

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 1718** Session of
1971

INTRODUCED BY MESSRS. RITTER, BONETTO, WESTERBERG, ZORD,
HUTCHINSON, FRANK AND KELLY, NOVEMBER 23, 1971

AS RE-REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, DECEMBER 6, 1971

AN ACT

1 Providing for the control and regulation of outdoor advertising
2 adjacent to the interstate and primary highway systems within
3 this Commonwealth; providing for administration by the
4 Department of Transportation to comply with Federal
5 requirements as a condition to the receipt of highway funds;
6 fixing penalties and making appropriations.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Short Title.--This act may be cited as the
10 "Outdoor Advertising Control Act of 1971."

11 Section 2. Purposes of Act.--The people of this Commonwealth
12 would suffer economically if the Commonwealth failed to
13 participate fully in the allocation and apportionment of
14 Federal-aid highway funds since a reduction in such funds would
15 necessitate increased taxation to support and maintain the
16 Commonwealth's road program and system. Therefore, for the
17 purpose of assuring the reasonable, orderly and effective
18 display of outdoor advertising while remaining consistent with
19 the national policy to protect the public investment in the

1 interstate and primary systems; to promote the welfare,
2 convenience and recreational value of public travel; and to
3 preserve natural beauty, it is hereby declared to be in the
4 public interest to control the erection and maintenance of
5 outdoor advertising devices in areas adjacent to the interstate
6 and primary systems within this Commonwealth.

7 Section 3. Definitions.--As used in this act:

8 (1) "Department" shall mean the Department of Transportation
9 of the Commonwealth of Pennsylvania and "secretary" shall mean
10 the Secretary of Transportation of the Commonwealth of
11 Pennsylvania.

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

18 ~~(3) "Incorporated municipality" shall mean a city of any~~ <—
19 ~~class, borough, town or township of any class, or any civil~~
20 ~~subdivision empowered to enact zoning legislation.~~

21 ~~(4)~~ (3) "Information center" shall mean an area or site <—
22 established ~~at a safety rest area~~ for the purpose of informing <—
23 the public of places of interest within the Commonwealth and
24 providing such other information as the secretary may consider
25 desirable.

26 ~~(5)~~ (4) "Interstate system" shall mean that portion of the <—
27 national system of interstate and defense highways located
28 within this Commonwealth, as officially designated, or as may
29 hereafter be so designated, by the secretary and approved by the
30 United States Secretary of Transportation, pursuant to the

1 provisions of Title 23, United States Code, "Highways."

2 ~~(6)~~ (5) "Outdoor advertising device" shall mean any outdoor <—
3 sign, display, device, figure, painting, drawing, message,
4 plaque, poster, billboard or other thing which is designed,
5 intended or used to advertise or inform. ~~if any part of the~~ <—
6 ~~advertising or informative contents is visible from any place on~~
7 ~~the main traveled way of the interstate or primary system.~~

8 ~~(7)~~ (6) "Primary system" shall mean that portion of <—
9 connected main highways located within this Commonwealth which
10 now or hereafter may be designated officially by the secretary
11 and approved by the Secretary of Transportation of the United
12 States pursuant to Title 23, United States Code, "Highways."

13 ~~(8)~~ (7) "Safety rest area" shall mean an area or site <—
14 established and maintained within or adjacent to the highway
15 right-of-way by or under public supervision or control, for the
16 convenience of the traveling public.

17 ~~(9)~~ (8) "Traveled way" shall mean the portion of a roadway <—
18 for the movement of vehicles, exclusive of shoulders. The term
19 "main-traveled way" means the traveled way of a highway on which
20 through traffic is carried. In the case of a divided highway,
21 the traveled way of each of the separated roadways for traffic
22 in opposite directions is a main-traveled way. The term does not
23 include such facilities as frontage roads, turning roadways, or
24 parking areas.

