



HOUSE BILL 668: Clarify Political Sign Ordinance Authority.

2017-2018 General Assembly

Committee:	House State and Local Government I	Date:	April 19, 2017
Introduced by:	Rep. Brawley	Prepared by:	Giles Perry
Analysis of:	First Edition		Jessica Sammons Committee Co-Counsel

OVERVIEW: House Bill 668 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, and would allow a municipality to remove political signs that are in violation of G.S. 136-32.

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 of the State highway system during the period beginning on the 30th day before one-stop early voting begins and ending on the 10th day after the primary or election day. A "political sign" is any sign that advocates for political action.

To be complaint, a permittee must obtain permission from the property owner fronting the right-of-way where the 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.

G.S. 136-32(f) allows a city to enact an ordinance prohibiting or regulating 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. DOT is authorized to remove any sign erected without authority or that remains beyond the established deadline.

BILL ANALYSIS: House Bill 668 would authorize municipalities to enforce the provisions of G.S. 136-32 relating to political signs on rights-of-way of streets located within the corporate limits of a municipality and maintained by the municipality and on rights-of-way of the portions of the State Highway System located within the municipality.

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House Bill 668 would also allow municipalities to remove any political sign that does not comply with the law.

EFFECTIVE DATE: This act would be effective when it becomes law.

Brad Krehely and Erika Churchill, Staff Attorneys in the Legislative Analysis Division, contributed substantially to this summary.