

**RULES  
OF  
STATE DEPARTMENT OF TRANSPORTATION  
CHAPTER 672-14  
GRANTING, RENEWAL, AND REVOCATION OF  
VEGETATION MANAGEMENT PERMITS  
FOR OUTDOOR ADVERTISING**

- 672-14-.01 Purpose of Regulations. ~~Added.~~**
- 672-14-.02 Definitions. ~~Added.~~**
- 672-14-.03 Application for a Vegetation Management Permit. ~~Added~~**
- 672-14-.05 Conditions Governing a Vegetation Management Permit. ~~Added.~~**
- 672-14-.06 Fees and Renewal of a Vegetation Management Permit. ~~Added.~~**
- 672-14-.07 Invalid or Revocation of a Vegetation Management Permit. ~~Added.~~**
- 672-14-.08 Failure to Comply with Guidelines – Unauthorized Cutting, Trimming, or Removal of Vegetation. ~~Added.~~**
- 672-14-.09 Safety. ~~Added.~~**

## **672-14-.01 Purpose of Regulations**

(1) Through the adoption of these rules, the State Transportation Board recognizes the need to balance the interests of maintaining the beauty of the State and a healthy environment for its citizens with the need to provide the citizens of the state and the traveling public with adequate information regarding places offering lodging, food, motor fuels services or any other service or products along the roads and highways of the State by allowing for the visibility of outdoor advertising signs erected and maintained along the highways of the state.

(2) The Department is authorized to promulgate specifications and guidelines to govern the Department's implementation of the provisions of this Chapter, and to set forth these specifications and guidelines in the Department's Manual of Guidance entitled "Vegetation Management at Outdoor Advertising Signs." Copies of these guidelines shall be provided to applicants upon written request to the Department's Office of Maintenance, ~~No. 2 Capitol Square, S.W., Atlanta, Georgia 30334~~ [600 West Peachtree Street, N.W., One Georgia Center, 10<sup>th</sup> Floor, Atlanta, GA 30308.](#)

## 672-14-.02 Definitions

The following words when used in Chapter 672-14 shall have the following meanings unless the context thereof indicates another meaning:

- (a) "Advertising Message": Any notice using symbols, pictures, numbers, words, or combination thereof designed to attract public attention or patronage.
- (b) "Lapsed-permit sign": Any sign which no longer holds a valid outdoor advertising permit because the permit has expired because renewals are past due.
- (b) (c) **"Sign** Viewing zone": A continuous 500 foot horizontal distance parallel to the state right of way of a route controlled by ~~the Georgia Outdoor Advertising Control Act~~, O.C.G.A. ~~§ Section~~ 32-6-70, et seq., and adjacent or otherwise within the line of sight of an outdoor advertising sign.
- (e) (d) "Vegetation": ~~All woody and herbaceous plants either naturally~~ Woody or herbaceous plant material growing from the ground or planted.
- (d) (e) "Vegetation Management": All planned work activities relating to landscape and roadside development on public right of way. These activities may include the removal, cutting or trimming of trees or other vegetation, landscape planting, construction and any maintenance management of their related features.

### 672-14-.03 Application for a Vegetation Management Permit

(1) Any person, firm, or corporation with a conforming or nonconforming sign that has been legally permitted and erected, and maintained adjacent to the rights-of-way of the Interstate and Primary Highway Systems, may apply for a vegetation management permit for relief from a screened view.

(2) All applications, and the renewal thereof, shall be made by the person, firm or corporation holding the permit for the subject outdoor advertising sign and structure on forms prescribed by the Department. Advice, necessary forms and assistance may be obtained from the General Office or a District Office of the Department.

(3) Application(s) shall be submitted to the local District **Engineer Outdoor Advertising Agent** or **their** designee in the Department's ~~District Office in which the subject site is to be permitted.~~

(4) No person or entity may cut, trim, or remove trees, shrubs, or herbaceous plants on public rights of way to make visible or to ensure future visibility of an outdoor advertising sign without first obtaining a Permit for Vegetation Management at Outdoor Advertising Sign(s).

(5) No person or entity may cut, trim, or remove trees, shrubs, or herbaceous plants on public rights of way to make visible or to ensure future visibility of an outdoor advertising sign within areas of a viewing zone containing wetlands or buffers of state waters notwithstanding any provision of the Georgia Erosion and Sedimentation Act (O.C.G.A. § 12-7-3, et. seq.) and the Georgia Coastal Marshlands Act (O.C.G.A. § 12-5-280, et seq.).

(6) Ground restoration in disturbed areas on both mowable and non-mowable slopes where there is any vegetation management activity requires permanent grassing as a vegetative measure for an erosion control best management practice for slope stabilization, according to the Georgia Erosion and Sedimentation Act (O.C.G.A. § 12-7-3, et. seq.).

~~(5)~~ (7) The application shall contain at a minimum:

(a) The name, address, **and** email address, telephone number of the applicant, the name of the property owner, the Department sign permit number, and the notarized signature of the applicant's authorized representative. It shall also contain the height of the sign as measured from the base of the sign or crown of the adjacent roadway (whichever is greater).

