

Minutes of the Meeting of the State Highway Commission
of Virginia, Held in Pulaski, Lexington,
Fredericksburg and Richmond, October
31st, and November 1, 2, and 3, 1938.

Commissioners Massie and Rawls, accompanied by Mr. C. S. Miller, Acting Commissioner, on the afternoon of October 30th, drove to Roanoke from Richmond and spent the night. On the morning of the 31st they drove to Pulaski. Mr. Gilpin went out on the train, where they all joined Mr. Wycor.

On the morning of the 31st they gave a public hearing on the tentative allocation of funds to the citizens of the Salem and Bristol Districts. After the meeting the Commission proceeded to Lexington, where they spent the night and on the morning of November 1st held hearings on the tentative allocations for the Lynchburg and Staunton Districts.

From there they proceeded to Richmond and spent the night. On the morning of November 2nd they drove to Fredericksburg and held hearings on the tentative allocation of funds to the Fredericksburg and Culpeper Districts; returning to Richmond, where the night was spent.

On the morning of the 3rd, the State Highway Commission assembled at 8:30 A.M., and Mr. George P. Coleman, former State Highway Commissioner, appeared before them and gave a general review of the life and work of Captain P. St. J. Wilson, first State Highway Commissioner of Virginia, and presented to the Commission on behalf of Mrs. Wilkins Benoit Shields, his sister, a portrait and the Commission signed by Governor Swanson.

Mr. C. S. Miller, Chief Engineer, acknowledged the presentation and on behalf of the State Highway Department and the State Highway Commission accepted the portrait. Mr. Massie, on behalf of the Commission, thanked Mr. Coleman for the presentation and expressed the pleasure of the Commission in accepting the same.

The meeting of the Commission was then called to order by the Acting Chairman, and the public hearings were held on the tentative allocation of funds to the Richmond and Suffolk Districts. After all hearings were concluded, the following business was transacted.

Moved by Mr. Rawls, seconded by Mr. Wycor, that the minutes of the regular meeting of the Commission held in Richmond on October 24th be approved. Motion carried.

Moved by Mr. Rawls, seconded by Mr. Wycor, that the minutes of the Special Meeting of the Commission held in Richmond on October 24th, to accept the Government Grant for the proposed State Highway Commission Office Building, be approved. Motion carried.

Moved by Mr. Rawls, seconded by Mr. Gilpin, that the Highway Commission express its appreciation of the courtesy of Mrs. W. B. Shields in presenting to the Highway Department the portrait of Captain P. StJ. Wilson, the first State Highway Commissioner of Virginia, and the Commission signed by Governor Swanson appointing Captain Wilson for the six year term, 1908-1914. Motion carried.

Moved by Mr. Rawls, seconded by Mr. Wycor, that permit No. 2977 be issued to the Norfolk and Western Railway Co., Roanoke, Va., to construct temporary siding parallel to and on the right of way of Route 219 at Glen Igu for the purpose of handling cars for loading cinders, for the period of one year only. Motion carried.

Moved by Mr. Wycor, seconded by Mr. Rawls, that the Commission allocate \$500.00 per mile construction funds for the year 1938-39 to the City of Salem to be expended on Routes 117 and 11 in the City. Motion carried.

Moved by Mr. Rawls, seconded by Mr. Massie, that the Commission allocate \$500.00 per mile construction funds for the year 1938-39 to the City of Petersburg to apply to the work on Routes 1, 301 and 26 in the City. Motion carried.

Moved by Mr. Rawls, seconded by Mr. Gilpin, that Mr. C. S. Mullen be authorized to acknowledge letter of October 31st from Governor Price in regard to the enlargement of the existing central heating plant and to state that the Highway Department will cooperate in this matter in strict accordance with the terms given in the Governor's letter. Motion carried.

Moved by Mr. Rawls, seconded by Mr. Wycor, that Mr. C. S. Mullen be authorized to proceed with the construction of the proposed road from Harrows to the proposed Celanese plant in accordance with the terms of letter written by Mr. Wycor to Senator A. E. Shumate, dated November 1st. Motion carried.

