

§1917. Removal of unlawful signs

1. Notice to remove. The owner of a sign that was or is unlawfully erected or maintained either prior to or after October 24, 1977 is in violation of this chapter until the sign is removed. The owner of the sign shall remove the sign within 14 days of 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, such notice may instead be sent to the owner of the land on which the sign is placed.
[PL 2019, c. 228, §3 (AMD).]

2. Authority to remove sign. If the owner fails to remove the sign as required, the 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.
[PL 2019, c. 228, §3 (AMD).]

3. Interpretation of chapter. Nothing in this chapter may be interpreted to alter, abridge or in any way interfere with any duty or obligation of a sign owner to remove signs that were nonconforming and illegal prior to January 1, 1975, under the United States Code, Title 23, section 131, as enacted by Public Law 89-285, 89 Congress S. 2084, the "Agreement for carrying out National Policy relative to Control of Outdoor Advertising in Areas adjacent to the National System of Interstate and Defense Highways and the Federal-Aid Primary System" dated December 27, 1967, and as amended on January 3, 1968, executed by and between the United States of America and the State of Maine, under the Maine Revised Statutes, Title 32, former sections 2711 to 2723.

The intent of this subsection is to preclude any presumption that this chapter is intended to extend the period of use of any sign that became nonconforming and illegal before January 1, 1975, under the state agreement of December 27, 1967, as amended January 3, 1968, and Title 32, former sections 2711 to 2723.

[PL 2017, c. 288, Pt. A, §30 (AMD).]

4. Compensation subject to litigation. Whenever the compensation to be paid for removal of any sign is the subject of litigation, pending the litigation such sign shall be removed as provided in subsections 1 and 2.

[PL 1981, c. 318, §4 (RPR).]

5. Summary removal of illegal signs within the public right-of-way. A sign that is erected in nonconformance with this chapter and that is within the limits of any public right-of-way is subject to immediate removal by the 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.

[PL 2019, c. 228, §3 (AMD).]

SECTION HISTORY

PL 1977, c. 494, §1 (NEW). PL 1979, c. 477, §§13-15 (AMD). PL 1981, c. 318, §4 (RPR). PL 2017, c. 288, Pt. A, §30 (AMD). PL 2019, c. 228, §3 (AMD).

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