



August 11, 2023

**Re: candidate info and political campaign signs in Summerfield**

Summerfield Town Council candidate:

As a candidate identified by the Guilford County Board of Elections (BOE) for the upcoming November 7 general election, you are receiving this to help navigate our local election waters. This letter covers Summerfield-specific details beyond those provided by the BOE and elsewhere.

Leading up to the election, Summerfield candidates might be especially interested in Town Council meetings and topics. **Agenda packets for monthly meetings are readily available on the town's website at [www.summerfieldnc.gov](http://www.summerfieldnc.gov)** (*Administration > Governance > Council Meeting Documents > 2023 Meeting Documents*) to keep you well-informed. The Clerk can also provide a printed copy until the election, if you prefer.

While the Summerfield Unified Development Ordinance regulated "temporary political signs" (campaign or election signs) in the past, the town now simply defers to North Carolina law. **Currently N.C.G.S. § 136-32 (attached) regulates "compliant political signs" regarding timing, placement, and size.** The core parts are items (b)–(e).

Compliant political signs are permitted starting the 30<sup>th</sup> day before the beginning date of "one-stop" early voting. The beginning date for a jurisdiction without a primary is October 19, so **signs can commence September 19 per the Board of Elections and must be removed by the 10<sup>th</sup> day after the election, which is November 17.**

Regarding sign placement, **a candidate must have "...permission of any property owner of a residence, business, or religious institution fronting the right-of-way where a sign would be erected."** (The Town of Summerfield owns various properties within its limits and in the interest of fairness, no candidate has permission to place political signs in front of its properties.) Regarding signs and public right-of-way, Summerfield follows State/North Carolina Department of Transportation (NCDOT) regulations because the town isn't responsible for maintenance of any public streets (this is different from most jurisdictions).

Regarding size, **signs cannot exceed 6 ft<sup>2</sup>**, which is 864 in<sup>2</sup>. Statute items (d)(1)–(6) contain more details about placement, visibility, and size, and item (e) addresses unlawful removal. Town staff will enforce the provisions as applied to public safety near intersections but will not adjudicate nor act as referee between candidates regarding enforceability. Such questions should be directed to the Guilford County BOE and/or NCDOT.



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Please pay close attention to all regulations during the election season in order that your signs are not removed and discarded. (Removed signage will be disposed of at the Town's convenience.)

Candidates must also comply with BOE requirements regarding placement within a certain distance of a given polling location. At the Summerfield Community Center, political signs can only be placed at the entrance drive of its parking lot on the day of the election or during any early voting as established by the BOE.

The Town's desire is to provide each candidate with equitable rights to campaign, while upholding Town and State regulations. Please choose appropriate locations for signage and remember the importance of removal following the election. For further questions about political signs, contact the Summerfield Planning Department at 336-643-8681.

If elected, you'll have the opportunity for some internal orientation and appropriate external training to help during your service. Local government can be extremely rewarding and thank you for your interest in serving our unique community in such a significant policymaking role!

Respectfully,

K. Scott Whitaker  
Town Manager

Cc: Guilford County Board of Elections (via email at: [guilfordelections@guilfordcountync.gov](mailto:guilfordelections@guilfordcountync.gov))

## **Attachment: NCGS § 136-32**

### **§ 136-32. Regulation of signs.**

(a) Commercial Signs. – No unauthorized person shall erect or maintain upon any highway any warning or direction sign, marker, signal or light or imitation of any official sign, marker, signal or light erected under the provisions of G.S. 136-30, except in cases of emergency. No person shall erect or maintain upon any highway any traffic or highway sign or signal bearing thereon any commercial or political advertising, except as provided in subsections (b) through (e) of this section: Provided, nothing in this section shall be construed to prohibit the erection or maintenance of signs, markers, or signals bearing thereon the name of an organization authorized to erect the same by the Department of Transportation or by any local authority referred to in G.S. 136-31. Any person who shall violate any of the provisions of this section shall be guilty of a Class 1 misdemeanor. The Department of Transportation may remove any signs erected without authority or allowed to remain beyond the deadline established in subsection (b) of this section.

(b) Compliant Political Signs Permitted. – During the period beginning on the 30th day before the beginning date of “one-stop” early voting under G.S. 163-227.2 and ending on the 10th day after the primary or election day, persons may place political signs in the right-of-way of the State highway system as provided in this section. Signs must be placed in compliance with subsection (d) of this section and must be removed by the end of the period prescribed in this subsection. Any political sign remaining in the right-of-way of the State highway system more than 30 days after the end of the period prescribed in this subsection shall be deemed unlawfully placed and abandoned property, and a person may remove and dispose of such political sign without penalty.

(c) Definition. – For purposes of this section, “political sign” means any sign that advocates for political action. The term does not include a commercial sign.

(d) Sign Placement. – The permittee must obtain the permission of any property owner of a residence, business, or religious institution fronting the right-of-way where a sign would be erected. Signs must be placed in accordance with the following:

- (1) No sign shall be permitted in the right-of-way of a fully controlled access highway.
- (2) No sign shall be closer than three feet from the edge of the pavement of the road.
- (3) No sign shall obscure motorist visibility at an intersection.
- (4) No sign shall be higher than 42 inches above the edge of the pavement of the road.
- (5) No sign shall be larger than 864 square inches.
- (6) No sign shall obscure or replace another sign.

(e) Penalties for Unlawful Removal of Signs. – It is a Class 3 misdemeanor for a person to steal, deface, vandalize, or unlawfully remove a political sign that is lawfully placed under this section.

(f) Application Within Municipalities. – Pursuant to Article 8 of Chapter 160A of the General Statutes, a city may by ordinance prohibit or regulate the placement of political signs on rights-of-way of streets located within the corporate limits of a municipality and maintained by the municipality. Any such ordinance shall provide that any political sign that remains in a right-of-way of streets located within the corporate limits of a municipality and maintained by the municipality more than 30 days after the end of the period prescribed in the ordinance is to be deemed unlawfully placed and abandoned property, and a person may remove and dispose of such political sign without penalty. In the absence of an ordinance prohibiting or regulating the placement of political signs on the rights-of-way of streets located within a municipality and maintained by the municipality, the provisions of subsections (b) through (e) of this section shall apply. (1921, c. 2, s. 9(b); C.S., s. 3846(r); 1927, c. 148, ss. 56, 58; 1933, c. 172, s. 17; 1957, c. 65, s. 11; 1973, c. 507, s. 5; 1977, c. 464, s. 7.1; 1991 (Reg. Sess., 1992), c. 1030, s. 39; 1993, c. 539, s. 981; 1994, Ex. Sess., c. 24, s. 14(c); 2011-408, s. 1; 2017-6, s. 3; 2018-146, ss. 3.1(a), (b), 6.1; 2019-119, s. 1.)