

# CLASS REQUIREMENTS

## Summary of Each Class of Sign

Review the following summary of each sign class to assist you in determining the class of sign you wish to erect. After making your selection from this summary, click the link of the sign class you are interested in for the specific requirements, lighting requirements and other requirements.

**CLASS ID Official signs** are owned and maintained by public offices or public agencies within their territorial jurisdiction and are erected pursuant to and in accordance with direction or authorization contained in Federal, State or local law for the purpose of carrying out official duties or responsibilities.

**CLASS IE School Bus Shelter signs** those official signs that mark or designate school bus shelters.

**CLASS IIA On Premise signs** are those signs located upon and advertising the sale or lease of property adjacent to or visible from the main-traveled way of the Interstate System.

**CLASS IIC are those signs** which are located within the Bonus Area upon property adjacent to or visible from the main-traveled way of the Interstate System, located more than fifty feet from the premises and which advertise products or services available on the property. A property may have more than one advertised premise conducting business on the property, however, there shall only be one Class IIC sign allowed for the property.

**CLASS III Signs** must be located in zoned and unzoned commercial and industrial areas, which are not classified as Class I, Class II, Class IV or Class V Signs. They are for off premise advertising and commonly referred to as billboards.

**CLASS IVA Signs** are directional signs which contain directional information about public places owned or operated by federal, state or local governments or their agencies; publicly or privately owned natural phenomena or historical, cultural, scientific, educational or religious sites; or publicly or privately owned areas of natural scenic beauty or naturally suited for outdoor recreation.

**CLASS IVB Signs** are signs displaying a message that is limited to any of the following: the name of a nonprofit service club, charitable association, church or religious group, or its location, or the hours of its meetings or services or an appropriate emblem. A check mark means this sign meets the following requirements.

**CLASS V Signs** are farm and ranch directional signs erected for the purpose of locating or giving direction to farms or ranches from the HBCS, except the Interstate. A check mark means this sign meets the following requirements.

# Class Requirements

**CLASS ID Official signs** are owned and maintained by public offices or public agencies within their territorial jurisdiction and are erected pursuant to and in accordance with direction or authorization contained in Federal, State or local law for the purpose of carrying out official duties or responsibilities.

## Specific Requirements

- 1 A public officer or agency is responsible for the erection and maintenance of the sign. Name must appear on application as sign owner.
- 2 The sign is erected within the territorial jurisdiction of the public officer or agency. This means that the officer or agency must exercise some form of governmental authority over the area upon which the sign and activity is located. Governmental authority means the authority to enact or administer the law. **Attach proper documentation** to the permit application. Examples:
  - a School district boundary maps for school districts showing the sign location inside the boundary of the school district
  - b County maps for counties showing the sign location inside the boundary of the county.
  - c City zoning maps showing the sign location inside the zoning boundary of the municipality.
  - d City boundary maps showing the sign location inside the boundary of the municipality.
- 3 The sign is erected pursuant to direction or authorization contained in Federal, State or local law. Official Signs owned by a School District, County, or Municipality are presumed to have authorization to erect Official Signs. All other public officers or agencies must provide:
  - a This means the officer or agency must be directed or have specific authority by statute, resolution or ordinance to erect and maintain signs and notices. **Copies** of the statute, resolutions or ordinances must be **included** with the sign application.
  - b Statutes, resolutions or ordinances must specifically address the following:
    - i What jurisdiction of government will own, erect and be responsible for the maintenance of the sign.
    - ii What specific official duty or responsibility will be aided or supported by the erection of the sign.
    - iii Where the sign(s) will be located and describe what form of governmental authority is exercised over this location.
- 4 The sign is erected for the purpose of carrying out an official duty or responsibility. Official Signs owned by a School District, County, or Municipality are presumed to be erecting the sign to carry out an official duty or responsibility. All other public officers or agencies must provide information to support that the purpose of the sign is to carry out an official duty or responsibility. This means:
  - a To publicly provide for services, education, safety, transportation, health, welfare, parks, culture, recreation, or cemetery purposes and the operation of government (as appropriate for the public officer or agency requesting the sign). **Attach statement of official duty from public officer or agency.**

- b Specific subject matter relating to a private individual, a commercial product, or a private activity will not be recognized as an official sign or notice.
- 5 There are no restrictions on the message content so long as the activity being described is in furtherance of an official duty or responsibility, except:
- a School districts are limited to displaying a message that identifies the school district, its boundaries, its services, its functions or activities that are located therein.
  - b Counties or municipalities are limited to displaying a message that identifies the county or municipality, its boundaries, its public services and noncommercial attractions, functions or activities that are located therein.
  - c Appropriate emblems or messages of nonprofit service clubs or charitable associations, or their location, or the hours of their meetings or services are considered to be a furtherance of an official duty or responsibility, provided these messages are displayed in addition to the message displayed for the public officer or agency and the message for each individual organization is limited to eight square feet on the combined structure.
- 6 The DPO will determine if the sign is located in such a manner as not to endanger the health, safety and welfare of the traveling public after you have staked the location.

