

THE ISSUE OF LEGALISING AN ADVERTISING MEDIUM LOCATED BY A PUBLIC ROAD AT A DISTANCE SHORTER THAN THE ONE REQUIRED BY ACT ON PUBLIC ROADS

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INTRODUCTION

Advertising media are more and more often used to provide information about goods or services. Most often, they are in the form of advertising devices or hoardings. The development of advertising resulted in changes in the methods of exposing advertisements. Entrepreneurs often take decisions to use large-format digital signage.¹ Each type of advertising media is intended for or serves exposing advertisements. There are various types of media offered on the market. As far as the way of placement is concerned, they can be permanently anchored to the ground or be temporary in nature. The choice of a medium type, the location, and the method of anchoring have impact on the determination if there is an obligation to register it or obtain a construction permit.

The article is aimed at presenting the significance of the appropriate classification of construction works connected with anchoring an advertising medium. In the construction law practice, this is the type and method of construction works that decide on their classification in the light of statutory definitions laid down in Article 3 of the Act of 7 July 1994: Construction Law.²

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¹ It is the so-called “animated advertising”, see Kall, J., *Reklama*, Warszawa, 1999, p. 17.

² Consolidated text, Journal of Laws of 2021, item 2351; of 2022, item 88, hereinafter: “CL”.

Inappropriate classification of construction works by an investor often leads to the instigation of a legalisation proceeding. Thus, taking into account the type of a facility and the method of works, it is necessary to consider how to properly classify advertising media. It is especially important because CL does not provide a definition of the concept. It is also worth considering possibilities of legalising the construction or building works other than construction in a situation when an investor has not obtained a road administrator's permit for the placement of a medium by this road at a distance shorter than the one laid down in Act of 21 March 1985 on public roads.³

1. ADVERTISING MEDIUM IN THE LIGHT OF CONSTRUCTION LAW

There is no definition of an advertising medium in CL. An advertising medium may be an advertising device as well as a hoarding. However, there is a definition of an advertising device in Article 1a(1)(3a) Act of 12 January 1991 on local taxes and charges⁴ and in Article 2(16b) Act of 27 March 2003 on planning and spatial development.⁵

An advertising device should be understood as a physical object designed for the purpose of or used for exposing advertisements, together with its construction and anchoring elements, with the exception of small everyday objects used in accordance with their intended purpose. The definition of an advertising device unambiguously states that it cannot be a physical object designed for the purpose of or used for exposing advertisements, together with its construction and anchoring elements, that is a hoarding.⁶ It should be emphasised here that both definitions of a hoarding and an advertising device state that these are physical objects designed for the purpose of and used for exposing advertisements, together with their construction and anchoring elements. Thus, as a hoarding is an object with "a flat surface",⁷ it is first of all necessary to determine whether a given physical thing designed for the purpose of and used for exposing advertisements is a hoarding, and only then one can consider its classification as an advertising device.⁸

It is emphasised in case law that the difference between an advertising medium and a hoarding, as well as that the determination of those concepts requires taking

³ Act of 21 March 1985 on public roads, consolidated text, Journal of Laws of 2021, items 1376, 1595, of 2022: item 32, hereinafter: "APR".

⁴ Journal of Laws of 2021, item 2192: The act determines the rules of charging an advertising fee, which depends on whether it is a hoarding or an advertising device. For more on the issue see Wantoch-Rekowski, J., 'O opłacie reklamowej', in: Miemiec, W. (ed.), *Księga Jubileuszowa Profesor Krystyny Sawickiej. Gromadzenie i wydatkowanie środków publicznych. Zagadnienia finansowoprawne*, Wrocław, 2017, p. 290.

⁵ Journal of Laws of 2022, item 503.

⁶ Article 7 (16c) of the Act on planning and spatial development.

⁷ See Article 16b of the Act on planning and spatial development, which contains a definition of a hoarding. It means a physical object designed for the purpose of and used for exposing advertisements, together with its construction elements and anchoring, with a flat surface for exposing advertisements, in particular a banner, advertisements stuck onto building windows, placed on scaffolding, a fence or the equipment used on the construction site, with the exception of small everyday objects used in accordance with their intended purpose.

