

STATE OF MAINE

 IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

 H.P. 1206 - L.D. 1682
An Act To Amend the Laws Governing the Removal of Unlawful Signs**Be it enacted by the People of the State of Maine as follows:****Sec. 1. 23 MRSA §1903, sub-§16-A** is enacted to read:

16-A. Urban compact municipality. "Urban compact municipality" has the same meaning as described in section 754, subsection 2, paragraph B.

Sec. 2. 23 MRSA §1913-A, sub-§5, as enacted by PL 1981, c. 318, §3, is repealed and the following enacted in its place:

5. Prohibited practices. None of the signs referred to in this section may be painted or drawn upon a rock or other natural feature or erected or maintained on:

- A. A traffic control sign or device;
- B. A public utility pole or fixture;
- C. A rotary traffic island;
- D. A tree in a public right-of-way;
- E. A control-of-access area; or
- F. A median less than 6 feet wide.

Sec. 3. 23 MRSA §1917, sub-§§1, 2, and 5, as repealed and replaced by PL 1981, c. 318, §4, are amended to read:

1. Notice to remove. The owner of a sign ~~which~~ that was or is unlawfully erected or maintained either prior to or after ~~the effective date of this chapter shall be October 24, 1977~~ is in violation of this chapter until the sign is removed. The owner of the sign shall remove the sign within ~~30~~ 14 days of ~~receipt of a notice to remove, sent by certified mail, return receipt requested, by the commissioner~~ a notice from the agency that has responsibility for the maintenance of that public way. If the identity of such owner is not known or reasonably ascertainable ~~by the commissioner~~, such notice may instead be sent to the owner of the land on which the sign is placed.

2. Authority to remove sign. If the owner fails to remove the sign as required, the ~~commissioner~~ department shall remove the sign if it is on a state or state aid highway that is not in an urban compact municipality and the governing municipality may remove the sign if it is located on a town way or state or state aid highway in an urban compact municipality at the expense of the owner without any further notice or proceeding and may recover the expense of this removal from the owner.

5. Summary removal of illegal signs within the public right-of-way. ~~Signs which are~~ A sign that is erected in nonconformance with this chapter and ~~which are that is~~ within the limits of any public right-of-way ~~shall be~~ is subject to immediate removal by the ~~commissioner~~ department if the public right-of-way is a state or state aid highway not in an urban compact municipality. The department may remove any sign on any public right-of-way for the purposes of public safety. A sign that is erected in nonconformance with this chapter and that is within the limits of a town way or a state or state aid highway in an urban compact municipality may be removed by the municipality having jurisdiction over that way or highway.