### **Lighting Requirements**

- 1 These signs may be illuminated. If the sign is illuminated the following requirements must be met:
- a The sign will be effectively shielded to prevent beams or rays of light from being directed at any portion of the traveled way of the HBCS or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of a motor vehicle, traveling on the above mentioned highways or which otherwise interfere with a driver's operation of a motor vehicle, when traveling on said highways.
  - b The sign may be illuminated by flashing, intermittent, or moving light or lights which changes the message at reasonable intervals by electronic process or remote control and will only give public service information by this process. Allowable public service information means time, date, temperature, weather, or any other noncommercial message the sign owners(s) or sign tenant(s) may wish to display. If the message brings in any rental income or any type of compensation to the sign owner(s) or tenant(s) or if the information being displayed relates to trade or business or has financial gain, profit, or wealth as an aim, the sign message will be considered to be commercial advertising rather than public service information.

### **Other Requirements**

- 1 These signs must also meet the following criteria:
- a The sign will not attempt or appear to attempt to direct the movement of traffic, obscure, or interfere with the effectiveness of, imitate or resemble any official traffic signal, sign or device.
  - b The sign will not obstruct the view of approaches to intersections, oncoming traffic or any traffic control devices
  - c The sign will not move or have animated or moving parts.
  - d The sign must be securely affixed to a substantial structure and will not maintained upon trees or painted or drawn upon rocks, other natural formations or features, parked automobiles, trucks, trailers or movable structures

- e The sign owner must attach a copy of the lease with the landowner that grants authorization to erect the sign.
- f A copy of the permit or a copy of written approval from the Local Permit Authority that they will issue a permit for this specific sign contingent upon the Nebraska Department of Roads issuing a permit for this specific location.

**CLASS IE School Bus Shelter signs** those official signs that mark or designate school bus shelters.

### **Specific Requirements**

- 1 The sign does not exceed 32 square feet in area nor is more than 50% of the sign used to display the name of the sponsor or donor.
- 2 The remainder of the sign does contain a public service message.
- 3 There is not more than one sign facing each direction of travel.
- 4 The shelter has also been approved by any other governmental agencies having jurisdiction over them, if applicable.
- 5 Failure to use the school bus shelter regularly will be cause for revocation of the permit and removal of the entire message from the shelter.

### **Lighting Requirements**

- 1 These signs may be illuminated. If the sign is illuminated the following requirements must be met:
  - a The sign will be effectively shielded to prevent beams or rays of light from being directed at any portion of the traveled way of the HBCS or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of a motor vehicle, traveling on the above mentioned highways or which otherwise interfere with a driver's operation of a motor vehicle, when traveling on said highways.
  - b The sign may be illuminated by flashing, intermittent, or moving light or lights which changes the message at reasonable intervals by electronic process or remote control and will only give public service information by this process. Allowable public service information means time, date, temperature, weather, or any other noncommercial message the sign owners(s) or sign tenant(s) may wish to display. If the message brings in any rental income or any type of compensation to the sign owner(s) or tenant(s) or if the information being displayed relates to trade or business or has financial gain, profit, or wealth as an aim, the sign message will be considered to be commercial advertising rather than public service information.

### **Other Requirements**

- 1 These signs must also meet the following criteria:
  - a The sign will not attempt or appear to attempt to direct the movement of traffic, obscure, or interfere with the effectiveness of, imitate or resemble any official traffic signal, sign or device.
  - b The sign will not obstruct the view of approaches to intersections, oncoming traffic or any traffic control devices
  - c The sign will not move or have animated or moving parts.
  - d The sign must be securely affixed to a substantial structure and will not maintained upon trees or painted or drawn upon rocks, other natural formations or features, parked automobiles, trucks, trailers or movable structures

- e The sign owner must attach a copy of the lease with the landowner that grants authorization to erect the sign.
- f A copy of the permit or a copy of written approval from the Local Permit Authority that they will issue a permit for this specific sign contingent upon the Nebraska Department of Roads issuing a permit for this specific location.

**CLASS IIA On Premise signs** are those signs located upon and advertising the sale or lease of property adjacent to or visible from the main-traveled way of the Interstate System.

### **Specific Requirements**

- 1 The sign must meet the following on premise sign requirements:
  - a This sign must solely advertise the sale or lease of the real property upon which it is placed.
  - b The following shall be considered the business of outdoor advertising and not an on-premise sign:
    - i A sale or lease sign which also advertises any product or service not located upon and unrelated to the business of selling or leasing the land on which the sign is located.
    - ii Any sign which solely advertises the sale or lease of the property upon which it is placed, but which also identifies a corporation or business activity as the property owner more conspicuously than the for sale or lease message.
- 2 The sign must be on the property being advertised for sale or lease. Property means an area of land, under one ownership, not severed by a public road.
  - a The sign owner must furnish deed(s) and sketch that describes the property being offered for sale or lease.
  - b A tenants property is that area described in the lease in which the owner has given the right of possession to the tenant for a specified term and for a specified consideration. If the sign owner is a tenant, the tenant must furnish a copy of the lease and sketch of the property being offering for sub-lease.
  - c A subdivided property is considered to be one property if all lots remain under common ownership and all lots share a common, private access to public roads. However, if any of the subdivided property is sold or disposed of in any manner, that portion will be considered to be a separate property.
  - d Contiguous lots or parcels of land combined for development purposes are considered to be one property for outdoor advertising control purposes provided they are under one ownership.
  - e The following will not be considered to be a part of the property on which the activity is conducted, and any signs located on such land will be considered "off-premise" advertising:
    - i Any property leased to another.
    - ii Any property encumbered with an easement, exclusive of sub surface utility easements.
    - iii Where the sign site is located at or near the end of a narrow strip contiguous to the advertised activity, the sign site shall not be considered part of the property on which the activity being advertised is conducted. A narrow strip shall include any configuration of land which is such that it cannot be put to any reasonable use related to the activity other than for