⁸ Judgement of the Supreme Administrative Court of 12 December 2018, II FSK 1897/18.

into consideration the actual state of the matter.⁹ Courts point out that the difference between an advertising device and a hoarding consists in the fact that a hoarding is an object with a flat surface.¹⁰ On the other hand, such concepts as: an advertisement, a hoarding, an advertising device, and a signboard, due to their location, should be interpreted based on the planning and spatial development regulations.¹¹

Taking into account the above, in the light of Construction Law, one can speak about two types of advertising devices. Firstly, these are advertising devices classified as constructions, i.e. architectural facilities that are permanently anchored to the ground within the meaning of Article 3(3) CL.¹² Secondly, these are installed advertising devices and hoardings. It is worth emphasising that advertising media may be subject to special provisions, inter alia those concerning the protection of monuments or determining the minimum distance from a public road. Thus, apart from the obligations laid down in CL, an investor must, provided it is required by law, be given consent or reach agreements stipulated in separate regulations (which is thoroughly discussed below).

2. CONSTRUCTION VERSUS INSTALLATION OF ADVERTISING DEVICES

Installation of advertising devices within the meaning of Article 29(3)(3)(c) CL concerns only the construction works that are not connected with the erection of an architectural facility in a given place, i.e. construction within the meaning of Article 3(6) CL. Pursuant to Article 29(3)(3)(c) CL, installing hoardings and advertising devices, except electric advertising signs and illuminated advertisements situated outside a built-up area within the meaning of the road traffic regulations, requires registration in an organ of architectural and construction administration.

It should be determined when construction works are classified as the construction of an advertising medium or works consisting in the installation of hoardings or advertising devices. In the light of the provisions of CL, an advertising medium may be classified as a construction or construction works consisting in the installation of advertising devices. The determination of the category of an architectural facility in the light of CL will be of key importance from the point of view of the obligation to obtain a construction permit or to register construction works.

Having considered the above-mentioned issues, an advertising medium may be classified differently depending on the actual state. Detached advertising media permanently anchored to the ground are classified as constructions. It is emphasised

⁹ Judgement of the Voivodeship Administrative Court in Szczecin of 7 February 2008, II SA/Sz 1026/07.

¹⁰ Thus, as a result, it should be treated as a hoarding (not an advertising device), see judgement of the Supreme Administrative Court of 12 December 2018, II FSK 1897/18.

¹¹ See Plucińska-Filipowicz, A., Wierzbowski, M. (eds.), *Ustawa o planowaniu i zagospodarowaniu przestrzennym. Komentarz*, Warszawa, 2022, commentary on Article 7.

¹² See a hoarding on a foundation; judgement of the Voivodeship Administrative Court in Gliwice, I SA/Gl 1361/16, LEX No. 2290742.

in case law that it is not the way or method of anchoring an object to the ground or the technology of making a foundation that decides whether the anchoring is permanent. This is the size of a given facility, security and the method of setting a given advertising device that makes it possible to classify a facility as a construction and not a construction device.¹³

What is of key importance from the point of view of the category of an architectural facility is determination whether an advertising facility is permanently anchored to the ground. Construction works consisting in the installation of hoardings and advertising devices, except electric advertising signs and illuminated advertisements outside the built-up areas, do not require a construction permit but they require registration.¹⁴ Thus, the installation of hoardings and advertising devices (with the exception of the illuminated ones) does not require a construction permit, but does require its registration. The term "installation" should be understood as such construction works that consist in anchoring, connecting an element to an already existing architectural facility. The term should be referred to the relation between an installed element or device and an existing facility, e.g. installation of devices on facilities.

An advertising medium that is not a construction is subject to the registration procedure. The registration of construction or other construction works shall be done in an organ of architectural and construction administration. The registration should determine the type, scope, place and method of carrying out construction works as well as the term of starting them.¹⁵ It is necessary to attach: (1) a declaration that the real property concerned is in the investor's disposal for construction purposes; (2) sketches or designs depending on the needs; and (3) permits, agreements and opinions that are required based on the provisions of other legal acts. The registration should take place before the term of carrying out the planned construction works consisting in the installation of hoardings and advertising devices.

It is worth considering whether an organ can impose an obligation to obtain a construction permit in a situation when it is notified about the installation of an advertising device the size of which and the method of installation may pose a threat to security or put restrictions on the neighbouring areas.¹⁶ The grounds for the imposition of such an obligation are laid down in Article 30(7) CL. In accordance with the provision concerning the installation of hoardings and advertising devices, an organ of architectural and construction administration can (provided that there are circumstances indicated in Article 30(7) CL) impose an obligation to obtain a construction permit.

