



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

November 15, 2001

MEMORANDUM TO: Division Engineers

FROM: J. D. Goins, P.E.
Chief Engineer - Operations

SUBJECT: Illegal Signs on DOT Right of Way

The number of private advertising signs being placed on DOT right of way has recently increased. In particular, I have noticed that many of these illegal signs have been attached to departmental sign supports and posts.

According to North Carolina Administrative Code 2E.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, 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 and 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."

I am requesting that you monitor the state system routes in your division and immediately remove any illegal sign that is placed on our sign supports. In addition, the owner of any ground-mounted sign placed on DOT right of way should be contacted and advised that his sign is illegal and he is required to remove it. If the sign is on an Outdoor Advertising Control Route, the owner should be advised in writing that he has five days to remove it if it is a portable sign and 30 days if it is a non-portable sign. Failure to remove the sign within the specified time frame will result in the removal of the sign by the department at the expense of the owner in accordance with G.S. 136-134. If the sign is on any other state route, the owner should be contacted and advised that he must remove the illegal sign within five days, and failure to do so will result in the removal of the sign by the department.

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
CHIEF ENGINEER'S OFFICE
1537 MAIL SERVICE CENTER
RALEIGH NC 27699-1537

TELEPHONE: 919-733-7621
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LOCATION:
TRANSPORTATION BUILDING
1 SOUTH WILMINGTON STREET
RALEIGH NC

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If you have any questions, please let me know.

JDG:ll

cc: Lyndo Tippet
Gene Conti
Board of Transportation Members
Len Sanderson, P.E.
David Allsbrook, P.E.
Steve Varnedoe, P.E.
Roberto Canales, P.E.
Lacy Love, P.E.
Troy Peoples, P.E.