

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).)

Littering Statute – Section 1 Effective 12/1/2019

Section 1 amends the littering statute ([G.S. 136-32](#)) to provide that any political sign placed in the right-of-way of the State highway system more than 40 days after primary or election day is deemed unlawfully placed and abandoned property, and allows any person to remove that sign without penalty. It also amends subsection (f) of the statute pertaining to municipal-owned roads to require that any ordinance a municipality adopts to regulate the placement of political signs in the rights-of-way of the municipality must provide that signs remaining for more than 40 days after primary or election day are deemed to be unlawfully placed and abandoned property, and a person may remove and dispose of the political sign without penalty.

§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 864square 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 SIGNSWITHIN 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.*

Complaints about the timing of placing, removal and location of placement are not matters for a county board of elections or the State Board. Citizens should refer those complaints to the local DOT District Office. The NCDOT toll free number is 877-368-4968 for use during normal business hours. The Cabarrus District office is located at 615 Concord Rd.,(NC 73) Albemarle, NC 28001 and the website link is: https://apps.ncdot.gov/contactus/PostComment.aspx?Unit=Dis1_Div10. If the sign is in a municipality and the location is on a road/street that is maintained by the municipality than any complaints should be directed to the municipality and not the DOT.

City of Kannapolis 704-920-4350

<http://www.kannapolisnc.gov/Portals/0/Departments/Planning/Documents/UDO/UDO%20Article%2012%20verified.pdf>

12.4.11. **Political Signs**

Political signs shall not be illuminated, shall not be located within a public street right-of-way or located closer than 10 feet to the edge of street pavement or within a required sight triangle, shall not be attached to trees or utility poles, and shall be no taller than four feet. Political Signs may be displayed during a period beginning 45 days prior to an election and concluding 48 hours after the election. In the event of a runoff election, political signs for the candidates involved may remain on display until 48 hours after the runoff election. All portable and roof-mounted signs for political advertisement are prohibited. All signs that violate the above provisions and/or political signs that remain more than 48 hours after the election shall be removed for disposal by the City. MAXIMUM SIZE IS SIX SQUARE FEET.

Town of Harrisburg 704-455-0738

In August 2021, the Town of Harrisburg enacted a new Unified Development Ordinance. They removed all references to political signs. Signs in Harrisburg municipal limits are no longer governed by the previous charter. They are now governed by NC General Statute 136-32.

<http://www.townofmountpleasantnc.org/images/Documents/Departments/PlanningZoning/UDO/UDO-entire-20180409.pdf>

12.3.3. FREESTANDING TEMPORARY SIGNS. 12.3.3.1 General Provisions

The following standards shall apply to all Freestanding Temporary Signs:

- A. Signs shall not be affixed to poles, posts, stakes or other supporting structures that are permanently installed or anchored into the ground through the use of concrete foundations or similar anchoring techniques, unless otherwise specified.
- B. Signs, other than Type 4 Freestanding Temporary signs, shall be set back from the edge of the right-of-way.
- C. No more than one (1) Freestanding Temporary Sign may be displayed on a parcel or group of adjacent parcels under common ownership or tenancy at any given time, regardless of type, unless otherwise expressly permitted.

12.3.3.2 Type 1 Freestanding Temporary Signs

Signs in this category consist of small, temporary yard signs that are typically associated with (but not limited to) the advertisement of real estate, political campaigns and meeting announcements. For examples of Type 1 Temporary Freestanding Signs, see Figure 7.1. Such signs are also subject to NCGS 136-32(b).

Criteria	Type 1
Zoning District	Any district
Registration Required	No
Land Use	<ul style="list-style-type: none"> • Residential Use Group for lots or developments of 3 acres or less • Vacant or undeveloped properties of 1 acre
Max. Size ¹ (square feet)	6
Max. Height (feet)	4
Number Permitted ²	1
Max. Duration	No Limit
Mounting	Supported by posts or stakes
Material	Rigid
Other	NCGS 136-32 applies within state rights-of- way

¹The display area may be either single or dual-sided, but shall not consist of more than one (1) distinct component.

²Per parcel or group of adjacent parcels under common ownership or tenancy.

Town of Midland 704-888-2232

<http://www.midlandnc.us/Midland%20Article%2017%20-%20Sign%20Regulations%20amended%2020151013.pdf>

Political signs containing no more than six square feet in copy are in residential districts and no more than 24 square feet in copy area in nonresidential or mixed use districts, provided that no more than one sign per candidate or issue is displayed per zone lot frontage and such signs are erected no more than 45 days prior to the applicable election and removed no more than seven days after the applicable election. Exception is made for signs governed by G.S. 136-32.

Cabarrus County 704-920-2141

<https://cabarruscountync.sharepoint.com/CabarrusCounty/Docs/Development-Ordinance-Chapter11.pdf?cid=63f2ebd9-298b-4a00-b658-42952be7a93a>

11-10 PROHIBITED SIGNS

The following signs are prohibited within the unincorporated areas of the County:

“Signs placed within or extending into the right-of-way of state maintained streets and roads, except those signs in compliance with NCGS §136-32.”