

MAINE STATE LEGISLATURE

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E I G H T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 987

H. P. 1835

House of Representatives, April 8, 1937.

Reported by Mr. Philbrick from Committee on Judiciary and laid on table to be printed under Joint Rules.

HARVEY R. PEASE, Clerk.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-SEVEN

AN ACT to Provide for Licenses for Outdoor Advertising.

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

Sec. 1. P. L., 1935, c. 163, § 1, amended. Section 1 of chapter 163 of the public laws of 1935 is hereby amended to read as follows:

‘Sec. 1. License; fee. No person, firm or corporation shall, after the 1st day of January next following the effective date of this act, engage or continue in the business of outdoor advertising or erect, maintain or display any painted bulletins, poster panels or other outdoor advertising devices upon property not their own or not occupied by them as a place for carrying on business other than outdoor advertising until such person, firm or corporation shall have secured from the state highway commission, hereinafter called commission, a license to engage in the business of outdoor advertising. The fee for such license shall be the sum of \$25 per year, payable annually in advance, **except that the license fee for not exceeding 5 signs, none of which is more than 20 square feet in area, shall be \$5 per year, payable annually in advance.**’

Sec. 2. P. L., 1935, c. 163, § 2, amended. Section 2 of chapter 163 of the public laws of 1935 is hereby amended to read as follows:

'Sec. 2. Permits. No person, firm, or corporation shall, after the 1st day of January next following the effective date of this act, erect or maintain upon real property any outdoor advertising structure, device or display, including those now or hereafter existing, until a permit for the erection or maintenance of such structure, device or display shall have been obtained from the commission. The provisions of this section shall not apply to outdoor advertising structures, devices or displays ~~upon or within 200 feet of the building wherein~~ **upon the property whereon** the goods so advertised are manufactured or sold or the business or profession so advertised is carried on or practiced, or which advertise the real property upon which the same may be for sale or for rent, provided that such structures, devices or displays shall not exceed ~~2~~ **10** in number ~~and~~ **or a total area of 250 square feet, and provided that such structures, devices or displays shall be within 300 feet of the building wherein the goods advertised are manufactured or sold or the business or profession advertised is carried on or practiced, except that if such building is not adjacent to a state or state-aid highway said structures, devices or displays shall be within 300 feet from the junction of the nearest such highway, and the travelled way, public or private, constituting the approach to said building, and such signs shall not exceed 2 in number or 200 square feet in total area and provided further that neither** none of such signs shall be of an area greater than 100 square feet or shall endanger the safety of persons using the highways.'

Sec. 3. P. L. 1935, c. 163, § 9, amended. Section 9 of chapter 163 of the public laws of 1935 is hereby amended to read as follows:

'Sec. 9. Permits to be numbered. Permits issued under this act shall bear distinguishing numbers, and any structure, device or display erected, constructed or maintained thereunder shall have upon its face in readily legible form the permit number ~~and the expiration date thereof and the name and post office address of the holder of the permit.~~ Permits, as aforesaid, to be attached to said structure, device or display, shall be furnished by the commission.'

Sec. 4. P. L. 1935, c. 163, § 10, amended. Section 10 of chapter 163 of the public laws of 1935 is hereby amended to read as follows:

'Sec. 10. Interpretation of "display"; exemptions. The word "display" as used in this act and in other laws of the state relating to advertisements and signs, shall mean erecting, maintaining, pasting, painting and posting any advertisement or sign out of doors or erecting or maintaining any billboard or other structure designed and intended for the display of ad-

vertising matter where the same may be seen by the public, or allowing any such advertisement, billboard or other structures, erected or displayed either before or after the passage of this act, to remain exposed, in whole or in part, to public view, and shall include the act itself and the causing of such act to be done. The obligation to pay license and permit fees required by law shall apply and be in force for such time as such advertisement or sign or any part thereof shall remain visible and as long as any board or structure or any part thereof erected or built for the purpose of displaying advertising matter thereon shall remain exposed to public view.

~~Warning, directional or other signs upon or near highways~~ **Warning or directional signs upon or near highways erected by the state or political subdivisions thereof or other signs erected or intended exclusively** for the safety, welfare or convenience of persons using such highways, or temporary signs or posters for political or agricultural fair purposes, shall not be deemed to be outdoor advertising structures, devices or displays within the meaning of this act, but they shall not be painted upon or annexed to any rock or tree and are subject to regulation and supervision by the commission to prevent or remove whatever will injuriously affect any public interest or endanger the safety of persons using any highway. Signs or posters located on railroad property and intended for display to the public using such railroad, and signs erected, maintained or displayed under the provisions of any statute, **and directional signs erected by authority of the commission upon designs determined by it and not exceeding 48 inches in length and 9 inches in width, except in cases where the commission shall decide that a larger directional sign is necessary for control of traffic, designating places of interest in the town where the same is placed or in any adjoining town,** shall not be deemed outdoor advertising structures, devices or displays within the meaning of this act.'