

TRAFFIC AND SAFETY MANUAL

City Welcome Signs

Description

For the purposes of this manual, the term "city welcome sign" is generally intended to include all non-MUTCD signs that welcome travelers to a city or community. These signs will often provide a general welcome message, slogan, or claim to fame. The signs may also direct to certain districts (business, historical, recreational, etc.) or identify area attractions.

A city welcome sign should not specifically identify or advertise for specific businesses or private organizations.



Placement and Design

City welcome signs should be placed on private property or city-owned property outside of the primary highway rights-of-way.

The signs should not resemble official MUTCD-type signs used by the Iowa DOT within the rights-of-way.

The signs should not block the view of motorists approaching a public intersection.

LED screens should be used in a responsible manner so that the vision of motorists is not temporarily blinded or impaired. Business advertising or sponsors should not be included in the message display.

Placement within the right-of-way

Although the placement of city welcome signs is generally reserved for locations outside of the ROW, there may be times when placement within the ROW can be considered. The following criteria should be applied when evaluating these requests:

1. The proposed area is not currently needed for highway purposes.
2. A feasible location outside of the ROW is not available.
3. The ROW is not for the interstate system.
4. The placement will be, at a minimum, outside the clear zone.
5. The placement will not cause any safety or operational issues, including view obstruction near intersections and placement in areas easily reachable by errant vehicles
6. The design of the sign shall not attempt to direct or guide traffic, nor serve in the capacity of a traffic control device, or resemble such a device.
7. Authorization for the work shall be administered through a work-in-row permit. This permit shall contain provisions for indemnification for the State.
8. Access to the sign for maintenance purposes should be from the adjacent private property, unless physically impossible.
9. Proposals involving water or electricity shall be thoroughly examined.
10. The Department can withdraw the permission at any time for any reason, including proposed highway projects and safety concerns that have developed since the date of approval.
11. All removal costs, even if such removal is at the State's request, shall be borne by the permittee or local agency. This shall be stipulated in the work-in-row permit.
12. Requests should be forwarded to the Assistant District Engineers for evaluation.

Legal Citations

Iowa Code sections 318.3 and 318.11 prohibit the placement of obstructions and advertising signs within the public right-of-way except as authorized by the highway authority.

The Manual on Uniform Traffic Control Devices (MUTCD) contains some discretionary provisions in Section 1A.08 which could be used to justify the permitting of a city-owned sign within the ROW.

Iowa Code subsection 306C.11(4) had provided for the erection of "official signs" on private property and city welcome signs were considered to be included in this provision. However, during the 2021 Acts, this was repealed in a larger effort to avoid all content-based discrimination in the administration of sign regulations. As a result of amendments to certain key definitions, city welcome signs are not likely to qualify as regulated signs, provided there is no revenue being derived from the signs or sponsors listed on the signs. The amendments were not intended to disturb the traditional handling of city welcome signs; they would still be allowed if they were free of all financial entanglements from local businesses and sponsors. The DOT has no interest in investigating this, but merely uses the message as an indicator on whether any compensation is being exchanged for the sign or its message. If the message includes sponsors, the "presumption" [761 IAC 117.2(2)] changes from an unregulated sign to a regulated sign. In that case, the sign will be regulated as an outdoor advertising device unless sufficient documentation is supplied to the Advertising Management Section certifying that no "remuneration" [Iowa Code 306C.10] exists in the placement of the sign or the message on the sign.