

# MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

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House Document

No. 403

H. P. 1211 House of Representatives, February 19, 1929.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Williamson of Augusta.

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STATE OF MAINE

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

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AN ACT for the Regulation and Control of Outdoor  
Advertising.

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

Section 1. *License to engage or continue in outdoor advertising.* No person, firm or corporation shall engage or continue in the business of outdoor advertising for direct profit through rentals or other compensation received for the erection, maintenance or display of painted bulletins, poster panels, billboards or other advertising devices, until such person, firm or corporation shall have secured from the chief of the state highway police a license to engage in the business of outdoor advertising. The fee for such license

10 shall be the sum of one hundred dollars (\$100) per year,  
11 payable annually in advance on the first day of July.

Sect. 2. *Application for permits.* No person, firm or corporation licensed under the provisions of section one of this act shall erect or maintain any outdoor advertising structure, device or display, outside of the compact or built-up portion of any city or town, until a permit for the erection thereof shall have been obtained from the chief of the state highway police. Application for such permit shall be in writing signed by the applicant or his duly authorized agent, upon blanks to be furnished by the chief of the state highway police in such form as he may prescribe. Each application shall have attached thereto the written consent of **12 the owner of the property** on which such structure, device or display is to be erected or maintained. The fee for such permit shall be as provided in section four of this act, payable upon the granting of such permit and annually thereafter on the first day of July. Application shall be made in like manner for permits to maintain all existing outdoor advertising structures, devices or displays and, unless permits are obtained therefor and the permit fees as provided in said section four are paid, the same shall be removed in accordance with section seven of this act.

Sect. 3. *Advertisers not licensed.* No person, firm or corporation not engaged in the business of outdoor advertising for direct profit shall erect, maintain or continue to maintain any outdoor advertising structure, device or display,

5 outside of the compact or built-up portion of any city or  
6 town, other than upon property within two hundred feet  
7 of the place where the goods advertised are manufactured  
8 or offered for sale or where the business advertised is car-  
9 ried on until a permit shall have been obtained therefor  
10 from the chief of the state highway police and the permit  
11 fees as provided by section four of this act shall have been  
12 paid. Applications for such permit shall be made in the  
13 manner provided by section two hereof.

Sect. 4. *Fees for permits.* The fees for said permits shall  
2 be as follows:

For each bulletin, panel, bill-board or sign containing three  
2 hundred (300) square feet or less of advertising space,  
3 three dollars (\$3); for each bulletin, panel, bill-board or  
4 sign containing more than three hundred (300) square feet  
5 and less than six hundred (600) square feet, of advertising  
6 space, six dollars (\$6);

For each bulletin, panel, bill-board or sign containing more  
2 than six hundred (600) square feet and less than nine hun-  
3 dred (900) square feet of advertising space, nine dollars  
4 (\$9); and no sign shall be erected which shall contain more  
5 than nine hundred (900) square feet of advertising space.

When both sides of such bulletin, panel, bill-board or sign  
2 are used for advertising purposes, fees as above provided  
3 shall be payable for each side.

Sect. 5. *Issuance of permits.* Upon receipt of an appli-  
2 cation as set forth in section two hereof and the required

3 permit fee, the chief of the state highway police shall cause  
4 to be issued a permit for the erection or continued mainte-  
5 nance of the outdoor advertising structure, device or dis-  
6 play named in said application, which permit shall state the  
7 size of such structure, device or display, and the location  
8 upon which it is to be erected or maintained, and shall be  
9 in force until the first day of July next following the date  
10 thereof. Any advertisement displayed upon any such struc-  
11 ture or device shall be exempted from the payment of any  
12 other permit fee during the period covered by such permit.  
13 Provided, however, that the chief of the state highway po-  
14 lice may refuse to issue a permit for any one or more of the  
15 following causes:

(a) If the structure, device or display is within one hun-  
2 dred (100) yards of any public park, state forest, play  
3 ground or cemetery;

(b) If such structure, device or display is within the  
2 established limits of the highway or within fifteen (15)  
3 feet of the outside line of any highway, except upon the  
4 walls of the building in which the goods advertised are of-  
5 fered for sale or the business is conducted, and except signs  
6 solely indicating highway directions, traffic regulations and  
7 traffic dangers.

(c) If the structure, device or display is within five hun-  
2 dred (500) feet of any intersecting highway or within five  
3 hundred (500) feet of any entering highway upon the side  
4 thereof, or if such structure, device or display is so situ-

5 ated in any other respect as to endanger travel upon the  
6 highway by obscuring the free view thereof.

(d) If said structure, device or display is for any cause  
2 damaging or detrimental to the lawful use of the highway.

Sect. 6. *Bond required from out of state licensees.* The  
2 license shall not be granted to any person, firm or corpora-  
3 tion having his or its principal place of business outside the  
4 state for the display of any advertisement or the erection  
5 of any sign, bill-board, bulletin or other structure designed  
6 and intended for the display of advertising matter until  
7 such person, firm or corporation shall have furnished and  
8 filed with the chief of the state highway police a bond to  
9 the state, except as set forth in section eight hereof, satis-  
10 factory to said chief of the state highway police in such  
11 sum as said chief shall determine, conditioned that such  
12 licensee shall fulfill all the requirements of the law and the  
13 regulation and orders of said chief relating to the display  
14 of advertisements. Such bond shall remain in full force  
15 and effect so long as any obligations of such licensee to the  
16 state shall remain unsatisfied.