Determination of the above is of key importance for determining whether an investor's activities are appropriate. It is due to the fact that in both cases: the procedure concerning the issue of a construction permit and the registration of works, an investor is obliged to be given a permission for departure from regulations concerning the minimum distance from the edge of a road.

¹³ Judgement of the Supreme Administrative Court of 13 September 2016, II OSK 3037/14.

¹⁴ Article 29(3)(3c) CL.

¹⁵ Article 30(1b) and (2) CL.

¹⁶ Niewiadomski, Z., *Prawo budowlane, Komentarz*, Warszawa, 2016, pp. 322–323.

3. INSTALLATION OF ADVERTISING MEDIA IN A ROAD AREA AND BY PUBLIC ROADS

Investors very often take decisions to install advertising media within a road area and by public roads. The installation of such media is subject to the regulations of CL concerning the classification of an architectural facility and determination of the mode of procedure (registration of construction works, a construction permit). As far as the choice of placement is concerned, not only the regulations of CL but also the provisions of Act of 21 March 1985 on public roads are applicable.¹⁷

It is necessary to point out the difference between the placement of an advertisement in a road area and by a public road. The requirement concerning the placement of advertisements in a road area and by a public road is laid down in Act on public roads. Due to their functions, public roads are divided into the following categories: national, voivodeship, county and commune ones. Article 4(1) APR lays down a definition of a road area. It is a separated land marked with border lines together with the space above and under its surface where a road, architectural facilities and technical devices connected with the traffic maintenance, protection and service as well as devices for the needs of road administration are located. The concept of a road area is broader than a road. However, in order to recognise the land as a part of a road area it is not enough to state that it is next to a road. It must be established that there are architectural facilities or technical devices connected with the traffic maintenance, protection and service or the needs of road administration.¹⁸ Occupation of a road area requires a road administrator's localisation decision and consent. A road administrator who issues a localisation decision must always take into consideration the actual state of the place where a particular advertisement is to be located.¹⁹

The right to place advertisements by roads has been limited due to road traffic safety. The placement of advertisements by a road requires an analysis of regulations concerning:

- 1) the minimum distance between an advertisement and the outer edge of a roadway;
- 2) obtaining a construction permit or notifying an organ of architectural-building;
- 3) obtaining a road administrator's consent for occupation of a road area for the purpose of placing an advertising device.

The provisions of APR determine the minimum distance between an advertising medium and the edge of a road, as well as the conditions for obtaining any departures from the rule. Construction or construction works consisting in the installation of hoardings and advertising devices (with the exception of electric advertising signs and illuminated advertisements located outside a built-up area within the meaning of the road traffic regulations) require: (1) obtaining a construction permit for erecting

¹⁷ Consolidated text, Journal of Laws of 2021, item 1376.

¹⁸ Judgement of the Voivodeship Administrative Court in Gdańsk, of 8 May 2014, III SA/Gd 226/14.

¹⁹ Judgement of the Voivodeship Administrative Court in Szczecin of 5 October 2011, II SA/Sz 516/11.

a facility in the form of a detached advertising medium permanently anchored to the ground; or (2) registration of the installation of hoardings. A construction permit is not required in case of construction works consisting in the installation of hoardings and advertising devices with the exception of ones located on facilities entered into the registry of monuments within the meaning of the provisions on the protection and taking care of monuments, and with the exception of electric advertising signs and illuminated advertisements located outside a built-up area within the meaning of the road traffic regulations.

All things considered, it should be emphasised that the requirement for the lawful (in the light of the provisions of Construction Law) installation of advertising media by a public road is an agreement reached with a given road administrator. The rules of placement of architectural facilities and advertisements that do not constitute architectural facilities by roads in a built-up area are laid down in APR. Media must be located at a determined distance from the outer edge of a road. On the other hand, in particularly justified situations, an investor may obtain a road administrator's consent for placing an architectural facility by a road at a distance shorter than the one determined in Article 43 APR. In accordance with Article 42a and Article 43 APR, there is a general ban on placing advertisements in a road area outside built-up areas, with the exception of car parks. If the actual distance between an advertising medium and the outer edge of a road does not meet the requirement laid down in Article 43 APR, an investor may be given a road administrator's consent for placing an architectural facility by a road at a distance shorter than the one laid down in Article 43 APR. An investor is obliged to obtain a road administrator's permit before the start of construction or construction works. A road administrator's consent must be given before an investor obtains a construction permit or registers building works, or does construction works. It shall be attached to an application for a construction permit and registration of construction or construction works consisting in the installation of hoardings or advertising devices (with the exception of electric advertising signs and illuminated advertisements located outside a built-up area).

