
CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** April 4, 2011

FROM: John McDonough, City Manager

AGENDA ITEM: Resolution Requesting the Governor Veto HB179 as Passed by the House and Senate

MEETING DATE: For Submission onto the April 5, 2011, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Resolution

APPROVAL BY CITY MANAGER: JMM APPROVED

_____ NOT APPROVED

PLACED ON AGENDA FOR: 4/5/2011

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: [Signature]

REMARKS:



To: Honorable Mayor and City Council Members

From: Wendell K. Willard

Date: For Submission onto the April 5 Council Meeting Agenda

Agenda Item: A Resolution Requesting the Governor to Veto HB179, as Passed by the Georgia House of Representatives and Senate

City Attorney's Recommendation:

The City Attorney's Office recommends that the City Council consider the attached resolution ("Resolution") and, if deemed appropriate, that it be approved.

Background and Discussion:

The Georgia House of Representatives and Senate passed House Bill 179 ("HB179"), which allows billboard companies to clear cut all trees and remove all vegetation in a view zone in front of a billboard. The billboard industry can already trim and cut trees in front of billboards under existing law, which allows them to cut trees that are smaller than eight (8) inches in diameter. HB179 will allow them to cut down every hardwood and pine tree in a view zone in front of their signs. The Georgia Department of Transportation's ("GDOT") manages the outdoor advertising program, which costs taxpayers substantially more than it collects in fees. HB179 adds to the responsibilities that GDOT is struggling to meet while it forces taxpayers to subsidize the industry.

Alternatives:

Not to request the veto of HB179.

Attachments:

Proposed Resolution

STATE OF GEORGIA
COUNTY FULTON

**RESOLUTION REQUESTING THE GOVERNOR TO VETO HB179, AS PASSED BY
THE GEORGIA HOUSE OF REPRESENTATIVES AND SENATE**

WHEREAS, the City of Sandy Springs is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the City of Sandy Springs; and

WHEREAS, the Georgia House of Representatives and Senate have passed HB179; and

WHEREAS, HB179, as passed, allows billboard owners to clear cut trees within two hundred fifty (250) feet of a state right-of-way fence or boundary and/or within three hundred fifty (350) feet of the pavement edge; and

WHEREAS, HB179, as passed, prohibits any beautification projects that include the planting of trees in the right-of-way that may in the future obscure billboards; and

WHEREAS, HB179, as passed, removes many existing restrictions on the types of trees that billboard companies may remove; and

WHEREAS, HB179, as passed, gives the billboard industry an unknown amount of credits for removing illegal signs toward their cost for tree removal and maintenance permits; and

WHEREAS, the Georgia Department of Transportation has revealed that its cost for managing the billboard program last year was \$915,000. Although HB179 provides for an increase in fees for permitting of billboards and the renewal fees are increased, the fees are not sufficient to cover the cost of processing applications and inspections; and

WHEREAS, the Mayor and Council do not believe that subsidizing the billboard industry is in the best interests of the citizens of the City;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Sandy Springs that the City of Sandy Springs respectfully requests that Governor Nathan Deal veto HB179 as passed for the protection of the scenic beauty and the environment of the State of Georgia.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the office of the Governor of the State of Georgia.

APPROVED AND ADOPTED this the 5th day of April, 2011.

Approved:

Eva Galambos, Mayor

Attest:

Michael Casey, City Clerk

(Seal)

Councilmember Tibby DeJulio

Councilmember Dianne Fries

Councilmember Karen McEnergy

Councilmember John Paulson

Councilmember Chip Collins

Councilmember Gabe Sterling