(b) Evidence of the payment of a bond with sureties acceptable to the Department to run concurrently with the permit and the lowering of the sign if applicable.

~~(e) An affidavit stating the subject sign has had advertising messages thereon for some period during the preceding six (6) consecutive month period.~~

~~(d)~~ (c) A copy of a W-9 that matches the name and address provided on the application.

~~(6)~~ (8) Proof of liability insurance as required.

~~(7)~~ (9) No Permit for Vegetation Management at Outdoor Advertising Signs will be issued:

(a) For applications that are incomplete.

(b) Notwithstanding any provision of the Georgia Outdoor Advertising Control Act to the contrary, to cut, trim, or remove trees, shrubs, or herbaceous plants that are protected by federal or state law.

(c) To remove trees, shrubs, or herbaceous plants where such trees or other vegetation are determined by the Department's Landscape Architect Manager or designee to be part of a beautification project implemented prior to the vegetation management permit **and or** where the beautification project is specifically identified in the Department's construction or landscape plans, permitted landscape projects, or any other agreements.

~~(d) For a sign that has been unused for advertising for a period of six months.~~

(d) To remove trees determined by the Department to be landmark, historic, or specimen trees.

~~(e) For a sign erected after January 1, 1999 for a period of five years from the date the sign was first originally permitted.~~

(e) For outdoor advertising signs permitted or assigned a working number by the Department after December 31, 2010, for a period of five years from the date a new sign is permitted so as to ensure that no vegetation maintenance permits are issued for the purpose of creating new outdoor advertising signs.

(f) For any application which does not conform to the provisions of ~~the Georgia Outdoor Advertising Control Act~~, O.C.G.A. § Section 32-6-70, et seq.

(g) For any signs which exceed 75 feet in height, as measured from the base of the sign or crown of the adjacent roadway to which the sign is permitted, whichever is higher, unless the sign owner agrees to reduce the height of the sign.

(h) For any person, firm, or entity which the Department determines is maintaining or is allowing to be maintained any abandoned sign or signs within the State of Georgia.

~~(8)~~ (10) The initial Permit for Vegetation Management at Outdoor Advertising Sign is valid for the term of one (1) year in accordance with the approved Vegetation Management Plan.

## 672-14-.05 Conditions Governing a Vegetation Management Permit.

(1) The Vegetation Management Permit authorizes one or more of the following actions:

(a) Vegetation within the viewing zone shall be selectively removed, pruned or trimmed, in accordance with good landscaping practices pursuant to O.C.G.A. § ~~Section~~ 32-6-75.3 and all requirements set forth in the Department's Manual of Guidance, to allow viewing within the defined ~~sign~~ viewing zone; or

~~(b) Selected individual plants may be relocated or removed in order to reduce the obstructed view. At a minimum, all vegetation trimmed or planted shall be maintained in a healthy, acceptable condition for two growing seasons from the date of issuance of the vegetation management permit. Any replanting or relocation allowed under this paragraph shall conform to all requirements of the Department's Manual of Guidance in effect at such time the permit is issued.~~

~~(2) All plants installed shall be of health and quality in conformance with applicable Department standards and guidelines and shall be maintained in accordance with the Department's Manual of Guidance.~~

~~(3)~~ (2) The Department shall:

(a) Require that the Permittee furnish the Department with a certificate indicating that the work has been completed in accordance with the Department's standards and Manual of Guidance. Upon receipt of such certificate, the District Engineer or designee will inspect the work site. If all work provided for and contemplated by the vegetation management plans as approved by the Department is found to be satisfactorily completed, the Department will notify the applicant in writing of such acceptance.

~~(b) Evaluate each application for a permit and require that as a condition of granting any permit that the value of the landscaping to be either provided or paid for by the Permittee shall not be less than the department's appraised value of the benefit to be conferred by the state upon the applicant for allowing the trimming or removal of trees or other vegetation; said value to the Permittee shall be set as the value of the trees or vegetation to be trimmed or removed; said value of the benefit to the State shall include, but not be limited to, removal of dead trees, replacement of trees, replacement of vegetation, grassing, sodding, or appropriate ground cover; provided, however, that a permit may be granted when the value of the landscaping to be either paid for or provided by the Permittee is less than the Department's appraised value of the trees or other vegetation to be trimmed or removed if, in addition, the Permittee pays to the Department an amount equal to the amount of the difference between the value of the landscaping to be either provided or paid for by the Permittee and the Department's appraised value of the trees or other vegetation to be trimmed or removed.~~

(b) Evaluate each application for a permit and require that as a condition of granting any permit a Contributory Value fee be paid. The Contributory Value fee shall be the Department's appraised value of the trees or other vegetation to be trimmed or removed within the viewing zone. A credit voucher representing the Department's determination of the dollar value of the benefit to the State for certified removal of expired-permit signs and legally-permitted non-conforming signs by the applicant may be used to offset the Contributory Value fee.

