

Political Candidate and Issue Signs Fact Sheet

Rules governing the placement of political candidate and issue signs in road medians and at polling places in Arlington are set forth in Article 13 of the Arlington County Zoning Ordinance and Title 33 of the Code of Virginia. Set forth below is a relatively detailed summary of those rules for informational purposes only. Candidates and political organizations are responsible for reading and complying with the relevant statutory and regulatory provisions.

Placement of Candidate and Issue Signs in Road Medians

1. **State Roads and Highways**—Section 33.2-1224 of the Code of Virginia prohibits the placement of all signs within the limits of a “state highway.” Each violation is subject to a fine of \$100 plus the costs incurred by the State in removing the sign. Similarly, 24 VAC (the Virginia Administrative Code) 30-151-670 prohibits signs within any “highway right-of-way” with certain exceptions not relevant here. The term “highway” is defined in 24 VAC 30-151-10 to mean a public way for purposes of vehicular travel, including the entire area within the right-of-way. While the majority of roads in Arlington County are owned by the County, and as a result, are not state highways and are not governed by Section 33.2 of the Virginia Code, a few highways are state highways. Glebe Road, for example, is a state highway for these purposes. A full list of state highways located in Arlington County can be found here: <https://transportation.arlingtonva.us/streets/state-roads/>
2. **Arlington Streets and Roads**
 - a. Section 13.11.2 of the Arlington County Zoning Ordinance (the “Ordinance”) addresses “temporary signs placed by private parties in the public right-of-way.” It emphasizes that to the extent Commonwealth of Virginia rules control the placement of signs within the County, those rules supersede the Ordinance. That section further states that such temporary signs must be freestanding, cannot be lighted, and must be affixed to the ground so that they cannot be easily blown away.
 - b. Section 13.11.2.E of the Ordinance specifically deals with candidate and political issue signs placed in median strips. It states that such signs must include the date of placement and the name and phone number of the person or group responsible for posting the sign. In our experience, typical political candidate and issue signs placed in Arlington road medians do not satisfy all elements of this rule.
 - c. Section 13.11.2.E further provides that such candidate and political issue signs must either satisfy a seven-day rule or a 31-day rule, but not both. The 31-day rule typically is most relevant to candidates and political organizations, and it provides:

- i. No more than 2 signs may be placed for any candidate or political issue in any median strip;
 - ii. A sign may be no larger than 4.5 square feet and no higher than 4 feet;
 - iii. Each such sign may be placed up to 31 consecutive days before an election or party nominating caucus called by a governmental body (including all primaries) or a political party registered in the Commonwealth of Virginia;
 - iv. Each such sign must be removed within 5 days following the election or nominating caucus to which it relates; and
 - v. The sign must be located in the median.
- d. The Code of Virginia has been amended to allow early voting during the 45-day period immediately preceding any primary or election. After consulting with the County zoning staff, the County Electoral Board has advised the Arlington Democrats that the 31-consecutive day period referred to in c.iii. above now includes the 31-day period immediately preceding the commencement of early voting in connection with a primary or election. In other words, candidate or political issue signs may be placed in a County road median as early as 31 days prior to the first day of early voting in connection with a primary or election and may remain in place continuously until 5 days after the date of the primary or election.

Placement of Candidate and Issue Signs at Polling Places—Section 13.4.1 of the Ordinance allows unlighted, noncommercial, temporary signs erected on the day before or the day of an election or a nominating caucus for a political party registered in the Commonwealth of Virginia on the lot of the officially designated polling place for a period not to exceed 24 hours. Each such sign may be no larger than 4.5 square feet.