Moved by Mr. Rawls, seconded by Mr. Wycor, that the following allocations be permanent for the year 1939-40:

Final Allocation of \$9,800,000.00, the Estimated Amount
Available for Construction of Primary Roads from
July 1, 1939 to June 30, 1940.

Estimated Gross Receipts from State Gas Tax,
License Fees, Trucks, Title Fees, and all
Other Sources

Receipts

Motor Vehicle Fuel Tax	\$18,400,000.00
Motor Vehicle Licenses	5,600,000.00
Motor Vehicle Carriers Licenses (Bus Lines)	575,000.00
Registration of Title to Motor Vehicles	370,000.00
Motor Vehicle Carriers Road Tax	150,000.00
Motor Vehicle & Chauffeurs Operating Licenses	250,000.00
Service of Process Notice upon Non-Resident Owners of Motor Vehicles	700.00
	\$25,245,700.00

Deductions Required by Acts of 1938

Refund of Gas Tax	\$1,000,000.00
Division of Motor Vehicles:	
Administration, Licenses, etc.	185,564.00
Fees to Sub-Agents	82,528.00
Field Inspection	387,260.00
Licensing Operators	250,841.00
Maintenance and Operation of Office Bldg.	9,000.00
Testing Motor Vehicle Devices	2,000.00
Furnishing Information from Official Records	12,137.00
Total for Division of Motor Vehicles	1,077,580.00
Dept. of Finance, Int. on Robertson Act Indebtedness	87,435.00
Commissioners of Sinking Fund, Robertson Act Sinking Fund	327,710.00
Dept. of Agriculture, Inspection of Gasoline	11,890.00
Div. of Markets, Inspection of Gasoline and Motor Grease Measuring Equipment	17,315.00
State Corporation Commission, Collecting Motor tax	5,000.00
Attorney General-Legal Services	8,000.00
Rent of Space in State Office Building	22,836.00
Counties not under Secondary Road Law	310,487.87

Total Deductions	<u>2,669,202.87</u>
Available for Allocation	\$22,576,497.13

Brought Forward		\$22,546,467.13
	<u>Allocation</u>	
Primary Maintenance	\$3,000,000.00	
Primary Improvements	<u>2,000,000.00</u>	
Total	5,000,000.00	
Secondary Maintenance	3,750,000.00	
Secondary Construction and Improvements	3,687,400.00	
Secondary Federal Aid	<u>162,600.00</u>	
Total	7,600,000.00	
Highway Commission Expenses, etc.	12,890.00	
Administration and Engineering	663,258.00	
Regulate Outdoor Advertising	7,500.00	
Rights of Way Cost	1,000,000.00	
Maintenance of City Streets over 8500 Population	800,000.00	
Auto Tag Plates	60,000.00	
Secondary Federal Aid to Counties	<u>162,600.00</u>	
Total	<u>2,405,728.00</u>	
Total Allocation for other than Primary Construction		<u>\$14,906,728.00</u>
Balance for Primary Construction		\$7,640,739.13
Regular Federal Aid	1,806,000.00	
Secondary Federal Aid	<u>271,000.00</u>	
Total Federal Aid		<u>\$2,077,000.00</u>
TOTAL Available for Primary Construction		\$9,717,739.13

BRISTOL DISTRICT

Regular Federal Aid

Amount

Planning - 1%
Landscaping - 1%

\$4,551.12
4,551.12

<u>Route</u>	<u>County</u>	<u>Description</u>	
11	Washington	Bristol-East	100,000.00
19	Tazewell	Tazewell-West	130,000.00
68	Smyth	Marion-South	81,009.78
100	Wythe	Pulaski County Line-South	155,000.00

Secondary Federal Aid

70	Wise	St. Paul-North	20,000.00
91	Wythe	Cedar Springs-Speedwell	20,000.00
92	Grayson	Mouth of Wilson-H.C.Line	28,282.00

Convict Camps

19	Russell	Lebanon-Hansonville	80,000.00
42	Blair	Bland- East	80,000.00
58	Dickenson	Fremont-Clintwood	80,000.00
68	Lee	Big Stone Gap-West	180,000.00
71	Scott	Russell Co. Line-Southeast	180,000.00
84	Buchanan	Grundy-Kentucky Line	80,000.00

