

MAINE STATE LEGISLATURE

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

Legislative Document

No. 728

S. P. 326

In Senate, February 15, 1951.

Referred to the Committee on Natural Resources, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator McKusick of Piscataquis.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-ONE

AN ACT Revising the Laws Relating to Outdoor Advertising Signs.

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

Sec. 1. R. S., c. 20, § 112, amended. Section 112 of chapter 20 of the revised statutes is hereby amended to read as follows:

'Sec. 112. Permits. No person, firm or corporation shall 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 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 10 in number 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~~ or public way designated by state or federal highway route numbers, 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 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. 2. R. S., c. 20, § 121, amended. Section 121 of chapter 20 of the revised statutes is hereby amended to read as follows:

'Sec. 121. Limitation. These regulations shall not apply to outdoor advertising in the compact or built up section of any town or city but such advertising is subject to regulation by town or city by-laws or ordinances. The compact or built up section of any town or city, **for the purposes of this section**, shall be the territory thereof contiguous to any way which is built up with buildings devoted to business or where the dwelling-houses are situated less than 150 feet apart for a distance of at least $\frac{1}{4}$ of a mile.'

Sec. 3. R. S., c. 20, § 122-B, additional. Chapter 20 of the revised statutes is hereby amended by adding thereto a new section to be numbered 122-B, to read as follows:

'Sec. 122-B. Advertising signs on highways prohibited; exception; penalty; jurisdiction; state police to remove signs. No person shall post, erect, display or maintain or cause to be posted, erected, displayed or maintained any sign, bill-board, panel, placard, poster, notice or other advertising device in, upon, or above any public highway or so situated with respect to any public highway as to obstruct clear vision of an intersecting highway or highways, or otherwise so situated as to prevent the safe use, or obstruct the maintenance of the public highway; and such public highway shall be deemed the full width of the road as laid out by the state, county or the town, and in any case shall be deemed to extend 33' each side of the center line of the travelled or built-up portion of the way.

Provided that the provisions hereof shall not apply to the state or to any political subdivision thereof or to signs erected or maintained with the approval of the state highway commission solely for the purpose of safeguarding, facilitating, or protecting travel along the highway; and provided further, that the state highway commission may authorize the placing of directional signs of such design as it shall determine, not exceeding 48 inches in length and 9 inches in width to designate places of interest; to be

posted without expense to the state at the junction of roads in the town where the place is located and in adjoining towns.

Any person found guilty of violating the provisions of this section shall be punished by a fine of not less than \$5, nor more than \$500; and whoever after conviction of such violation unlawfully maintains any such sign, bill-board, panel, placard, poster, notice; or other advertising device for 10 days after such conviction may be punished by a further fine of not more than \$50 for each day upon which such sign, bill-board, panel, placard, poster, notice, or other advertising device is maintained. Trial justices shall have jurisdiction to punish offenses under the provisions of this section. The state police shall remove all signs, bill-boards, panels, placards, posters, notices, or other advertising devices existing within the limits of the highway in violation hereof.'

Sec. 4. R. S., c. 84, § 109, repealed. Section 109 of chapter 84 of the revised statutes is hereby repealed.

Sec. 5. R. S., c. 118, § 34, amended. Section 34 of chapter 118 of the revised statutes is hereby amended to read as follows:

'Sec. 34. Advertising on fences, rocks, etc.; penalty. Whoever advertises his wares or occupation by painting notices of the same on, or affixing them to fences or other private property, or to rocks or other natural objects, without the consent of the owner in writing, ~~or if in the highway or any other public place, without the consent of the municipal officers in writing~~ shall be guilty of a misdemeanor and shall be punished for each offense by a fine of not less than \$5, nor more than \$20.'

Sec. 6. R. S., c. 118, § 35, repealed. Section 35 of chapter 118 of the revised statutes is hereby repealed.