

MAINE STATE LEGISLATURE

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NINETY - EIGHTH LEGISLATURE

Legislative Document

No. 1177

S. P. 418

In Senate, March 7, 1957

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

CHESTER T. WINSLOW, Secretary

Presented by Senator Cole of Waldo.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Clarifying the Outdoor Advertising Law.

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

Sec. 1. R. S., c. 23, § 138, amended. Section 138 of chapter 23 of the Revised Statutes, as amended by chapter 38 and by section 3 of chapter 279, both of the public laws of 1955, is hereby further amended by adding at the end thereof a new sentence, as follows:

'None of such structures, devices or displays, exempted in this section, shall be less than 35 feet from the nearer line of any adjacent travelled way.'

Sec. 2. R. S., c. 23, § 142, amended. Section 142 of chapter 23 of the Revised Statutes is hereby amended to read as follows:

'Sec. 142. Limitation on granting of permits. No permit shall be granted for the erection, construction or maintenance of any outdoor advertising structure, device or display within a distance of 300 feet of the intersection or junction of a highway with another highway, or with a railway ~~or street railway~~, at a point where it would obstruct or interfere with a view of a train ~~street car~~ or ~~other any~~ vehicle on the intersecting or joining highway ~~or railroad or street railway~~; or within 300 feet of any public park, reservation, public forest, public playground, school, church or cemetery and in public view therefrom; or within 50 feet from the nearer line of the traveled way of a public highway and in public view therefrom; or on any public highway, park or other public property; or which in the judgment of the Commission is or would be injurious to property in the vicinity thereof, or **would** injuriously affect any public interest or endanger the safety of persons using any highway; or in a place wherein the erection,

construction or maintenance thereof is or shall be prohibited by any municipal ordinance or regulation; or upon real property owned by or leased to a person other than the applicant, except with the consent of such owner or lessee; or whose area shall exceed 900 square feet; or which, in whole or in part, in its operation shall move or simulate motion, or which is or shall be painted upon or annexed to any rock or tree within the prohibited area. No permit shall be granted or renewed for the further maintenance of any billboard, sign or other advertising device unless the front, back, braces, anchors and lattice work thereof are kept in proper condition.'

Sec. 3. R. S., c. 23, § 143, amended. Section 143 of chapter 23 of the Revised Statutes is hereby amended by adding at the end thereof a new sentence, as follows:

'The Commission may petition the court of equity for a mandatory decree ordering the removal of any outdoor advertising structure, device or display erected or maintained in violation of any of the provisions of sections 137 to 148, inclusive. The court of equity shall have jurisdiction of any such proceeding.'

Sec. 4. R. S., c. 23, § 144, amended. The last sentence of section 144 of chapter 23 of the Revised Statutes is hereby amended to read as follows:

'The State Police, and the police officers of any municipality and the peace officers of any county or township shall, at the request of the Commission, remove or cause to be removed any ~~such~~ structure, device or display, the removal of which it shall have ordered ~~as aforesaid~~ under the provisions of sections 137 to 148, inclusive.'

Sec. 5. R. S., c. 23, § 148, amended. Section 148 of chapter 23 of the Revised Statutes is hereby amended by inserting after the 2nd sentence thereof, a new sentence, as follows:

'Whoever, after conviction for a violation of any of the provisions of sections 137 to 148, inclusive, unlawfully maintains any such advertisement, sign or billboard or structure designed for the display of advertising matter for 10 days after the conviction may be punished by a fine of not more than \$50 for each day upon which such advertisement, sign or billboard or structure designed for display of advertising matter is maintained.'