signing purposes. In no event shall a sign site be considered part of the property on which the advertised activity is conducted if it is located upon a narrow strip of land that is:

- (1) nonbuildable, such as a swampland, marshland, or other wetland, or
  - (2) which is a common or private roadway, or
  - (3) held by easement or other lesser interest than the premise where the advertised activity is located.
- 3 There is no more than one Class IIA Sign being permitted for this property within the Bonus Area along the Interstate System that is erected in such a manner to be visible to traffic proceeding in any one direction on the Interstate System.
  - 4 If this is within the corporate limits of a municipality, it shall not be erected within fifty feet of the nearest edge of the right of way of an intersecting public road, street or highway. If the sign is outside of the corporate limits of a municipality, the sign shall not be erected nearer than one hundred feet from the nearest edge of the right of way of an intersecting public road, street, or highway. The nearest edge of the right of way is defined as that one point where the ROW of two intersecting roads, streets, or highways meets. It shall also mean the two points nearest the intersection when the ROW of the two intersecting roads, streets or highways has multiple angles before intersecting or forms a curve.
  - 5 The sign face shall not be any larger than 20 feet in length, width or height nor shall it exceed one hundred and fifty square feet in area.
  - 6 The message shall contains the words "for sale", "for rent", or "for lease." The message may also exhibits trade names, names of owners, or sales agents with a **maximum of eight inch copy**.

#### **Lighting Requirements**

- 1 These signs may be illuminated. If the sign is illuminated the following requirements shall be met:
  - a The sign will be effectively shielded to prevent beams or rays of light from being directed at any portion of the traveled way of the HBCS or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of a motor vehicle, traveling on the above mentioned highways or which otherwise interfere with a driver's operation of a motor vehicle, when traveling on said highways.
  - b The sign may be illuminated by flashing, intermittent, or moving light or lights which changes the message at reasonable intervals by electronic process or remote control.

#### **Other Requirements**

- 1 These signs must also meet the following criteria:
  - a The sign will not attempt or appear to attempt to direct the movement of traffic, obscure, or interfere with the effectiveness of, imitate or resemble any official traffic signal, sign or device.
  - b The sign will not obstruct the view of approaches to intersections, oncoming traffic or any traffic control devices
  - c The sign will not move or have animated or moving parts.
  - d The sign must be securely affixed to a substantial structure and will not maintained upon trees or painted or drawn upon rocks, other natural formations or features, parked automobiles, trucks, trailers or movable structures

- e A copy of the permit or a copy of written approval from the Local Permit Authority that they will issue a permit for this specific sign contingent upon the Nebraska Department of Roads issuing a permit for this specific location.

**CLASS IIC are those signs** which are located within the Bonus Area upon property adjacent to or visible from the main-traveled way of the Interstate System, located more than fifty feet from the premises and which advertise products or services available on the property. A property may have more than one advertised premise conducting business on the property, however, there shall only be one Class IIC sign allowed for the property.

### **Specific Requirements**

- 1 This sign must meet the on-property sign requirements. It must identify the activities located on or products or services available on the property. The following shall be used for determining whether a device has as its purpose the identification of the activity located on the premise/property or its products or services.
  - a Any sign which consists solely of the name of the establishment.
  - b Any sign which identifies the establishment's principal or accessory products or services offered on the premises/property. An example of an accessory product would be a brand of tires offered for sale at a service station.
  - c The following shall be considered the business of outdoor advertising and not an on-premise/on-property sign:
    - i Any sign which brings in rental income to the premise/property and/or sign owner.
    - ii Any sign in which the product or service advertised is only incidental to the principal activity.
    - iii Variety seed signs, fertilizer signs, and other agricultural product signs are not on-premise/on-property signs.
    - iv Any sign which advertises any product, activity or service not conducted, not available, not offered or not produced on the property where the sign is located.
- 2 This sign must be located upon the property.
  - a Property means an area of land under one ownership not severed by a public road. **You must attach a copy of the deed(s) and sketch to the application if the property is owner occupied.** A tenants property is that area described in the lease in which the owner has given the right of possession to the tenant for a specified term and for a specified consideration. **You must attach a copy of the lease to the application if the property is tenant occupied.**
  - b A subdivided property is considered to be one property if all lots remain under common ownership and all lots share a common, private access to public roads. However, if any of the subdivided property is sold or disposed of in any manner, that portion will be considered to be a separate property.
  - c Contiguous lots or parcels of land combined for development purposes are considered to be one property for outdoor advertising control purposes provided they are under one ownership.
  - d The following will not be considered to be a part of the property on which the activity is conducted, and any signs located on such land will be considered "off-premise" advertising:
    - i Any property leased to another.
    - ii Any property encumbered with an easement, exclusive of sub surface utility easements.

