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Outdoor Advertising Signs, Displays and Devices Adjacent to the National System of Interstate and Defense Highways, Limited Access Federal-Aid Primary Highways, Other Limited Access State Highways and Non-Limited Access Federal-Aid Primary Highways

Sec. 13a-123-1. Applicability

Sections 13a-123-1 to 13a-123-14 inclusive, apply to the erection and maintenance of outdoor advertising signs, displays, and devices within six hundred sixty feet of the edge of the right-of-way, the advertising message of which is visible from the main traveled way of any portion of the national system of interstate and defense highways, hereinafter referred to as interstate highways, limited access federal-aid primary highways, other limited access state highways and non-limited access federal-aid primary highways.

(Effective March 19, 1968)

Sec. 13a-123-2. Definitions

The following terms, when used in sections 13a-123-1 to 13a-123-14, inclusive, have the following meanings:

(a) "Centerline of the highway" means a line equidistant from the edges of the median separating the main traveled way of a divided interstate or other limited access highway, or the centerline of a main-traveled way of a nondivided highway.

(b) "Erect" means to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish, but it shall not include any of the foregoing activities when performed as an incident to the change of advertising message or customary maintenance or repair of a sign or sign structure.

(c) "Highway": (1) An "interstate" highway is a highway that is included in the national system of interstate and defense highways described in subsection (d) of section 103 of Public Law 85-767, 85th Congress, Title 23 of the U.S. Code; (2)* a "limited access highway" is any state highway, or designated portion thereof, which the commissioner of transportation, with the advice and consent of the governor and the attorney general, laid out and constructed so as to allow access thereto only at highway intersections or at designated points, when in their opinion such limitation of access would be in the interest of public convenience, safety and necessity pursuant to section 13a-59 of the general statutes or any predecessor statute; (3) a "federal-aid primary highway" is a highway that is included in the primary system described in subsection (b) of section 103 of Public Law 85-767, 85th Congress, Title 23 of the U.S. Code; (4) "limited access primary highway" is a federal-aid primary highway which is also a limited access state highway; (5) "other limited access state highway" is a limited access state highway not on the interstate or federal-aid primary system; (6) "non-limited access federal-aid primary highway" is a federal-aid primary highway which is not a limited access state highway.

(d) "Industrial or commercial zone" is an area zoned for industrial or commercial use under local ordinance or zoning regulation and which upon application is determined by the commissioner of transportation to be in actual use as an industrial or commercial area.

(e) "Maintain" means to allow to exist.

(f) "Main-traveled way" means the portion of a roadway for the movement of vehicles, exclusive of shoulders. In the case of divided highways, the traveled way

*All interstate highways in Connecticut are limited access highways.

of each of the separate roadways for traffic in opposite directions is a main-traveled way. It does not include such facilities as frontage roads, turning roadways or parking areas.

(g) "Protected areas" means all areas inside the boundaries of Connecticut which are adjacent to and within six hundred and sixty feet of the edge of the right-of-way of all portions of the interstate system, federal-aid primary and other limited access state highways. Where a portion of any of the above highways terminates at a state boundary which is not perpendicular or normal to the centerline of the highway "protected areas" also means all areas inside the boundary of Connecticut which are within six hundred and sixty feet of the edge of the right-of-way of any of the above highways in the adjoining state.

(h) "Sign" means any outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard or other thing which is designed, intended or used to advertise or inform, any part of the advertising or informative contents of which is visible from any part of the main-traveled way of the interstate system, federal-aid primary system or other limited access state highway.

(i) "State law" means a state constitutional provision or statute, or an ordinance, rule or regulation enacted or adopted by a state agency or political subdivision of the state pursuant to state constitution or statute.

(j) "Trade name" includes brand name, trademark, distinctive symbol or other similar device or thing used to identify particular products or services.

(k) "Unzoned industrial or commercial area" means those areas within six hundred and sixty feet of the edge of the right-of-way not zoned by state or local law, regulation or ordinance, which are occupied by one or more industrial or commercial activities, other than outdoor advertising signs, and the land along the highway for a distance of five hundred feet immediately adjacent to the activities.

(l) "Industrial or commercial activities" for the purposes of subdivision (k) of this section means those activities generally recognized as commercial or industrial, by zoning authorities in this state, except that none of the following activities shall be considered commercial or industrial: (1) Agricultural, forester, grazing, farming and related activities, including but not limited to, wayside fresh produce stands, (2) transient or temporary activities, (3) activities not visible from the main-traveled way, (4) activities conducted in a building principally used as a residence, (5) railroad tracks and minor sidings.

(m) "Visible" means capable of being seen, whether or not legible, without visual aid by a person of normal visual acuity.

