

N.C.P.I.-Crim. 258.33

[STEALING] [DEFACING] [VANDALIZING] [UNLAWFULLY REMOVING]
POLITICAL SIGNS THAT ARE LAWFULLY PLACED. MISDEMEANOR.
GENERAL CRIMINAL VOLUME
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N.C. Gen. Stat. § 136-32 (a), (b), (c), (d), (e)

258.33 [STEALING] [DEFACING] [VANDALIZING] [UNLAWFULLY
REMOVING] POLITICAL SIGNS THAT ARE LAWFULLY PLACED.
MISDEMEANOR.

The defendant has been charged with [stealing] [defacing]
[vandalizing] [unlawfully removing] a political sign that is lawfully
placed.¹

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

First, that the defendant [stole] [defaced] [vandalized] [unlawfully
removed] a political sign²;

And Second, that the political sign was lawfully placed [during the
period between (*insert date*) and (*insert date*), which is the period 30
days before the beginning date of "one-stop" early voting and ending 10
days after the primary or election day]³ [[by a permittee who obtained
the permission of any property owner of a [residence] [business]
[religious institution] fronting the right-of-way where a sign would be
erected]]⁴ [[outside of a right of way of a fully controlled access highway]
[not closer than three feet from the edge of the pavement of the road]
[without obscured motorist visibility at an intersection] [not higher than
42 inches above the edge of the pavement of the road] [not larger than
864 square inches] [without another sign being obscured or replaced.]]⁵

If you find from the evidence beyond a reasonable doubt that on or
about the alleged date the defendant [stole] [defaced] [vandalized]
[unlawfully removed] a political sign and that the political sign was
lawfully placed [during the period between (*insert date*) and (*insert date*),
which is the period 30 days before the beginning date of "one-stop" early
voting and ending 10 days after the primary or election day] [[by a

permittee who obtained the permission of any property owner of a [residence] [business] [religious institution] fronting the right-of-way where a sign would be erected]] [[outside of a right of way of a fully controlled access highway] [not closer than three feet from the edge of the pavement of the road] [without obscured motorist visibility at an intersection] [not higher than 42 inches above the edge of the pavement of the road] [not larger than 864 square inches] [without another sign being obscured or replaced]], it would be your duty to return a verdict of guilty. If you do not so find or have reasonable doubt as to one or more of these things, then it would be your duty to return a verdict of not guilty.

1. N.C. Gen. Stat. § 136-32 (b) states "Compliant Political Signs Permitted. – During the period beginning on the 30th day before the beginning date of "one-stop" early voting under N.C. Gen. Stat. § 163-227.2 and ending on the 10th day after the primary or election day, persons may place political signs in the right-of-way of the State highway system as provided in this section. Signs must be placed in compliance with subsection (d) of this section and must be removed by the end of the period prescribed in this subsection.";

N.C. Gen. Stat. § 136-32 (d) states "Sign Placement.– The permittee must obtain the permission of any property owner of a residence, business, or religious institution fronting the right-of-way where a sign would be erected. Signs must be placed in accordance with the following: (1) No sign shall be permitted in the right-of-way of a fully controlled access highway. (2) No sign shall be closer than three feet from the edge of the pavement of the road. (3) No sign shall obscure motorist visibility at an intersection. (4) No sign shall be higher than 42 inches above the edge of the pavement of the road. (5) No sign shall be larger than 864 square inches. (6) No sign shall obscure or replace another sign."

2. See N.C. Gen. Stat. § 136-32 (a), (b), (c), (d), (e).

3. N.C. Gen. Stat. § 136-32 (b).

4. N.C. Gen. Stat. § 136-32 (d).

5. N.C. Gen. Stat. § 136-32 (d).