

Proper placement of real estate signs along state highways

Is the placement of real estate signs regulated in Iowa?

Yes. Placement of real estate signs by realtors, brokers, developers, financiers, and others, including homeowners selling their own property, is subject to Iowa's regulatory sign laws and rules, in instances where the signs are visible from a state highway. Other local ordinances may also apply to signs placed along county roads and city streets.

Where can real estate signs be placed?

Real estate signs intended to advertise the financing, development, sale, transfer, lease, exchange or rent of real property should be displayed upon the premises of the advertised property.

Placement of a non-premise real estate sign, one that advertises or directs attention to an off-premise real property, requires an outdoor advertising permit from the Iowa DOT, and permission from the property owner, prior to placement. **Outdoor advertising permits can only be issued for commercial or industrial areas.** More information about permit requirements can be obtained by calling the Iowa DOT district office nearest you (see list below) or visiting the Web site iowaroadsigns.com.

Can real estate signs be placed in the highway right of way?

No. Real estate signs cannot be placed within the state highway right of way, even if the right of way is located in front of a business or residence. Signs displayed illegally in the state highway right of way will be removed by the Iowa DOT according to the process described below.

In addition, real estate signs may not be attached to structures within the state highway right of way, such as:

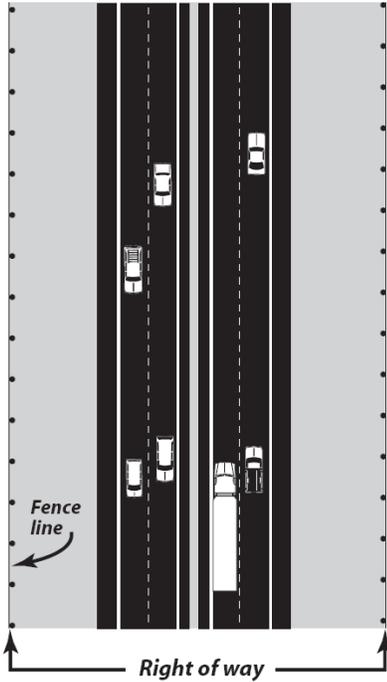
- Telephone poles.
- Traffic or pedestrian signals.
- Fence.
- Stop signs.
- Trees.

What is a highway right of way?

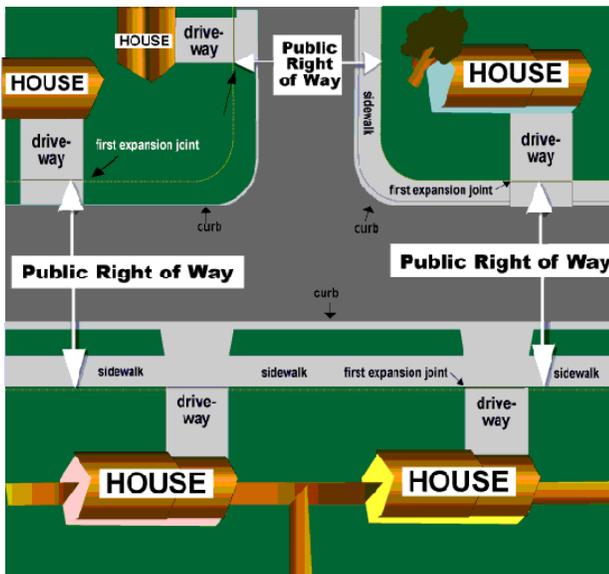
A highway "right of way" is the public area that includes the roadway surface, concrete or grassy median, intersections, entrance and exit ramps, and strip of land, usually bordering either side of the road, which is reserved for shoulders, drainage ditches, sidewalks, traffic signs/signals, fencing, electrical traffic signal control boxes, utility lines, and future road expansion.

How do I know where the highway's right of way is located?

Accurately determining the legal boundaries or limits of a highway's right of way cannot be performed without a legal description, and the aid of a land survey map or drawing, and actual measurements. However, as a general rule, in rural areas the right of way extends from the fence line or end of a farm field, through the ditch, and onto the shoulder and roadway itself, and continues to the opposite fence line or field edge.



In urban areas, the public right of way generally includes the sidewalk, grassy area between the sidewalk and curb, curb and gutter, and roadway.



What happens to illegally placed or posted signs?

The Iowa DOT shall remove illegally placed or posted real estate signs from the state highway right of way.

Removal of signs posted on public property

Signs posted on state property and within the state highway (interstate, U.S. and Iowa routes) right of way, including, but not limited to, traffic control devices, fence, posts, trees, light poles or equipment service poles, and delineators, shall be removed immediately by the Iowa DOT without notice and liability in damages, and discarded.

Removal of signs constituting an immediate and dangerous hazard

If a real estate sign placed or erected upon the state highway right of way constitutes an immediate and dangerous hazard, a representative of the Iowa DOT shall, without notice or liability in damages, remove it. The sign will be transported to the nearest Iowa DOT maintenance facility. The Iowa DOT will attempt to contact the sign's owner and provide them with an opportunity to claim it. The sign will be stored for 30 days and then discarded, if not claimed. However, such signs belonging to individuals or firms who have repeatedly violated Iowa's sign laws will be removed and discarded without notice.

Removal of signs NOT constituting an imminent danger

When the Iowa DOT is notified of or discovers a real estate sign placed or erected in the state highway right of way, and the sign presents no imminent danger, the Iowa DOT will attempt to contact the sign owner and request that the sign be removed within 48 hours. If the sign is not removed within this period, the DOT will remove and discard it, without liability in damages.

In the event that the DOT is unable to identify or make contact with the sign's owner, the sign will be removed by the Iowa DOT and taken to the nearest Iowa DOT maintenance facility. It will be stored for 30 days and then discarded, if not claimed.

What are the safety risks and cost associated with illegally posted signs?

Improperly placed signs in the highway right of way can:

- Reduce a driver's view.
- Distract the motorist's attention
- Compound damages or injuries in the event of a crash.
- Endanger the safety of individuals who are erecting signs.
- Present obstacles to roadway maintenance crews.
- Force pedestrians and bicyclists into dangerous areas close to the road edge or onto difficult terrain alongside the road shoulder.

Illegally posted signs also waste valuable taxpayer resources. Each year, the Iowa DOT receives numerous complaints about improperly posted signs, or discovers them during routine inspections, mowing or other operations. DOT crews must follow up on these complaints and remove illegal signs...time better spent maintaining our roadways.

Who can I call for general sign recovery information or to recover my sign?

For general sign recovery information or to locate the DOT maintenance facility nearest you, contact one of the district maintenance manager listed here.

- District 1 Maintenance Manager Mike Krohn, Ames – 515-239-1634
- District 2 Maintenance Manager Mark Black, Mason City – 641-423-8516
- District 3 Maintenance Manager Dwight Rorholm, Sioux City – 712-276-1451
- District 4 Maintenance Manager Jim Bane, Atlantic – 712-243-3355
- District 5 Maintenance Manager Kenneth Morrow, Fairfield – 641-472-4171
- District 6 Maintenance Manger Gretchen Gresslin, Cedar Rapids – 319-365-3558