- iii Where the sign site is located at or near the end of a narrow strip contiguous to the advertised activity, the sign site shall not be considered part of the property on which the activity being advertised is conducted. A narrow strip shall include any configuration of land which is such that it cannot be put to any reasonable use related to the activity other than for signing purposes. In no event shall a sign site be considered part of the property on which the advertised activity is conducted if it is located upon a narrow strip of land that is:
    - (1) nonbuildable, such as a swampland, marshland, or other wetland, or
    - (2) which is a common or private roadway, or
    - (3) held by easement or other lesser interest than the premise where the advertised activity is located.
- 3 This sign is located more than 50 feet from the premises. The following is used to determine whether a sign is located more than 50 feet from the premises:
- a Premises shall mean all or a portion of the property occupied by the buildings, parking lots, storage or processing areas, other structures or other physical uses that are necessary and customary to the activity, including such open spaces as are arranged and designed to be used in connection with such buildings or uses. You **must attach a sketch of the premise to the application.**
  - b Except for farms and ranches, the following will not be considered to be a part of the premises on which the activity is conducted, and any signs located on such land will be considered “off-premise” advertising:
    - i Any property, building, structure, or other improvement which is not used as an integral part of the principal activity. This would include, but not limited to, any land which is separated from the activity by a public road, railroad, river, or other obstruction and is not used by the activity as a part of the premises; and land that is undeveloped highway frontage adjacent to the land actually used by the advertised activity, even though it might be under the same ownership.
    - ii Any property, building, structure, or other improvement which is used for, or devoted to, a separate use is not a part of the premises on which the activity is conducted even though under the same ownership
    - iii Any property, building, structure, or other improvement which is separated from the principle activity, and is developed or used only at the sign site by structures or uses which are only incidental to the principle activity, and which serves no reasonable or integrated purpose related to the activity other than to attempt to qualify the land for signing purposes.
    - iv Where the sign site is located at or near the end of a narrow strip contiguous to the advertised activity, the sign site shall not be considered part of the premises on which the activity being advertised is conducted. A narrow strip shall include any configuration of land which is such that it cannot be put to any reasonable use related to the activity other than for signing purposes. In no event shall a sign site be considered part of the premises on which the advertised activity is conducted if it is located upon a narrow strip of land that is:
      - (1) which is nonbuildable land, or
      - (2) which is a swampland, marshland, or other wetland, or
      - (3) which is a common or private roadway, or
      - (4) held by easement or other lesser interest than the premises where the advertised activity is located.
- 4 There shall not be any more than one Class IIC Sign for the property within the Bonus Area along the Interstate System that is erected in such a manner to be visible to traffic proceeding in any one direction on the Interstate System.

- 5 The sign face shall not be any larger than 20 feet in length, width or height and the sign shall not exceed one hundred and fifty square feet in area.
- 6 A class IIC sign is not located in a Cotton<sup>1</sup> or Kerr<sup>2</sup> area. If the sign is in a Cotton or Kerr area, the sign will be classified as a Class IID and no permit is required.

<sup>1</sup>Cotton area shall mean an area bounded on each end by two lines extended perpendicularly from the centerline of the Interstate Highway to both edges of the Interstate Right of Way. This area must have been a highway, road, or street public right of way on or before July 1, 1956. The area outside the Interstate Right of Way and extending six hundred and sixty feet beyond the edge of the Interstate and between the two extended perpendicular lines is a Cotton Area excluding any existing public right of way.

<sup>2</sup>Kerr Area shall mean that area adjacent to an Interstate Highway where it traverses commercial or industrial zones, within the boundaries of incorporated municipalities, as such boundaries existed on September 21, 1959, wherein the use of real property adjacent to the Interstate System is subject to municipal regulation or control, or where it traverses other areas where the land use as of September 21, 1959, was clearly established by State law as industrial or commercial.

### **Lighting Requirements**

- 1 These signs may be illuminated. If the sign is illuminated the following requirements must be met:
  - a The sign will be effectively shielded to prevent beams or rays of light from being directed at any portion of the traveled way of the HBCS or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of a motor vehicle, traveling on the above mentioned highways or which otherwise interfere with a driver's operation of a motor vehicle, when traveling on said highways.
  - b The sign may be illuminated by flashing, intermittent, or moving light or lights which changes the message at reasonable intervals by electronic process or remote control.

### **Other Requirements**

- 1 These signs must also meet the following criteria:
  - a The sign will not attempt or appear to attempt to direct the movement of traffic, obscure, or interfere with the effectiveness of, imitate or resemble any official traffic signal, sign or device.
  - b The sign will not obstruct the view of approaches to intersections, oncoming traffic or any traffic control devices
  - c The sign will not move or have animated or moving parts.
  - d The sign must be securely affixed to a substantial structure and will not maintained upon trees or painted or drawn upon rocks, other natural formations or features, parked automobiles, trucks, trailers or movable structures
  - e A copy of the permit or a copy of written approval from the Local Permit Authority that they will issue a permit for this specific sign contingent upon the Nebraska Department of Roads issuing a permit for this specific location.