State Funds

11	Smyth	Wythe Co. Line-Marion	65,000.00
11	Washington	Old Glade-Cedarville	18,000.00
21	Wythe	NCL Wytheville-North	71,198.00

SALEM DISTRICT

	<u>Regular Federal Aid</u>	<u>Amount</u>
Planning - 1%		\$5,067.64
Landscaping - 1%		5,067.64

<u>Route</u>	<u>County</u>	<u>Description</u>	
11	Pulaski	Route 101-Wythe County Line	60,000.00
11	Montgomery	E. of Christiansburg-Shawsville	125,000.00
11	Roanoke	Bridge 1 Mile N. of Salem	40,000.00
122	Franklin	Rocky Mount-North	25,000.00
220	Roanoke	Roanoke-South	15,628.52
220	Henry	Martinsville-North	121,000.00
221	Floyd	Complete Gap	110,000.00

Secondary Federal Aid

24	Bedford	N. of Stewartville-East	25,000.00
40	Franklin	Ferriss-West	25,000.00
42	Craig	West of New Castle-West	25,042.60

Convict Camps

103)			
104)	Patrick	End of Work-Southwest	150,000.00
108	Franklin	Henry County Line-Penhook	150,000.00
460	Roanoke)		
	Botetourt)	Roanoke-East	150,000.00

State Funds

24	Bedford	N. of Stewartville-East	40,000.00
58	Carroll	Crooked Creek Bridge	25,000.00
100	Pulaski	Wythe County Line-North	110,000.00
122	Franklin	Rocky Mount-North	50,000.00
480	Bedford	WIL Bedford-Montvale	47,042.80

LYNCHBURG DISTRICT

Regular Federal Aid

Amount

Planning - 1% \$4,588.57
Landscaping - 1% 4,586.67

<u>Route</u>	<u>County</u>	<u>Description</u>	
15	Prince Edward	Farmville-South	70,000.00
29	Anberst	4 Mi. N. Lynchburg-Anberst	200,000.00
250	Helson) Augusta)	Albemarle Co. Line-West	50,000.00
360)			
15)	Charlotte	Route 40-Northeast	68,667.00
460	Prince Edward	N. Appomattox Co. Line-East	50,926.66

Secondary Federal Aid

16	Cumberland	Br. and Approaches Waddy Creek	10,000.00
29	Charlotte	Br. and Approaches Roanoke Creek	28,086.20
87	Pittsylvania	Ghatham-West	30,000.00

Convict Camps

20	Buckingham	Scottsville-South	54,000.00
26	Charlotte	Phoenix-North and South	108,000.00
39	Charlotte	Madisonville-Gullen	80,000.00
307	Prince Edward	Amelia County Line-East	108,000.00
460	Prince Edward	Appomattox Co. Line-East	50,000.00

State Funds

Alt.			
29	Pittsylvania	Alternate Route through Danville	242,057.60

RICHMOND DISTRICT

Regular Federal Aid

Amount

Planning - 1% \$5,295.19
Landscaping - 1% 5,295.19

<u>Route</u>	<u>County</u>	<u>Description</u>	
1	Dinwiddie)		
	Brunswick)	Dinwiddie-North and South	389,519.00
1	Hanover	Gap North of Ashland	40,000.00
301	Prince George	S. of Petersburg-Int. Route 35	89,409.82

Secondary Federal Aid

16	Powhatan	Br. and Approaches Muddy Creek	10,000.00
58	Amelia)		
	Dinwiddie)	Br. and Approaches Hemoxine Creek	20,000.00
51	Hanover	Br. and Approaches Little River	20,000.00
140	Brunswick	Edgerton-North; Br. and Approaches	29,457.20

Convict Camp

307	Hottoway)	Int. Route 60 near Jetersville-	
	Amelia)	towards the River	54,000.00

State Funds

1	Dinwiddie)		
	Brunswick)	Dinwiddie-North and South	110,000.00
1	Chesterfield	Appomattox River Bridge-North	9,000.00
10	Chesterfield	Int. Route 1-Hopewell	65,000.00
33	Henrico	Seven Pines-Richmond	25,000.00
58	Macklenburg	Clarkeville-West	30,000.00
186	Hottoway	4 Mi. S. Grewe- South	8,000.00
301	Prince George	Route 35-South	21,723.80
336	Chesterfield	Richmond-Deep Water Terminal	100,000.00
360	Chesterfield	9 Mi. W. Richmond-Appomattox River	72,000.00
480	Dinwiddie)		
	Hottoway)	Petersburg-Blackstone	200,000.00