~~(4) A release of the applicant's bond is contingent on the applicant's providing the Department with two 4" x 6", or larger, 35mm color photographs of the completed viewing zone.~~

~~(5)~~ (3) The Permittee shall furnish the Department a performance and payment bond commensurate to ensure the completion of the project in the form of a certified check, cashiers' check or bank money order or a performance and payment bond on forms with sureties acceptable to the Department which will be required to run concurrently with the permit. Such bonds shall be subject to forfeiture to the Department in the event of a violation of these regulations or upon failure of the applicant to leave the work site in a condition acceptable to the Department.

~~(6) Prior to commencing work, the Permittee shall furnish the Department a certificate demonstrating proof of insurance indicating the existence of public liability and property damage insurance coverage for the applicant, its agents, servants, officers, employees and contractors in the amount of a minimum of: One Million (\$1,000,000.00) Dollars for bodily injury or death; One Million (\$1,000,000.00) Dollars Public Liability; and One Hundred Thousand (\$100,000.00) Dollars for injury or destruction of property.~~

(4) The Permittee shall hold the Department harmless against any and all loss, cost, damage, claim, expense of liability whatsoever because of accident or injury to persons or property of others occurring in connection with the performance of services under this Contract.

(5) The applicant, its agents, servants, officers, employees and contractors are required to meet all current GDOT minimum coverages for commercial general liability insurance, commercial automobile insurance, and worker's compensation insurance. A Certificate of Insurance demonstrating proof of these coverage's and naming the State of Georgia as an additional insured must be received by the Department prior to any work being performed at the Viewing Zone site:

(6) All drivers of project equipment must possess a valid license for the type of vehicle being driven.

(7) The Department is authorized to promulgate specifications and guidelines to govern the Department's implementation of the provisions of this Chapter, and to set forth these specifications and guidelines in the Department's Manual of Guidance. Copies of these



guidelines shall be provided to applicants upon written request to the Department's Office of Maintenance, ~~No. 2 Capitol Square, SW, Atlanta, GA 30334~~ 600 West Peachtree Street, N.W., One Georgia Center 10<sup>th</sup> Floor, Atlanta, GA 30308.

(8) A release of the applicant's bond is contingent on the applicant's providing the Department with six electronic photographs clearly depicting the completed vegetation management activity within the viewing zone. For signs that must be lowered, verification that the sign has been lowered to less than 75 feet, as measured from the base of the sign or crown of the adjacent roadway to which the sign is permitted, whichever is higher, must be provided from a licensed, Professional Engineer or licensed Land Surveyor.

## **672-14-.06 Fees and Renewal of a Vegetation Management Permit.**

(1) The permit fees cover the direct and indirect costs associated with the administration of the permit and inspection of the site, and are due in the following amounts:

Application Review and Permit fee \$ 400.00

Annual Renewal fee \$ 50.00

~~(2) An annual renewal fee shall continue to be due each year while maintenance activities continues. Such annual renewal fees shall be paid each year by the Applicant on the anniversary date of the issuance of the Vegetation Management Permit.~~

(2) An annual renewal fee shall continue to be due each first of September, beginning the year following issuance of the permit. Notice of late renewals shall be sent by certified mail. If renewal fees are not received within 45 days of the late renewal notice, the permit shall be cancelled. Additional cutting, trimming, or removal of vegetation greater than 4 inches in diameter within a viewing zone after the initial permit construction activity and bond release is not allowed within the Target View Zone. Maintenance activities may continue within the permitted viewing zone as long as renewals are up to date.

## **672-14-.07 Invalid or Revocation of a Vegetation Management Permit**

Failure to comply with these rules and regulations or the Department's Manual of Guidance may result in immediate revocation of the vegetation management permit on file, forfeiture of bonds or permanent denial of any future vegetation management permit or permit renewal for the sign and site involved in the infraction and denial of any other new Vegetation Management permit application statewide for any other outdoor advertising structure owned by the person or entity in violation of the rules and regulations or the Department's Manual of Guidance. Work performed on the Department's right-of-way without a permit shall be considered a failure to comply and is punishable as provided in ~~Section~~ O.C.G.A. § 32-6-81, ~~O.C.G.A.~~ and shall be subject to the procedures set forth in ~~section~~ O.C.G.A. § 32-6-95, ~~O.C.G.A.~~

**672-14-.08 Failure to Comply with Guidelines -- Unauthorized Cutting, Trimming or Removal of Vegetation.**

The Department shall have the right to terminate the Permit by giving thirty (30) days notice in writing of the termination and date of such termination to permittee if the permittee fails to perform or violates any of the terms, conditions or provisions of the Vegetation Management at Outdoor Advertising Sign(s) Permit or fails to maintain the ~~500' designated working area~~ designated Target View Zone in a reasonable manner. The Department shall also have the right to reject any new Vegetation Management permit applications submitted by a person or entity with an unresolved or alleged violation of the rules and regulations or the Department's Manual of Guidance.

**672-14-.09 Safety.**

Any work performed within the limits of the Department's right-of-way shall be done in accordance with the Manual on Uniform Traffic Control Devices and other applicable Department safety guidelines. Nothing in this rule shall be construed to give permission to service sign structures from the Department's right of way. [Vegetation management activity shall take place from the road shoulder.](#)