**CLASS III Signs** must be located in zoned and unzoned commercial and industrial areas, which are not classified as either Class I, Class II, Class IV or Class V Signs. They are for off premise advertising and commonly referred to as billboards.

## Specific Requirements

- 1 If your sign is located within an urban area and more than 660 feet from the edge of the right of way of the HBCS a permit is not needed.
- 2 These signs shall not be on a scenic byway.
- 3 These signs shall not exceed the maximum area of one thousand square feet.
- 4 These signs may be a single faced structure or they may be double faced, stacked, back-to-back, side-by-side or V-type construction which do not exceed the maximum of two sign faces per side with the maximum area of one thousand square feet allowed for each side. The sign must be physically connected and of substantially the same size and under the same ownership.
- 5 If your sign is adjacent to any control route except the Interstate System, it must be located in properly zoned or unzoned area<sup>3</sup>. If your sign is in an unzoned area you must attach a sketch of the unzoned area.

<sup>3</sup> Unzoned area shall mean all areas within six hundred sixty feet of the nearest edge of the right of way of the control route which are not zoned by the state or local law, regulation or ordinance and on which there is located one or more permanent structures devoted to a business or industrial activity or on which a commercial or industrial activity is conducted, whether or not a permanent structure is located thereon. The area between such activity and the highway, and the area along the highway extending outward six hundred feet from and beyond each edge of such activity, and in the case of the non-Interstate highway routes on the HBCS may include the unzoned lands on both sides of such road or highway to the extent of the same dimensions. Provided, those lands on the opposite side of the highway are not deemed scenic or having aesthetic value as determined by the department. In determining such an area, measurements shall be made from the furthest or outermost edges of the regularly used area of the commercial or industrial activity, structures, normal points of ingress and egress, parking lots, storage and processing areas constituting an integral part of such commercial or industrial activity. Your sketch must show the items as noted above as well as property lines, site dimensions, driveways, and any other pertinent property characteristics.

- 6 If your sign is adjacent to the Interstate System it must be located in properly zoned or unzoned area and must also be located in Cotton<sup>4</sup> or Kerr Area<sup>5</sup>. If your sign is in one of these areas you must attach documentation supporting that area. The sign shall not be located in areas in which advertising control easements have been acquired.

<sup>4</sup>Cotton area shall mean an area bounded on each end by two lines extended perpendicularly from the centerline of the Interstate Highway to both edges of the Interstate Right of Way. This area must have been a highway, road, or street public right of way on or before July 1, 1956. The area outside the Interstate Right of Way and extending six hundred and sixty feet beyond the edge of the Interstate and between the two extended perpendicular lines is a Cotton Area excluding any existing public right of way.

<sup>5</sup>Kerr Area shall mean that area adjacent to an Interstate Highway where it traverses commercial or industrial zones, within the boundaries of incorporated municipalities, as such boundaries existed on September 21, 1959, wherein the use of real property adjacent to the Interstate System is subject to municipal regulation or control, or where it traverses other areas where the land use as of September 21, 1959, was clearly established by State law as industrial or commercial.

- 7 Spacing for all routes except the interstate is as follows:
  - a **Spacing Inside the Corporate Limits of a Municipality** - The number of sign structures on the same side of the route, within zoned or unzoned commercial or industrial areas shall not exceed the length of the frontage as measured along the centerline of the highway divided by 100 feet,

providing that structures shall be spaced at least 100 feet apart. Such spacing shall be measured along and parallel to the centerline of the highway and providing further that no sign shall be permitted in an area 50 feet parallel to the existing right of way line and within 50 feet from the nearest edge of the right of way<sup>6</sup>.

<sup>6</sup> That one point where the ROW of two intersecting roads, streets, or highways meets. It shall also mean the two points nearest the intersection when the ROW of the two intersecting roads, streets or highways has multiple angles before intersecting or forms a curve.

- b **Spacing Outside the Corporate Limits of a Municipality** - The number of sign structures on the same side of the route, within zoned or unzoned commercial or industrial areas shall not exceed the length of the frontage as measured along the centerline of the highway divided by 250 feet, providing that structures shall be spaced at least 250 feet apart. Such spacing shall be measured along and parallel to the centerline of the highway and providing further that no signs shall be permitted in an area 100 feet parallel to the existing right of way line and within 100 feet from the nearest edge of the right of way.
- c **Exceptions** - These spacing provisions do not apply to signs separated by a building or structure in such a manner that only one sign located within the prescribed spacing is visible from the highway at any one time.