SUFFOLK DISTRICT

Regular Federal Aid

Amount

Planning - 1% \$5,306.03
Landscaping - 1% 6,306.03

<u>Route</u>	<u>County</u>	<u>Description</u>	
13	Anneaux) Northampton)	Emmore-North	89,866.74
68	Henric	Holland-East	200,000.00
58	Princess Anne	5 Mi. W. Virginia-Beach-West	100,000.00
175	Anneaux	Chincoteague Bridges	60,000.00
460	Isle of Wight) Southampton	Zuni-West	280,602.00

Secondary Federal Aid

40	Sussex	Homeville-Waverly	34,618.80
190	Princess Anne	Route 608-East	26,000.00
316	Southampton	Blackwater River-Int. Route 158	20,000.00

Convict Camp

168	Jama City) York	New Kent County Line-East	160,000.00
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State Funds

13	Anneaux	Emmore-North	60,511.26
35	Southampton	Widen Bridge, Sebrell-Courtland	20,000.00
40	Sussex	Stony Creek-East	60,000.00
60	Elizabeth City	Hampton-Newport News	30,000.00
60	Warwick	Lee Hall-East	78,000.00
301	Greensville	Emporia-N.C. Line	40,000.00
518	Anneaux	Parkley-South	100,000.00
460	Isle of Wight) Southampton	Zuni-West	82,918.14

FREDERICKSBURG DISTRICT

		<u>Regular Federal Aid</u>	<u>Amount</u>
Planning - 1%			\$2,661.21
Landscaping - 1%			2,851.21

<u>Route</u>	<u>County</u>	<u>Description</u>	
1	Spotsylvania } Caroline }	Hanover County Line-North	259,818.58

Secondary Federal Aid

30	King William	King William C.H.-East	23,782.80
225	Middlesex	Int. Route 58-Twiggs Ferry	18,000.00

Convict Camps

1	Spotsylvania } Caroline }	Hanover County Line-North	135,000.00
218	King George	Fredericksburg-East	25,000.00

State Funds

1	Spotsylvania } Caroline }	Hanover County Line-North	99,796.40
17	Essex	Caret-Chaplain	45,000.00
50	King William	King William C.H.-East	30,000.00
198	Gloucester	Route 17-East	50,000.00

CULPEPER DISTRICT

		<u>Regular Federal Aid</u>	<u>Amount</u>
Planning - 1%			\$4,088.78
Landscaping - 1%			4,088.78
<u>Route</u>	<u>County</u>	<u>Description</u>	
7	Fairfax	W. Falls Church-Tysons Corner	40,000.00
236	Fairfax	End of Work-Annapdale	30,000.00
244	Arlington	Route 9-West	55,700.84
	Fairfax		
250	Albemarle	Nelson County Line-East	86,000.00
		<u>Secondary Federal Aid</u>	
16	Madison	End of Work-West	41,364.40
16	Fluvanna	Kents Store-South	20,000.00
		<u>Convict Camps</u>	
8	Culpeper	Rappahannock County Line-East	80,000.00
15	Pr. William	Route 50-South	80,000.00
	Loudoun		
16	Madison	Orange County Line-North	40,000.00
280	Greene	Madison Co. Line-Standardville	110,000.00
234	Pr. William	Lake Jackson-Dunfries	180,000.00
		<u>State Funds</u>	
15	Pr. William	Route 50-South	80,000.00
	Loudoun		
15	Madison	End of Work-West	20,000.00
48	Orange	Unionville-North	70,000.00
211	Arlington	Rosslyn-Cherrydale	75,000.00
309	Arlington	Cherrydale-West	7,187.20
	Albemarle	University of Virginia Grounds	15,000.00

