

## CHAPTER 37-05-03 SIZING AND SPACING - PENALTY

### Section

37-05-03-01	Size of Signs
37-05-03-02	Spacing of Signs
37-05-03-03	Penalty

### **37-05-03-01. Size of signs.**

The maximum area for any one sign face shall be one thousand two hundred square feet [111.48 square meters] with a maximum height of thirty feet [9.14 meters] and a maximum length of sixty feet [18.29 meters] inclusive of any border and trim but excluding the base or apron, supports, and other structural members. The area shall be measured by the smallest square, rectangle, triangle, circle, or combination thereof which will encompass the entire sign face. The maximum face size limitations shall apply to each side of the sign structure; and sign faces may be placed back to back, side by side, or in V-type construction with not more than two displays to each facing, and such sign structure shall be construed as one sign for permitting purposes.

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

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

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

### **37-05-03-02. Spacing of signs.**

1. Signs adjacent to the federal-aid primary system may not be located in a manner as to obscure or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device or obstruct or physically interfere with the driver's view of approaching, merging, or intersecting traffic.
2. On interstate highways and expressways on the federal-aid primary system:
  - a. Two signs may not be placed less than five hundred feet [152.4 meters] apart.
  - b. In areas outside of incorporated cities, signs may not be located adjacent to or within five hundred feet [152.4 meters] of an interchange, intersection at grade, or safety rest area. The five hundred feet [152.4 meters] must be measured along the interstate or freeway from the beginning or ending of pavement widening at the ramp exit from or entrance to the main-traveled way.
3. On highways, other than interstate or expressways, on the federal aid primary system:
  - a. Outside of incorporated cities, two signs may not be placed less than three hundred feet [91.44 meters] apart.
  - b. Inside incorporated cities, no two signs shall be spaced less than one hundred feet [30.48 meters] apart.
4. The spacing between sign provisions of this section do not apply to signs separated by buildings or other obstructions in a manner that only one sign facing located within the above spacing distances is visible from the highway at any one time.

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

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

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

**37-05-03-03. Penalty.**

Any sign erected or maintained in violation of this article must be caused to conform to the article as directed by the director, and if it is not made to conform, it is unlawful advertising and the director may order the owner to remove it and if the owner fails to remove the sign after thirty days, the director may cause it to be removed by state forces, the expense of which shall be billed to and paid by the owner of the sign.

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

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

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