It is worth emphasising that the above-mentioned road administrator's consent shall be given in extraordinary situations. It is due to the fact that placing advertising media in a road area is admissible only in particularly justified situations after obtaining a road administrator's permit. Advertising media are facilities that are not connected with road management or traffic needs. In the permit issued, a road administrator determines the type of advertisement and the way in which it may be placed in a road area, as well as the place in a road area. The omission of the agreement-related procedure by investors has specific consequences. In the practical application of the provisions of CL, organs of construction supervision relatively frequently classify the installation of hoardings and advertising devices as an unauthorised construction just because an investor fails to follow the procedure of obtaining a road administrator's consent for placing a facility at a distance shorter than the one required by the provisions of Act on public roads.

4. LEGALISATION OF AN ADVERTISING DEVICE

As it was mentioned above, the construction and installation of an advertising medium at the distance that is shorter than the one laid down in Act on public roads requires a road administrator's consent given based on Article 43(2) of the statute. In practice, however, it happens that investors omit this stage in the proceeding of obtaining a permit and decide to legalise the already existing advertising devices. A question is raised, however, whether it is possible to obtain an administrator's consent in the course of a legalisation proceeding. In accordance with Article 43(2) APR, an administrator's consent for the placement of an advertising device at the distance shorter than the one stipulated in regulations²⁰ should be given before an investor is granted a building permit or registers construction or construction works. The consent should be attached to the application for a construction permit or registration of construction or construction works.

In the light of the content of Article 43(2), a question arises whether an investor or owner may submit an administrator's consent also in the course of a localisation proceeding. The linguistic interpretation of the above-mentioned provision does not raise any doubts concerning the moment of obtaining a road administrator's consent.

4.1. LEGALISATION PROCEDURE

Article 48 CL regulates the issue of an unauthorised construction consisting in building or having built an architectural facility or its part without the required construction permit, which generally results in the issuing of a demolition order.²¹ Article 48 CL stipulates a possibility of legalisation of an unauthorised construction but only in case the construction conforms to the binding rules of planning and spatial development and does not infringe the technical construction regulations (an ordinary unauthorised construction). A legalisation proceeding is instigated at an investor's request. An organ shall issue a decision on construction stoppage in case of an architectural facility or its part that is under construction or has already been built:

²⁰ Construction facilities by roads and advertisements that are not construction facilities and are placed by roads outside built-up areas should be situated at the following minimum distance from the outer edge of a road:

No.	Type of road	Within a built-up area	Outside a built-up area
1.	Motorway	30 metres	50 m
2.	Expressway	20 m	40 m
3.	Public highway:		
	a) National	10 m	25 m
	b) Voivodeship/county	8 m	20 m
	c) Commune	6 m	15 m

²¹ For more on an unauthorised construction see Cherka, M., Grecki, W., *Samowola budowlana w polskim prawie budowlanym*, Warszawa, 2013, p. 32 et seq.

- (1) without the required construction permit; or
- (2) without registration or in spite of the fact that objections to this registration have been raised.²²

Having recognised an unauthorised construction, an organ shall issue a decision on construction stoppage, even if construction works have been completed. An organ shall inform an investor about the possibility of legalisation, i.e. that an investor can apply for legalisation of an architectural facility or its part and the necessity of paying a legalisation fee in order to get a decision legalising an architectural facility or its part, as well as about the rules of calculating a legalisation fee.²³ Then an investor, an owner or an administrator of a construction may, within 30 days from the receipt of a decision, file an application for legalisation to an organ of construction supervision.²⁴ In case an investor (owner or administrator) files an application for legalisation, an organ of construction supervision shall start a legalisation proceeding. Having carried out a legalisation proceeding, provided that some irregularities have been found, an organ shall issue a decision obliging to eliminate them under pain of a demolition order. If an investor fails to file documents requested by an organ of construction supervision, the next step of a legalisation proceeding cannot start and an organ shall issue a decision on obligatory demolition. The fulfilment of obligations imposed is an obligatory element of the process of legalising an unauthorised construction. An organ cannot issue a decision approving of a construction project and a decision allowing for construction resumption if the construction has been completed and the required documents have not been submitted.²⁵ The above-mentioned decisions end a legalisation process, i.e. legalise an unauthorised construction.²⁶

