

177.863 Highway advertising devices, what prohibited -- Spacing -- Size -- Illumination.

Within any commercial or industrial zone or unzoned commercial or industrial area adjacent to a federal-aid primary highway, advertising devices shall be subject to the following standards:

- (1) Prohibited advertising devices:
 - (a) Advertising devices that are not clean and in good repair.
 - (b) Advertising devices that are not securely affixed to a substantial structure.
 - (c) Advertising devices which attempt or appear to attempt to direct the movement of traffic or which interfere with, imitate or resemble any official traffic sign, signal or device.
 - (d) Advertising devices which obstruct the view of official signs, or approaching and merging traffic.
 - (e) Advertising devices on trees, or painted upon natural features.
 - (f) Advertising devices exceeding one thousand two hundred fifty (1,250) square feet on each face including border and trim, but excluding supports.
 - (g) Advertising devices advertising an activity that is illegal under state or federal law.
 - (h) Obsolete advertising devices.
- (2) Spacing of advertising devices:
 - (a) No advertising device structure designed to be primarily viewed from a non-limited access federal-aid primary highway shall be erected within three hundred (300) feet of any other such advertising device structure on the same side of the highway, unless separated by a building, natural obstruction or roadway. Provided, however, that in an incorporated municipality such required distance shall be reduced to one hundred (100) feet.
 - (b) Double-faced -- V-type and/or back-to-back advertising device structures shall be one advertising device for spacing purposes.
 - (c) The minimum distance between advertising devices shall be measured along the nearest edge of the pavement between points directly opposite the advertising devices.
 - (d) Advertising devices advertising the sale or lease of the property on which they are located, or advertising the activity conducted thereon, are permitted, and shall not cause any other advertising device to be in violation of this chapter; notwithstanding any contrary provision.
- (3) Size of advertising devices:
 - (a) The maximum area for any advertising device shall be one thousand two hundred fifty (1,250) square feet, including border and trim but excluding supports.
 - (b) An advertising device structure may contain one (1) or two (2) advertisements per facing, not to exceed the maximum area.

- (c) Double faced structures will be permitted with the maximum area being allowed for each facing.
- (4) Lighting of advertising devices:

Advertising devices may be illuminated, subject to the following restrictions:

 - (a) Advertising devices 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.
 - (b) Advertising devices which are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled way of the highway 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 are prohibited.
 - (c) No advertising device shall be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device or signal.

History: Amended 1968 Ky. Acts ch. 178, sec. 2. -- Created 1966 Ky. Acts ch. 76, sec. 4.