

GP-8] OUTDOOR ADVERTISING CONTROL ACT

The General Assembly of North Carolina has determined that outdoor advertising is a legitimate commercial use of private property adjacent to roads and highways, but that the erection and maintenance of outdoor advertising signs and devices in the vicinity of the right of way of the interstate and primary highway systems within the State should be controlled and regulated in order to promote the safety, health, welfare and convenience of travel on, and protection of the public investment in the highways within the State, to prevent unreasonable distraction of motor vehicle operators and to prevent interference with the effectiveness of traffic regulations and to promote safety on the highways. ([G.S. 136-127](#)) The limitations of outdoor advertising devices are set forth in detail in [G.S. 136-129 through 136-140](#). Further details relating to outdoor advertising control are also set forth in the Administrative Code of North Carolina, [19A NCAC 02E.0201 – 02E.0226](#).

The limitation of outdoor advertising devices within 660 feet of the nearest edge of the right of way of the interstate or primary highway systems in the State is set forth generally that no advertising shall be visible from the main traveled way thereof, except for the following:

- A. Directional or other official signs and notices which signs and notices shall include those authorized and permitted by Chapter 136 of the General Statutes, which include but are not limited to official signs and notices pertaining to natural wonders, scenic and historic attractions and signs erected and maintained by a public utility, electric or telephone membership corporation or municipality for the purpose of giving warning of or information as to the location of underground cable, pipeline, or other installation.
- B. Outdoor advertising which advertises the sale or lease of property upon which it is located.
- C. Outdoor advertising which advertises the sale of any fruit or vegetable crop by the grower at a roadside stand or by having the purchaser pick the crop on the property on which the crop is grown provided: (i) the sign is no longer than two feet long on any side; (ii) the sign is located on property owned or leased by the grower where the crop is grown; (iii) the grower is also the seller; and (iv) the sign is kept in place by the grower for no more than 30 days.
- D. Outdoor advertising which advertises activities conducted on the property upon which it is located.
- E. Outdoor advertising, in conformance with rules and regulations set forth by the NCDOT, located in areas which are zoned industrial or commercial under the authority of State law.
- F. Outdoor advertising, in conformity with the rules and regulations promulgated by the NCDOT, located in unzoned commercial or industrial areas.

There are also certain limitations of outdoor advertising devices beyond 660 feet of the highway right of way.

No outdoor advertising shall be erected or maintained beyond 660 feet of the nearest edge of the right of way of the interstate or primary highway systems in this State outside of the urban areas so as to be visible and intended to be read from the main traveled way except the following:

- A. Directional and other official signs and notices, which signs and notices shall include those authorized and permitted by Chapter 136 of the General Statutes, which include but are not limited to official signs and notices pertaining to natural wonders, scenic and historic attractions and signs erected and maintained by a public utility,

electric or telephone membership corporation, or municipality for the purpose of giving warning of or information as to the location of an underground storage cable, pipeline, or other installation.

B. Outdoor advertising which advertises the sale or lease of property upon which it is located.

C. Outdoor advertising which advertises activities conducted on the property upon which it is located.

For further information relating to this act, consult *Regulations for the Control of Outdoor Advertising in North Carolina*.

The NCDOT is authorized to acquire by purchase, gift, or condemnation all outdoor advertising and all property rights pertaining to billboards, but no money has been appropriated for this purpose.

The NCDOT shall not be required to expend any funds for the regulation of outdoor advertising as set forth under these statutes, and these statutes shall not have any force and effect until federal funds are made available to the State for purposes of carrying out the provisions of this article and the NCDOT has entered into an agreement with the United States Secretary of Transportation.

[G.S. 136-126](#)