

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

March 17, 1936

To the State Highway Commission
Re Outdoor Advertising

In response to your several questions of March 6th and 11th, I am pleased to answer as follows:

1. In determining the area of a structure as referred to under Section 6, Chapter 163, P. L. 1935, consisting of two or more panels placed end to end in a straight line, each panel constructed separately but with the separation filled in with lattice work, should we consider the area of each panel separately or the area of the total number of panels, to get the area of the structure?

Answer. The whole area.

2. When two or more panels are constructed so that one half of the number of the panels are visible to traffic approaching from one direction and the remaining panels are visible to traffic approaching from the opposite direction, should we consider the area of the panels facing each line of traffic as separate structures even though lattice work, erected to hide braces, may connect the two showings?

Answer. The area in sight.

3. Would a person be complying with the provisions of Chapter 163, P. L. 1935, if 30% of the total number of signs owned by him, which are now located within 50 feet from the nearer line of the traveled way of a public highway, were entirely removed instead of relocated each year until the total number were removed?

Answer. Yes.

4. Would a person having a license as provided in Section 1 of Chapter 163, P.L. 1935, and making application for permits for signs, within 50 feet of the nearer line of the traveled way of a public highway and on or within 200 feet of the places of business owned or occupied by another, be allowed 3½ years in which to remove them, provided the require 30% was removed each year until the total number was removed?

Answer. Yes.

5. Would the answer to Question 4 be the same if the person did not have the required license?

Answer. No.

6. Would the answer to Question 4 be the same if the person did not make application for permits?

Answer. Yes.

7. Would a person after making application for permits for signs which were located within 50 feet of the nearer line of the traveled way of a public highway and on or within 200 feet of their place of business be allowed 3½ years in which to remove them, provided the required 30% were removed each year?

Answer. Yes.

8. Would the answer to Question 7 be the same if the person did not make application for permits?

Answer. Yes.

Should the following placards be considered as advertising signs?

Name of hotel, garage or filling station, with or without name of proprietor?

Rest rooms?

Free air or other service for cars?

Answer. No, if attached to building.

Price of gasoline?

Answer. Yes.

Public Telephone?

Information Bureau?

Answer. No.

Questions of March 11, 1936.

1. Would a person having a license as provided in Section 1 of Chapter 163, P. L. 1935, and making application for permits for signs, located within 50 feet of the nearer line of the traveled way of a public highway and on land owned or occupied by another, be allowed 3½ years in which to remove them, provided the required 30% were removed each year?

Answer. Yes.

2. Would the answer to Question 1 be the same if the person did not have the required license?

Answer. No. . . .

Does Section 8 of Chapter 163, P. L. 1935, give the Commission authority to remove without hearing any outdoor advertising structure, device or display, providing the owner complies with the requirement of removing 30% each year until the total number is removed?

Answer. No.

. . .

What must any person, firm or corporation, erecting or maintaining advertising signs upon property now their own or not occupied by them as a place for carrying on business other than outdoor advertising, do to comply with the requirements of Chapter 163?

Answer. Secure license, remove or relocate 30% each year.

What must any person, firm or corporation, erecting or maintaining advertising signs upon property owned or occupied by them as a place for carrying on business other than outdoor advertising, do to comply with the requirements of Chapter 163, P. L. 1935?

Answer. Removed 30% each year of signs now existing within 50 feet of highway, excepting 2, and secure permit therefor.

Sanford L. Fogg
Deputy Attorney General