

## **CHAPTER 37-05-04**

### **DIRECTIONAL AND OTHER OFFICIAL SIGNS**

#### **Section**

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#### **37-05-04-01. Application of chapter.**

The standards contained in this chapter apply to directional and other official signs and notices which are erected and maintained in sight distance of the right of way of a highway on the federal-aid primary system, and which are visible from the main-traveled way of those highways. These standards do not apply to directional and other official traffic control signs within the highway right of way.

A directional or other official sign in this chapter does not require a permit or fee.

**History:** Effective July 1, 1983; amended effective August 1, 1994.

**General Authority:** NDCC 24-17-10

**Law Implemented:** NDCC 24-17-03, 24-17-03.1, 24-17-09

#### **37-05-04-02. Definitions.**

1. "Directional and other official signs and notices" include only official signs and notices, public utility signs, service club and religious notices, and directional signs.
2. "Directional signs" means signs containing directional information about cities; public places owned or operated by federal, state, or local government for their agency; publicly or privately owned natural phenomena, historic, cultural, scientific, educational, and religious sites; and areas of natural, scenic beauty or naturally suited for outdoor recreation, deemed to be in the interest of the traveling public.
3. "Official signs and notices" means signs and notices erected and maintained by public officers or public agencies pursuant to and in accordance with direction and authorization contained in federal, state, or local laws for the purposes of carrying out an official duty or responsibility. Historic markers authorized by state law and erected by state or local governmental agencies or nonprofit historical societies may be considered official signs.
4. "Public utility signs" means warning signs, informational signs, notices, or markers which are customarily erected and maintained by public or privately owned utilities as essential to their operations.
5. "Service club and religious notices" means signs and notices authorized by law, relating to meetings of nonprofit service clubs or charitable associations or religious services.

**History:** Effective July 1, 1983; amended effective August 1, 1994.

**General Authority:** NDCC 24-17-10

**Law Implemented:** NDCC 24-17-03, 24-17-03.1, 24-17-09

#### **37-05-04-03. Criteria.**

1. The following signs are prohibited as directional or other official signs:
  - a. Signs advertising activities that are illegal under federal or state laws or regulations in effect at the location of those signs or at the location of those activities.

- b. Signs located in a manner as to obscure or otherwise interfere with the effectiveness of official traffic signs, signals, or devices, or obstruct or interfere with the driver's view of approaching, merging, or intersecting traffic.
  - c. Signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features.
  - d. Obsolete signs.
  - e. Signs which are in disrepair.
  - f. Signs which move or have any animated or moving parts.
  - g. Signs located in rest areas, park lands, or scenic areas.
2. Directional and official signs are limited to the following size, including border and trim, but excluding supports:
- a. Maximum area - one hundred fifty square feet [13.94 square meters].
  - b. Maximum height - twenty feet [6.10 meters].
  - c. Maximum length - twenty feet [6.10 meters].
3. Spacing.
- a. The location of each directional or official sign must be approved by the director as provided in this article.
  - b. Directional and other official signs must comply with all other criteria and rules provided in this article.
  - c. Directional or official signs may not be located within two thousand feet [609.6 meters] of a rest area, park land, or scenic area.
  - d. Any two directional or official signs facing the same direction of travel shall be spaced not less than one mile [1.61 kilometers] apart.
  - e. Not more than three directional or official signs pertaining to the same activity and facing in the same direction of travel may be erected along a single route approaching the activity.
  - f. Directional or official signs located adjacent to the interstate system shall be within seventy-five air miles [120.70 air kilometers] of the activity.
  - g. Directional or official signs located adjacent to the federal-aid primary system shall be within fifty air miles [80.47 air kilometers] of the activity.
4. The message on directional or official signs shall be limited to the identification of the attraction or activity and the directional information useful to the traveler in locating the attraction, such as mileage, route numbers, or exit numbers. Descriptive words or phrases, pictorial or photographic representations of the activity, its environs, or its logos are prohibited.
5. Directional sign criteria.
- a. Privately owned activities or attractions eligible for directional signs are limited to the following: natural phenomena; scenic attractions; historic, educational, cultural, scientific, and religious sites; and outdoor recreational areas.

- b. To be eligible for a directional sign, privately owned attractions or activities must be regionally known or known statewide, and of outstanding interest to the traveling public.

**History:** Effective July 1, 1983; amended effective August 1, 1994.

**General Authority:** NDCC 24-17-10

**Law Implemented:** NDCC 24-17-09

#### **37-05-04-04. Farm directional signs.**

Farm directional signs may be erected on privately owned property for the purpose of directing the traveling public to individual farmsites.

1. The message contained on farm directional signs shall be limited to the identification of the farmsite owner and directions in miles [kilometers] or fractions thereof to the farmsite. Descriptive words, phrases, and pictorial or photographic representations of the activity at the farmsite or its logos are prohibited. The message may be located on both sides of the sign.
2. Farm directional signs shall not exceed eight square feet [.74 square meters] in area. No more than six farm directional signs may be located on the same structure.

**History:** Effective July 1, 1983.

**General Authority:** NDCC 24-17-10

**Law Implemented:** NDCC 24-17-09