

board, sign or other device for the purpose of outdoor advertising within the town limits, to ascertain promptly whether said advertising device violates any of said requirements. If so, and it is not protected by an existing permit, the board shall proceed without delay under authority of sections 123 to 125 inclusive of chapter one hundred and eleven and of section 30-A of chapter ninety-three of said General Laws, to cause the removal of said bill board, sign or device as a nuisance; and the officer or board in charge of town highways is hereby directed to co-operate at the request of the board of health in securing the removal of the same.

If said advertising device appears to be maintained under a valid permit, the board shall report the violation of this by-law to the agency granting the permit, and request that the same be revoked or not renewed; and proceedings for removal of said device shall not be begun until ninety days after the expiration or revocation of said permit.

If any provisions hereof are found unconstitutional or illegal by any court, the validity of the remaining provisions shall not be affected thereby.

#### Special Local Restrictions

The foregoing regulations have been put in the form of a town by-law, but need only slight changes to adapt them to a city ordinance. They are intended to include only requirements of general application, in regard to some of which, especially those limiting the **size and style of construction** of boards, **uniformity** throughout the state is most desirable.

The limits of thirty-two square feet maximum area, and fifty feet minimum distance from the highway, match corresponding requirements of the state rules. Thirty-two square feet also corresponds to the outside dimensions of four by eight feet, agreed upon by the representatives of the cities and towns at the hearing on state regulations before the commissioners of public works in August, 1923. The proposed limits of not more than six or less than one foot above the ground, make impossible any greater vertical width than five feet, already fixed as a maximum by some municipal ordinances. A bill board thirty-two square feet in area would accommodate the

present standard three-sheet poster, with a marginal frame between four and five inches wide, and is certainly large enough for any necessary requirements of outdoor advertising.

The elimination of the larger sizes, such as twenty-five by twelve and forty by fifteen feet, allowed in certain locations by the state rules, responds to a popular demand and also renders unnecessary the unsightly wind braces now commonly attached to bill boards, making it practical to support such boards "**on smooth uprights, without braces,**" as specified in the proposed by-law.

The latter contains nothing as to **prohibition** of outdoor advertising in certain districts of a town or city, which can best be provided for locally, either in the special by-law or ordinance, or as a part of building regulations or zoning laws. Where a zoning law exists, which does not already cover the case, a section can be added excluding all bill boards, signs and other advertising devices, with such exemptions as are noted in the proposed by-law, from residential districts.

A provision similar to the following, suggested by the Division of Highways, may be included, if desired, either with or without the excepting clause:

No bill board, sign or other advertising device shall be erected, displayed or maintained in any block in which one-half of the buildings on both sides of the street are used exclusively for residential purposes; except that this provision shall not apply if the written consent of the owners of a majority of the frontage on both sides of the street in such block for the term of the permit is filed with the application therefor.

In most towns such a rule would need an accompanying definition of the word **block**.

The proposed by-law can be made more drastic in its provisions, if desired, by applying to the whole town the requirements therein proposed only for the parts outside of business districts.

#### VII. Adoption and Enforcement of By-Laws.

The procedure by a planning board to secure the adoption of a town by-law is—first, to agree upon its provision and have them printed, with their recommendations, in their report to the annual town meeting; also to