(Effective March 19, 1968)

Sec. 13a-123-3. Measurement of distance

(a) Distance from the edge of a right-of-way shall be measured horizontally along a line normal or perpendicular to the centerline of the highway. (b) All longitudinal distances shall be measured along the centerline of the highway between two vertical planes which are normal or perpendicular to and intersect the centerline of the highway, and which pass through the termini of the measured distance.

(Effective March 19, 1968)

Sec. 13a-123-4. Signs prohibited in protected areas

Erection and maintenance of the following signs is not permitted in protected areas: (a) Signs advertising activities that are illegal, under state, federal or local laws or regulations in effect at the location of such signs or at the location of such activities; (b) obsolete signs; (c) signs that are not clean and in good repair; (d)

signs that are not securely affixed to a substantial structure; (e) signs that are prohibited by state statutes or local ordinances or zoning regulations; (f) signs that are not consistent with the provisions of chapter 411 of the general statutes.

(Effective March 19, 1968)

Sec. 13a-123-5. Protected areas and spacing of signs adjacent to interstate and limited access primary highways

No signs except as otherwise permitted herein will be allowed within six hundred and sixty feet of the nearest edge of the right-of-way except in areas zoned industrial or commercial and in actual use as such as determined by the commissioner of transportation or which is an unzoned industrial or commercial area as defined in section 13a-123-2. Signs in zoned industrial or commercial areas in actual use and in unzoned industrial or commercial areas which are permitted shall be subject to the following spacing requirements and be consistent with the applicable provisions of this section and sections 13a-123-4 and 13a-123-13. (a) Spacing between sign structures along each side of the highway shall be a minimum of five hundred feet except that this spacing shall not apply to signs which are separated by a building or other obstruction in such a manner that only one sign located within the minimum spacing distance set forth above is visible from the highway at any one time. (b) Sign structures may not be located within five hundred feet of an interchange or rest area measured along the interstate or limited access primary highway from the sign to the nearest point of the beginning or ending of pavement widening at the exit from or entrance to the main traveled way. In any case where ramps exist only on one side of the roadway crossed by the above-mentioned highways, the five hundred foot distance shall also be measured from the centerline of the intersected roadway in the opposite direction from the ramps. The distance requirement from an interchange or rest area set forth above shall not apply within the boundaries of a municipality with a population of forty thousand or more according to the 1960 federal census if the state deems such to be consistent with customary use in the area.

(Effective March 19, 1968)

Sec. 13a-123-6. Protected areas and spacing of signs adjacent to non-limited access primary highways

(a) No signs except as otherwise permitted herein will be allowed within six hundred and sixty feet of the nearest edge of the right-of-way except in areas zoned industrial or commercial and in actual use as such as determined by the commissioner of transportation or which is an unzoned industrial or commercial area as defined in section 13a-123-2. Sign structures in zoned industrial or commercial areas in actual use and in unzoned industrial or commercial areas which are permitted between streets, roads or highways entering into or intersecting the main traveled way shall conform to the following minimum spacing criteria to be applied separately to each side of the primary highway and must be consistent with the applicable provisions of this section and sections 18a-123-4 and 13a-123-13: (1) Where the distance between centerlines of intersecting streets or highways is less than one thousand feet, three sign structures, with a minimum spacing between structures of one hundred feet, double-faced, V-type or back to-back, may be permitted between such intersecting streets or highways; (2) where the distance between centerlines of intersecting streets or highways is one thousand feet or more, minimum spacing between sign structures, double-faced, V-type or back-to-back, shall be three hundred feet.

(b) (1) Alleys, undeveloped rights-of-way, private roads and driveways shall not be regarded as intersecting streets, roads or highways. (2) Only roads, streets and highways which enter directly into the main traveled way of the primary highway shall be regarded as intersecting. (3) Official and "on-premise" signs, as defined in section 131 (c) of Title 23, United States Code, shall not be counted nor shall measurements be made from them for purposes of determining compliance with the above spacing requirements. (4) The minimum distance between signs shall be measured along the nearest edge of the pavement between points directly opposite the signs.

(Effective March 19, 1968)

Sec. 13a-123-7. Signs permitted in protected areas on the interstate and federal-aid primary limited and non-limited access highways

Erection and maintenance of the following signs may be permitted in protected areas:

(1) Official signs: Directional or other official signs or notices erected and maintained by public officers or agencies pursuant to and in accordance with direction or authorization contained in state or federal law, for the purpose of carrying out an official duty or responsibility.

