- (4) Off-premise signs visible from a controlled route must not be located on government owned right-of-way.
- (5) Off-premise signs located outside an incorporated area must not be more than 660 feet from the outer edge of the right-of-way.
- (6) Off-premise signs located within an incorporated area must be in compliance with the setback requirements established by local ordinance or other regulation.
- (7) Off-premise signs shall only be located on property for which the permit applicant or holder has written permission from the person lawfully in control of the property to erect and maintain an off-premise sign.
- (8) The provisions of these outdoor advertising rules shall not be deemed to supersede the rights and powers of counties and municipalities to enact outdoor advertising or sign ordinances that are more restrictive than this rule.
- (9) Off-premise signs permitted by the department shall also comply with all federal, state, county, and local statutes, rules, and ordinances on outdoor advertising.

Authorizing statute(s): 75-15-121, MCA

Implementing statute(s): 75-15-104, 75-15-111, MCA

History: NEW, 2008 MAR p. 2476, Eff. 11/27/08; AMD, 2012 MAR p. 185, Eff. 1/27/12; AMD, 2016 MAR p. 1440, Eff. 8/20/16.