



ADMINISTRATIVE RULES OF MONTANA



18.6.211 PERMITS

- (1) A permit must be obtained for each outdoor advertising sign which meets the requirements of the Montana Outdoor Advertising Act 75-15-101, et seq, MCA, and these rules.
- (2) A check payable to the Montana Department of Transportation in the amount of the nonrefundable inspection fee and the initial permit fee must accompany the sign permit application.
- (3) A nonrefundable inspection fee shall be assessed for each off-premise outdoor advertising sign erected within any area subject to state control by the department.
- (4) An initial permit fee shall be assessed for each off-premise outdoor advertising sign.
- (5) Signs shall be assigned a permit number and given a permanent identification plate that must be attached to the structure. The permit plate must not be leased to any other party. Permit plates remain the property of the department and shall be returned to the department upon relinquishment or revocation of the permit or upon request of the department.
- (6) Permits may be renewed every three years on the appropriate January 1 renewal cycle date upon payment of a renewal fee.
- (7) Permits for new signs in conforming areas may be issued only after the proposed location and sign site has been checked in regard to spacing, size and lighting criteria and approved by the department.
- (8) A new sign may not be erected without first applying for and receiving a permit. Failure to obtain a permit prior to sign erection may result in denial of a pending application.
- (9) Ownership of a sign permit must not be transferred without the express written consent of the permit holder(s) on a form provided by the department, and submitted to the department at least 30 days prior to the transfer. Failure to timely provide the transfer form may result in voiding the transfer, or revocation of the permit. The current permit holder(s) must sign the form transferring the permit, and provide written permission and signature from the current landowner for the transfer. Permit holder or transferee may alternatively submit proof of a permanent property right (e.g., easement) for the sign location. Only off-premise commercial advertising sign permits may be transferred. Temporary, church and service club, directional, cultural, noncommercial, political, and official signs shall not be transferred, but may be terminated by permit holder request or department action.
- (10) Permits may be relinquished at the written request of either the permit holder(s) or the landowner(s) subject to the department's approval. The document requesting relinquishment of a permit must be signed by the current permit holder or the landowner(s). If the permit holder(s)

are unable or unwilling to sign the relinquishment document, the landowner(s) may request revocation of the permit by providing the department with a document stating the reason for revocation such as termination of the land lease between the permit holder(s) and the landowner(s) and indicating whether the landowner(s) has purchased the sign structure or if the sign structure will be removed. The landowner(s) must sign this document.

- (11) Permits may be revoked upon a finding of a violation of the provisions of the Outdoor Advertising Act or the outdoor advertising administrative rules.

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

Implementing statute(s): 75-15-122, MCA

History: NEW, Eff. 12/8/75; AMD, 1986 MAR p. 339, Eff. 3/14/86; AMD, 1996 MAR p. 158, Eff. 1/12/96; AMD, 1996 MAR p. 1855, Eff. 7/4/96; AMD, 2005 MAR p. 89, Eff. 1/14/05; AMD, 2006 MAR p. 1878, Eff. 7/28/06; AMD, 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.