25 ~~(10)~~ (9) "Unzoned commercial or industrial area" shall mean <—
26 an area which is not zoned by State or local law, regulation or
27 ordinance, and on which there is located one or more ~~permanent~~ <—
28 ~~structures devoted to a commercial or industrial activity,~~
29 ~~exclusive of outdoor advertising devices and wayside produce~~
30 ~~stands, or on which a commercial or industrial activity is~~

~~1 actually conducted, whether or not a permanent structure is~~
~~2 located thereon, and the area along the highway extending~~
~~3 outward nine hundred feet from and beyond the edge of such~~
~~4 activity on both sides of the highway. Provided however, the~~
~~5 unzoned area shall not include land on the opposite side of an~~
~~6 interstate or dual laned limited access primary highway from the~~
~~7 commercial or industrial activity establishing the unzoned~~
~~8 commercial or industrial area or land on the opposite side of~~
~~9 other Federal aid primary highways which land is deemed~~
10 particularly scenic by the secretary. COMMERCIAL OR INDUSTRIAL <—
11 ACTIVITIES AND THE AREA ALONG THE HIGHWAY EXTENDING OUTWARD
12 EIGHT HUNDRED FEET FROM AND BEYOND THE EDGE OF SUCH ACTIVITY.
13 UNZONED COMMERCIAL AND INDUSTRIAL AREAS SHALL NOT INCLUDE LAND
14 ON THE OPPOSITE SIDE OF THE HIGHWAY FROM SAID ACTIVITIES EXCEPT
15 THAT ON NONCONTROLLED ACCESS HIGHWAYS THE UNZONED COMMERCIAL OR
16 INDUSTRIAL AREA MAY BE LOCATED ON THE OPPOSITE SIDE OF THE
17 HIGHWAY FROM THE COMMERCIAL OR INDUSTRIAL ACTIVITY, IF IN THE
18 OPINION OF THE SECRETARY, THE TOPOGRAPHICAL CONDITIONS ON THE
19 SAME SIDE OF THE HIGHWAY AS THE ACTIVITY ARE SUCH THAT IT IS NOT
20 REASONABLY USABLE, AND PROVIDED THAT THE LAND ON THE OPPOSITE
21 SIDE OF THE HIGHWAY HAS NOT BEEN DESIGNATED SCENIC BY THE
22 DEPARTMENT. ALL MEASUREMENTS SHALL BE FROM THE OUTER EDGES OF
23 THE REGULARLY USED BUILDINGS, PARKING LOTS, STORAGE OR
24 PROCESSING AREAS OF THE COMMERCIAL OR INDUSTRIAL ACTIVITIES, NOT
25 FROM THE PROPERTY LINES OF THE ACTIVITIES, AND SHALL BE ALONG OR
26 PARALLEL TO THE EDGE OF THE PAVEMENT OF THE HIGHWAY.

27 ~~(11)~~ (10) "Visible" shall mean capable of being seen <—
28 (whether or not legible) without visual aid by a person of
29 normal visual acuity.

30 ~~(12)~~ (11) "Zoned commercial or industrial area" shall mean <—

1 an area which is ~~zoned to permit~~ RESERVED FOR business, <—
2 industry, commerce, trade or other business of any type or
3 category pursuant to a State, or local zoning law, ordinance or
4 regulation.

5 Section 4. Control of Outdoor Advertising.--To effectively
6 control outdoor advertising, while recognizing it to be a
7 legitimate commercial use of property and an integral part of
8 the business and marketing function, no outdoor advertising
9 device shall be erected or maintained within six hundred sixty
10 feet of the nearest edge of the right-of-way ~~and~~ IF ANY PART OF <—
11 THE ADVERTISING OR INFORMATIVE CONTENTS IS visible from the
12 main-traveled way of an interstate or primary highway, except:

13 (1) Directional and other official signs and notices which
14 are required or authorized by law and which shall conform to the
15 national standards promulgated by the Secretary of
16 Transportation of the United States pursuant to section 131 of
17 Title 23, United States Code.

18 (2) Outdoor advertising devices advertising the sale or
19 lease of the real property upon which they are located or
20 advertising residential development on primary systems only
21 including directions thereto, for a period not to exceed ~~three~~ <—
22 ~~years.~~ ONE YEAR. <—

23 (3) Outdoor advertising devices advertising activities
24 conducted on the property on which they are located.

25 (4) Outdoor advertising devices in zoned or unzoned
26 commercial or industrial areas along those portions of the
27 interstate system constructed on right-of-way, any part of the
28 width of which was acquired on or before July 1, 1956.

29 (5) Outdoor advertising devices in areas zoned commercial or
30 industrial along the interstate system and lying within the

1 boundaries of any incorporated municipality as such boundaries
2 existed on September 21, 1959, and devices located in any other
3 area which, as of September 21, 1959, was clearly established by
4 law as industrial or commercial.

5 (6) Outdoor advertising devices in zoned or unzoned
6 commercial or industrial areas along the primary system.