(2) On premises signs: Signs not prohibited by state or local law which are consistent with the applicable provisions of this section and sections 13a-123-4 and 13a-123-13 and which advertise the sale or lease of, or activities being conducted upon, the real property where the signs are located. Not more than one such sign advertising the sale or lease of the same property may be permitted under this section in such a manner as to be visible to traffic proceeding in any one direction on any interstate or federal-aid primary highway. Not more than one such sign, visible to traffic proceeding in any one direction on any one interstate or federal-aid primary highway, and advertising activities being conducted upon the real property where the sign is located, may be permitted under this section more than fifty feet from the advertised activity. Signs permitted under this section may display trade names.

(Effective March 19, 1968)

Sec. 13a-123-8. Protected areas adjacent to other limited access state highways other than interstate and federal-aid highways

No signs except as otherwise permitted herein will be allowed within six hundred and sixty feet of the nearest edge of the right-of-way of any other limited access state highway which is not on the federal-aid primary system except in areas which are zoned for industrial or commercial use under local ordinances or zoning regulations and which have been determined by the commissioner of transportation to be in actual use as an industrial or commercial area at the time of application.

(Effective March 19, 1968)

Sec. 13a-123-9. Signs permitted in protected areas on other limited access state highways other than interstate and federal-aid primary highways

(a) Erection or maintenance of the following signs may be permitted in protected areas: Class A-Official signs: Directional or other official signs or notices erected and maintained by public officers or agencies pursuant to and in accordance with direction or authorization contained in state or federal law, for the purpose of carrying out an official duty or responsibility. Class B-On premises signs: Signs not prohibited by state or local law which are consistent with the applicable provisions

of this section and sections 13a-123-4 and 13a-123-13, and which advertise the sale or lease of, or activities being conducted upon, the real property where the signs are located. Not more than one such sign advertising the sale or lease of the same property may be permitted under this class in such manner as to be visible to traffic proceeding in any one direction on any other limited access state highway. Not more than one such sign, visible to traffic proceeding in any one direction on any other limited access state highway, and advertising activities being conducted upon the real property where the sign is located, may be permitted under this class more than fifty feet from the advertised activity. A Class B sign may display trade names in accordance with subsection (b) of this section. Class C-Signs in the specific interest of the traveling public: Signs authorized to be erected or maintained by state law which are consistent with the applicable provisions of this section and sections 13a-123-4, 13a-123-10, 13a-123-11 and 13a-123-113 and which are designed to give information in the specific interest of the traveling public, (b) Only information about public places operated by federal, state or local governments, natural phenomena, historic sites, areas of natural scenic beauty or naturally suited for outdoor recreation and places for camping, lodging, eating and vehicle service and repair is deemed to be in the specific interest of the traveling public. For the purposes of sections 13a-123-1 to 13a-123-113, inclusive, a trade name is deemed to be information in the specific interest of the traveling public only if it identifies or characterizes a place as herein enumerated or identifies vehicle service, equipment, parts, accessories, fuels, oils or lubricants being offered for sale at such a place. Signs displaying any other trade name may not be permitted under Class C.

(Effective March 19, 1968)

Sec. 13a-123-10. Signs permitted within informational sites

Informational sites for the erection and maintenance of Class C advertising and information signs when and if established, in accordance with the regulations for the administration of federal-aid for highways, on interstate highways shall be subject to location and frequency requirements as determined by agreements entered into between the secretary of commerce and the commissioner of transportation. Class C signs on these informational sites and those established on other limited access highways will be permitted in protected areas in a manner consistent with the following provisions: (1) No sign may be permitted which is not placed upon a panel. (2) No panel may exceed thirteen feet in height or twenty-five feet in length, including border and trim, but excluding supports. (3) No sign may exceed twelve square feet in area, and nothing on such sign shall be legible from any place on the main-traveled way of a turning roadway. (4) Not more than one sign concerning a single activity or place may be permitted within any one information site. (5) No sign may be permitted which moves or has any animated or moving parts. (6) No panel shall be illuminated by other than white lights, and no sign placed on any panel shall contain, include or be illuminated by any other lights, or any flashing, intermittent or moving lights. (7) No lighting may be used in any way in connection with any panel unless it is so shielded as to prevent beams or rays of light from being directed at any portion of the main-traveled way of an other limited access state highway or is of such low intensity or brilliance as not to cause glare or to impair the vision of the driver of any motor vehicle, or to otherwise interfere with any driver's operation of a motor vehicle.

(Effective March 19, 1968)

Sec. 13a-123-11. Class C signs permitted outside informational sites

(a) The erection or maintenance of the following signs is permitted within protected areas, outside informational sites: Class C signs which are more than twelve miles from the nearest panel within an informational site serving other limited access state highway traffic to which such signs are visible.

