

## CHAPTER 37-11-02 PERMITS

### Section

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#### **37-11-02-01. Permit duration and fee.**

Every application must be accompanied by a fee in the amount of twenty-five dollars for a permit valid for the life of the sign. See section 37-11-01-03 regarding applicant requirements.

**History:** Effective August 1, 1994.

**General Authority:** NDCC 38-13-09

**Law Implemented:** NDCC 39-13-09

#### **37-11-02-02. Permit ownership.**

Permits are not transferable and remain the property of the department. The permit does not convey any property right in the highway right of way.

**History:** Effective August 1, 1994.

**General Authority:** NDCC 39-13-09

**Law Implemented:** NDCC 39-13-09

#### **37-11-02-03. Permit revocation.**

A permit may be revoked for the following reasons:

1. If the department determines that a permittee is not legally entitled to the permit because the business, service, or activity is no longer available to tourists, or that the permittee has violated the terms of the permit, this article, or North Dakota Century Code chapter 39-13-09.
2. For failure to maintain a sign, which consists of the permittee's failure to repair or replace a sign face that has been damaged or defaced. The department shall give the permittee notice of the need to repair or replace the sign and the permittee shall have ninety days from the date of such notice to repair or replace the sign.

The department shall send notice of permit revocation to the permittee and set forth the basis for the revocation. The permittee shall have thirty days from the date of notice in which to remove the sign.

**History:** Effective August 1, 1994.

**General Authority:** NDCC 39-13-09

**Law Implemented:** NDCC 39-13-09

#### **37-11-02-04. Structure ownership.**

Sign structures become the property of the department upon erection on the highway right of way. The department has the authority to control the use of the structure by issuing up to four permits per sign face structure.

**History:** Effective August 1, 1994.

**General Authority:** NDCC 39-13-09

**Law Implemented:** NDCC 39-13-09

**37-11-02-05. Sign face ownership.**

The sign face remains the property of the permittee, unless abandoned or removed by the department. The permittee may remove a sign face at any time. If such removal is permanent, the permittee shall notify the department.

**History:** Effective August 1, 1994.

**General Authority:** NDCC 39-13-09

**Law Implemented:** NDCC 39-13-09