



Gardiner Election Information

Political Signs per Land Use Ordinance

10.24.5.20.5 Political Sign: Signs bearing political messages relating to an election, primary or referendum may be placed in any district, except in a floodplain. Political signs may be placed in a public right-of-way in such locations as will not create a safety hazard. Political signs shall not be placed within a right-of-way or elsewhere prior to 6 weeks before the election, primary or referendum to which they relate and shall be removed by the candidate or political committee no later than 2 days after Election Day. Political signs shall be limited in size to 20 square feet.

Section 2567. Traffic Islands.

Except for authorized traffic regulatory and direction signs and landscaping placed by the State of Maine or the City of Gardiner, no person shall post any sign or place any object in, on, or around any traffic island in the City of Gardiner.

Candidates may check at the police station for signs that may have been removed for traffic safety reasons.



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Placement of Political Signs per MDOT

Under the provisions of Title 23 MRSA, §1913-A and Department Regulations, political posters and signs may be erected and maintained as follows:

1. May be erected on private property outside the Right of Way limits of public ways at any time prior to an election, primary or referendum;
2. May be erected within the Right of Way limits of public ways no sooner than six (6) weeks prior to an election, primary or referendum and must be removed no later than one (1) week following the date of the election, primary or referendum;
3. **Prohibited practices:** political posters and signs shall not be erected or maintained on any traffic control signs or devices, public utility poles or fixtures, upon any trees or painted or drawn upon rocks or other natural features;
4. No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an **imitation of or resembles an official traffic-control device**, such as a stop sign;
5. Political signs may be displayed to view to all public ways **except** for the Interstate Highway System. Title 23 MRSA, §1913-A, paragraph 3 (Regulations) and paragraph 6 (Interstate system) states that: **Signs may not be placed within the limits of any controlled access highway nor erected within 660 ft. of the nearest edge of the Interstate Highway System in such a manner that the message may be read from the Interstate Highway.** All signs located at interstate interchanges are in violation and will be removed.
6. **Municipal ordinances** advocating stricter control take precedence over state law. Check with the municipal clerk for any such local ordinances.

Most "violations" are the result of the efforts of ardent campaign workers who do not know the law. It is therefore suggested that this information be passed on to them.
Maine Department of Transportation Maintenance employees will have instructions to remove all improperly placed or maintained political posters and signs.

Traffic safety should be of the utmost consideration in placement of political signs. Candidates and campaign workers should take great care not to place signs or posters where same could create a traffic hazard. For example, signs or posters should not be placed at or near intersections where they could obstruct the view of on-coming traffic to the motorist entering the intersection. Also, signs or posters should not be erected on or in any manner so as to interfere with the effectiveness of traffic control devices. Acceptable display would be those posters or



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signs affixed to their own stake or post and set in the ground well outside the traveled portion of the highway, or, with the owner's consent and permission, attached to a building or dwelling, or displayed on vehicles or in the windows of business establishments, and in other like manner. Please help the Department of Transportation to prevent an unsightly, indiscriminate and uncontrolled display of election campaign posters throughout the State and to prevent any possible embarrassment to candidates.

Questions: Right of Way Maintenance Control Telephone: (207) 624-3611

Unlawful removal of political signs (from public roadways)

The unauthorized removal or destruction of political signs is a civil violation under Maine law (Title 23 MRSA, Section 1917-A), and may carry a fine of up to \$250. Specifically, the law states that "a person who takes, defaces or disturbs a lawfully placed sign bearing political messages relating to a general election, primary election or referendum commits a civil violation for which a forfeiture of up to \$250 may be adjudged."

The law does not apply to a person authorized by a candidate or political committee to remove signs placed by or at the direction of that candidate or political committee. It also does not apply to the landowner, or agent of the landowner, on whose property a sign has been placed.

A candidate or candidate's committee would file a complaint with the local police and/or brought to the District Attorney's office for appropriate action.