

1 19A NCAC 02E .0608 is proposed for amendment as follows:
2

3 **19A NCAC 02E .0608 REQUESTS FOR SELECTIVE VEGETATION REMOVAL PERMITS FOR**
4 **OUTDOOR ADVERTISING**

5
6 (a) Applications for selective vegetation cutting, thinning, pruning, or removal (exclusive of grasses) shall be made by
7 the owner of an outdoor advertising sign permitted under G.S. 136-129(4) or (5) to the ~~appropriate~~ applicable county's
8 Division Engineer of the North Carolina Department of Transportation, Division of Highways. ~~Applications with all~~
9 ~~required documentation~~ Applications shall be submitted in both printed and electronic form. For sites within the
10 corporate limits of a municipality ~~which that~~ has previously advised the Department in writing that it seeks to review such
11 applications, the applicant shall deliver the application to the municipality at least 30 days prior to submitting the
12 application to the Department. ~~A non-refundable fee of two hundred dollars (\$200.00) must shall accompany each~~
13 ~~application.~~ Applications for selective vegetation removal permits shall include the following information consistent with
14 G.S. 136-133.1:

- 15 (1) applicant contact information;
- 16 (2) outdoor advertising permit tag number and location of the sign;
- 17 (3) for a sign located on a ramp, indication of application being for a modified cut zone or normal cut
18 zone;
- 19 (4) for applications eligible for municipal review, an indication of the year the sign was erected;
- 20 (5) indication of appropriate maximum cutting distance;
- 21 (6) applicant's desire to remove existing trees, if present. If existing trees are to be removed, such trees
22 require compensation by either monetary reimbursement or removal of two nonconforming outdoor
23 advertising signs or a beautification and replanting plan as set out in Rule .0611 by submitting the
24 Existing Tree Compensation Agreement form found on the Department web site www.ncdot.gov;
- 25 (7) site plan, if existing trees are to be cut, thinned, pruned, or removed;
- 26 (8) if existing trees are to be cut, thinned, pruned, or removed, the additional required form includes
27 applicant contact information, permit tag number, sign location, the number and caliper inches and
28 monetary value of existing trees to be cut, thinned, pruned, or removed, and indication of
29 compensatory choice;
- 30 (9) the additional form for existing tree removal, based on the compensatory choice made, also requires
31 submittal of either a payment check in the amount of the tree loss monetary value, or indication of the
32 two nonconforming outdoor advertising signs to be surrendered, or agreement to submit a
33 beautification replanting plan to the Department. Compliance with the compensatory choice is a
34 requirement before the selective vegetation removal permit can be approved;
- 35 (10) municipal review indication , if applicable;
- 36 (11) requested use of and site access for power-driven equipment in accordance with Rule .0610(24);
- 37 (12) performance and indemnity bond or certified check or cashier's check pursuant to G.S. 136-93;

- 1 (13) if using a contractor for vegetation removal work, identify the contractor and their qualifications if
2 contractor is not listed on the Department's website directory of qualified transportation firms;
3 (14) payment of non-refundable \$200 permit fee, pursuant to G.S. 136-18.7;
4 (15) certificate of liability and all legally required insurance coverage, including worker's compensation
5 and vehicle liability in the amounts required and according to North Carolina law;
6 (16) geographic information system document and property tax identification number to verify location of
7 sign in relation to municipal limits and territorial jurisdiction boundary;
8 (17) verification of on-site marking and tree-tagging requirements;
9 (18) if cutting request is for a modified cut zone along a highway ramp, a diagram of the cut zone is
10 required unless diagram is included on a site plan and calculations are required comparing the
11 modified cut zone to the normal cut zone;
12 (19) if the Department disputes the site plan, the Department may request additional information per G.S.
13 136-133.1(c);
14 (20) certification that applicant has permission from the adjoining landowner(s) to access their private
15 property for the purpose of conducting selective vegetation removal permit activities; and
16 (21) applicant's notarized signature.

17 ~~(b) Applications which include existing trees to be cut, thinned, pruned or removed, must be accompanied by a site plan~~
18 ~~in accordance with G.S. 136-133.1(c).~~

19 ~~(b)~~ (b) For signs eligible for municipal review the applicant ~~must~~ must include on the application and, as a prerequisite to
20 applicable municipal review submittal, the year the outdoor advertising sign was originally erected. Upon request, the
21 Department ~~will~~ shall furnish the year of sign erection to the applicant. The Department ~~reserves the right to~~ may require
22 additional proof if the year of the sign erection remains in question.

23 ~~(c)~~ (c) The selective vegetation removal request may be ~~investigated~~ reviewed on site by Department personnel and a
24 representative of the applicant.

25
26 *History Note: Authority G.S. 136-18(5); 136-18(7); 136-18(9); 136-18.7; 136-93; 136-129(4); 136-129(5); 136-*
27 *130; 136-133.1; 136-133.2;*
28 *Temporary Rule Eff. March 1, 2012;*
29 *Eff. November 1, 2012.*
30 *Amended Eff. January 1, 2015.*
31