

CAMPAIGN SIGNS

As most citizens are aware, there are numerous regulations and policies aimed at keeping North Carolina safe and beautiful.

Political candidates and committees will be doing their share if they instruct their campaign workers not to place signs on public property. And, they will be helping save and protect citizens' lives. Some of the signs can block motorists' view of oncoming traffic which could result in a serious or even fatal accident.

State Statute (G.S. 136-32) entitled "Other Than Official Signs Prohibited" prohibits all but official highway signs on State highway rights-of-way. In addition, the North Carolina Board of Transportation several years ago adopted an ordinance prohibiting the placement of advertising signs within highway rights of way.

The Division of Highway field employees are instructed to remove all signs illegally placed within state highway rights-of-way. Such signs are taken to local maintenance offices for storage until they are claimed.

Most counties and cities have ordinances regulating the placement and removal of signs within public rights-of-way. Some issue citations and assess a penalty for each sign as a separate offense.

You are urged to contact each local government to determine its exact laws. The cost of the signs and the bad publicity of signs in violation may be an unwelcome burden to your committee.

Issued by the Campaign Reporting Office
North Carolina State Board of Elections

Littering Statutes for Political Candidates in North Carolina

§ 14-156. Injuring fixtures and other property of electric-power companies.

It shall be unlawful for any person willfully and wantonly, and without the consent of the owner, to take down, remove, injure, obstruct, displace or destroy any line erected or constructed for the transmission of electrical current, or any poles, towers, wires, conduits, cables, insulators or any support upon which wires or cables may be suspended, or any part of any such line or appurtenances or apparatus connected therewith, or to sever any wire or cable thereof, or in any manner to interrupt the transmission of electrical current over and along any such line, or to take down, remove, injure or destroy any house, shop, building or other structure or machinery connected with or necessary to the use of any line erected or constructed for the transmission of electrical current, or to wantonly or willfully cause injury to any of the property mentioned in this section by means of fire. Any person violating any of the provisions of this section shall be guilty of a Class 2 misdemeanor. (1907, c. 919; C.S., s. 4328; 1993, c. 539, s. 94; 1994, Ex. Sess., c. 24, s. 14(c).)

§ 136-32. Regulation of signs.

(a) **Commercial Signs.** - No unauthorized person shall erect or maintain upon any highway any warning or direction sign, marker, signal or light or imitation of any official sign, marker, signal or light erected under the provisions of G.S. 136-30, except in cases of emergency. No person shall erect or maintain upon any highway any traffic or highway sign or signal bearing thereon any commercial or political advertising, except as provided in subsections (b) through (e) of this section: Provided, nothing in this section shall be construed to prohibit the erection or maintenance of signs, markers, or signals bearing thereon the name of an organization authorized to erect the same by the Department of Transportation or by any local authority referred to in G.S. 136-31. Any person who shall violate any of the provisions of this section shall be guilty of a Class 1 misdemeanor. The Department of Transportation may remove any signs erected without authority or allowed to remain beyond the deadline established in subsection (b) of this section.

(b) **Compliant Political Signs Permitted.** - During the period beginning on the 30th day before the beginning date of "one-stop" early voting under G.S. 163-227.2 and ending on the 10th day after the primary or election day, persons may place political signs in the right-of-way of the State highway system as provided in this section. Signs must be placed in compliance with subsection (d) of this section and must be removed by the end of the period prescribed in this subsection.

(c) **Definition.** - For purposes of this section, "political sign" means any sign that advocates for political action. The term does not include a commercial sign.

(d) **Sign Placement.** - The permittee must obtain the permission of any property owner of a residence, business, or religious institution fronting the right-of-way where a sign would be erected. Signs must be placed in accordance with the following:

- (1) No sign shall be permitted in the right-of-way of a fully controlled access highway.
- (2) No sign shall be closer than three feet from the edge of the pavement of the road.
- (3) No sign shall obscure motorist visibility at an intersection.
- (4) No sign shall be higher than 42 inches above the edge of the pavement of the road.
- (5) No sign shall be larger than 864 square inches.
- (6) No sign shall obscure or replace another sign.

(e) Penalties for Unlawful Removal of Signs. - It is a Class 3 misdemeanor for a person to steal, deface, vandalize, or unlawfully remove a political sign that is lawfully placed under this section.

