

# Scenic Watch

Citizens for a Scenic Florida



May 12, 2010

## Editor's Message

We are redirecting the contents of this month's newsletter to highlight an important issue that may have significant impact on our state budget.

Stay tuned for additional information as events unfold in Tallahassee.

-- Trudy Barker, Editor Scenic Watch

## Breaking Legal News:

### Florida Federal Highway Funds At Risk

### Scenic Florida Sends Letter to Crist with This Message:

### Veto HB1271!

[Read the Letter Here](#)

May



Fun Festivals and Events

North Florida

**May 15**

Newberry Watermelon Festival,  
Newberry

**May 15**

Tupelo Honey Festival, Wewahitchka

**May 16-18**

Shrimp and Oyster Festival, Panama  
City

**May 21-23**

Wild Amelia Nature Festival, Amelia  
Island

**HB1271 Makes Significant Changes to 479.01, the Section of Florida Law Containing Definitions for Outdoor Advertising**

**This Jeopardizes 10% of Florida's Federal Highway Funding**



A bill that guts the state's existing billboard laws, HB1271, was introduced on February 24, 2010. A modification to the Outdoor Advertising Definitions was added to the bill in the middle of the legislative session while the bill was in committee and this bill is to be adopted into law. A veto by the Governor is needed to prevent billboards from springing up along Florida highways and Florida's federal funding being cut.

"The new and modified statutory definitions are intended to open up parcels of land to new billboards in violation of the federal Highway Beautification Act (HBA).

Allowing the bill to become law will place the State of Florida in a posture of failing to maintain effective control of outdoor advertising - not just by deed but

**May 27-30**

Jacksonville Jazz Festival 2010,  
Jacksonville

**May 28-30**

Florida Folk Festival, White Springs

**May 28-30**

Shell Show, Jacksonville

**May 28-31**

Blue Crab Festival, Palatka. Florida's  
largest Memorial Day celebration

**March 20-21**

Peace River National Arts Festival,  
Punta Gorda

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### Central Florida

**May 16-17**

Forks and Corks Food and Wine  
Festival, Sarasota

**May 21-23**

Blues and Wine Festival, Mount Dora

**May 22**

Art Walk on Flagler Avenue, New  
Smyrna Beach

**May 22-23**

Downtown Sarasota Craft Festival,  
Sarasota

**May 28**

Memorial Day Carillon Concerts at  
Bok Tower Gardens, Lake Wales

**March 6-7**

Asian Culture Festival, Homestead

**March 6-7**

Las Olas Art Fair Part II, Fort  
Lauderdale

**March 20-21**

Peace River National Arts Festival,  
Punta Gorda

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### South Florida

**May 14-15**

Las Olas Wine and Food Festival,  
Fort Lauderdale

**May 14-16**

Redland International Orchid Show,  
Homestead

**May 15**

now by legislation."

Zoning is key to determining precisely where billboards can legally be placed and is the basis for laws at both the national and state levels that help protect our scenic beauty.

Problems revolving around the technical aspects of zoning are not new.

Because of disputes in the past, Florida law was strengthened in 1999 to include more exact definitions of the zoning requirements for new billboards in order to ensure that the state would be in compliance with federal laws.

HB1271 changes the state law to allow FDOT to treat **nearly any zoning district as an 'unzoned commercial' or 'unzoned industrial' district.**

Scenic Florida has asked Governor Crist to use his constitutional right to veto this piece of legislation. In the case of HB 1271, his veto will be an important step in keeping intact Florida's federal highway funds and avoiding a withhold penalty, as well as meeting our Constitutional obligation to conserve and protect our State's natural resources and scenic beauty .

Please read the attached letter for a more details and background. If you would like to make your own opinions known on the veto issue, please contact the office of the Governor.

Charlie.Crist@MyFlorida.com

Executive Office of the Governor Switchboard: (850) 488-7146

Fax: (850) 487-0801



### Tampa Gives Initial Approval to Digital Billboards After a Decade of Litigation

"The city council today approved a first reading of a proposed ordinance that will clear the way for digital billboards along highways and commercials areas throughout the city.

The vote was 5 to 2, with Council members Mary Mulhern and Linda Saul-Sena voting against it. The board must vote on it a second time for the measure to become law. The second and final reading will be May 20. 'There's no public benefit from this decision today,' Mulhern said."

"Last year, the city settled a decade of litigation with Clear Channel and CBS requiring them to take down regular billboards in 'scenic view' areas across the city.

Blueberry Bluegrass Festival, Lake Placid

**May 15**

12th Annual Haitian Compas Festival, Miami

**May 16**

Greynolds Park Annual Love-In, North Miami Beach

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## Note from the Editor

Suggestions for improvement are always welcome.

In exchange, the companies will be allowed to replace them with digital billboards in other areas.

The settlements include a provision allowing the companies to opt out of them if the city council doesn't approve a digital billboard ordinance within six months, or this month." -- Christian M. Wade, Tampa Tribune

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## Twitter Messages on 12 New Digital Billboards



"Clear Channel is experimenting with putting Twitter messages up on the 12 digital billboards around Tampa Bay. It's an experiment to show how interactive they can be.

...State rules prevent such billboards from displaying any animation or blinking images - in part to prevent distracting drivers going by.

But beyond that, they can link to any image the company chooses, and in this case, the company can make links to any Web site.

As that site updates, so does the display, instantly." -- Richard Mullins, Tampa Tribune

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## ClearChannel Selling Death Notices on Digital Billboards



"Iles Funeral Home in Des Moines is going high-tech with its funeral announcements, putting them on electronic billboards around the city."

"John Wild, the general manager for Iles, compared it to the posting of funeral announcements at shops and post offices in rural communities where the business has funeral homes..."

"Wild was approached by Clear Channel Outdoors, which provides the digital billboards, about advertising Iles Funeral Home on the signs. Instead, Wild decided to use the billboards to let the public know about visitations and funeral services.

Jessica Koth, spokeswoman for the National Funeral Directors Association in Brookfield, Wis., said it's the first time she's heard of a funeral home displaying service information on a billboard.

Koth acknowledged concerns that the billboards could be a distraction, particularly if someone spots the name of a friend or acquaintance without knowing about it beforehand." -- Eagle Tribune AP article

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