7 (7) OUTDOOR ADVERTISING DEVICES IN THE SPECIFIC INTEREST OF <—
8 THE TRAVELING PUBLIC WHICH ARE AUTHORIZED TO BE ERECTED OR
9 MAINTAINED BY THE SECRETARY AND WHICH ARE DESIGNATED TO GIVE
10 INFORMATION IN THE INTEREST OF THE TRAVELING PUBLIC.

11 ~~(7)~~ (8) Any other outdoor advertising devices permitted or <—
12 authorized along the interstate system by the official agreement
13 executed June 23, 1961, between the Commonwealth and the Federal
14 Government; PROVIDED SUCH OUTDOOR ADVERTISING DEVICES DO NOT <—
15 VIOLATE THE PROVISIONS OF TITLE 23, U.S. CODE, "HIGHWAYS."

16 Section 5. Control Criteria for Size, Spacing and
17 Lighting.--(a) In order to promote the reasonable, orderly and
18 effective display of outdoor advertising while remaining
19 consistent with the purposes of this act and with customary use
20 in this Commonwealth, the secretary shall strictly adhere to the
21 criteria prescribed by this section in promulgating regulations
22 to effectively control those signs, displays and devices
23 provided for under clauses (4) through (6) of section 4 of this
24 act and erected subsequent to the effective date of this act.

25 (b) In zoned commercial or industrial areas, the secretary
26 ~~shall~~ MAY certify to the Secretary of Transportation of the <—
27 United States as notice of effective control, that there has
28 been established within such areas regulations which are
29 enforced with respect to the size, lighting and spacing of
30 outdoor advertising devices. In such areas, the size, lighting

1 and spacing requirements set forth below shall not apply. For
2 the purposes of this subsection, requirements as to the number
3 or total size of signs, displays or devices permitted on a
4 single plot or parcel of land will be considered to be a spacing
5 requirement.

6 (c) In all other zoned and unzoned commercial or industrial
7 areas, the criteria set forth below shall apply:

8 (1) Size of signs:

9 (i) The maximum area for any one sign shall be 1,200 square
10 feet with a maximum height of 30 feet and maximum length of 60
11 feet, inclusive of any border and trim but excluding the base or
12 apron, supports and other structural members.

13 (ii) The area shall be measured by the smallest square,
14 rectangle, triangle, circle or combination thereof which will
15 encompass the entire sign.

16 (iii) A sign structure may contain one or two signs per
17 facing and may be placed double-faced, back to back or V-type.

18 (iv) Signs which exceed six hundred square feet in area may
19 not be double-faced (abutting and facing the same direction).

20 (2) Spacing of signs:

21 (i) Along the interstate system and limited access highways
22 on the primary system, no two sign structures shall be spaced
23 less than five hundred feet apart; and outside the boundaries of
24 cities of all classes and boroughs, no structure may be erected
25 ADJACENT TO OR within five hundred feet of an interchange OR ←—
26 SAFETY REST AREA, measured along the interstate or limited
27 access primary from the beginning or ending of pavement widening
28 at the exit from or entrance to the main-traveled way.

29 (ii) Along nonlimited access highways on the primary system,
30 no two structures shall be spaced less than three hundred feet

1 apart if outside cities of all classes and boroughs, nor less
2 than one hundred feet apart if within such cities and boroughs.

3 (iii) These spacing provisions shall not apply to sign
4 structures separated by a building or other obstruction in such
5 a manner that only one sign facing located within these spacing
6 distances is visible from the highway at any one time.

7 (iv) Official and "on premise" signs, as defined in section
8 131 (c) of Title 23, United States Code, shall not be counted
9 nor shall measurements be made from them for purposes of
10 determining spacing requirements.

11 (v) The distance between sign structures shall be measured
12 along the nearest edge of the pavement between points directly
13 opposite the signs along the same side of the traveled way.

14 (3) Lighting of Signs:

15 (i) No sign will be permitted which is not effectively
16 shielded so as to prevent beams or rays of light from being
17 directed at any portion of the traveled ways of the interstate
18 or primary systems or which is of such intensity or brilliance
19 as to cause glare or to impair the vision of the driver of any
20 vehicle, or which interferes with any driver's operation of a
21 motor vehicle.

22 (ii) No sign shall be so illuminated that it interferes with
23 the effectiveness of or obscures an official traffic sign,
24 device or signal.

25 (iii) Lighting of all signs shall be subject to all other
26 provisions relating to lighting of signs along highways under
27 the jurisdiction of the department.

