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In this issue:

[Scenic America celebrates Vermont's 40 billboard-free years, remembers Ted Riehle Jr.](#)

[Court upholds New Hampshire town's ban on electronic signs](#)

[Byways reports finalized and available for download](#)

[Scenic Houston works to amend proposed billboard deal](#)

[Scenic America makes the news:](#)

[Spread of electronic billboards is raising questions of driver safety, visual clutter in Penn.](#)

[Bills aim to preserve billboards on Missouri interstates](#)

[Digital billboards causing concern over driver safety in southern California](#)

[Getting the message in Indianapolis: Billboards will be history](#)

[Scenic Quote of the Month](#)

"Billboards have a tremendous negative impact on neighborhoods and therefore neighborhoods should have the ability to regulate them"

~ Sen. John Chafee (R-RI) in a nationally televised press conference on April 24th, 1990, introducing "The Visual Pollution Control Act of 1990," which ultimately failed to become law.

Scenic America celebrates Vermont's 40 billboard-free years, remembers Ted Riehle Jr.

It's been 40 years since Vermont passed a law banning billboards from blighting the state's communities and countrysides. *Vermont Public Radio* produced [this fantastic retrospective](#) of the event, which you can listen to by choosing an audio option on right-hand side of the page.

December saw the passing of Ted Riehle Jr., the driving force behind the law which banned all billboards in Vermont. Riehle was a visionary; the law, passed in 1968, made Vermont the first state in the continental U.S. to rid itself of billboards.

It wasn't easy to convince everyone in Vermont that banning billboards would be a good thing. Riehle believed strongly, though, that Vermont would benefit financially and aesthetically by taking existing billboards down and banning new ones.



Vermont road in autumn - photo by Denis Tangney

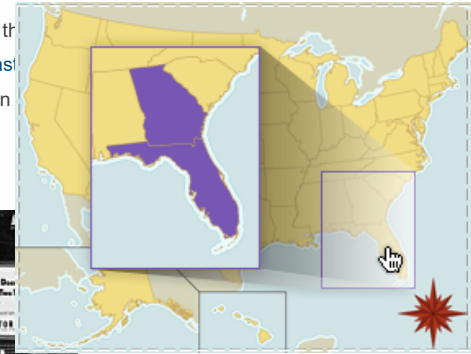
Time has proven Riehle correct, as tourism to Vermont has increased and visitors often cite the state's natural beauty as their number one reason for visiting. Read [a remembrance](#) of Riehle from the *Burlington Free Press* and [Wild's commentary](#) from the *Rutland Herald*.

Court upholds New Hampshire town's ban on electronic signs

The U.S. Court of Appeals for the First Circuit has upheld the U.S. District Court of New Hampshire's ruling that the town of Concord's ban on electronic message centers (EMCs) is constitutional.

Naser Jewelers had sought a permit from the town to install an EMC below their static sign. The permit was denied because the town's sign ordinance prohibits all EMCs. Naser Jewelers challenged the constitutionality of the ordinance and sought an injunction and damages from the town, but the injunction was denied, first by a magistrate judge and then by the District Court.

Get Local



Billboards line the road in Vermont before the ban. Photo courtesy of the Vermont State Archives.

Scenic Trivia Question

Q: Who received the National Leadership Award from Scenic America in 1993?

A: Federico Pena, then U.S. Secretary of Transportation, received the award for his efforts in support of aesthetic protection and conservation of community character in Denver.

The Court of Appeals upheld the constitutionality of the ordinance on the grounds that: the ordinance is a content-neutral regulation, it serves substantial governmental interests, it is narrowly tailored, and it leaves open reasonable alternative channels of communication.

The town based its sign ordinance around aesthetic and safety concerns, and the court affirmed the validity of those grounds.

The court said: "It is given that a billboard can constitute a traffic hazard. It follows that EMCs, which provide more visual stimuli than traditional signs, will be more distracting and more hazardous....[The] Plaintiff's own witness stated that bypassers focus more on rapidly blinking electronic signs than static signs. This constitutes a greater hazard."



*Downtown Concord, NH -
photo by Ben McLeod*

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The court also agreed that Concord has a right to protect its visual environment, saying that the town's aesthetic goals would be much harder to achieve without a ban on EMCs.

Two amicus briefs were filed in the case, one by [Scenic America](#), and one by the [American Planning Association](#), the [Northern New England Chapter of the APA](#), the [International Municipal Lawyers Association](#), the [New Hampshire Municipal Lawyers Association](#), and the [New Hampshire Planners Association](#).

[Click here](#) to read the entirety of the court's ruling (PDF).

Make a donation

Help support Scenic America in our efforts to preserve scenic quality and keep decisions about community character in the hands of the people living in the community.

Your tax-deductible donation helps us to provide information, support, and guidance to communities, planners, and policy makers that recognize...

Change is Inevitable, Ugliness is Not!

Byways workshop reports finalized and available for download

Final reports on two national scenic byways workshops that have been mentioned in [previous newsletters](#) are now available for download.

The workshops, performed under a partnership between Scenic America and the [America's Byways Resource Center](#), were held on the [Mohawk Towpath Byway](#) in New York State and the [Turquoise Trail Byway](#) in New Mexico.

[Click here](#) to download the final report for the Mohawk Towpath Byway workshop, and [click here](#) to download the final report for the Turquoise Trail Byway workshop. Both reports are in [PDF format](#).

Cownover to be featured speaker at Delaware Byway Workshop

Brad Cownover, Director of Scenic Conservation Services for Scenic America, will be a featured speaker at a workshop sponsored by the National Scenic Byways Program and the Delaware Department of Transportation.

The event will be held on Tuesday, March 11 from 9 a.m. - 3 p.m. at the Delaware DOT building in Dover. Those of you in the mid-Atlantic region who are interested in attending should download [this PDF](#) for more information. There is no fee to attend the workshop, though you must register in advance.



Scenic Houston works to amend proposed billboard deal

[Scenic Houston](#) is working with that city's mayor and council to amend a proposed deal on billboards with industry giant Clear Channel Outdoor.

Scenic Houston has been leading the effort to raise awareness among city officials and area residents as to the potential pitfalls of this deal. Scenic

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America board member and billboard law expert Bill Brinton has been in Houston helping to advise those crafting the provision, ensuring it's as effective as possible in preserving local control over the city's visual environment.



Houston skyline - photo by John Zellmer

At first glance the deal appears to be a winner for opponents of billboard blight.

However, as part of the deal Clear Channel would no longer be obligated to comply with a long-standing order to dismantle 687 billboards in the year 2013. That order contains no provision allowing for the relocation of any billboards.

Clear Channel has been trying to barter a deal with the city that would allow them to relocate 466 billboards in exchange for the immediate removal of 881 other signs.

A proposed Jan. 9 vote on the deal has been postponed while the concerned parties rework the language. For more on the proposed deal click [here](#) for an article from the *Houston Chronicle*.

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