

1 19A NCAC 02E .0208 is readopted as published in 34:13 NCR 1251-1253 with changes as follows:

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3 **19A NCAC 02E .0208 PERMIT AND PERMIT EMBLEM**

4 (a) ~~A permit~~Permits shall be issued for signs that are in compliance with ~~any Federal,~~ all federal, State, or local laws  
5 ~~lawful-pertaining to~~ outdoor advertising structures by the Division of Highways of the Department of Transportation upon  
6 ~~proper~~ application, approval, and the payment of the ~~nonrefundable~~ initial permit ~~[fee-]~~ fee as defined in Rule .0207 of this  
7 Section.

8 (b) The erection of new outdoor advertising structures shall not commence until a permit has been approved and the  
9 emblem issued. ~~All construction of the~~ The outdoor advertising structure-structure, except ~~all sign faces-faces,~~ must shall  
10 ~~be completely constructed and erected-completed~~ within 180 days ~~from the date of~~ the approval of the permit. permit and  
11 ~~issuance of the emblem.~~ If the outdoor advertising ~~structure-structure,~~ except sign ~~faces-faces,~~ is not constructed within  
12 180 days from the date of approval of the permit and issuance of the emblem then any intervening rule change shall apply  
13 to the sign structure. During the 180 day period, the new outdoor advertising structure shall be considered in existence for  
14 the purpose of spacing of adjacent signs as set out in Rule .0203 of the rules in this Section.

15 (c) The permit ~~holder/sign-holder~~ owner shall notify the appropriate Division of Highways [District Engineer's] office as  
16 provided in the permit [designated on the OA-1 form] ~~district engineer~~ by certified mail, return receipt requested, within  
17 10 days after the outdoor advertising structure is ~~completed that it is ready for final inspection-completed.~~ Upon completion  
18 of the construction and prior to notifying the appropriate District Engineer's Office, the permit holder shall affix the  
19 following information to the outdoor advertising structure in a position as to be visible from the main-traveled way of the  
20 controlled route:

21 (1) the emblem, with a Department-issued identification number; and

22 (2) the name of the person, firm or corporation owning or maintaining the outdoor advertising structure.

23 ~~(d) Prior to notifying the appropriate District Engineer that the structure has been completed, the sign owner shall place~~  
24 ~~the emblem, which will have an identifying number, on the outdoor advertising structure in such a position as to be visible~~  
25 ~~and readable from the main traveled way of the controlled route.~~

26 ~~(e) Prior to notifying the appropriate District Engineer that the structure has been completed, the sign owner shall affix~~  
27 ~~the name of the person, firm, or corporation owning or maintaining the outdoor advertising sign to the sign structure in~~  
28 ~~sufficient size to be clearly visible from the main traveled way of the controlled route.~~

29 ~~(f)(d)~~ Within 90 days after receiving notice that an outdoor advertising structure is complete, the appropriate District  
30 Engineer's office Engineer shall inspect the structure. If the structure fails to comply with the Outdoor Advertising Control  
31 Act or the rules in this Section, the District Engineer's office Engineer shall advise the permit ~~holder/sign-owner~~ holder  
32 certified mail of the manner in which the structure fails to ~~comply and that the structure must be made to comply within~~  
33 30 days of receipt of the notice or removed-comply. The permit holder shall have 30 days from receipt of the notice to  
34 either bring the structure into compliance or have it removed.

35 ~~(g)(e)~~ Replacements for emblems that are missing or illegible may be obtained from the ~~district engineer~~ district engineer's  
36 office by submitting a written request accompanied by a copy of the permit application ~~which-that~~ approved the original  
37 emblem.

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*History Note: Authority G.S. 136-130; 136-133;  
Eff. July 1, 1978;  
Amended Eff. August 1, 2000; November 1, 1993; December 1, ~~1990~~-1990;  
Readopted Eff. January 1, 2021.*