28 (IV) SIGNS WHICH CONTAIN, INCLUDE, OR ARE ILLUMINATED BY ANY <—
29 FLASHING, INTERMITTENT, OR MOVING LIGHT OR LIGHTS ARE
30 PROHIBITED, EXCEPT THOSE GIVING PUBLIC SERVICE INFORMATION SUCH

1 AS TIME, DATE, TEMPERATURE, WEATHER, OR SIMILAR INFORMATION.

2 (d) The Commonwealth and local political subdivisions shall
3 have full authority under their own zoning laws to zone areas
4 for commercial or industrial purposes and the action of the
5 Commonwealth and local political subdivisions in this regard
6 will be accepted for the purposes of this act. At any time, that
7 a political subdivision adopts regulations which include the
8 size, spacing and lighting of outdoor advertising devices the
9 secretary ~~shall~~ MAY so certify to the Secretary of ←
10 Transportation of the United States and control of outdoor
11 advertising in commercial or industrial areas will transfer to
12 subsection (b) under this section 5.

13 Section 6. Rules and Regulations.--The secretary is
14 authorized to promulgate rules and regulations governing outdoor
15 advertising devices ~~other than those permitted by clauses (1)~~ ←
16 ~~through (3) under section 4 of this act,~~ and such rules and
17 regulations shall contain the criteria set forth under section 5
18 of this act and shall contain the permit provisions set forth
19 under section 7 of this act. REGULATIONS RELATING TO OUTDOOR ←
20 ADVERTISING DEVICES PERMITTED UNDER CLAUSES (1) THROUGH (3) OF
21 SECTION 4 SHALL BE NO MORE RESTRICTIVE THAN THE NATIONAL
22 STANDARDS PERTAINING TO SUCH OUTDOOR ADVERTISING DEVICES.

23 Section 7. Permits.--An annual permit shall be required for
24 each outdoor advertising device regulated by this act and
25 located outside the limits of those incorporated municipalities
26 that have legally established and operating procedures for
27 issuing permits for such outdoor advertising devices WHICH HAVE ←
28 BEEN CERTIFIED BY THE SECRETARY AS CONFORMING TO THE PROVISIONS
29 OF SUBSECTION (D) OF SECTION 5 OF THIS ACT. The fee for each
30 such permit shall be five dollars if the sign area does not

1 exceed three hundred square feet; ten dollars if the sign area
2 exceeds three hundred square feet but does not exceed six
3 hundred square feet; and fifteen dollars if the sign area
4 exceeds six hundred square feet. A tag indicating that a permit
5 has been duly issued shall be affixed to the device or structure
6 by the department. ~~Permits shall be issued for those devices~~ ←
7 ~~erected within six months after the effective date of this act~~
8 ~~under a lease dated prior to the effective date of this act and~~
9 ~~filed with the department and recorded in the recorder's office~~
10 ~~of the county in which the device would be located within thirty~~
11 ~~days following the effective date of this act.~~

12 Section 8. Agreement with Federal Government or Agencies.--

13 The secretary shall enter into an agreement with the Secretary
14 of Transportation of the United States, consistent with the
15 provisions of this act and to the ~~minimal~~ degree necessary to ←
16 preserve the Commonwealth's entitlement to its full share of
17 Federal road funds, and may take action in the name of the
18 Commonwealth to comply with the terms of such agreement. In the
19 event said Secretary of Transportation of the United States or
20 his agent fails to agree, the disagreement shall be resolved
21 with the Attorney General of this Commonwealth participating,
22 and taking such appeals provided for in subsection (1) of
23 section 131 of Title 23, United States Code, as amended, as he
24 deems advisable. The agreement entered into on October 7, 1968,
25 by the then Secretary of Highways with the Federal Highway
26 Administrator, has not been authorized by the General Assembly
27 and is hereby abrogated.

28 Section 9. Compensation for Removal of Outdoor Advertising
29 Devices.--(a) Just compensation shall be paid upon the removal
30 of any outdoor advertising device (1) lawfully in existence on

1 the effective date of this act; (2) lawfully on any highway made
2 a part of the interstate or primary system on or after the
3 effective date of this act; or (3) otherwise lawfully erected on
4 or after the effective date of this act.

5 (b) Just compensation shall consist of payment for (1) the
6 taking from the owner of an outdoor advertising device of all
7 right, title, leasehold and interest in such outdoor advertising
8 device, and (2) the taking from the owner of the real property
9 on which an outdoor advertising device is located of the right
10 to erect and maintain such outdoor advertising device.

