

N.C.P.I.-Crim. 258.32
ERECTING OR MAINTAINING COMMERCIAL ADVERTISING SIGNS IN
HIGHWAY RIGHTS OF WAY. MISDEMEANOR.
GENERAL CRIMINAL VOLUME
JUNE 2012
N.C. Gen. Stat. § 136-32 (a), (d)

258.32 ERECTING OR MAINTAINING COMMERCIAL ADVERTISING SIGNS
IN HIGHWAY RIGHTS OF WAY. MISDEMEANOR.

The defendant has been charged with [erecting] [maintaining] upon a highway right of way any [traffic sign] [highway sign] [signal] bearing any commercial advertising, except those that are permitted.

For you to find the defendant guilty of this offense, the State must prove two things beyond a reasonable doubt:

First, that the defendant [erected] [maintained] upon a highway right of way any [traffic sign] [highway sign] [signal] bearing any commercial advertising;

And Second, that the [traffic sign] [highway sign] [signal] bearing any commercial advertising was placed [[without the permission of any property owner of a [residence] [business] [religious institution] fronting the right of way where the sign was erected]]¹ [on a right of way of a fully controlled access highway] [closer than three feet from the edge of the pavement of the road] [so that it obscured motorist visibility at an intersection] [so that it was higher than 42 inches above the edge of the pavement of the road] [so that it was larger than 864 square inches] [so that it obscured or replaced another sign.]²

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant [erected] [maintained] upon any highway right of way any [traffic sign] [highway sign] [signal] bearing any commercial advertising and that the [traffic sign] [highway sign] [signal] was placed [[without the permission of any property owner of a [residence] [business] [religious institution] fronting the right of way where the sign was erected]] [on a right of way of a fully controlled

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access highway] [closer than three feet from the edge of the pavement of the road] [so that it obscured motorist visibility at an intersection] [so that it was higher than 42 inches above the edge of the pavement of the road] [so that it was larger than 864 square inches] [so that it obscured or replaced another sign], it would be your duty to return a verdict of guilty. If you do not so find or have a reasonable doubt as to one or more of these things, then it would be your duty to return a verdict of not guilty.

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1. N.C. Gen. Stat. § 136-32 (d).
 2. N.C. Gen. Stat. § 136-32 (d).