

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1957



ENROLLED

HOUSE BILL No. 14

(By Mr. Nyles + Seibert)



PASSED March 6, 1957

In Effect 90 days from Passage



ENROLLED

# House Bill No. 14

(By MR. MYLES and MR. SEIBERT)

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(Originating in the Joint Committee on Government and  
Finance)

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[Passed March 6, 1957; in effect ninety days from passage.]

AN ACT to amend and reenact section one, article nineteen, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to prohibited signs and other markings along, on, or over the right-of-way of any public road or highway.

*Be it enacted by the Legislature of West Virginia:*

That section one, article nineteen, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 1. *Signs and Other Markings Prohibited; Pen-*  
2 *alty; Removal; Recovery of Expenses.*—No person shall  
3 paint, mark, post, tack, nail, or otherwise affix any sign,  
4 advertisement, notice, picture, drawing, emblem, poster,

5 printing, or writing, other than those placed and main-  
6 tained in pursuance of law, on or to any stone, rock, tree,  
7 fence, stump, post, pole, building, or other structure,  
8 which is in or upon the right-of-way of any public road  
9 or highway, including the road or highway itself, except  
10 that the commissioner may provide for suitable road signs,  
11 danger signals and other signs of informational nature.  
12 No such sign or other marking shall be suspended over  
13 the right-of-way of any public road or highway. These  
14 prohibitions include, but are not limited to, such devices  
15 which are intended to invite or draw attention of the public  
16 to the candidacy of any person for any public office; and  
17 any such device which exists in violation of the provisions  
18 of this section shall constitute prima facie evidence that  
19 the person whose candidacy appears thereon violated this  
20 section: *Provided, however,* That the installation and/or  
21 maintenance of newspaper, postal or mailboxes shall not  
22 be prohibited or affected by this section.

23 Any person violating this section, whether as principal,  
24 agent, or employee, shall be guilty of a misdemeanor, and,  
25 upon conviction thereof, shall be punished by a fine of

26 not less than twenty-five nor more than one hundred #  
 27 dollars; and such person shall be deemed guilty of a  
 28 separate offense for each day during any portion of which  
 29 any violation of this section is committed or continued.  
 30 Every such prohibited sign or other marking is hereby  
 31 declared to be a public nuisance. Upon receiving notice  
 32 of any violation of this section, the commissioner shall  
 33 cause the prohibited sign or other marking to be removed  
 34 within ten days and shall cause the appearance  
 35 of the property on which it was affixed to be restored,  
 36 as near as may be practicable, to its condition immediately  
 37 before such violation occurred. The commissioner shall,  
 38 in the name of the state, recover from the persons who  
 39 hereafter violate this section the amounts expended by  
 40 the state in removing the sign or other marking and in  
 41 restoring the appearance of the property on which it was  
 42 affixed.

43 The commissioner is empowered to <sup>remove</sup> ~~remove~~ any such  
 44 prohibited sign or other marking in place upon or over  
 45 any road taken over by him for construction or main-  
 46 tenance.

*OK Blankenship  
 C. Blankenship  
 2/2/00  
 C. B.*

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*G. B. Spauld*  
Chairman Senate Committee

*L. F. Deen*  
Chairman House Committee

Originated in the House of Delegates

Takes effect 90 days from passage

*Thomas Kye*  
Clerk of the Senate

*C. Blankenship*  
Clerk of the House of Delegates

*Repp J. Bean*  
President of the Senate

*W. E. [Signature]*  
Speaker, House of Delegates

The within approved this the 14<sup>th</sup> day of March, 1957.

*Jeff H. Hudnutt*  
Governor



Filed in the Office of the Secretary of State  
of West Virginia  
**MAR 14 1957**

D. RUTH CARR  
SECRETARY OF STATE