



# TRAFFIC AND SAFETY MANUAL

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## Definitions

**Political campaign signs** include any temporary advertising device or sign that is designed to influence the passage or defeat of any measure on the ballot or designed to influence the voters with respect to the nomination, election, defeat, or removal of a candidate from public office at any national, state or local general or special election.

**Public right-of-way** includes the roadway surface, the concrete or grassy median, intersections, entrance and exit ramps, and a strip of land, usually bordering either side of the road, which is reserved for shoulders, drainage ditches, sidewalks, traffic signs/signals, fencing, electrical traffic signal control boxes, utility lines, and future road expansion.

The right-of-way boundary is an invisible line that may not be possible to identify without detailed legal maps and a formal survey. When in doubt about the location of the right-of-way line, contact the transportation agency responsible for the roadway (Iowa Department of Transportation, secondary roads department engineer or city public works director).

## Location Restrictions

Iowa law states that political campaign signs are not allowed on any property:

- owned by the state or the governing body of a county, city or other political subdivision of the state, including all property considered public right-of-way (including the median, roadway shoulder and ditch, public access control fencing, overpass structures, official traffic signs, utility poles, etc.);
- owned by a prohibited contributor under section 68A.503 of the Code of Iowa, unless the sign advocates the passage or defeat of a ballot issue or is exempted;
- without the permission of the property owner;
- on election day, either on the premises of any polling place or within 300 feet of any outside door of any building affording access to any room where the polls are held, or of any outside door of any building affording access to any hallway, corridor, stairway, or other means of reaching the room where the polls are held;
- within 300 feet of an absentee voting site or satellite absentee voting station, during the hours when absentee ballots are available; and
- which is visible to a primary highway when compensation of any form has been provided to the property owner for allowing the placement of the sign, but no outdoor advertising permit has been secured in accordance with Iowa Code 306C.

## Removal of Improperly Placed Signs

State, county and city highway authorities; city and county law enforcement authorities; and the Iowa Ethics and Campaign Disclosure Board have the legal right and duty to remove or ensure removal of improperly placed signs. For State highway routes, crews are asked to make reasonable attempts to preserve campaign signs taken down, transport them to the nearest maintenance garage and provide campaign offices with an opportunity to claim the signs.

### ***Removal of signs constituting an immediate and dangerous hazard***

If a sign placed or erected upon the right-of-way of any public highway constitutes an immediate and dangerous hazard, a representative of the highway authority or law enforcement agency shall, without notice or liability in damages, remove it. Removal costs may be assessed to the owner of the sign.

### ***Removal of signs NOT constituting an immediate and dangerous hazard***

A sign placed or erected upon the right-of-way of any public highway that does not constitute an immediate and dangerous hazard will be removed without liability after 48-hour notice is provided to the owner of the sign.

Notice is provided in a manner reasonably calculated to apprise the individual that the sign will be removed at their expense, after the 48-hour notice period has expired. If the sign must be removed by the highway agency, they may immediately send a statement of the cost of removal. If within 10 days after sending the statement the cost is not paid, the highway authority may institute proceeding in the district court system to collect the cost of removal.

## Removal of Legal Signs

To reduce visual clutter and unnecessary driver distraction, it is recommended that all political campaign signs be removed within a reasonable time following the election or other event to which the sign refers. However, a property owner may wish to retain a properly-placed sign for a longer period of time as a continued personal expression of opinion, as local regulations provide.