8 Spacing for Interstate routes is as follows:

- a **Spacing Inside the Corporate Limits of a Municipality** - Signs along the Interstate Highways shall not be erected or maintained in any place where they are visible from the main-traveled way of the National System of Interstate and Defense Highways, where they are closer than 250 feet to another sign structure on that side of the highway. Such spacing shall be measured along and parallel to the centerline of the Interstate.
- b **Spacing Outside the Corporate Limits of a Municipality** - No sign may be located within interchange areas and within 500 feet of the point where traffic enters or leaves the main-traveled way (measuring along the Interstate from the sign to the nearest widening constructed for the purpose of acceleration or deceleration of traffic movement to or from the main-traveled way) and no sign shall be erected so that it is located closer than 500 feet to another sign structure on that side of the highway. Such spacing between signs shall be measured parallel to the centerline of the Interstate.

### **Changeable Message Sign Requirements**

This sign may be a Changeable Message Sign (CMS). This means an outdoor advertising sign, display, or device which changes the message or copy on the sign regardless of the technology used. This does not mean changing message by paper, paint or vinyl, but means a change of message by electronic or mechanical means. If it is a changeable message sign, the following requirements also apply:

- 1 The sign must conform to the previously noted spacing and, in addition, must conform to the additional spacing requirement noted in number 7 below.
- 2 The sign must conform to previously noted size requirements.
- 3 Conforming sign structures may be modified to a CMS upon compliance with CMS standards and obtaining a new permit.
- 4 Each advertisement displayed will remain fixed for at least ten (10) seconds. If there is more than one advertisement per face, then when any advertisement changes, the entire face shall remain fixed for ten (10) seconds.
- 5 When the advertisement is changed, it will change within an interval of two (2) seconds or less.

- 6 The sign contains a default mechanism that will freeze the sign in one position if a malfunction occurs.
- 7 No two (2) CMS structures may have sign facings erected less than five thousand (5000) feet apart measured from the center of the sign supports nearest the highway along a line parallel with the highway. CMS structures may be located on either side of the highway, however, each sign must only be visible from one direction of travel and must comply with the 5000 foot spacing on each side.
- 8 The sign is constructed as a single structure with only one face intended to be visible from each direction of travel, as viewed from a point 100 feet from the centerline of the sign measured horizontally along a line normal or perpendicular to the centerline of the highway.

### **Lighting Requirements**

- 1 These signs may be illuminated. If the sign is illuminated the following requirements must be met:
  - a The sign will be effectively shielded to prevent beams or rays of light from being directed at any portion of the traveled way of the HBCS or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of a motor vehicle, traveling on the above mentioned highways or which otherwise interfere with a driver's operation of a motor vehicle, when traveling on said highways.
  - b The sign may not be illuminated by flashing, intermittent, or moving light or lights, unless:
    - i The sign conforms to CMS requirements noted above, or
    - ii Gives public service information. Allowable public service information means time date, temperature, weather, or any other noncommercial message the sign owners(s) or sign tenant(s) may wish to display. If the message brings in any rental income or any type of compensation to the sign owner(s) or tenant(s) or if the information being displayed relates to trade or business or has financial gain, profit, or wealth as an aim, the sign message will be considered to be commercial advertising rather than public service information.

### **Other Requirements**

- 1 These signs must also meet the following criteria:
  - a The sign will not attempt or appear to attempt to direct the movement of traffic, obscure, or interfere with the effectiveness of, imitate or resemble any official traffic signal, sign or device.
  - b The sign will not obstruct the view of approaches to intersections, oncoming traffic or any traffic control devices
  - c The sign will not move or have animated or moving parts, except if it is a CMS sign.
  - d The sign must be securely affixed to a substantial structure and will not maintained upon trees or painted or drawn upon rocks, other natural formations or features, parked automobiles, trucks, trailers or movable structures
  - e The sign will not advertise activities that are illegal at the location of the activity or site.
  - f The sign owner has furnished a copy of the lease and it is attached to the application to erect the sign.
  - g A copy of the permit or a copy of written approval from the Local Permit Authority that they will issue a permit for this specific sign contingent upon the Nebraska Department of Roads issuing a permit for this specific location.

**CLASS IVA Signs** are directional signs which contain directional information about public places owned or operated by federal, state or local governments or their agencies; publicly or privately owned natural phenomena or historical, cultural, scientific, educational or religious sites; or publicly or privately owned areas of natural scenic beauty or naturally suited for outdoor recreation.

### **Specific Requirements**

- 1 There are three categories, each with their own specific requirements:
  - a This sign is for a privately owned attraction or activity. The attraction or activity is nationally or regionally known because it is on the National Register of Historic Places or determined eligible for the National Register of Historic Places by the State Historic Preservation Officer. **You must attach documentation of this fact.** The attraction or activity is of outstanding interest to the traveling public because it has an annual visitor count of 1,500. **You must attach documentation of your visitor count.**
  - b This sign is for a private nonprofit museum as defined below. **You must attach documentation to support the fact that you meet the definition.** This museum is of outstanding interest to the traveling public because it has an annual visitor count of 1,500. **You must attach documentation to support your visitor count.**

A museum is defined as a public or private nonprofit institution which is organized on a permanent basis for essentially education or aesthetic purposes and which, using a professional staff, owns or uses tangible objects, either animate or inanimate, cares for these objects, and exhibits them to the general public on a regular basis.