11 ~~(c) Notwithstanding the provisions of subsections (a) and~~ <—
12 ~~(b) above, no rights in and to property shall be acquired with~~
13 ~~respect to any outdoor advertising device except to the extent~~
14 ~~that Federal funds authorized to be appropriated pursuant to the~~
15 ~~Federal "Highway Beautification Act of 1965," as amended, to~~
16 ~~reimburse the Commonwealth for seventy five per cent of the cost~~
17 ~~thereof, are in fact appropriated and available to the~~
18 ~~Commonwealth for that purpose; nor shall such rights in and to~~
19 ~~property for such purpose be acquired until such time as the~~
20 ~~United States Congress shall have received and acted upon the~~
21 ~~report of the Commission on Highway Beautification as mandated~~
22 ~~by Federal Public Law 91 605, enacted December 31, 1970.~~

23 (C) THE DEPARTMENT SHALL REQUIRE REMOVAL OF ALL <—
24 NONCONFORMING OUTDOOR ADVERTISING DEVICES LAWFULLY ON ANY
25 HIGHWAY MADE A PART OF THE INTERSTATE OR PRIMARY SYSTEM ON OR
26 AFTER THE EFFECTIVE DATE OF THIS ACT NO LATER THAN THE END OF
27 THE SIXTH YEAR AFTER THE SAID HIGHWAY IS MADE A PART OF THE
28 INTERSTATE OR PRIMARY SYSTEM.

29 (D) NOTWITHSTANDING THE PROVISIONS OF SUBSECTIONS (B) AND
30 (C) OF THIS SECTION, THE PERIODS SPECIFIED THEREIN WITHIN WHICH

1 THE DEPARTMENT SHALL REQUIRE REMOVAL OF ALL NONCONFORMING
2 OUTDOOR ADVERTISING DEVICES MAY BE EXTENDED, IF NECESSARY, UNTIL
3 SUCH TIME AS FEDERAL FUNDS ARE AVAILABLE TO REIMBURSE THE
4 COMMONWEALTH FOR THE FEDERAL SHARE OF THE COSTS OF REMOVAL OF
5 THOSE SIGNS FOR WHICH FEDERAL CONTRIBUTION IS PROVIDED IN
6 SECTION 131 OF TITLE 23 OF THE UNITED STATES CODE.

7 SECTION 10. REMOVAL OF PROHIBITED ADVERTISING DEVICES.--IN
8 ADDITION TO THE PENALTIES PRESCRIBED IN THIS ACT, THE SECRETARY
9 MAY INSTITUTE ANY APPROPRIATE ACTION OR PROCEEDING AFTER THIRTY
10 DAYS' WRITTEN NOTICE OF A VIOLATION TO THE PERSON OR PERSONS
11 MAINTAINING OR ALLOWING TO BE MAINTAINED SUCH DEVICE, TO
12 PREVENT, RESTRAIN, CORRECT OR ABATE A VIOLATION OR TO CAUSE THE
13 REMOVAL OF ANY ADVERTISING DEVICE ERECTED OR MAINTAINED IN
14 VIOLATION OF THE PROVISIONS OF THIS ACT, OR THE SECRETARY MAY
15 HAVE ANY SUCH DEVICE CORRECTED OR REMOVED BY HIS EMPLOYEES. IN
16 THE EVENT OF SUCH REMOVAL, THE PERSON OR PERSONS RESPONSIBLE FOR
17 THE ERECTION OR MAINTENANCE OF SUCH DEVICE AND THE PERSON OR
18 PERSONS ALLOWING SUCH DEVICE TO BE MAINTAINED SHALL BE LIABLE TO
19 THE DEPARTMENT FOR THE COST OF REMOVAL OR CORRECTION OF SUCH
20 DEVICE. NEITHER THE SECRETARY NOR ANY OTHER EMPLOYEE ACTING AT
21 HIS DISCRETION SHALL BE LIABLE IN ANY CRIMINAL OR CIVIL ACTION
22 FOR DAMAGES FOR ANY ACTION AUTHORIZED BY THIS ACT.

