



LAWS OF ALASKA

1970

Source

Chapter No.

HCSSB 98 (Judiciary) am H

155

AN ACT

Relating to highway beautification.

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

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

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

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

Sec. 19.25.090. OUTDOOR ADVERTISING PROHIBITED. Except as provided in sec. 105 of this chapter, all outdoor advertising is prohibited.

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

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

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

(2) signs, displays and devices advertising the

sale or lease of property upon which they are located or advertising activities conducted on the property.

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

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

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

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

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

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

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

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

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

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

Sec. 19.27.020. LIMITATIONS OF JUNK YARDS. No person may establish, operate, or maintain a junk yard, any portion of which is within 1,000 feet of the nearest edge of the right-of-way of any interstate, primary or secondary highway, except the following:

(1) those which are screened by natural objects,

plantings, fences, or other appropriate means so as not to be visible from the main-traveled way of the interstate and primary systems, or otherwise removed from sight;

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

(3) those located within unzoned industrial areas, which areas shall be determined from actual land uses and defined by regulations to be promulgated by the department.

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

(b) A junk yard lawfully in existence on July 1, 1970, which is within 1,000 feet of the nearest edge of the right-of-way and visible from the main-traveled way of any highway on the secondary system, shall be screened, if feasible, so as not to be visible from the main-traveled way of the highway.

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

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

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

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

Sec. 19.27.070. JUNK YARDS IN EXISTENCE ON DATE OF ENACTMENT. (a) Notwithstanding any provision of this title, junk yards lawfully in existence on a highway on the interstate or primary system on August 6, 1968 which do not conform to the requirements of this chapter and which the department finds as a practical matter cannot be screened, shall be removed by July 1, 1971.

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

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

(1) "junk yard" means an establishment or place of business, private or public, which is maintained, operated, or used primarily for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, and the term includes garbage dumps and sanitary fills;

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

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

* Sec. 14. AS 19.25.100 is repealed.