A museum is considered to meet these requirements if it:

    - i uses a professional staff by employing at least one staff member, or part-time equivalent, working at least 300 hours per year, whether paid or unpaid
    - ii this staff person is primarily engaged in the acquisition, care or exhibition to the public of objects owned or used by the institution and exhibits objects to the public through the facility it owns or operates.
  - c This sign is for a publicly owned attraction or activity or operated by federal, state or local governments or their agencies and is assumed to be nationally or regionally known and of outstanding interest to the traveling public. **You must attach documentation of ownership or operation.**
- 2 The size of this sign, including border and trim but excluding supports does not exceed an area of 150 square feet, height of 20 feet or length of 20 feet.
- 3 This sign shall not be located on the highway right of way.
- 4 If this sign is for a privately owned activity or site, it shall not be located in a publicly owned rest area, parkland or scenic area.
- 5 This sign shall not be located in the adjacent area on either side of the HBCS within 2,000 feet of a publicly owned rest area, parkland or scenic area, as measured horizontally along a line normal or perpendicular to the centerline of the highway. The measurement shall begin at the property line of the publicly owned rest area, parkland or scenic area.
- 6 This sign shall not be located in the adjacent area on either side of the HBCS within 2,000 feet of an interchange of any Interstate or freeway. This distance is measured along the HBCS from the nearest point of the beginning or ending of pavement widening at the entrance to or exit from the main traveled way.

- 7 This sign, if facing the same direction of travel, shall be spaced at least one mile from another Class IVA sign.
- 8 No more than three directional sign permits pertaining to the same activity or site and facing the same direction of travel shall be granted along a single route approaching the activity or site.
- 9 If this sign is visible from an Interstate highway, it shall be within 75 air miles of the activity or site it identifies. **You must attach a map to the application.**
- 10 If this sign is visible from any HBCS, except the Interstate highway, it shall be within 50 air miles of the activity or site it identifies. **You must attach a map to the application.**
- 11 The message shall include the identification of and direction to the activity or site.
- 12 The message may contain directional information to assist motorists in locating the activity or site, including route numbers and exit numbers.
- 13 If this sign is for an area naturally suited for outdoor recreation, the message shall list the types of recreational opportunities available. The message shall not contain additional words or phrases descriptive of the activity or site, pictorial or photographic representations of the activity or site or its environs, or advertisements of brand name goods.
- 14 The message contains current information.

### **Lighting Requirements**

- 1 These signs may be illuminated. If the sign is illuminated the following requirements must be met:
  - a The sign will be effectively shielded to prevent beams or rays of light from being directed at any portion of the traveled way of the HBCS or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of a motor vehicle, traveling on the above mentioned highways or which otherwise interfere with a driver's operation of a motor vehicle, when traveling on said highways.
  - b The sign may be illuminated by flashing, intermittent, or moving light or lights which changes the message at reasonable intervals by electronic process or remote control and will only give public service information by this process. Allowable public service information means time date, temperature, weather, or any other noncommercial message the sign owners(s) or sign tenant(s) may wish to display. If the message brings in any rental income or any type of compensation to the sign owner(s) or tenant(s) or if the information being displayed relates to trade or business or has financial gain, profit, or wealth as an aim, the sign message will be considered to be commercial advertising rather than public service information.

### **Other Requirements**

- 1 These signs must also meet the following criteria:
  - a The sign will not attempt or appear to attempt to direct the movement of traffic, obscure, or interfere with the effectiveness of, imitate or resemble any official traffic signal, sign or device.
  - b The sign will not obstruct the view of approaches to intersections, oncoming traffic or any traffic control devices
  - c The sign will not move or have animated or moving parts.
  - d The sign must be securely affixed to a substantial structure and will not maintained upon trees or painted or drawn upon rocks, other natural formations or features, parked automobiles, trucks, trailers or movable structures

- e The sign will not advertise activities that are illegal at the location of the activity or site.
- f The sign owner has furnished a copy of the lease and it is attached to the application to erect the sign.
- g A copy of the permit or a copy of written approval from the Local Permit Authority that they will issue a permit for this specific sign contingent upon the Nebraska Department of Roads issuing a permit for this specific location.

**CLASS IVB Signs** are signs displaying a message that is limited to any of the following: the name of a nonprofit service club, charitable association, church or religious group, or its location, or the hours of its meetings or services or an appropriate emblem.