In the light of the above, the practice of enforcing the regulations concerning legalisation of an unauthorised construction consisting in the construction or carrying out construction works consisting in the installation of advertising media raises doubts concerning legal admissibility of placing advertising media within a road area, and admissibility of legalisation in case an investor fails to obtain a road administrator's consent for that although the minimum distance from a public road edge is not maintained.

²² Article 48(1) CL.

²³ Article 48(5) and (3) CL.

²⁴ Article 48a(1) CL.

²⁵ Judgement of the Voivodeship Administrative Court of 10 March 2021, VII SA/Wa 1770/20, judgement of the Supreme Administrative Court of 28 April 2020, II OSK 1808/19.

²⁶ Judgement of the Supreme Administrative Court of 14 October 2020, II OSK 1565/20; A demolition order is also issued when an application is withdrawn, which may practically happen in the course of the whole legalisation proceeding. See Article 49e(2) in conjunction with Article 48a(2) CL.

4.2. LEGALISATION OF ADVERTISING MEDIA PLACED BY A PUBLIC ROAD IN CASE THE ADMISSIBLE DISTANCE FROM A PUBLIC ROAD EDGE IS NOT MAINTAINED

The above considerations show that an investor is obliged to obtain a road administrator's consent for placing an advertising medium at the distance shorter than the one admitted by the provisions of Act on public roads. A road administrator may give consent for the placement although the minimum distance from a public road edge is not maintained. However, it is of key importance to establish whether it is possible to obtain a road administrator's consent for departure from the regulations concerning the minimum distance from a road edge in the course of a legalisation proceeding. In accordance with Article 43 APR, an application for a permission to place an architectural facility at the distance shorter than the one laid down in the provision should be filed before construction or installation of an advertising medium (registration respectively).

Therefore, it should be considered whether there is a possibility of conducting a legalisation proceeding concerning works consisting in construction or installation of an advertising medium in case an investor has not been given prior consent for placing an architectural facility at the distance shorter than the one laid down in Article 43 APR. It should be reminded that in accordance with the regulations, the consent should be given before construction or installation of hoardings. Article 43(2) APR determines the mode of procedure applicable in order to reach the compliance with law as a result of obtaining a road administrator's consent for placing a facility at the distance shorter than the one laid down in paragraph 1 of the provision. In accordance with Article 43(2) APR, in particularly justified cases, the placement of an architectural facility by a road at the distance shorter than the one determined in paragraph 1 therein may take place only based on a road administrator's consent given before an investor is granted a construction permit or registers construction or construction works.

Thus, in the light of the content of the provision discussed, can an investor file an application and obtain an administrator's consent after a construction has been completed? Administrative courts' judgements emphasise that it is absolutely necessary to adopt a systemic interpretation because in accordance with the literal interpretation of Article 43 APR, such 'subsequent' consent is not possible. Consent may also be given for a completed construction project for the purpose of a legalisation proceeding. However, it is the systemic interpretation that is in favour of admitting a possibility of obtaining such consent also in other situations. In fact, a legalisation and remedial proceeding examines whether the same requirements have been met as in case of a proceeding concerning a construction permit or in a registration proceeding. The only difference consists in the fact that the already existing facility is subject to examination in a legalisation and remedial proceeding.²⁷

As it was established above, an investor may provide, and thus obtain a road administrator's ex post consent for placing an architectural facility at the distance

²⁷ Judgement of the Supreme Administrative Court of 9 September 2018, II OSK 2489/16.

shorter than the one laid down Article 43(1) APR. Article 39(1) of the statute bans the activities within a road area that might cause destruction or damage to a road and its devices or weaken its stability as well as pose threat to road traffic safety. In accordance with Article 43(1) APR, architectural facilities placed by a road outside a built-up area should be placed at a determined distance from an outer edge of a road. However, in accordance with Article 43(2), in particularly justified situations, the placement of an architectural facility by a road referred to in paragraph 1, at the distance that is shorter than the one laid down therein, may take place only based on a road administrator's consent given before an investor is granted a construction permit or registers construction of construction works.

