

Original sponsor: Rules Committee by
Request of the Governor

Offered: 5/12/70
Referred: Rules

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 98

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to highway beautification."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 19.25.080(3) is amended to read:

9 (3) to regulate outdoor advertising signs, displays and
10 devices in areas adjacent to the rights-of-way of the interstate,
11 [AND] primary and secondary systems within this state in accordance
12 with this chapter and the regulations adopted under this chapter;

13 * Sec. 2. AS 19.25.090 is amended to read:

14 Sec. 19.25.090. OUTDOOR ADVERTISING PROHIBITED. Except as pro-
15 vided in sec. 105 [100] of this chapter, all outdoor advertising is
16 prohibited.

17 * Sec. 3. AS 19.25 is amended by adding a new section to read:

18 Sec. 19.25.105. LIMITATIONS OF OUTDOOR ADVERTISING SIGNS, DISPLAYS
19 AND DEVICES. (a) No outdoor advertising shall be erected or maintained
20 within 660 feet of the nearest edge of the right of way and visible
21 from the main-traveled way of the interstate, primary, or secondary
22 highways in this state except the following:

23 (1) directional and other official signs and notices
24 which include, but are not limited to, signs and notices pertaining
25 to natural wonders, scenic and historic attractions, which are required
26 or authorized by law, and which shall conform to federal standards
27 for interstate and primary systems;

28 (2) signs, displays and devices advertising the sale or
29 lease of property upon which they are located or advertising activities

1 conducted on the property.

2 (b) This section is subject to AS 07.15.340 as it applies to
3 secondary highways.

4 * Sec. 4. AS 19.25.110 is amended to read:

5 Sec. 19.25.110. REMOVAL OF NONCONFORMING ADVERTISING. A sign, dis-
6 play or device which is lawfully in existence along the interstate system
7 or the primary system on August 6, 1968 and which is not in conformity
8 with secs. 80 - 180 of this chapter may not be required to be removed
9 until July 1, 1970. A sign, display or device which is lawfully in
10 existence along the secondary system on July 1, 1970 and which is not
11 in conformity with secs. 80 - 180 of this chapter shall be removed by
12 July 1, 1971.

13 * Sec. 5. AS 19.25.160(1) is amended to read:

14 (1) "outdoor advertising" includes any outdoor sign, display
15 or device used to advertise, attract attention or inform and which is
16 visible to a person on the main-traveled way of a highway of the
17 interstate, [OR] primary, or secondary systems in this state, whether
18 by printing, writing, painting, picture, light, drawing, or whether
19 by the use of figures or objects, or a combination of these, or any
20 other thing designed, intended or used to advertise, inform or attract
21 attention;

22 * Sec. 6. AS 19.25.160(3) is amended to read:

23 (3) "primary system" or "secondary system" means that portion
24 of connected main highways, as officially designated, or as may here-
25 after be so designated, by the commissioner of highways, and approved
26 by the secretary of transportation (or by the secretary of commerce
27 before the effective date of the transfer of functions under Public
28 Law 89-670 [80 Stat. 931]), under the provisions of Title 23, United
29 States Code, "Highways";

1 * Sec. 7. AS 19.27.010 is amended to read:

2 Sec. 19.27.010. PURPOSE. For the purpose of promoting the public
3 safety, health, welfare, convenience and enjoyment of public travel,
4 to protect the public investment in public highways, and to preserve
5 and enhance the scenic beauty of lands bordering public highways, it
6 is declared to be in the public interest to regulate and restrict junk
7 yards in areas adjacent to the interstate, [AND] primary and secondary
8 systems within this state. The legislature finds and declares that
9 junk yards which do not conform to the requirements of this chapter
10 are public nuisances.

11 * Sec. 8. AS 19.27.020 is amended to read:

12 Sec. 19.27.020. LIMITATIONS OF JUNK YARDS. No person may estab-
13 lish, operate, or maintain a junk yard, any portion of which is within
14 1,000 feet of the nearest edge of the right-of-way of any interstate,
15 [OR] primary or secondary highway, except the following:

16 (1) those which are screened by natural objects, plantings,
17 fences, or other appropriate means so as not to be visible from the
18 main-traveled way of the interstate and primary systems, or otherwise
19 removed from sight;

20 (2) those located within areas which are zoned for industrial
21 use under authority of law;

22 (3) those located within unzoned industrial areas, which
23 areas shall be determined from actual land uses and defined by regula-
24 tions to be promulgated by the department[;

25 (4) THOSE WHICH ARE NOT VISIBLE FROM THE MAIN-TRAVELED WAY OF
26 THE SYSTEM].

27 * Sec. 9. AS 19.27.030 is amended by adding a new subsection to read:

28 (b) A junk yard lawfully in existence on July 1, 1970, which is
29 within 1,000 feet of the nearest edge of the right-of-way and visible

1 from the main-traveled way of any highway on the secondary system,
2 shall be screened, if feasible, so as not to be visible from the
3 main-traveled way of the highway.

4 * Sec. 10. AS 19.27 is amended by adding a new section to read:

5 Sec. 19.27.035. SCREENING BY DEPARTMENT; LIEN. (a) If the owner
6 or operator of a junk yard does not screen the yard, under sec. 30 of
7 this chapter, and the department has not determined that screening
8 would not be feasible, the department may screen the yard. The owner
9 or operator shall reimburse the department for the costs of the labor
10 and materials necessary for the screening.

11 (b) The state has a lien, for the costs referred to in (a) of
12 this section, on the junk and the land on which the junk yard is
13 located, after filing a claim of lien in the office of the recorder
14 for the district in which the property is located.

15 * Sec. 11. AS 19.27.070 is amended to read:

16 Sec. 19.27.070. JUNK YARDS IN EXISTENCE ON DATE OF ENACTMENT. (a)
17 Notwithstanding any provision of this title, junk yards lawfully in
18 existence on a highway on the interstate or primary system on August 6,
19 1968 which do not conform to the requirements of this chapter and
20 which the department finds as a practical matter cannot be screened,
21 shall [MAY NOT BE REQUIRED TO] be removed by [UNTIL] July 1, 1971 [1970].

22 (b) Junk yards lawfully in existence on a highway on the secondary
23 system on July 1, 1970 which do not conform to the requirements of this
24 chapter and which the department finds as a practical matter cannot be
25 screened shall be removed by July 1, 1971.

26 * Sec. 12. AS 19.27.110(1) is amended to read:

27 (1) "junk yard" means an establishment or place of business,
28 private or public, which is maintained, operated, or used primarily for
29 storing, keeping, buying, or selling junk, or for the maintenance or

1 operation of an automobile graveyard, and the term includes garbage
2 dumps and sanitary fills;

3 * Sec. 13. AS 19.27.110(5) is amended to read:

4 (5) "primary system" or "secondary system" means that portion
5 of connected main highways, as officially designated, or as may here-
6 after be so designated, by the commissioner of highways, and approved
7 by the secretary of transportation (or by the secretary of commerce
8 before the effective date of the transfer of functions under Public Law
9 89-670 [80 STAT. 931]), under the provisions of Title 23, United States
10 Code, "Highways";

11 * Sec. 14. AS 19.25.100 is repealed.
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