

HOUSE No. 3869

By Mr. Malloy of Newton, petition of Paul F. Malloy for granting the regulation and control of outdoor advertising to local licensing authorities. Commerce and Labor.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Nine.

AN ACT GRANTING THE REGULATION AND CONTROL OF OUTDOOR ADVERTISING TO LOCAL LICENSING AUTHORITIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 93 of the General Laws is hereby
2 amended by striking out sections 29 and 29A, and inserting in
3 place thereof the following three sections:—

4 *Section 29.* The local licensing authority in each city and
5 town shall make, amend or repeal rules and regulations for
6 the proper control and restriction of billboards, signs and
7 other advertising devices, except as provided in section thirty-
8 two, public ways or on private property within public view of
9 any highway, public park or reservation. Such rules and
10 regulations may require that said billboards, signs or other
11 devices be located in business, commercial, industrial, market-
12 ing or mercantile areas, or on unrestricted commercial
13 arteries and adjacent to commercial enterprises; may pre-
14 scribe standards of size, setback and clearance, considering
15 the public interest, may require said billboards, signs or other
16 devices to be licensed by said local licensing authority by the
17 issuance of permits in accordance therewith and with this
18 section, and may prescribe permit fees, to be fixed with regard
19 to the cost of administering this section, and said fees shall be
20 uniform within each city and town. Before establishing or
21 amending rules and regulations under this section, said local

22 licensing authority shall hold duly advertised public hearings
23 in each city and town over whose jurisdiction said local
24 licensing authority extends.

25 *Section 29A.* Whenever, within thirty days of the applica-
26 tion for a permit, the local licensing authority shall have
27 received written objection to an application for a permit,
28 such permit shall issue only after consideration by the local
29 licensing authority of such objection, and whenever, within
30 thirty days of receiving said application for a permit, the
31 local licensing authority shall have received written notice of
32 intention to appear in opposition to the application, the local
33 licensing authority shall issue such permit only after a public
34 hearing on due notice to the applicant and those opposing
35 said application. The findings of the local licensing authority
36 on matters heard before it shall be final except with respect to
37 matters of law.

1 SECTION 2. Section 30A of chapter 93 of the General Laws,
2 as most recently amended by section 6 of chapter 584 of the
3 acts of 1955, is hereby further amended by striking out, in
4 line 8, the word "board" and in line 9 the words "outdoor
5 advertising board" and inserting in place thereof, in each
6 instance, the words:—local licensing authority.

1 SECTION 3. Section 31 of said chapter 93, as most recently
2 amended by section 7 of said chapter 584, is hereby further
3 amended by striking out, in line 7, the words "board under
4 section twenty-nine" and inserting in place thereof the
5 words:—local licensing authority under section twenty-nine
6 B.