

What Does State Law Say?

Advertising structures cannot be erected on state highway right of way and a permit is required for all commercial advertising signs which can be seen from the edge of the highway right of way. The area selected to erect a commercial message sign must be zoned either commercial or industrial, which is generally near towns. (See Example 1.)

If there is no zoning in the area considered for signing, but there is an ongoing business activity adjacent to the highway that is also unzoned, the area can be considered an unzoned commercial zone. Therefore, any commercial signing can be placed within 600 feet of the business in either direction and on either side of the highway. Measurements begin from the used portion of the business including parking and storage areas. (See Example 2.)

Cities which use their extra territorial zoning jurisdiction and zone beyond their city limits, must use comprehensive zoning and not simply spot-zone next to the highway for the sole purpose of signing. In other words, the area must be zoned for commercial activities, not just for the purpose of erecting billboards.

In addition to zoning, there are spacing requirements:

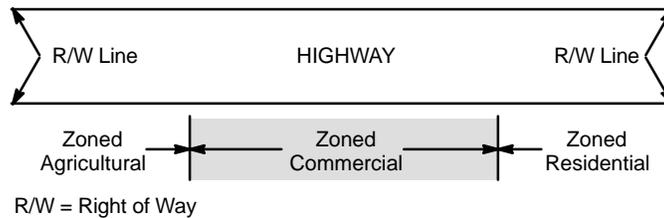
Location	Spacing of Signs
Interstate Highways	At least 500 feet apart
Federal and Primary Highways (outside incorporated city limits)	At least 300 feet apart
Federal and Primary Highways (inside incorporated city limits)	At least 100 feet apart

There are also size limitations and special legal provisions depending on the type of sign (official, directional, commercial, farm directional, or on premise).

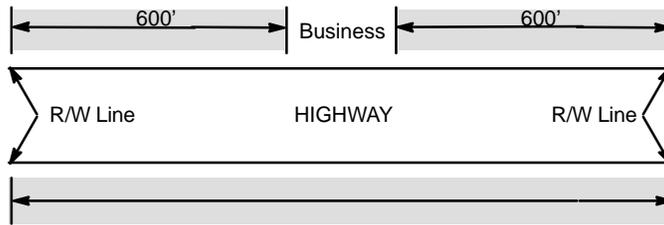
With the exception of commercial advertising signs, all other signs are exempt from the permit, permit fee, and strict zoning requirements.

This is only a basic overview of rules for outdoor advertising in North Dakota. Signs cannot be erected or exist unless state billboard laws are followed, which can be explained further by the North Dakota Department of Transportation (NDDOT.)

EX. 1: ZONED COMMERCIAL OR INDUSTRIAL



EX. 2: UNZONED COMMERCIAL OR INDUSTRIAL



How Do I Get a Permit for a Commercial Advertising Sign?

If you have an existing sign or plan to erect one, here's what you need to do.

1. Contact the NDDOT district office. They can determine if the location you want is legally permissible. If it is, you'll be given a permit application.

2. Contact the landowner to get a verbal or written lease. The landowner can simply sign the permit application or write a simple lease agreement:
(name of person erecting sign) has the right to erect a sign on my land at _____ (location) _____
_____ (landowner's signature) _____
3. Complete the permit application and return it to the district office with a one-time permit fee of \$50 for the life of the sign. (See reverse side for district office addresses.) NOTE: Zoning status must be completed and signed by proper zoning authority.
4. The district office will mail permit and fee receipt to sign owner after approval is made.
5. Erect the sign.

FOR FURTHER INFORMATION CONTACT:
RAY BARCHENGER, BILLBOARD OFFICER
ND Department of Transportation
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Bismarck, ND 58505-0700
rbarchen@state.nd.us
Telephone: 701-328-4437 / Toll Free: 1-800-432-1395

DISTRICT OFFICE ADDRESSES:

Bismarck District Office
ND Dept. of Transportation
218 Airport Road
Bismarck, ND 58504-6003

Dickinson District Office
ND Dept. of Transportation
1700 Third Ave. West, Ste. 101
Dickinson, ND 58601-3009

Valley City District Office
ND Dept. of Transportation
1524 Eighth Avenue SW
Valley City, ND 58072-4200

Grand Forks District Office
ND Dept. of Transportation
1951 North Washington
P.O. Box 13077
Grand Forks, ND 58208-3077

Devils Lake District Office
ND Dept. of Transportation
316 Sixth Street South
Devils Lake, ND 58301-0817

Williston District Office
ND Dept. of Transportation
605 Dakota Parkway West
P.O. Box 698
Williston, ND 58802-0698

Minot District Office
ND Dept. of Transportation
1305 Hwy. 2 Bypass East
Minot, ND 58702-1396

Fargo District Office
ND Dept. of Transportation
503 38th Street South
Fargo, ND 58103-1198

