

# 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**

July 29, 1937.

The State Highway Commission  
Augusta, Maine

Gentlemen:

In answer to your inquiry as to the legality of an outdoor advertising sign said to be owned by Roy Moore of Waterville and erected by him on the westerly side of the highway in Fairfield, I am pleased to enclose a rough drawing showing, substantially, the existing situation.

The sign is less than 50 feet from the limits of the highway and from all the information I have been able to get was erected by Mr. Moore without having obtained a permit therefor.

Under a strict construction of the definition of "compact section" contained in Chapter 124, P. L. 1937, said sign appears to be existing unlawfully.

Hon. Harold Weeks attorney for Mr. Moore says, in substance, that the municipal officers of Fairfield consider the locus in question as a part of the compact portion of the village of Fairfield; that the residents of this section are assessed and pay a municipal corporation tax; that they have municipal lights and water; that to his knowledge there has been no complaint relative to the sign erected by Mr. Moore, and that it seems to him that Mr. Moore ought not to be subjected to the expense of moving said sign. You will also recall that Mr. Weeks stated that he believed the law to be unconstitutional. As to its constitutionality we have no suggestion to make except that our Court has said that a law enacted by the legislature is constitutional until such time as the Court has otherwise determined.

Respectfully submitted,

Sanford L. Fogg  
Deputy Attorney General

SLF H