### **Specific Requirements**

- 1 The applicant is a nonprofit service club, charitable association, church, or religious group, which means that one of the following conditions is met (**documentation supporting the condition you select must be attached to the application**):
  - a an organization that has received a 501(c)(3) tax-exemption from Internal Revenue Service ,or;
  - b any organization that has been formed as a Public Benefit or Religious Corporation under the Nebraska Nonprofit Corporation Act, Neb. Rev. Stat. 21-1901 to 21-19,177; or,
  - c an organization that does not fall in one of the above categories, but is organized for a public or charitable purpose, and upon dissolution must distribute its assets to a public benefit corporation (under Neb. Rev. Stat. 21-1901 to 21-19,177), the United States, a state, or a person recognized as exempt under section 501(c)(3) of the Internal Revenue Code, or any successor section, or;
  - d an educational, religious, charitable, or cemetery organization that can provide proof of exemption from property taxes in accordance with State Statute 77-202 (d), or;
  - e an organization that is associated with another organization noted in any of the above categories, as a subordinate or subsidiary of the other organization and are under the authority or control of the other organization.
- 2 The message is limited to the name, hours of its meetings or services and directional information to assist in locating it. You must attach documentation regarding the message on the sign.
- 3 Descriptive words or phrases or pictorial representations shall not be used on this sign.
- 4 Nationally or regionally recognized symbols of the activity are allowed and may be used on this sign.
- 5 This sign shall not exceed 8 square feet in area or if it is in combination with other class IVB signs, the size of the structure shall be no larger than 150 square feet, with the height and length no longer than 20 feet. The individual nonprofit service club, charitable association, church, or religious group message shall be no larger than 8 square feet.
- 6 There are not any spacing restrictions from other signs.

### **Lighting Requirements**

- 1 These signs may be illuminated. If the sign is illuminated the following requirements must be met:
  - a The sign will be effectively shielded to prevent beams or rays of light from being directed at any portion of the traveled way of the HBCS or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of a motor vehicle, traveling on the above mentioned

highways or which otherwise interfere with a driver's operation of a motor vehicle, when traveling on said highways.

- b The sign may be illuminated by flashing, intermittent, or moving light or lights which changes the message at reasonable intervals by electronic process or remote control and will only give public service information by this process. Allowable public service information means time date, temperature, weather, or any other noncommercial message the sign owners(s) or sign tenant(s) may wish to display. If the message brings in any rental income or any type of compensation to the sign owner(s) or tenant(s) or if the information being displayed relates to trade or business or has financial gain, profit, or wealth as an aim, the sign message will be considered to be commercial advertising rather than public service information.

### Other Requirements

- 1 These signs must also meet the following criteria:
  - a The sign will not attempt or appear to attempt to direct the movement of traffic, obscure, or interfere with the effectiveness of, imitate or resemble any official traffic signal, sign or device.
  - b The sign will not obstruct the view of approaches to intersections, oncoming traffic or any traffic control devices
  - c The sign will not move or have animated or moving parts.
  - d The sign must be securely affixed to a substantial structure and will not maintained upon trees or painted or drawn upon rocks, other natural formations or features, parked automobiles, trucks, trailers or movable structures
  - e The sign will not advertise activities that are illegal at the location of the activity or site.
  - f The sign owner has furnished a copy of the lease and it is attached to the application to erect the sign.
  - g A copy of the permit or a copy of written approval from the Local Permit Authority that they will issue a permit for this specific sign contingent upon the Nebraska Department of Roads issuing a permit for this specific location.

**CLASS V Signs** are farm and ranch directional signs erected for the purpose of locating or giving direction to farms or ranches from the HBCS, except the Interstate.

### Specific Requirements

- 1 If the sign is located within the corporate limits of a municipality, it shall be at least fifty feet from the right of way of any intersecting public road, street, or highway **or** located in such a manner as not to obstruct the view of oncoming traffic or any traffic control signs or devices.
- 2 If the sign is located outside the corporate limits of a municipality, it shall be at least one hundred feet from the right of way of any public road, street or highway **or** located in such a manner as not to obstruct the view of oncoming traffic or any traffic control signs or devices.
- 3 This sign shall display only the name of the farm, ranch, or the owner of such farm or ranch and the direction and distance thereto. **You must attach documentation regarding the name of the farm, ranch or the owner and the remaining message on the sign.**
- 4 This sign shall not exceed 8 square feet in area or if it is in combination with other class V signs, the size of the structure shall be no larger than 150 square feet. The individual farm or ranch message shall be no larger than 8 square feet.

- 5 This sign shall not be placed in the public right of way and it must be within one mile preceding the intersection leading to the farm or ranch.
- 6 This sign shall not be adjacent to the Interstate System.

### **Lighting Requirements**

- 1 This sign may be illuminated. If the sign is illuminated the sign will be effectively shielded to prevent beams or rays of light from being directed at any portion of the traveled way of the HBCS or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of a motor vehicle, traveling on the above mentioned highways or which otherwise interfere with a driver's operation of a motor vehicle, when traveling on said highways.

### **Other Requirements**

- 1 These signs must also meet the following criteria:
  - a The sign will not attempt or appear to attempt to direct the movement of traffic, obscure, or interfere with the effectiveness of, imitate or resemble any official traffic signal, sign or device.
  - b The sign will not obstruct the view of approaches to intersections, oncoming traffic or any traffic control devices
  - c The sign will not move or have animated or moving parts.
  - d The sign must be securely affixed to a substantial structure and will not maintained upon trees or painted or drawn upon rocks, other natural formations or features, parked automobiles, trucks, trailers or movable structures
  - e The sign owner has furnished a copy of the lease and it is attached to the application to erect the sign.
  - f A copy of the permit or a copy of written approval from the Local Permit Authority that they will issue a permit for this specific sign contingent upon the Nebraska Department of Roads issuing a permit for this specific location.