

# Unofficial and Unauthorized Signs

## **MUTCD and Iowa Code Stipulations**

Section 1A.08 of the *MUTCD* (“Authority for Placement of Traffic Control Devices”) states the following:

“Traffic control devices, advertisements, announcements, and other signs or messages within the highway right-of-way shall be placed only as authorized by a public authority or the official having jurisdiction, for the purpose of regulating, warning, or guiding traffic ... Any unauthorized traffic control device or other sign or message placed on the highway right-of-way by a private organization or individual constitutes a public nuisance and should be removed. All unofficial or nonessential traffic control devices, or other signs or messages should be removed.”

Furthermore, the Code of Iowa, Section 321.259 (“Unauthorized Signs, Signals, or Markings”) states the following:

“No person shall place, maintain, or display upon or in view of any highway, any sign, signal, marking, or device which purports to be or is an imitation of or resembles an official parking sign, curb, of other marking, traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal, if such sign, signal, marking, or device has not been authorized by the department and local authorities with reference to streets and highways under their jurisdiction and no person shall place or maintain, nor any public authority permit upon any highway, any traffic sign or signal bearing thereon any commercial advertising. This shall not be deemed to prohibit the erection upon private property adjacent to highways of signs

giving useful directional information of a type that cannot be mistaken for official signs.

Every such prohibited sign, signal, or marking is hereby declared to be a public nuisance and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause it to be removed without notice.”

Considering these provisions and requirements unofficial and/or unauthorized signs, and other traffic control devices or markings within public right-of-way should be removed or caused to be removed as soon as possible.

## **Political Signs**

Section 306C.22 of the Iowa Code contains provisions specifically addressed to a class of signs described as political signs and regulates the size and duration of these signs. Political signs may be erected and maintained on private property, provided the property owner agrees and the sign conforms to general provisions contained in the Code for other advertising devices.

A sample county political sign policy is included in the appendix. Advice of legal counsel and close adherence to local ordinances is advised.

Section 306.23 of the Iowa Code describes conditions in which special event signs may be erected on private property. Specific requirements for placement, size, location, and duration are included in this code section.

For more advice on this topic, contact Advertising Management, Office of Traffic and Safety, Iowa Department of Transportation, Ames, Iowa, 515-239-1296.

Please refer to the appendix of this manual for additional information.

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