

## **Advertising Disclaimer and Disclosure Requirements (SDCL 12-27-15)**

12-27-15. Political communications to contain certain language--Exceptions--Violation as misdemeanor. Any printed material or communication made, purchased, paid for, or authorized by a candidate or political committee that disseminates information concerning a candidate, public office holder, ballot question, or political party shall prominently display or clearly speak the statement: "Paid for by (name of candidate or political committee)." This section does not apply to buttons, balloons, pins, pens, matchbooks, clothing, or similar small items upon which the inclusion of the statement would be impracticable. A violation of this section is a Class 2 misdemeanor. A subsequent offense within a calendar year is a Class 1 misdemeanor.

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### **Campaign Signs**

All political campaigns will need to contact each municipality within your county (and in every county you want to put campaign signs) to determine the sign requirements set in municipal ordinances.

See [rcgov.org](http://rcgov.org) for the Rapid City Municipal Ordinances. Also, see attached.

Pennington County does not have an ordinance which regulates political campaign signs outside of the city limits.

The South Dakota Department of Transportation regulates the use of right-of-ways. The use of right-of-ways is reserved for highway signage. Any sign in the right-of-way that is not required for traffic control as authorized by law is prohibited and will be removed. This includes both candidate and ballot issue signs. For more information regarding right-of-ways, please contact the Department of Transportation at 605-773-5103.

31-28-14. Unauthorized signs, markers, and signals prohibited--Authorization to organization. No unauthorized person may erect or maintain upon any highway, any warning or direction sign, marker, signal, or light in imitation of any official sign, marker, signal, or light erected under the provisions of this chapter. No person may erect or maintain upon any highway any traffic or highway sign or signal bearing thereon any commercial or political campaign advertising. Nothing in this section prohibits the erection or maintenance of any sign, marker, or signal bearing thereon the name of an organization authorized to erect the sign, marker, or signal by the department or any local authority as defined in this chapter.

31-28-20. Commercial or political campaign advertising--Violation as misdemeanor. No person may place or maintain nor may any public authority permit upon any highway or public right-of-way any traffic sign or signal bearing any commercial or political campaign advertising. A violation of this section is a Class 2 misdemeanor.

12-14-16. Campaign signs at nonpublicly-owned polling place. If any nonpublicly-owned building is used as a polling place, the building owner may designate whether campaign signs will be allowed on the building's premises outside the area defined in § 12-18-3 on election day. If campaign signs are allowed, the building owner may not prohibit signs from any particular campaign.

12-18-3. Electioneering, offices, distracting communications devices, and signature gathering prohibited near polling place--Violation as misdemeanor. Except for sample ballots and materials and supplies necessary for the conduct of the election, no person may, in any polling place or within or on any building in which a polling place is located or within one hundred feet from any entrance leading into a polling place, maintain a campaign office or public address system, or use any communication or photographic device in a manner which repeatedly distracts, interrupts, or intimidates any voter or election worker, or display campaign posters, signs, or other campaign materials or by any like means solicit any votes for or against any person or political party or position on a question submitted or which may be submitted. No person may engage in any practice which interferes with the voter's free access to the polls or disrupts the administration of the polling place, or conduct any petition signature gathering, on the day of an election, within one hundred feet of a polling place. For the purposes of this section, the term, polling place, means a designated place voters may go to vote on the day of the election or go to vote absentee. A violation of this section is a Class 2 misdemeanor.

## Election Signs Not Allowed in Right of Way



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For Immediate Release: Thursday, May 8, 2014

Contact: Kristi Sandal, Public Information Officer, 605-773-3265

### Election Signs Not Allowed in Right of Way

PIERRE, S.D –The South Dakota Department of Transportation reminds the public that political campaign and ballot-issue signs cannot be placed on state highway rights of way.

"With the general election coming up, election signs are showing up along the state's roadways," says Bill Nevin of the DOT Office of Legal Counsel. "We're asking everyone to pay attention to where they put the signs and make sure they are outside of the rights of way and in locations that will not create safety hazards or distract motorists."

The use of right of way is reserved for official highway signage. All signs in the right of way that are not required for traffic control, as authorized by law (SDCL 31-28-14), are prohibited and will be removed. That includes both candidate and ballot-issue signs.

