

8810.1300 PERMITS, FEES, AND RENEWALS.

Subpart 1. **Permit applications.** Applications for permits may be obtained at any district office or central office of the Minnesota Department of Transportation. However, for the purpose of processing and approval, permit applications will be filed at or forwarded to the department's district office having jurisdiction over the area in which the advertising device is located.

The application for permit shall be filled out in its entirety and all applications will be processed in order of receipt. If an application has to be returned for any additional information required to properly evaluate the application, it will not retain its preference over any other application that may be pending for the same area.

All applications will be processed by the necessary department personnel and a permit will be issued or denied within 30 days after its arrival at the district office. With respect to applications received prior to the 15th day of the month, the permit fee will be charged as of the first day of that month. With respect to applications received on or after the 15th day of the month, the permit fee will be charged as of the first day of the following month.

Subp. 2. **Payment.** All applications must be accompanied by a certified check, bank draft, or money order unless prior arrangements are made with the commissioner of transportation.

Subp. 3. **Deadline.** The owner of any advertising device which was lawfully in existence on June 8, 1971, and which is not controlled by an annual permit must apply for a permit for such device by September 8, 1971.

Subp. 4. **Expiration and renewal.** Requests for permit renewals will not be accepted more than 60 calendar days prior to the expiration date of the permit. All permits within scenic areas will expire on December 31 of each year. All permits for signs in nonscenic areas will expire on June 30 of every year.

Subp. 5. **Void permits.** All permits issued for erection of a new advertising device are null and void if the erection of the device is not completed within 120 calendar days after the permit has been issued. If a permit is voided because of no erection there will be no refunds of moneys and a new application and process shall be initiated.

Subp. 6. [Repealed, L 1994 c 635 art 2 s 9]

Subp. 7. **Penalty.** Any advertising device for which no permit application or permit renewal has been submitted shall be removed pursuant to law.

Subp. 8. **Revocation and new applications.** When a permit is revoked pursuant to Minnesota Statutes, section 173.13, subdivision 10, applications for a permit for that site will be accepted from new applicants only after the outdoor advertising device of the former

permit holder has been completely removed. New applications will be processed in the order in which they are received.

Subp. 9. **Disassembly.** For the purposes of Minnesota Statutes, sections 173.09, 173.13, subdivision 11, 173.17, 173.18, and 173.21, "remove," "removed," and "removal" shall mean the complete disassembly of the device including all component parts, except if removal would result in substantial structural damage to a building. All electrical services shall be disconnected, if any, and there shall be a complete removal of wires, conduit, and supporting structures, the filling of any ground excavations or holes and the removal from the property of all disassembled elements of the advertising device and its supporting structure.

Subp. 10. **Nonrenewal.** For the purpose of Minnesota Statutes, section 173.13, an advertising device for which a permit can be issued shall when erected be a complete billboard, sign, notice, poster, or display intended to advertise a product or legend. An advertising device which is painted out, or painted over, or advertising space for lease and which has so existed for one permit period shall not be considered for a permit or renewal. Where there are posts only, partial structure, company name markers, or no structure at all, a renewal shall not be issued.

Subp. 11. **Excluded notices.** Service club and religious notices shall not be governed by the provisions of Minnesota Statutes, section 173.16, subdivision 4, clause (2).

Subp. 12. **Changes requiring new permit.** For the purposes of Minnesota Statutes, section 173.13, subdivision 4, any change in advertising area which exceeds the advertising area for which a permit had been issued shall require a new permit application.

Statutory Authority: *MS s 173.01; 173.06*

History: *L 1994 c 635 art 2 s 9*

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