23 SECTION 11. PENALTIES FOR VIOLATION.--ANY PERSON WHO SHALL
24 ERECT OR CAUSE OR ALLOW TO BE ERECTED OR MAINTAINED ANY
25 ADVERTISING DEVICE IN VIOLATION OF THIS ACT, SHALL, UPON SUMMARY
26 CONVICTION THEREOF, BE SENTENCED TO PAY A FINE OF FIVE HUNDRED
27 DOLLARS (\$500) TO BE PAID INTO THE HIGHWAY BEAUTIFICATION FUND,
28 AND IN DEFAULT OF THE PAYMENT THEREOF, SHALL UNDERGO
29 IMPRISONMENT FOR THIRTY DAYS. EACH DAY A DEVICE IS MAINTAINED IN
30 VIOLATION OF THIS ACT AFTER CONVICTION SHALL CONSTITUTE A

1 SEPARATE OFFENSE.

2 Section ~~11~~. 12. Highway Beautification Fund.--(a) All <—
3 receipts received pursuant to this act, together with all
4 Federal funds received by the Commonwealth to accomplish the
5 control of outdoor advertising pursuant to section 131, United
6 States Code, "Highways," shall be paid into and credited to the
7 Highway Beautification Fund. All costs incurred by the secretary
8 pursuant to this act shall be paid from the Highway
9 Beautification Fund, and as much moneys as the secretary shall
10 deem necessary are specifically appropriated from such fund to
11 the Department of Transportation.

12 (b) In addition to the moneys to be received under
13 subsection (a) of this section, such moneys as may be necessary
14 shall be appropriated from time to time by the General Assembly
15 from the General Fund to the Highway Beautification Fund for the
16 purpose of carrying out the provisions of this act.

17 ~~Section 12. Removal of Prohibited Advertising Devices. In <—~~
18 ~~addition to the penalties prescribed in this act, the secretary~~
19 ~~may institute any appropriate action or proceeding after thirty~~
20 ~~days' written notice of a violation to the person or persons~~
21 ~~maintaining or allowing to be maintained such device, to~~
22 ~~prevent, restrain, correct or abate a violation or to cause the~~
23 ~~removal of any advertising device erected or maintained in~~
24 ~~violation of the provisions of this act, or the secretary may~~
25 ~~have any such device corrected or removed by his employes. In~~
26 ~~the event of such removal, the person or persons responsible for~~
27 ~~the erection or maintenance of such device and the person or~~
28 ~~persons allowing such device to be maintained shall be liable to~~
29 ~~the department for the cost of removal or correction of such~~
30 ~~device. Neither the secretary nor any other employe acting at~~

1 ~~his discretion shall be liable in any criminal or civil action~~
2 ~~for damages for any action authorized by this act.~~

3 ~~Section 13. Penalties for Violation. Any person who shall~~
4 ~~erect or cause or allow to be erected or maintained any~~
5 ~~advertising device in violation of this act, shall, upon summary~~
6 ~~conviction thereof, be sentenced to pay a fine of five hundred~~
7 ~~dollars (\$500) to be paid into the Highway Beautification Fund,~~
8 ~~and in default of the payment thereof, shall undergo~~
9 ~~imprisonment for thirty days. Each day a device is maintained in~~
10 ~~violation of this act after conviction shall constitute a~~
11 ~~separate offense.~~

12 ~~Section 14.~~ 13. Interpretation.--Nothing in this act shall <—
13 be construed to abrogate or affect the provisions of any lawful
14 ordinance, regulation, or resolution which are more restrictive
15 than the provisions of this act.

16 ~~Section 15.~~ 14. Severability.--The provisions of this act <—
17 shall be severable. If any provision of this act is found by a
18 court of record to be unconstitutional and void, the remaining
19 provisions of the act shall, nevertheless, remain valid, unless
20 the court finds the valid provisions of the act are so
21 essentially and inseparably connected with, and so depend upon,
22 the void provision that it cannot be presumed the General
23 Assembly would have enacted the remaining valid provisions
24 without the void one, or unless the court finds that the
25 remaining valid provisions, standing alone, are incomplete and
26 are incapable of being executed in accordance with the
27 legislative intent.

28 ~~Section 16.~~ 15. Repeals.--(a) The act of April 28, 1961 <—
29 (P.L.101), entitled "An act prohibiting the erection and
30 maintenance of certain advertising devices along highways on the

1 National System of Interstate and Defense Highways; providing
2 for the acquisition of such devices and property use in
3 connection with such devices by the Secretary of Highways; and
4 providing penalties for violations," is hereby repealed.

5 (b) All other acts and parts of acts are repealed in so far
6 as they are inconsistent herewith.

7 Section ~~17~~. 16. Effective Date.--This act shall take effect ←
8 immediately.