STAUNTON DISTRICT

Regular Federal Aid

Amount

Planning - 1% 4,623.56
Landscaping - 1% 4,623.56

<u>Route</u>	<u>County</u>	<u>Description</u>	
3	Warren	Bridge-So. Fork of Shenandoah River at Riverton	110,000.00
11	Rockbridge	Revisions-South of Buffalo Creek and Fancy Hill	60,000.00
50	Clarks } Frederick }	Shenandoah River-West	103,089.28
80	Alleghany	Longdale-West	75,000.00
250	Augusta	Waynesboro-Staunton	100,000.00

Secondary Federal Aid

260	Rockingham	Timberville-Int. Route 259	23,000.00
260	Shenandoah	Rockingham County Line-East	23,376.00
292	Augusta	Int. Route 11-Route 620	23,000.00

Convict Camps

12	Rockingham	Elkton-South	160,000.00
42	Bath } Alleghany }	Millboro Springs-Route 60	80,000.00
55	Shenandoah } Frederick }	Lebanon Church-West Va. Line	130,000.00
275	Frederick	West Va. Line-Route 50	30,000.00
501	Rockbridge	Rockbridge Baths-West	80,000.00

State Funds

11	Shenandoah	Toms Brook-Woodstock	36,000.00
19	Alleghany	Covington-South	50,000.00
50	Frederick	Relocation-West of Gore	26,488.00
55	Rockbridge	Steels Tavern-Vassurins	6,000.00
250	Highland	Monterey-West Va. Line	50,000.00
259	Rockingham	Broadway-Brooks Gap	30,000.00
260	Rockingham	Timberville-Int. Route 259	17,000.00
292	Augusta	Int. Route 11-Middlebrook	25,000.00

Motion carried.

Moved by Mr. Rawls, seconded by Mr. Wycor, that the Rules and Regulations covering the Outdoor Advertising Act of 1936, be approved by the Commission as follows, effective as of January 1, 1939.

ARTICLE I

ENFORCEMENT

Section 1. It is the function and duty of the Commissioner to administer and enforce the provisions of the Act.

Section 2. The Commissioner will appoint a Director of Outdoor Advertising to administer the provisions of the Act under his direction.

Section 3. The Director will appoint such regional supervisors, and district inspectors, subject to the approval of the Commissioner, as may be required to properly carry out the provisions of the Act under his direction.

Section 4. The Director, regional supervisors, and district inspectors will be furnished with such badges, certificates of appointments, or other credentials as may be deemed necessary for the performance of their functions and duties to permit them to enter into or upon any land upon which advertising matter coming within the terms of the Act is displayed, and make such examinations as may be relevant.

ARTICLE II

TERRITORY

Territory under the jurisdiction of the Commissioner and his Agents for the purpose of the Act shall include all of the State of Virginia outside of the Corporate Limits of any city or incorporated town.

ARTICLE III

LICENSES

Section 1. Licenses to engage or continue in the business of outdoor advertising, in this state outside of the corporate limits of any city or incorporated town, will be issued by the Director.

Section 2. Applications for licenses or renewals of licenses, will be received only on forms furnished by the Director.

Section 3. Applications must be accompanied by certified check for the annual fee of \$25.00. Licenses may be revoked by the Commissioner after thirty(30)day's

notice in writing to the licensee, upon the repayment of a proportionate part of the license fee, in any case where the information required to be given in the application for the license, is knowingly false or misleading, or that the licensee has violated the provisions of this Act, unless such licensee shall before the expiration of said thirty(30)days correct such false or misleading information and comply with the provisions of the Act. (See Section 4 of the Act regarding appeal from the decisions of the Commissioner.)

Section 4. No license will be granted to any person having his principal place of business outside of the State, or which is incorporated outside of the State, until such person furnishes and files with the Commissioner a bond payable to the Commonwealth with surety approved by the Commissioner, and the form approved by the Attorney General, in the sum of \$1,000.00, conditioned that such licensee shall fulfill all requirements of laws and regulations, and orders of the Commissioner relating to displays of advertisements or erection of advertising structures. Such bond shall remain in full force and effect so long as any obligations of such licensee to the State shall remain unsatisfied.

ARTICLE IV

PERMITS

Section 1. Except as otherwise provided for, a permit is required for an advertisement, or advertising structure, outside any city or town.

Section 2. Permits may be obtained from regional supervisors or district inspectors, or other agents duly qualified to issue same.

