

December 1, 2007

**MEMORANDUM**

**TO:** All Shelby County Residents / Businesses

**FROM:** John Gary Ray, District Engineer  
Ed Burchfield, Permit Engineer  
Don Crow, Assistant Permit Engineer

**RE:** Advertising on State Right of Way

We are experiencing problems statewide with certain types of Advertising on ALDOT Right of Way. **These signs are illegal and must be removed.** Section 23-1-6 of the Code of Alabama stipulates signs, markers, and advertising on right of way of state controlled highways are prohibited except those official signs, or markers placed thereon by the Department of Transportation or under its authority.

The following is a list of these problematic types of advertising;

**Banners:** Numerous towns and cities have entered into agreements with companies to place banners on signal, power, and light poles that have a local theme or patriotic message that includes advertising or a sponsoring company's name attached. These banners are not only illegal but distract the motorist and compromise the safety of the traveling public.

**Signs:** Any sign placed on right of way that was not placed there by the Authority of the D.O.T. is prohibited. Some cities have agreed to maintain the rights of way of state controlled highways including medians, and placed signs acknowledging companies that sponsor the maintenance of these areas. This is just another form of advertising on right of way. This type of advertising also distracts the traveling motorist.

**Variable message boards:** Some towns or cities will have a special event and will place a variable message or flashing board on right of way.

Variable message boards are allowed if placed there under the authority of ALDOT and should contain traffic control or safety information only. Advertising, especially advertising that contains animated or moving messages will distract the traveling motorist and compromise safety of highway user.

**All of the advertising on ALDOT's Right of Way will be treated as encroachments.** We will follow the State's established guidelines for their removal. We will be taking the necessary action to have these encroachments removed as expeditiously as possible.

If you have any questions feel free to call 668-0173.