Municipal ordinances regulating placement and removal of campaign signs within towns and cities do not have precedence over state jurisdiction and supervision of state highway rights of way within municipalities.

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# CITY OF RAPID CITY

## RAPID CITY, SOUTH DAKOTA 57701-5035

Community Planning and Development Services  
300 Sixth Street  
605-394-4120 • Fax 605-394-6636

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Community Planning and Development Services  
City web: [www.rcgov.org](http://www.rcgov.org)

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### MEMORANDUM

**DATE:** March 5, 2018  
**TO:** All Election Candidates  
**FROM:** Brad Solon, Division Manager, Building Services   
**SUBJECT:** Placement of political signs in Rapid City, South Dakota

Election season brings many issues to the public eye and often this is accomplished through signage. One issue that tends to recur during general and municipal election campaigns is the proliferation of political and campaign signs. This memo is provided to be sure that everyone is aware of the City of Rapid City requirements when placing campaign and political signs. The following rules apply to all political and campaign signs:

- 1) Signs 32 square feet or less are exempt from permit requirements. For signs exceeding 32 square feet, permits are available the City permit counter. (32 square feet is the same size as a sheet of plywood).
- 2) Signs shall not block a sight triangle or impede traffic, nor shall a sign block or occupy required off-street parking.
- 3) Signs shall not be placed upon any public right-of-way or on publicly owned property.

Generally, the area in front of a property from and including the sidewalk to the curb is public right-of-way. Signs are not allowed in this area. Signs could be placed in a yard, or in front of a building. Signs inappropriately positioned are subject to removal. If you wish to place a sign in certain location and you are not sure if the sign will be appropriately placed, please call the permit counter prior to the installation.

Also, some political signs are not associated with an election. If you have a political sign not associated with an election, please contact permit staff at the permit counter. Permit exemptions may or may not apply to these types of signs.

If you have question about signs contact the City permit counter at 605-394-4120, or stop by the office at 300 6th Street, Rapid City, South Dakota, second floor.

Good luck to all candidates in the upcoming elections.



EQUAL OPPORTUNITY EMPLOYER



CITY OF BOX ELDER ORDINANCE #466  
SIGN AND ADVERTISING REGULATIONS

- A. Each political sign shall have no more than two (2) sign faces that shall each be no larger than thirty-two (32) square feet.
- B. Political signs shall only be located on private property and with the permission of the landowner.
- C. Political signs shall not be erected as building signs.
- D. Owners of political signs shall provide to the Planning Coordinator with a list of political sign locations with the landowner's name, address, and phone number within 24 hours of placement of such signs.
- E. Political signs shall not: obstruct the vision of a driver at or within an intersection; obstruct the view of traffic or of any traffic control sign or device; be attached to any traffic control sign or device; or be attached to any light or utility pole.
- F. Political signs shall be constructed of plywood, paper, or poster material.
- G. Political signs shall not be located within a public right-of-way or upon public property.
- H. No part of any political sign shall be more than eight feet (8') above ground level.
- I. Each political sign face shall display the name of the owner of the sign (paid for by...).
- J. All political signs shall be removed within four (4) days after Election Day. No political sign, in the case of municipal, school board, or fire district elections, shall be erected or placed more than seventeen (17) days before Election Day.
- K. Political signs shall not be placed within a required parking stall or parking area.
- L. Political sign copy shall not contain any untrue or slanderous message.
- M. Any person, association, or corporation who desires to advertise during the campaign process shall comply with the political sign requirements of this Ordinance.
- N. Any political sign, erected within thirty-six (36) hours of an election, which does not comply with the requirements of this Ordinance shall be deemed an unlawful sign subject to immediate removal, without notice, by the Planning Coordinator. Otherwise, the Planning Coordinator shall give a written notice by first class mail of the violation to the candidate or owner of the sign before removing the same. If the violation is not corrected within forty-eight (48) hours of said mailing then the sign may be removed. Neither form of removal shall be subject to the requirements of Article VI, Section 5 of this Ordinance.

ARTICLE V – PERMITS, LICENSES, AND FEES

SECTION 1 – REQUIREMENT FOR THE ERECTION OF SIGNS.