Sect. 7. *Removal and relocation of boards.* Upon viola-  
2 tion of the terms of the permit, or if any of the causes for  
3 which the permit could have been refused as set forth in  
4 section five hereof shall appear, or if the advertising device  
5 is otherwise unlawfully erected or maintained, then the  
6 chief of the state highway police may order the removal  
7 or relocation of any bulletin, panel, bill-board, or other ad-

8 vertising device. If the person, firm or corporation in con-  
9 trol of or owning any bulletin, panel, bill-board or other  
10 advertising device which has been ordered removed or re-  
11 located as provided in this section shall not remove the same  
12 within thirty days after such order of removal or relocation  
13 has been sent to such person, firm or corporation by said  
14 chief of the state highway police by registered mail, said  
15 chief may cause such bulletin, panel, bill-board or other  
16 advertising device to be removed or relocated and the ex-  
17 pense of such removal or relocation may be collected from  
18 the person, firm or corporation owning or controlling the  
19 same in an action of debt based upon the provisions of this  
20 act or from the sureties upon the bond which such person,  
21 firm or corporation has filed.

Sect. 8. *Permits within built-up or compact portions of*  
2 *cities and towns.* Within the compact or built-up portions  
3 of cities, towns and villages the municipal officers shall exer-  
4 cise the powers and duties in this act conferred upon the  
5 chief of the state highway police. The fees for permits  
6 for advertising devices of different sizes erected or main-  
7 tained within such compact or built-up portions shall be  
8 established by the municipal officers. The fees so estab-  
9 lished may be less, but shall not exceed the fees set forth  
10 in section four hereof for signs of the same size. The pro-  
11 visions of section six hereof shall apply, except that the bond  
12 therein referred to shall run to the city or town.

Sect. 9. *Exemptions from application of the law.* This act

2 shall not require any license or permit for any advertising  
3 sign containing six (6) square feet or less, from any city,  
4 town, quasi-municipal corporation, church or ecclesiastical  
5 society in this state for any advertisement owned by it, ad-  
6 vertising its industries or attractions and maintained at eith-  
7 er private or public expense.

Any such advertising sign, however, may be removed by  
2 the chief of the state highway police in the manner provided  
3 in section seven hereof if such sign in the opinion of the  
4 chief of the state highway police is, for any cause, damaging  
5 or detrimental to the lawful use of the highway.

Sect. 10. *Definition of terms; time limit of responsibility.*

2 The word "display" as used in this act and in other laws of  
3 the state relating to advertisements and signs shall mean  
4 erecting, maintaining, painting and posting any advertise-  
5 ment or sign out of doors, or erecting or maintaining any  
6 bill-board or other structure designed and intended for the  
7 display of advertising matter where the same may be seen  
8 by the public, or allowing any such advertisements, bill-  
9 board or other structure erected or displayed, either before  
10 or after passage of this act, to remain exposed in whole or  
11 in part to public view, and shall include the act itself and  
12 the causing of such act to be done. The obligation to pay  
13 the license or permit fees required by law shall apply and  
14 be in force for such time as such advertisement or sign or  
15 any part thereof shall remain visible, and as long as any



16 bulletin, panel, bill-board or other advertising device or any  
17 part thereof shall remain exposed to public view.

Signs erected and maintained for the sole purpose of safe-  
2 guarding, facilitating, and protecting travel along the high-  
3 way by the state, any political sub-division thereof, or the  
4 state highway commission, and guide posts and guide boards  
5 authorized by statute are not advertising signs within the  
6 meaning of this act.

The compact or built-up portion of any city, town or vil-  
2 lage shall mean the territory of a city, town or village con-  
3 tiguous to any way, which is built up with structures de-  
4 voted to business, or where the dwelling houses are situated  
5 less than one hundred and fifty feet apart for a distance of  
6 at least one-quarter of a mile.

Sect. 11. *All advertisements to be signed.* All bulletins,  
2 bill-boards, panels or other advertising devices shall show  
3 thereon the name of the person, firm or corporation dis-  
4 playing the same.

Sect. 12. *Penalty.* Any person, firm, or corporation who  
2 shall erect, maintain, display or allow to remain in view  
3 any bulletin, bill-board, panel or other advertising device  
4 contrary to the provisions of this act shall be fined not more  
5 than one hundred dollars (\$100) for each such device so  
6 displayed. Municipal courts within their several jurisdic-  
7 tions shall have power to try and punish violations of this  
8 act.

Sect. 13. *Appeals.* Any person, firm or corporation ag-

2 grieved by any decision of the chief of the state highway  
3 police or municipal officers hereunder may within thirty  
4 days from the date of such decision petition any justice of  
5 the supreme judicial or superior court sitting in term time  
6 or vacation for a review of said decision.

Sect. 14. *Repeal of inconsistent laws.* Section one hun-  
2 dred thirteen of chapter twenty-four of the revised stat-  
3 utes of nineteen hundred and sixteen, chapter one hundred  
4 eighty-eight of the public laws of nineteen hundred and  
5 twenty-five as amended by chapter one hundred sixty of  
6 the public laws of nineteen hundred and twenty-seven, and  
7 all other acts inconsistent herewith are hereby repealed.