



HOUSE BILL 613: Clarify Political Sign Ordinance Authority

2015-2016 General Assembly

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| Committee: | Senate State and Local Government | Date: | July 1, 2015 |
| Introduced by: | Reps. Brawley, Floyd | Prepared by: | R. Erika Churchill and Brad Krehely, Committee Counsel |
| Analysis of: | PCS to First Edition H613-CSST-73 | | |

SUMMARY: *The proposed committee substitute for House Bill 613 would authorize a municipality to enforce State law concerning the placement of political signs in the right-of-way of those portions of the State Highway System that are located within the municipality, would allow a municipality to remove political signs that are in violation of G.S. 136-32, and would clarify that signs are not permitted in the median or on traffic islands.*

CURRENT LAW: G.S. 136-32 prevents the placement of signs on highways, except as authorized in that statute. The statute allows for compliant political signs to be placed in the right-of-way during the period beginning on the 30th day before the beginning date of one-stop early voting and ending on the 10th day after the primary or election day.

To be compliant, a permittee must obtain permission from the property owner fronting the right-of-way where a sign would be erected. Signs must be placed according to the following requirements:

- No sign can be in the right-of-way of a fully controlled access highway.
- No sign can be closer than 3 feet from the edge of the pavement of the road.
- No sign can obstruct motorist visibility at an intersection.
- No sign can be higher than 42 inches above the edge of the pavement of the road.
- No sign can be larger than 864 square inches.
- No sign can obscure or replace another sign.

The statute also authorizes cities, by ordinance, to 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. If a city does not have such an ordinance, the provisions of G.S. 136-32 for placement of signs in the right-of-way of the State highway system apply.

It is a Class 3 misdemeanor for a person to steal, deface, vandalize, or unlawfully remove a lawfully placed political sign.

BILL ANALYSIS: The proposed committee substitute for House Bill 613 would do all of the following:

- Clarify that "highway" includes medians and traffic islands, meaning that signage cannot be placed in the median or on a traffic island.
- Clarify that municipalities are authorized to enforce the provisions of G.S. 136-32 on rights-of-way of streets located within the corporate limits of a municipality and maintained by

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House Bill 613

Page 2

the municipality, and authorizes municipalities to enforce the provisions of G.S. 136-32 on the rights-of-way of the portions of the State Highway System located within the municipality.

- Allow municipalities to remove any signs that do not comply with the law.

EFFECTIVE DATE: Effective when it becomes law.

Kelly Tornow, Counsel to House Local Government, contributed substantially to this summary.