It is worth considering what premises may have influence on whether a positive decision is issued. It seems that the key element of the evaluation is road traffic safety.²⁸ However, it is not a clear concept and is not defined in Act on public roads. A decision issued based on Article 43(2) APR is discretionary. A statutory premise of giving consent for the placement of a given facility at the distance from a road edge shorter than the one laid down in the statute is the occurrence of "particularly justified situations". In such a case, proving that such a situation exists may be a condition for issuing a permit for placing a facility in a certain place although the distance from a road edge is shorter. The "particularly justified situations" include a lack of a threat to road traffic safety. Thus, a road administrator will take the criterion of "a lack of a threat to road traffic safety" into consideration. A party may in particular prove that an advertising device does not have influence on road traffic safety due to the location, the lack of lighting, or the size of the facility. On the other hand, refusal to issue a decision must be based on appropriate evidence that an advertising device, due to its construction or other parameters, would be burdensome for the maintenance of road traffic safety.²⁹

CONCLUSIONS

The above considerations make it possible to formulate a few detailed comments.

1. With regard to construction and installation of advertising media by public roads, there is a relative ban on their placement there. Having obtained a road administrator's permission, before those works, an investor may place a hoarding within a road area that is outside a built-up area (with the exception of car parks) regardless of the lack of the minimum distance between advertisements and the outer edge of a roadway.
2. Depending on the category of an architectural facility (an advertising medium as a construction or installation), its location in a particular place must be preceded by obtaining a construction permit or registration. Thus, the determination of

²⁸ Brylak, J., *Ochrona prawna bezpieczeństwa w ruchu drogowym*, Warszawa, 2018, p. 39.

²⁹ Judgement of the Voivodeship Administrative Court in Szczecin of 14 September 2011, II SA/Sz 517/11.

the category of an architectural facility is of key importance from the point of view of the choice of the procedure under CL.

3. An unauthorised construction or installation of advertising media without registration is subject to legalisation procedure. An investor, provided the legalisation requirements are met (Article 48 CL), may legalise the construction of an advertising medium or construction works consisting in installation.
4. An investor who has not obtained a road administrator's consent (before construction works) for placing an architectural facility by a road at the distance shorter than the one laid down in APR may provide the 'subsequent' consent for the purpose of a legalisation proceeding.

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THE ISSUE OF LEGALIZING AN ADVERTISING MEDIUM LOCATED BY A PUBLIC ROAD AT A DISTANCE SHORTER THAN THE ONE REQUIRED BY ACT ON PUBLIC ROADS

Summary

The article discusses the issues related to the legalisation of an advertising medium located by a public road at the distance that is shorter than the one required by the Act on public roads. Both the type of the medium and its location affect the obligation to notify an organ or obtain a building permit. A special issue in this regard is the possibility of obtaining a road administrator's consent for the placement of an advertising device in spite of the fact that the minimum distance of advertisements from the outer edge of a road was not taken into consideration in the course of the legalisation proceeding. Despite the lack of legal regulations of this matter, possible solutions are indicated.

Keywords: advertising, public road, legalisation, construction permit, road administrator

PROBLEMATYKA LEGALIZACJI NOŚNIKA REKLAMOWEGO
USYTUOWANEGO PRZY DRODZE PUBLICZNEJ W ODLEGŁOŚCI MNIEJSZEJ
NIŻ WYMAGANA W USTAWIE O DROGACH PUBLICZNYCH

Streszczenie

W artykule omówiono problemy związane z legalizacją nośnika reklamowego usytuowanego przy drodze publicznej w odległości mniejszej niż wymagana w ustawie o drogach publicznych. Zarówno rodzaj nośnika, jak i miejsce jego usytuowania wpływają na obowiązek zgłoszenia lub uzyskania pozwolenia na budowę. Szczególną kwestią w tym aspekcie poruszona jest możliwość uzyskania zezwolenia od zarządcy drogi, na umieszczenie urządzenia reklamowego pomimo braku uwzględnienia minimalnych odległości reklam od zewnętrznej krawędzi jezdni w trakcie prowadzenia postępowania legalizacyjnego. Pomimo braku regulacji prawnej w tym zakresie, wskazano możliwe rozwiązania.

Słowa kluczowe: reklama, droga publiczna, legalizacja, pozwolenia na budowę, zarządca drogi

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