

No. R-274. Senate concurrent resolution commemorating the 50th anniversary of the enactment of the Vermont outdoor advertising law of 1968.

(S.C.R.19)

By Senator Baruth,

Whereas, nearly a century ago, the General Assembly first addressed the aesthetic impact of outdoor advertising billboards, when it enacted 1921 Acts and Resolves No. 44, “An Act to Control the Use of Bill-Boards” that established a largely permissive regulatory scheme but limited a billboard’s size to no greater than six square feet, and

Whereas, 1925 Acts and Resolves No. 32 amended the 1921 act to prohibit billboards “within fifty feet of any public park, playground, square or cemetery,” except on-premises advertising and municipal or State traffic, directional, or public safety signs, and

Whereas, in 1937, following the placement of seven billboards in Springfield, billboard opponents formed the Vermont Association for Billboard Restriction, and the Springfield billboards proved short-lived, and

Whereas, in a 1943 ruling, *Kelbro, Inc. v. Myrick*, 113 Vt. 64, the Vermont Supreme Court rejected a challenge to the State’s billboard regulatory scheme, describing it as “a regulation of the use of the streets and other public thoroughfares,” and “not so much a regulation of private property,” and

Whereas, 1957 Acts and Resolves No. 275 created a 750-foot exclusion zone for advertising adjacent to a limited-access highway, serving as a limitation, but hardly a prohibition, and

Whereas, opposition to billboards continued into the 1960s, culminating in the General Assembly’s 1968 adoption of a comprehensive ban on traditional highway billboards, 1968 Acts and Resolves No. 333, that also repealed the existing, far more limited, outdoor advertising statutes and made Vermont the first state to ban traditional off-premises advertising billboards, and

Whereas, Act 333 enabled Vermont to preserve the scenic landscape views from the State’s highways, replacing traditional billboards with limited informational and directional signs that promote tourism and public safety, and ending the presence of the large, and at times distracting, billboards that had lined Vermont’s highways since at least the early 1920s, and

Whereas, Act 333 has helped maintain Vermont’s unique character and provided a precedent for other jurisdictions to remove billboards, and

Whereas, occasional efforts to weaken the principles of Act 333 have not derailed this historic law that in 2018 is marking a half-century in force, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly commemorates the 50th anniversary of Vermont’s outdoor advertising law of 1968.