Section 3. Except as otherwise provided for, an application for a permit must be filed on approved forms furnished for the same. A separate application is required for each advertisement and/or advertising structure. The application must be signed by the applicant or his representative duly authorized in writing to act for him, and shall describe and set forth the size, shape, and nature of the advertisement and/or advertising structure it is proposed to post, display, erect or maintain, and its actual or proposed location with sufficient accuracy to identify it, and find its actual or proposed location.

Section 4. Each application must be accompanied by prescribed fee for same, as follows:

- (a)-For each advertisement or advertising structure containing:
- (1) 50 square feet or less - a fee of 50¢
 - (2) More than 50 square feet - a fee of \$2.00

- (b)-The written consent, or in lieu thereof a copy certified by an officer authorized to take acknowledgment to deeds in this State, of an owner of real property upon which such advertisement, or advertising structure, is to be erected, used, maintained, posted or displayed, or of such other person having the legal right to grant

such consent, or of the duly authorized agent of such owner or other person.

- (c)-The above applies in like manner for a permit to use, maintain or display any existing advertisement or advertising structure.
- (d)-Where more than one side of an advertising structure is used for advertising, an application fee for each such side shall be required.
- (e)-Each portion or section of an advertising structure upon which an advertisement is posted or displayed shall constitute a separate advertising structure, and a separate fee for each such section shall be required in accordance with its size.
- (f)-Advertisements sculptured in the round shall be treated as using three sides and will require separate fees commensurate with their size.
- (g)-Where a series of not more than six signs intended to carry attention from one sign or device to another, and containing in the aggregate less than fifty square feet, only one application shall be required and one permit fee of 50%, provided they do not extend beyond a reasonable distance and are all visible from a point on the road at the beginning of the series.

Section 5. Permits issued hereunder shall run for the calendar year and may be renewed upon payment of the same fee required to be paid upon application for a permit. No formal application shall be required for the renewal of the permit but a letter denoting the identification number or permit number, with a brief description of the sign and location must accompany said fee.

Section 6. Once a permit has been issued for an advertising structure, the permittee may post or display any advertising, other than those excepted by the provisions of the Act, on the same during the current calendar year or for renewals of the same unless said permit has been revoked. In all such cases, the advertising structure must be identified as prescribed hereafter. (Article V.)

Section 7. The Commissioner may, after thirty(30)days' notice in writing to the permittee, revoke any permit issued by him upon the repayment of a proportionate part of the fee, in any case where it shall appear that the application for the permit contains knowingly false or misleading information, or that the permittee has violated any of the provisions of the Act, unless such permittee shall, before the expiration of said thirty(30)days, correct such false or misleading information and comply with the provisions of the Act. Where a permit is issued and the permit fee has been paid, and it is found to be invalidated and prevented by any zoning board, commission, or other public agencies which also have jurisdiction over the proposed advertisement and/or advertising structure, or its site, the application fee will be returned and the permit revoked.

Section 8. One-half of the application fee shall be deemed to have accrued upon the erection of the advertising structure or display of the advertisement followed by an official inspection.

Section 9. Where an applicant for a permit certifies that he is unable to state the actual or proposed location of the advertisement and/or advertising structure, or to file the written consent of the landowner or other persons having the legal right to the real estate upon which same is to be erected or used, a temporary permit shall be issued together with the proper identification number to be attached to same, which temporary permit shall expire sixty(60)days from date of issue. If the applicant files an application setting forth all the information required, the permit will be issued for same.

Section 10. Any person aggrieved by any action in refusing to grant, or in revoking, a permit, may within thirty(30)days from date of such refusal or revocation, appeal from the decision of the Commissioner to the Circuit Court as prescribed in Section 6 of Chapter 333, Acts of the Assembly, 1938.

ARTICLE V

IDENTIFICATION

Section 1. Each advertising structure and/or advertisement not posted or displayed on an advertising structure shall bear an identification number furnished by the Director, and if same is erected, maintained, or displayed by a licensed outdoor advertiser, shall also bear his name.

Section 2. Prescribed identification tags must be posted on structures or advertisements by the permittee and same must be maintained in a legible manner by permittee at all times.

