



1935 Jake Alexander Blvd. D10
Salisbury, NC 28147

Political Signs

Complaints about Signs

Political signs on DOT right-of-ways are now allowed by GS 136.32. Signs are allowed to be placed on the right-of-ways 30 days prior to one-stop voting starting. They are to be removed 10 days after the election. Also there are some restrictions on the placement. Complaints about the time of placing, removal and location of placement are not matters for a county board of elections or the State Board. Complaints should be directed to local DOT District Office (704) 630.3200 or call the NCDOT toll free at (877)368.4968 during normal business hours.

Generally, the placement of political signs on private property is allowed without restrictions. This is a form of political speech protected by the First amendment. However, there are a few municipalities that have ordinances dealing with the timing of sign placement, where a sign can be placed and when it needs to be removed. Any violation of such ordinance should be directed to the political body which passed it, and not a county elections office.

Sign Ordinances

General Statutes 136.32

§ 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.D. 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[®]; 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 NCAE 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, or 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

Reference: Memorandum 9/19/2012