(b) Except as provided for in sections 13a-123-4 and 13a-123-9, no sign under subsection (a) of this section shall be erected or maintained in any manner inconsistent with the following; (1) In protected areas in advance of an intersection of the main-traveled way of another limited access state highway and an exit roadway, such signs visible to other limited access state highway traffic approaching such intersection shall not exceed the following number:

<i>Distance from Intersection</i>	<i>Number of Signs</i>
0-2 miles	0
2-5 miles	6
More than 5 miles	Average of one sign per mile

The specified distances shall be measured to the nearest point of the intersection of the traveled way of the exit roadway and the main-traveled way of the other limited access state highway.

(2) Subject to the other provisions of this subsection, not more than two such signs shall be permitted within any mile distance measured from any point, and no such signs shall be less than one thousand feet apart.

(3) Such signs shall not be permitted in protected areas adjacent to any other limited access state highway right-of-way upon any part of the width of which is constructed an entrance or exit roadway.

(4) Such signs visible to other limited access state highway traffic which is approaching or has passed an entrance roadway shall not be permitted in protected areas for one thousand feet beyond the furthest point of the intersection between the traveled way of such entrance roadway and the main-traveled way of the other limited access state highway.

(5) No such signs shall be permitted in scenic areas.

(6) Not more than one such sign advertising activities being conducted as a single enterprise of giving information about a single place shall be erected or maintained in such manner as to be visible to traffic moving in any one direction on any one other limited access state highway.

(c) Except as provided in sections 13a-123-4 and 13a-123-9, no Class C signs other than those permitted by this section shall be erected or maintained within protected areas, outside informational sites.

(Effective March 19, 1968)

Sec. 13a-123-12. Certain nonconforming signs permitted

Signs erected prior to March 19, 1968, in zoned commercial or industrial areas in actual use and unzoned commercial or industrial areas as defined herein, may be continued provided

(1) they are not prohibited by state statutes or regulations, local ordinances and zoning regulations in existence on March 19, 1968;

(2) they shall conform to section 13a-123-4 and subsections (a) and (d) of section 13a-123-13.

(Effective March 19, 1968)

Sec. 13a-123-13. General provisions

(a) The following signs shall not be permitted: (1) Signs which imitate or resemble any official traffic sign, signal or device, (2) signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features, (3) signs which are erected or maintained in such a manner as to obscure, or otherwise interfere with the effectiveness of an official traffic sign, signal or device, or obstruct or interfere with the driver's view of approaching, merging or intersecting traffic, (4) signs which have a movable advertising face permitting a modification, change or alternate in whole or in part in the advertising message contained on the sign.

(b) If any commercial or industrial activity, which has been used in defining or delineating an unzoned commercial or industrial area, ceases to operate for a period of six continuous months, any sign located within the former unzoned area shall be removed unless said sign is within five hundred feet of any other commercial or industrial activity.

(c) Size of signs: No sign shall exceed the following dimensions:

- (1) Maximum area—nine hundred square feet.
- (2) Maximum height—twenty-five feet.
- (3) Maximum length—sixty feet.

The area shall be measured by the outer limits of the advertising space. A sign structure may contain one or two advertisements facing in the same direction, provided the total area of all advertising space shall not exceed the maximum area. Back-to-back or V-type sign structures will be permitted with the maximum area being allowed for each facing; and considered as one structure.

(d) Lighting:

(1) All signs may be illuminated.

(2) All signs must be shielded so as to prevent from being directed to any portion of the traveled way of the highway beams or rays of light which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle.

(3) Signs which contain, include or are illuminated by any flashing intermittent or moving light or lights are prohibited, except those giving public service information such as time, date, temperature, weather or similar information.

(Effective December 7, 1972)

Sec. 13a-123-14. Exclusions

Sections 13a-123-1 to 13a-123-13, inclusive, shall not apply to

(1) markers, signs and plaques in appreciation of sites of historical significance for the erection of which provisions are made in an agreement between the commissioner of transportation and the secretary of commerce unless such agreement expressly makes all or any part of the regulations applicable;

(2) signs within six hundred and sixty feet of the nearest edge of the right-of-way of any other limited access state highway which is not on the federal-aid primary system in areas which are zoned for industrial or commercial use under local ordinances or zoning regulations and which, upon application, have been determined by the commissioner of transportation to be in actual use as an industrial or commercial area at the time of application;

(3) any area adjacent to any interstate or primary federal-aid highway or any such highway in whole or in part if congress by amendment of Title I of the Highway Beautification Act of 1965 exempts such area or such highway in whole or in part from control of outdoor advertising structures, signs, displays or devices.

(Effective March 19, 1968)