Section 3. One identification marker, printed on paper, will be supplied with each permit issued. Additional labels will be supplied to the permittee at the following rates:

(Schedule will be supplied later.)

Fee must accompany the order for same. Rates subject to change.

Permanent identification tags embossed on metal painted in a similar manner as the labels, will be furnished at the following prices:

(Schedule will be supplied later.)

Fee must accompany the order for same. Rates subject to change.

ARTICLE VI.

REMOVALS

All outdoor advertisements and/or advertising structures must be re-

moved by the permittee within ninety(90)days from date of expiration, or revo-
cation, of the permit for the same. In the case of default of removal, the per-
mittee will be given at least thirty(30)days' notice from the date of expiration
of such ninety(90)days' period, and any permittee failing to remove any such ad-
vertisement and/or advertising structure, within said ninety(90)days, shall be
deemed guilty of misdemeanor. Mailing of notices by the Director will constitute
necessary legality in the premises.

Failure to comply with the provisions of this article will be deemed
sufficient cause for the Director to act in accordance with Section 14 of the
Act.

ARTICLE VII

CERTAIN OUTDOOR ADVERTISING PROHIBITED

Section 9.-Chapter 555 Acts of 1958: "No advertisement or advertising structure
shall be erected or maintained:

- (a)-Within five hundred feet of the Blue Ridge Parkway, the
Colonial National Parkway or the Mount Vernon Boulevard,
or within five hundred feet of any public cemetery, public
park, reservation, public playground or State forest, out-
side the limits of any city or town;
- (b)-Which involves motion or rotation of any part of the structure
or displays intermittent lights;
- (c)-Which uses the word "stop" or "danger" prominently displayed,
or presents or implies the need or requirement of stopping
or the existence of danger, or which is a copy or imitation
of official signs;
- (d)-In such manner or place as to constitute a hazard to traffic."

ARTICLE VIII

OUTDOOR ADVERTISING ON HIGHWAYS

Section 10.-Chapter 555 Acts of 1958: "Any person who wilfully or maliciously
displaces, removes, destroys, or injures a mileboard, milestone, danger-sign,
signal, guide-sign, guide-post, highway sign, or historical marker or any in-
scription thereon, lawfully within a highway, or who in any manner paints, prints
places, puts, or affixes any advertisement upon or to any rock, stone, tree,
fence, stump, pole, mileboard, milestone, danger-sign, guide-sign, guide post,
highway sign, historical marker, building or other object lawfully within the
limits of any highway, shall be guilty of a misdemeanor and shall be punished
accordingly."

The term "within the limits of the highway" means the full width of
the prescribed right of way. This section applies to the roads of the secondary
as well as the primary systems.

ARTICLE IX

DISPOSITION OF FEES

Section 11.-Chapter 333 Acts of 1938: "All monies received by the Commissioner under the provisions of this Act shall be paid by him into the State treasury, and allocated to the State Highway Commission for use in the construction and maintenance of highways."

ARTICLE X

HARMONY OF REGULATIONS

Section 12.-Chapter 333 Acts of 1938: "No zoning board or commission nor any other public officer or agency, shall permit any advertisement or advertising structure which is prohibited under the provisions of this Act, nor shall the Commissioner permit any advertisement or advertising structure which is prohibited by any other public board, officer or agency in the lawful exercise of its or their powers."

ARTICLE XI

CERTAIN ADVERTISEMENTS EXCEPTED

Section 13.-Chapter 333 Acts of 1938: "The following advertisements and advertising structures or parts thereof upon which they are posted or displayed, are excepted from all the provisions of this Act, save those enumerated in Article VII, sub-section (b), (c), and (d) -

- (a)-Signs erected or maintained by the owner or lessee of a place of business or residence within five hundred(500)feet of same, and relating solely to merchandise, services or entertainment sold, produced, manufactured or furnished at such place of business or residence.
- (a-1)-Signs on any farm by the owner or lessee of same relating solely to farm produce, merchandise, services or entertainment sold, produced, manufactured or furnished on such farm.
- (b)-Signs displayed and posted by the owner or by his authority stating that the property, or a part thereof, is for sale or rent.
- (c)-Official notices or advertisements posted or displayed by any public or Court Officer, or by trustees under deeds of trust, etc., or other similar instruments.
- (d)-Danger or precautionary signs relating to the premises, or signs warning of the condition of or dangers of travel on a highway, erected or authorized by the Commissioner; or forest

fire warning signs erected under authority of the State Commission on Conservation and Development, and signs, notices or symbols erected by the United States Government under the direction of the United States Forestry Service.

