

## Certified Cities: Role of local governments OAC permitting



## Title 23 U.S.C. s. 131(d)

- ▶ This section talks about two different types of agreements:
  - ▶ Federal State Agreements
  - ▶ Local Agreements
- ▶ “Whenever a bona fide State, county, or local zoning authority has made a determination of customary use, such determination will be accepted in lieu of controls by agreement in the zoned commercial and industrial areas within the geographical jurisdiction of such authority.”



## Title 23 C.F.R. s. 750.706(c)

- ▶ Local controls must include regulation for size, lighting, and spacing of signs in all commercial or industrial zones
- ▶ The state shall notify FHWA of the jurisdictions where local control applies





## Getting Certified

- ▶ Must be by agreement
- ▶ Agreement can be between local jurisdiction and state department of transportation
- ▶ Agreement can be a three party agreement between the local jurisdiction, state, and FHWA
- ▶ In the end, the state department of transportation is still responsible for control and can be penalized under 23 USC 131(b) if any local agreement terms are not upheld.



## After Local Certification

- ▶ Develop a Quality Control Plan
- ▶ Perform routine inspections/inventories/reviews to ensure compliance (annual, biennial, etc.)
- ▶ Keep records!

