

MAINE STATE LEGISLATURE

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EIGHTY-FIRST LEGISLATURE

HOUSE

NO. 314

House of Representatives, March 7, 1923.

Referred to Committee on Legal Affairs and five hundred copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Brewster of Dexter.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-THREE

AN ACT Providing for the Regulation and Taxation of Certain
Advertising Signs.

Be it enacted by the People of the State of Maine, as follows:

Section 1. No person shall display any advertisement
2 containing more than four square feet upon real property
3 other than the property upon which the goods advertised
4 are manufactured or offered for sale, or upon which the
5 business advertised is carried on in whole or in part, until
6 such person shall secure from the secretary of state a li-
7 cense to display such advertisement. The application for
8 such license shall be in writing, signed by the applicant, and
9 shall state: (1) The location of the property upon which

10 it is proposed to display such advertisement; (2) the pop-
11 ulation of the town, city or borough within which the same
12 is to be displayed; (3) the distance of the location of such
13 advertisement from any crossing, at grade, of a public high-
14 way and the tracks of a steam railroad or electric railway,
15 if such distance be less than three hundred feet; (4) the
16 size and general description of such advertisement; (5) the
17 height of such advertisement from the ground; (6) the
18 material used in construction; (7) the distance from the
19 public highway; (8) and shall have noted thereon the ap-
20 proval of the location described, by the municipal officers
21 or their duly authorized agent in the town or city where
22 the sign is to be located.

Sect. 2. The municipal officers of any town or city shall
2 have the power and authority to regulate or prohibit the
3 location of any advertising sign for which a license is re-
4 quired under the foregoing section.

Sect. 3. The fee for such license shall be one dollar plus
2 five cents for each square foot if the sign is to be located
3 in any municipality having a population of more than ten
4 thousand, or if it is to be located within five hundred feet
5 of any state highway as distinct from state aid highways,
6 or third-class roads, so-called; the fee for any other location
7 shall be one dollar plus one cent for each square foot; and
8 such fees shall be collected by the secretary of state and
9 paid by him to the state treasurer. The square feet con-
10 tained in any advertisement shall include all of the space

11 within a line drawn around the outer edge of such adver-
12 tisement, or if such advertisement is upon, attached to or a
13 part of any billboard, frame, net work, transparency or
14 other form of construction, such line shall be the outer edge
15 of such construction and each surface or space displaying
16 any name, word, symbol, character, picture or letter shall
17 be construed to be an advertisement. Upon the receipt of
18 such application and fee, the secretary of state shall issue
19 a license for each such advertisement, which license shall
20 permit the holder thereof to display such advertisement
21 for one year from the date thereof.

Sect. 4. The secretary of state may issue to any person
2 owning or leasing any space for advertising purposes, a li-
3 cense authorizing the use of such space for such purpose,
4 upon payment by such person of a fee determined as pro-
5 vided in section three hereof, which license shall state the
6 location and size of such surface and shall be for one year
7 from the date thereof, provided no such license shall be
8 issued authorizing the use of advertising space so located
9 as to obscure the view of any driver of any vehicle upon the
10 highway, or upon an intersecting highway or highways to
11 such an extent as to constitute a hazard to traffic. Any
12 advertisement placed upon any such surface shall be exempt
13 from the payment of any license fee during the period for
14 which such space is so licensed.

Sect. 5. License must be procured before the use of real
2 estate is granted. No owner or lessee of real estate or any

3 interest therein shall lease or license any part of such real
4 estate situated in this state to any person for the display of
5 advertising matter until such proposed lessee shall have
6 obtained a license in accordance with the provisions of
7 this chapter.

Sect. 6. Municipal advertisements excepted. No license
2 shall be required under the provisions of this chapter from
3 any town, city or borough for any advertisement owned by
4 it and advertising its industries and maintained at either
5 public or private expense.

Sect. 7. Penalty. Any person or the managing agent of
2 any firm or corporation violating any provision of this
3 chapter shall be fined not more than thirty dollars or im-
4 prisoned not more than thirty days. Each month that any
5 advertisement is displayed in violation of any provision of
6 this chapter shall constitute a separate offense.

Sect. 8. The proceeds of the license fees herein provided
2 for, after payment of its equitable share of the expense of
3 its administration in the office of the secretary of state as
4 determined by the governor and council, is hereby appro-
5 priated, and shall be used, under the direction of the govern-
6 or and council, for the purpose of advertising the resources
7 and advantages of the state of Maine agriculturally, in-
8 dustrially, and as a resort for recreation.

Sect. 9. This act shall take effect on the first day of
2 January following the proclamation by the governor of
3 the adoption of an amendment to the constitution author-

4 izing the regulation, restriction, or prohibition and the taxa-
5 tion of advertising on public ways, in public places, and on
6 private property within public view, providing this shall
7 occur within two years from the date of passage of this
8 act.