- (e)-Signs relating solely to any city, town, village or historic place or shrine.
- (f)-Notices of any railroad, bridges, ferries or other transportation or transmission company necessary for the direction or safety of the public.
- (g)-Signs, notices or symbols for the information of aviators as to location, direction and landing and conditions affecting safety in aviation erected or authorized by the Commissioner.
- (h)-Signs containing sixteen square feet or less and bearing an announcement of any town, village or city advertising itself or local industries, meetings, buildings, or attractions, provided the same is maintained wholly at public expense.
- (i)-Advertisements or advertising structures not visible from any highway or other public place.
- (j)-Signs or notices containing two square feet or less, placed at a junction of two or more roads in the State Highway System denoting only the distance or direction of a residence or place of business, provided such signs or notices do not exceed reasonable number in the discretion of the Commissioner.
- (k)-Signs or notices erected or maintained upon property giving the name of the owner, lessee or occupant of the premises.
- (l)-Advertisements and advertising structures within the corporate limits of cities and towns.
- (m)-Historical markers erected by duly constituted and authorized authorities.
- (n)-Highway markers and signs erected, or caused to be erected by the Commissioner or the State Highway Commission.
- (o)-Signs erected upon property warning the public against hunting, fishing or trespassing thereon.
- (p)-Signs erected by Red Cross authorities relating to Red Cross Emergency Stations. And authority is hereby expressly given for the erection and maintenance of such signs upon the right of way of all highways in this State at such locations as may be approved by the Commissioner.

- (q)-Signs advertising agricultural products and horticultural products, or either, when such products are produced by the person who erects and maintains the said signs; provided, however, that the location and number of said signs shall be in the sole discretion of the State Highway Commission.
- (r)-Signs advertising bona fide agricultural county, district or State Fairs."

ARTICLE XII

VIOLATION A NUISANCE

Section 14.-Chapter 333 Acts of 1938: "Any advertisement, or advertising structure, which is erected, used, maintained, posted, or displayed in violation of this act, is hereby declared to be a public and private nuisance and shall be forthwith removed, obliterated or abated by the Commissioner or his representatives, after ten days' notice in writing mailed to the last known address of the licensee or permittee or if there be no licensee or permittee then to the person erecting, maintaining, using, posting or displaying the same."

The cost to the Commonwealth for said removal will be borne by the licensee or permittee or by the person erecting, maintaining, using, posting or displaying the same.

ARTICLE XIII

FINES AND VIOLATIONS

Section 15.-Chapter 333 Acts of 1938: "Any person, firm or corporation violating any provision of this act for which violation no other penalty is prescribed by this act, shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not less than ten dollars nor more than fifty dollars; each day during which such violation is continued after conviction may be treated for all purposes as a separate offense."

ARTICLE XIV

These rules and regulations are intended to clarify the provisions of the act for the purpose of administration and enforcement thereof by the State Highway Commission.

NOTION CARRIED:

Moved by Mr. Haws, seconded by Mr. Wyster, that the Commission having complied with the law by advertising the closing of grade crossing on abandoned section of old Route 60 in Chesterfield County, Project 582D, at Station 63+65.6, R.R. Mile Post 126, and there being no objections filed in the time given, it is hereby ordered closed. Motion carried.

Moved by Mr. Massie, seconded by Mr. Wyster, that at the request of Mr. W. F. Broadus of Dutton, Gloucester County, a public hearing be given on the location of the road between Cash and Owltrap, Route 198, on December 15th. The hearing to be held in Room 814 State Office Building, Richmond, Virginia, from 10:00 A.M. to 11:00 A.M. Motion carried.

There being no further business, the meeting adjourned, to meet again on December 15th at 9:00 o'clock in the State Office Building.

Approved-

Wade H. Massie
Acting Chairman

Attested-

J. F. Wyster