(f) Application Within Municipalities. - Pursuant to Article 8 of Chapter 160A of the General Statutes, a city may by ordinance prohibit or regulate the placement of political signs on rights-of-way of streets located within the corporate limits of a municipality and maintained by the municipality. In the absence of an ordinance prohibiting or regulating the placement of political signs on the rights-of-way of streets located within a municipality and maintained by the municipality, the provisions of subsections (b) through (e) of this section shall apply. (1921, c. 2, s. 9(b); C.S., s. 3846(r); 1927, c. 148, ss. 56, 58; 1933, c. 172, s. 17; 1957, c. 65, s. 11; 1973, c. 507, s. 5; 1977, c. 464, s. 7.1; 1991 (Reg. Sess., 1992), c. 1030, s. 39; 1993, c. 539, s. 981; 1994, Ex. Sess., c. 24, s. 14(c); 2011-408, s. 1.)

19A NCAC 02E .0415 ADVERTISING SIGNS WITHIN RIGHT OF WAY

It shall be unlawful for any person, firm or corporation to erect or place any advertising or other sign, except regulation traffic and warning signs approved by the Department of Transportation, on any highway or the right of way thereof: or so as to overhang the right of way, or to permit the erection or placing of any advertising or other sign, as herein prohibited, on any highway right of way which is situated over any land owned, rented, leased or claimed by such person, firm or corporation. It shall be unlawful for any person, firm or other corporation that has erected, or placed, or permitted to be erected or placed, any advertising or other sign, as herein prohibited, or for any person, firm or corporation owning, renting, leasing or claiming any land over which a highway or highway right of way is situated, and on which highway or highway right of way any advertising or other sign has been erected or placed, to allow such advertising or other signs to remain on state highway or right of way thereof.

*History Note: Authority G.S. 136-18(10); 136-30;
E.ff. July 1, 1978.*

ORDINANCE REGULATING SIGNS IN MUNICIPALITIES

VILLAGE OF ALAMANCE

Temporary Sign: A sign displayed for a period of not more than twelve (12) months.

CITY OF BURLINGTON

Political Signs: Political signs erected in connection with elections or political campaigns proved that: (Amendment adopted June 6, 2000; effective date of amendment, August 1, 2000.)

- a. Such signs are prohibited on utility poles and may not obstruct driver's vision clearances at an intersection.
- b. Such signs shall not be posted earlier than sixty (60) days prior to a primary, general or special election and are to be removed within ten (10) days after the election.
- c. Such signs shall not exceed 32 square feet in area.
- d. Signs found to be in violation of this section may be removed by Zoning Enforcement Officers.

TOWN OF ELON

Campaign or Elections Signs – Not to exceed 4 square feet per side, located only on private property with the permission of the property owner. Campaign signs are limited to one per candidate per road right-of-way. May be displayed not more than 45 days prior to an election and must be removed within 7 days after the election.

TOWN OF GIBSONVILLE

Temporary Signs: Temporary political signs located on private property must be removed within seven (7) days after an election.

Type	#Permitted	Area (sq ft)	Setback (feet)	Height (feet)	Illum. ^b
Temp. Political Signs/All Districts	NA	6	R/W ^a	6	none

^a Signs must be located outside public street R/W and outside and sight distance area.

CITY OF GRAHAM

Temporary Signs: Temporary political yard signs advertising candidates or issues, provided such signs do not exceed one (1) sign per candidate per zoning lot or sixteen (16) square feet in area per display surface, are not erected prior to forty-five (45) days before the actual election day and are removed within seven (7) days after the election

TOWN OF GREEN LEVEL

Campaign/Political Signs are allowed in all zoning districts without a sign permit if they meet the following guidelines:

- a. Each sign shall not exceed more than 18 square feet in area
- b. All such signs shall be removed within seven (7) days after the election for which they were made
- c. No sign shall be placed upon any right-of-way, on any telephone pole or any street sign, or on any public property
- d. No sign may be posted earlier than 45 days before the appropriate election date

TOWN OF HAW RIVER

Yard Signs: Yard signs erected temporarily such as political signs or those advertising yard sales shall be removed within five (5) days after the event promoted has taken place

CITY OF MEBANE

Temporary Signs: Temporary political yard signs advertising candidates or issues, provided such signs do not exceed one sign per candidate per zoning lot or four (4) square feet in area per display surface, are not erected prior to sixty (60) days before the appropriate election, and are removed within four (4) days after the election. No sign shall be attached to utility poles, traffic regulatory signs, or other publicly-maintained structures.

TOWN OF OSSIPEE

No ordinance

TOWN OF SWEPSONVILLE

No ordinance