

MAINE STATE LEGISLATURE

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STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA

December 24, 1935

John C. Burnham
Director Outdoor Advertising
State Highway Department
Augusta, Maine

Dear Sir:

I am now pleased to answer some of your questions relative to Outdoor Advertising. Your various inquiries are as follows:

Question 1: A Maine corporation engaged in the business of selling its merchandise through local agents in the cities and towns throughout Maine who own their own premises, contemplates having these agents advertise its products on their premises in such manner as to comply with chapter 163 of the Acts and Resolves of the Maine Legislature. Does the Act intend that this corporation will be required to have a license for Outdoor Advertising?

Answer: I think not. Section 1 prohibits unlicensed outdoor advertising by any person, firm or corporation "upon property not their own or not occupied by them as a place for carrying on business". Seemingly the premises of these agents are in effect occupied by the principals in the conduct of their business.

Question 2: Has a farmer the right to erect on his own land two signs advertising farm products for sale, at a distance of more than 200 feet from his building or display of products, according to the meaning of Chap. 163, P.L. 1935?

Answer: No.

Question 3: Would a farmer be obliged to take out a license in order to erect more than two signs on his own land advertising farm products for sale?

Answer: Yes.

Question 4: Is a sign which states the name of a hotel, boarding house or summer camp and having a directional symbol, a directional or advertising sign?

Answer: The question would arise under section 10 whether such a sign was a directional sign for the safety, welfare or convenience of

John C. Burnham, Dec. 24, 1935, Page 2.

persons using the highway or was an advertising sign. In my opinion a sign bearing the words "Mountain View House" and a hand or arrow or the words "Take second road to the right" would be a directional sign. However, if the sign said "White Mountain House accommodates 300 persons. Unexcelled cuisine, golf, etc." it would not merely be a directional sign.

Question 5: Is a sign which states the name of a hotel, boarding house or summer camp, and having a directional symbol which also shows information regarding rates and menus, a directional or advertising sign?

Answer: This is answered in Question 4.

Question 6: If a billboard displays, at one time or during the same calendar year, two or more advertisements, would the one permit fee of \$1.00 be all that is required according to Chap. 163, P. L. 1935?

Answer: Yes. Under section 3 the fee is payable annually for each panel, bulletin or sign and it does not make any difference how many different articles are advertised on one panel in any given year.

Trusting that the foregoing will answer your various inquiries, I am

Very truly yours,

Deputy Attorney General

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