

(3) Nearer than three hundred (300) feet to the boundary line of any public way, if within view of any portion of the same, if said billboard, sign or other advertising device exceeds a length of twenty-five (25) feet or a height of twelve (12) feet;

(4) In any event if said billboard, sign or other advertising device exceeds a length of fifty (50) feet or a height of twelve (12) feet; except that the Division may permit the erection of billboards, signs or other advertising devices which do not exceed forty (40) feet in length and fifteen (15) feet in height if not nearer than three hundred (300) feet to the boundary line of any public way.

Provided, however, that this paragraph shall not apply to districts which the Division may determine are of a business character.

E. No Permit shall be granted for the erection of a billboard, sign or other advertising device which will, in the judgment of the Division, obstruct the visibility of another sign.

F. No billboards, signs or other advertising devices shall be located nearer to other billboards, signs or other advertising devices than fifty (50) feet, unless said billboards, signs or other advertising devices are placed back to back. Provided, however, that this provision shall not apply to districts which the Division may determine are of a business character.

SECTION 7. REMOVALS.

All billboards, signs or other advertising devices, except those exempted by Sections 30 and 32 of Chapter 93 of the General Laws, whether erected prior to the adoption of these rules and regulations or not, unless maintained under a Permit issued pursuant thereto, shall be removed on or before the first day of July, 1925, unless the Division shall extend the time of such removal; but such time for removal shall not, in any event, be extended beyond the first day of July, 1927.

SECTION 8. FORM OF ORDINANCE OR BY-LAW.

To the end that ordinances and by-laws of cities and towns regulating outdoor advertising shall be, as far as possible, uniform in their provisions, the Division will approve any ordinance or by-law properly adopted by any city or town which is substantially in the form following:

No person, firm, association or corporation shall erect, display or maintain a billboard, sign or other outdoor advertising device, except those exempted by Sections 30 and 32 of Chapter 93 of the General Laws, —

- (a) Within fifty (50) feet of any public way;
- (b) Within three hundred (300) feet of any public park, playground or other public grounds, if within view of any portion of the same;
- (c) Nearer than fifty (50) feet to any other such billboard, sign or other advertising device, unless said billboards, signs or other advertising devices are placed back to back;
- (d) On any location at the corner of any public ways and within a radius of one hundred and fifty (150) feet from the point where the center lines of such ways intersect;
- (e) Nearer than one hundred (100) feet to any public way, if within view of any portion of the same, if such billboard, sign or other advertising device shall exceed a length of eight (8) feet or a height of four (4) feet;
- (f) Nearer than three hundred (300) feet to any public way, if within view of any portion of the same, if such billboard, sign or other advertising device shall exceed a length of twenty-five (25) feet or a height of twelve (12) feet;
- (g) In any event if such billboard, sign or other advertising device shall exceed a length of fifty (50) feet or a height of twelve (12) feet; except that the (Mayor and Aldermen or the Selectmen) may permit the erection of billboards, signs or other advertising devices which do not exceed forty (40) feet in length and fifteen (15) feet in height if not nearer than three hundred (300) feet to the boundary line of any public way.
- (h) No billboard, 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 is first obtained and is filed with the Division of Highways of the Department of Public Works, together with the application for a Permit for such billboard, sign or other advertising device.

(i) No billboard, sign or other advertising device shall be erected, displayed or maintained until a Permit therefor has been issued by the Division of Highways of the Department of Public Works pursuant to the following provisions: Upon receipt from said Division of a notice that application for a Permit to erect, display or maintain a billboard, sign or other advertising device within the limits of (city or town) has been received by it, the (Board of Aldermen or the Selectmen) shall hold a public hearing on said application in (city or town) notice of which shall be given by posting the same in three or more public places in said (city or town) at least one week before the date of such hearing. A written statement as to the results thereof shall be forwarded to the Division, containing, in the event of a disapproval of such application, the reasons therefor, within thirty days from the date of notice to the (city or town) that an application for such a Permit had been made.

The provisions of (a), (c), (d), (e), (f) and (g) shall not apply to districts which the (Mayor and Aldermen or Selectmen) may determine are of a business character. (This limitation may be omitted from Ordinances or By-Laws, if desired.)

This (Ordinance or By-Law) shall not apply to signs or other devices which advertise or indicate either the person occupying the premises in question or the business transacted thereon, or advertise the property itself or any part thereof as for sale or to let; and provided further that this (Ordinance or By-Law) shall not apply to billboards, signs or other advertising devices legally maintained, at the time of its approval by the Attorney-General, until one year from the first day of July following such approval.

Whoever violates any of the provisions of this (Ordinance or By-Law) shall be punished by a fine of not more than one hundred (100) dollars, and whoever, after conviction for such violation, unlawfully maintains such billboard, sign or other outdoor advertising device for twenty (20) days thereafter shall be punished by a fine of not more than five hundred (500) dollars.

If any provision of this (Ordinance or By-Law) is declared unconstitutional or illegal by final judgment, order or decree of the Supreme Judicial Court of the Commonwealth, the validity of the remaining provisions of this (Ordinance or By-Law) shall not be affected thereby.

SECTION 9.

These Rules and Regulations repeal all previous Rules and Regulations made and adopted by the Division under the provisions of Section 29, Chapter 93 of the General Laws, and shall be in effect January 24, 1924.