

CAMPAIGN SIGNS

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OFFICE OF THE LANCASTER COUNTY ELECTION COMMISSIONER

601 North 46th Street
Lincoln, Nebraska 68503-3720

Telephone (402) 441-7311
FAX: (402) 441-6379

Web Site:
www.lancaster.ne.gov/election

CAMPAIGN SIGNS

Campaign signs are one of the most visible aspects of a campaign. Frequently, overzealous campaign workers place signs where they violate city, county, state and/or federal laws. In some instances, illegal signs pose a threat to public safety, especially where they appear in intersections, medians, on bridges, utility poles or alongside sidewalks. Other times signs are placed on public property or private property without the owner's permission.

The Lancaster County Election Office receives many calls each year regarding political signs, and the laws that govern their use. However, the Lancaster County Election Commissioner does not have the statutory or legal authority to enforce the vast majority of these laws and/or ordinances. This information has been prepared to inform candidates and political committees about the laws that govern the use of political signs. In addition, information is provided about the penalties for non-compliance and the various agencies charged with the responsibility of enforcing the rules and regulations governing political signs.

POLITICAL SIGNS WITHIN THE CITY OF LINCOLN AND LANCASTER COUNTY

Where can signs not be posted?

It is unlawful for any candidate for any public office, or for any person acting for or on the candidate's behalf, to fasten or attach in any manner whatsoever any political or campaign sign, poster, advertisement or notice upon:

- any curbstone
- any portion between any sidewalk and street
- any tree, post, pole, hydrant, bridge
- or other public structure within the limits of any street
- or upon any public property within the jurisdictional area of the city (which would include the 3 mile limit)

Similarly, it is unlawful to fasten or attach in any manner whatsoever any political or campaign sign, poster, advertisement or notice upon:

- any private wall, window, door, gate, fence or sign
- or any building
- or upon any residential property
- without having first obtained the consent of the owner or agent thereof.

What are the penalties for violating the ordinances which govern the placement of political signs?

Minimum of \$200 and a maximum of \$500. (L.M.C. Section 22.05.210)

Who should be called if someone is suspected of violating any of the ordinances governing political signs?

Complaints should be directed to the Dept. of Building & Safety at (402) 441-7521 within the City Limits or County Engineer Maintenance Shop at (402) 441-7797, if outside the city limits. Owners of signs will be notified. If the owner cannot be located, signs will be removed.

How large can campaign signs be?

In residential areas signs cannot exceed ten (10) square feet in area. In commercial, business and industrial areas signs cannot exceed forty (40) square feet in area, or six (6) feet in height. Call Dept. of Buildings & Safety, (402) 441-7521, if you question your area as to residential.

CAMPAIGN SIGNS ALONG INTERSTATE AND PRIMARY HIGHWAY

Where can signs not be posted?

No campaign signs, posters, political advertisements shall be placed within a highway's right of way. This includes intersections, medians, entrance and exit ramps, sidewalks, and the ditches and land that make up the right of way bordering the length of each highway. The "right of way" can often be visually determined by markers, fence-lines, or the placement of utility poles.

State Law (39-1302.06) expressly prohibits the erection of signs on the highway right of way. The penalty (39-1320.10) is a Class V misdemeanor with a maximum fine of \$100.00.

Campaign signs erected on the interstate and primary highway "right of way" will be removed without notice to the owners and stored at the nearest maintenance yard.

LB120 - Prohibits signs erected “off of the right of way” along interstate and primary highways without a Class III advertising permit from the State Department of Roads.

Large political signs must be placed on legally erected billboards. The Federal Beautification Act and Nebraska Outdoor Advertising Statutes and Rules and Regulations prohibit the erection of new advertising signs on the interstate or primary highway systems. The only exception is in the commercial or industrial zoned area along the primary highway system. In this instance, a permit from the Department of Roads is required. The fee for the permit is \$15.00. Primary highways are 2, 6, 33, 34, 43, 77, L55W and L55X. The owners of illegally erected campaign signs which are not on the right of way, will be notified by mail to remove such signs.

The District Permit Officer at the Nebraska Department of Roads Office is in charge of the Advertising Control Program. If you have any questions concerning the placement of political signs along state and federal highways, call (402) 471-0850, Ext. 1132.

CAMPAIGN SIGNS AND POLLING PLACES

No electioneering (posting of signs, handing out campaign literature, gathering petitions signatures, etc.) is allowed within 200 feet of any portion of a building where a polling place is located. A person may display yard signs on private property within 200 feet of a polling place or building designated for voters to cast ballots if the property is not under common ownership with the property on which the polling place or building is located.

STOLEN OR VANDALIZED CAMPAIGN SIGNS

In cases where political signs are being stolen or vandalized, depending on the jurisdiction, the Lincoln Police (402) 441-7204 or the Lancaster County Sheriff’s Office (402) 441-7721 should be contacted to file a formal complaint.