

CHAPTER 55

[House Bill No. 1434]

HIGHWAY ADVERTISING CONTROL—
PROHIBITED SIGNS, REMOVAL—
INFORMATIONAL SIGNS

AN ACT Relating to outdoor advertising; amending section 8, chapter 96, Laws of 1961 as amended by section 10, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.080; and amending section 5, chapter 62, Laws of 1971 as last amended by section 1, chapter 154, Laws of 1974 1st ex. sess. and RCW 47.42.045.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 8, chapter 96, Laws of 1961 as amended by section 10, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.080 are each amended to read as follows:

(1) Any sign erected or maintained contrary to the provisions of this chapter or regulations promulgated hereunder and which is designed to be viewed from the interstate system (~~(or from any part of)~~), the primary system, or the scenic system (~~((which is not a part of the primary system))~~) shall be a public nuisance, and the commission, the chief of the Washington state patrol, the county sheriff, or the chief of police of any city or town shall notify the permittee or, if there is no permittee, the owner of the property on which the sign is located, by registered mail at his last known address, that it constitutes a public nuisance and must comply with the chapter or be removed.

(2) If the permittee or owner, as the case may be, shall fail to comply with the chapter or remove any such sign within fifteen days after being notified to remove such sign he shall be guilty of a misdemeanor. In addition to the penalties imposed by law upon conviction an order may be entered compelling removal of the sign. Each day such sign shall be maintained shall constitute a separate offense.

(3) If the permittee or the owner of the property upon which it is located, as the case may be, shall not be found or refuses receipt of the notice, the commission, the chief of the Washington state patrol, the county sheriff, or the chief of police of any city or town shall post the sign and property upon which it is located with a notice that the sign constitutes a public nuisance and must be removed. If the sign is not removed within fifteen days after such posting, the commission, the chief of the Washington state patrol, the county sheriff, or the chief of police of any city or town shall abate the nuisance and destroy the sign, and for that purpose may enter upon private property without incurring liability for so doing.

(4) Nothing in this section shall be construed to affect the provisions contained in RCW 47.42.102 requiring the payment of compensation upon the removal of any signs compensable under state law.

Sec. 2. Section 5, chapter 62, Laws of 1971 as last amended by section 1, chapter 154, Laws of 1974 1st ex. sess. and RCW 47.42.045 are each amended to read as follows:

(1) Not more than one type 3 sign visible to traffic proceeding in any one direction on an interstate system, primary system outside an incorporated city or

town or commercial or industrial area, or scenic system highway may be permitted more than fifty feet from the advertised activity;

(2) A type 3 sign, other than one along any portion of the primary system within an incorporated city or town or within any commercial or industrial area, permitted more than fifty feet from the advertised activity pursuant to subsection (1) of this section shall not be erected or maintained a greater distance from the advertised activity than one of the following options selected by the owner of the business being advertised:

(a) One hundred fifty feet measured along the edge of the protected highway from the main entrance to the activity advertised (when applicable);

(b) One hundred fifty feet from the main building of the advertised activity; or

(c) Fifty feet from a regularly used parking lot maintained by and contiguous to the advertised activity.

(3) In addition to signs permitted by subsections (1) and (2) of this section, the commission may adopt regulations permitting one type 3 sign visible to traffic proceeding in any one direction on an interstate, primary or scenic system highway on premises which, on the effective date of this 1976 amendatory act, are used wholly or in part as an operating business, farm, ranch or orchard which sign bears only the name of the business, farm, ranch or orchard and a directional arrow or short directional message. Regulations adopted under this subsection shall prohibit the erection or maintenance of such type 3 signs on narrow strips of land a substantial distance from but connected with a business, farm, ranch or orchard. Signs permitted under this subsection shall not exceed fifty square feet in area.

~~(4)~~⁽³⁾ The commission with advice from the parks and recreation commission shall adopt specifications for a uniform system of official tourist facility directional signs to be used on the scenic system highways. Official directional signs shall be posted by the commission to inform motorists of types of tourist and recreational facilities available off the scenic system which are accessible by way of public or private roads intersecting scenic system highways.

Passed the House February 2, 1976.

Passed the Senate February 13, 1976.

Approved by the Governor February 21, 1976.

Filed in Office of Secretary of State February 21, 1976.

CHAPTER 56

[Substitute House Bill No. 1470]

CIVIL RECOMPENSE AND CLAIMS— MEDICAL MALPRACTICE

AN ACT Relating to civil recompense and claims; amending section 1, chapter 80, Laws of 1971 and RCW 4.16.350; amending section 1, chapter 157, Laws of 1969 ex. sess. as amended by section 1, chapter 114, Laws of 1975 1st ex. sess. and RCW 4.24.240; adding a new section to chapter 4.28 RCW; adding a new section to chapter 4.56 RCW; adding new sections to Title 5 RCW; and creating a new chapter in Title 7 RCW.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 1, chapter 80, Laws of 1971 and RCW 4.16.350 are each amended to read as follows: