



Legislation Text

File #: 24755, Version: 1

**Fiscal Note**

No appropriation is required.

**Title**

Effectuating the settlement agreement and stipulation in Adams Outdoor Advertising v. City of Madison, Dane County Circuit Court Cases 2007 - CV - 2201, etc.

**Body**

DRAFTER'S ANALYSIS: This ordinance provides an exception to the City's existing ordinances to allow Adams Outdoor Advertising to obtain permits for five (5) double-sided billboards and to repair or replace two other billboards. It is part of a settlement of pending tax litigation with Adams and is a companion to a related resolution approving that settlement.

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The Common Council of the City of Madison do hereby ordain as follows:

WHEREAS, the Common Council has adopted a resolution authorizing the settlement of litigation between Adams Outdoor Advertising, Ltd., (Adams) and the City of Madison (City), including the following Dane County Circuit Court cases:

Nos. 2007 - CV - 2201, 2008 - CV - 2392, 2009 - CV - 2696, 2010 - CV - 2614, and 2011 - CV - 2202; and Nos. 2003 - CV - 777, and combined cases 2004 - CV - 883, 2005 - CV - 795 and 2007 - CV - 927; and

WHEREAS, pursuant to the settlement, it is required that Adams be permitted to pursue certain actions which may be in violation of the current Madison General Ordinances related to billboards.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF MADISON DO HEREBY ORDAIN as follows:

Notwithstanding the provisions of Chapter 31 of the Madison General Ordinances (MGO), and solely as set forth below, Adams, as required by the Stipulation and Settlement Agreement in the above cases, shall be permitted the following:

1. To apply for and obtain five (5) new advertising sign permits for a maximum of ten (10) faces, provided that such new permits shall be subject to all other siting and other restrictions on signs as set forth in Chapters 31 and 33, MGO, and shall be considered existing nonconforming signs.
2. To apply for and obtain a permit allowing Adams to replace the upper portion of its sign structure located at 4289 West Beltline Highway, with the sign face size, type of sign and support column to remain the same, and the sign to be considered an existing nonconforming sign. The upper portion of the sign (the sign face) will be replaced and will be moved over seventeen (17) feet on the existing support column.
3. To apply for and obtain a permit allowing the conversion/replacement of one (1) sign located at East Washington and Highway 51 (3575 East Washington Avenue) to a size of fourteen (14) feet by forty-eight (48) feet, to raise the height of the sign to an overall height not to exceed thirty-five (35) feet, and to move the sign approximately ten to fifteen (10-15) feet, and the sign to be considered a nonconforming sign.