

# Information Regarding Electioneering and Campaign Signage

## NC General Statutes Pertaining to Political Signs

### § 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 30<sup>th</sup> day before the beginning date of "one-stop" early voting under G.S. 163-227.2 and ending on the 10<sup>th</sup> 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.)

**§ 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).)

**§ 14-384. Injuring notices and advertisements.**

If any person shall wantonly or maliciously mutilate, deface, pull or tear down, destroy or otherwise damage any notice, sign or advertisement, unless immoral or obscene, whether put up by an officer of the law in performance of the duties of his office or by some other person for a lawful purpose, before the object for which such notice, sign or advertisement was posted shall have been accomplished, he shall be guilty of a Class 3 misdemeanor. Nothing herein contained shall apply to any person mutilating, defacing, pulling or tearing down, destroying or otherwise damaging notices, signs or advertisements put upon his own land or lands of which he may have charge or control, unless consent of such person to put up such notice, sign or advertisement shall have first been obtained, except those put up by an officer of the law in the performance of the duties of his office. (1885, c. 302; Rev., s. 3709; C.S., s. 4503; 1993, c. 539, s. 256; 1994, Ex. Sess., c. 24, s. 14(c).)

**Local Ordinances Regarding Political Signs**

**Alexander County Zoning Ordinance Sign Regulations**

**§ 154.070 OBSTRUCTION TO VISION.**

There shall be no obstruction to vision by structures, signs, fences, walls, parking of automobiles or vegetation over three feet and under ten feet in height within the area from the street pavement edge to a line setback 15 feet and parallel with the street right-of-way line. This section does not apply to utility poles, mailboxes, vehicle parking facilities authorized by the code of ordinances and essential highway oriented signs installed by the county and the NCDOT.

**§ 154.113 TEMPORARY SIGNS.**

The following temporary, non-illuminated signs may be erected in the manner prescribed without the issuance of a sign permit:

- (A) Political signs and posters when located entirely on private property and which comply with the requirements of § 154.070 and are less than 32 square feet in area provided all such signs shall be removed within fourteen (14) days after the election.

**Town of Taylorsville Code of Ordinances Title XV: Land Usage  
Chapter 151: Zoning Code**

**§ 151.034 SIGN REGULATIONS.**

(E) *Certain temporary signs: Permit exemptions and additional regulations.* The following temporary signs are permitted without a Zoning Permit or Conditional Use Permit. However, such signs shall conform to the requirements set forth below in addition to all other applicable requirements of this section except division (H) and division (J).

(5) Signs erected in connection with elections or political campaigns. Such signs shall be removed within three days following the election or conclusion of the campaign. No such sign may exceed 16 square feet in surface area.

**Polling Place Agreement Conditions Regarding Political Signs**

**For Ellendale and Wittenburg polling locations:**

No campaign signs are to be erected on the Lessor's property at all. They request that campaign signs in the right-of-ways of adjacent properties be removed by 48 hours after the close of Day.

**For Bethlehem 1, Bethlehem 2, Gwaltney 1/Gwaltney 2, Little River/Sugar Loaf, Millers, Sharpes 1/Sharpes 2, Taylorsville 1/Taylorsville 4/Taylorsville 5, Taylorsville 2/Taylorsville 3 polling locations:**

No campaign signs are to be erected on the Lessor's property prior to Election Day, and all signs are to be removed within 48 hours after the completion of Election Day.

Complaints about the timing of placement, removal, and location of placement of political signs on NCDOT right-of-ways are not matters for a county board of elections or the State Board of Elections. Complaining parties may state their concerns to the local DOT District Office. For concerns about the County Zoning Sign Regulations or Town of Taylorsville Zoning Sign Regulations, please contact the Alexander County Planning and Development Department at (828) 632-1114. For concerns about electioneering at One-stop or Election Day voting sites, please contact the Alexander County Board of Elections office (828) 632-2990.

NOTICE BUFFER ZONE RESTRICTION

**NCGS § 163-166.4 Limitation on activity in the voting place and in a buffer zone around it**

**Buffer Zone and Adjacent Area for Election-Related Activity.** - No person or group of persons shall hinder access, harass others, distribute campaign literature, place political advertising, solicit votes, or otherwise engage in election-related activity in the voting place or in a buffer zone which shall be prescribed by the county board of elections around the voting place. In determining the dimensions of that buffer zone for each voting place, the county board of elections shall, where practical, set the limit at 50 feet from the door of entrance to the voting place, measured when that door is closed, but in no event shall it set the limit at more than 50 feet or at less than 25 feet. Except as provided in subsection (b), the county board of elections shall also provide an area adjacent to the buffer zone for each voting place in which persons or groups of persons may distribute campaign literature, place political advertising, solicit votes, or otherwise engage in election-related activity.

(c) **Notice About Buffer Zone.** - No later than 30 days before each election, the county board of elections shall make available to the public the following information concerning each voting place:

- (1) The door from which the buffer zone is measured.
- (2) The distance the buffer zone extends from that door.
- (3) Any available information concerning where political activity, including sign placement, is permitted beyond the buffer zone.

**Election Day Voting Places and Buffer Zone**

**\*\*Buffer zone will be 50 feet from entrance door of each location\*\***

| PRECINCT                                       | LOCATION                        | BUFFER ZONE                    |
|--|---------------------------------|--------------------------------|
| Bethlehem 1                                    | Bethlehem Elementary School Gym | 50' from front entrance to Gym |
| Bethlehem 2                                    | Bethlehem Community Fire/Rescue | 50' from back entrance         |
| Ellendale                                      | St. Luke Lutheran Church        | 50' from front entrance        |
| Gwaltney 1 & Gwaltney 2                        | Gwaltney Community Building     | 50' from front entrance        |
| Little River and Sugar Loaf                    | Little River Community Building | 50' from rear entrance         |
| Millers  | Drumstand Community Building    | 50' from front entrance        |
| Sharpes 1 and Sharpes 2                        | Former Energy United Building   | 50' from front entrance        |
| Taylorsville 1, Taylorsville 4, Taylorsville 5 | Alexander Senior Center         | 50' from front entrance        |
| Taylorsville 2 & Taylorsville 3                | Alexander County YMCA           | 50' from side entrance         |
| Wittenburg                                     | Friendship Lutheran Church      | 50' from front entrance        |

(c) **Buffer Zone at One-Stop Sites.** – The provisions of this section shall apply to one-stop voting sites in G.S. 163-227.2, except that the notice in subsection (c) of this section shall be provided no later than 10 days before the opening of one-stop voting at the site.

**One-Stop Sites and Buffer Zone**

| ONE-STOP LOCATION               | BUFFER ZONE             |
|---------------------------------|-------------------------|
| Board of Elections Office       | 50' from front entrance |
| Bethlehem Community Fire/Rescue | 50' from rear entrance  |
| Former Energy United Building   | 50' from front entrance |