



POLICY AND PROCEDURE MEMO

NO. 1.005

DATE: 4-1-13 Approved

SUBJECT: POST-ELECTION REMOVAL OF POLITICAL
ADVERTISING FROM CITY PROPERTY AND
STATE AND CITY OWNED RIGHTS-OF-WAY

D. W. Fisher
CITY MANAGER

I. STATEMENT:

Candidates for election at any state, municipal and/or other election are responsible, by State Statutes, for removal of their signs or other political advertising placed on, or affixed to, any public property (City, State or otherwise), including State and/or City highway rights-of-way, no later than the second Friday following every election, unless the election is a primary and the political advertising concerns a candidate who is a winner in the primary election.

After the passage of the second Friday after an election, State and/or City maintenance and/or law enforcement personnel may remove political advertising placed on, or affixed to, any public property, including State and City highway rights-of-way. (See RSA 664:17.)

II. PROCEDURE

1. After the second Friday following a state, municipal or other election, City maintenance and/or law enforcement personnel may remove any political advertising from, or affixed to, any City property, including City and State highway rights-of-way, which concerns a candidate who is no longer an active candidate for office because the candidate was either elected to the office with respect to which the political advertising appertains or was a candidate defeated at the election and such election was a primary or a general election.
2. On or before the third Tuesday following any state, municipal and/or other election, the Commissioner of Public Works, and the Director of Code Enforcement or their respective designees shall meet and determine the date or dates, if any, after the second Friday after such election on which a sweep of City property, including City and/or State highway rights-of-way, shall be conducted, and the maintenance and/or law enforcement personnel to be utilized for the purpose of removing no longer authorized political advertising there from.
3. Any political advertising removed from any public property, including City and/or State owned rights-of-way, by City maintenance and/or law enforcement personnel, as improper political advertising, shall be kept for



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one week at a place designed by the Commissioner of Public Works before being disposed of, provided, however, that after the second Friday after the election to which such political advertising appertains shall be disposed of as soon as practicable after being removed by City maintenance and/or law enforcement personnel.

See Attached:

RSA 664:17 Political Expenditures and Contributions – Political Advertising

-END OF PROCEDURE-

TITLE LXIII ELECTIONS

CHAPTER 664 POLITICAL EXPENDITURES AND CONTRIBUTIONS

Political Advertising

Section 664:17

664:17 Placement and Removal of Political Advertising. – No political advertising shall be placed on or affixed to any public property including highway rights-of-way or private property without the owner's consent. All political advertising shall be removed by the candidate no later than the second Friday following the election unless the election is a primary and the advertising concerns a candidate who is a winner in the primary. Signs shall not be placed on or affixed to utility poles or highway signs. Political advertising may be placed within state-owned rights-of-way as long as the advertising does not obstruct the safe flow of traffic and the advertising is placed with the consent of the owner of the land over which the right-of-way passes. No person shall remove, deface, or knowingly destroy any political advertising which is placed on or affixed to public property or any private property except the owner of the property, persons authorized by the owner of the property, or a law enforcement officer removing improper advertising. Political advertising placed on or affixed to any public property may be removed by state, city, or town maintenance or law enforcement personnel. Political advertising removed prior to election day by state, city, or town maintenance or law enforcement personnel shall be kept for one week at a place designated by the state, city, or town so that the candidate may retrieve the items.

Source. 1979, 436:1. 1994, 4:28. 2006, 273:1, eff. Aug. 14, 2006.