



# Memo from the Borough Clerk

Date: August, 2019  
To: All Candidates for Haines Borough Election October 1, 2019  
From: Alekka Fullerton, Borough Clerk  
Re: Electioneering and Political Signs

## 1. Electioneering...

This is a reminder that state and local law prohibits electioneering at or within 200 feet of a polling place.

- **From September 16 through September 30, the Borough Administration Building will be a polling place for absentee voting for the October 1st Borough Election and, as such, is subject to the electioneering laws during that time period.** For example, if you have a candidate or ballot measure bumper sticker on your vehicle, you must make sure to park at least 200 feet from the building; or if you are wearing a campaign button, you should plan to place it in your pocket until you are sufficiently away from the building. No campaign signs should be placed within 200 feet of the building during that time period.
- **Also, on Election Day, October 1, the same laws will apply to the ANB Hall and the Klehini Valley Fire Station polling places.** That means that in addition to the other things to avoid, any campaign signs you might have put up within 200 feet of those polling places must be taken down by midnight on October 1st.

### **HBC 11.44.010(Q) Election offenses and corrupt practices.**

The following acts are declared to be election offenses and corrupt practices and are prohibited: Electioneering on election day within the polling place or within 200 feet of the building wherein the polling place is located.

### **HBC 2.990.010 Definitions.**

"Electioneering" means any form of persuasion to attempt to affect the decision of any voter, including, but not limited to, campaign buttons, bumper stickers, posters, flyers, pennants, banners or by voice.

**It is also a violation of state law (AS 15.15.170).**

## 2. Political Signs in the Haines Borough...

Political Signs do not require a Haines Borough sign permit for placement, but they must meet the following standards found in the borough code (reference HBC 18.90.050-070). If you have any questions, please don't hesitate to ask.

- Freestanding and portable signs are prohibited on public property such as streets, sidewalks, alleys and other public property for more than 2 days.
- Signs of up to 6 square feet each may be displayed on private property.
- Signs must be placed in a manner that achieves the purpose without creating a hazard to vehicles or pedestrians.

- Projecting signs. No part of a projecting sign is allowed to stick out within three (3) feet of a street curb or traveled way. If hung under a canopy, marquee or awning, a projecting sign is not allowed to have less than seven (7) feet clearance between the bottom of the sign and the sidewalk. Projecting signs are not allowed to extend above a building roof peak or eave.
- Signs must be located so that they do not obscure traffic or sight angles at intersections or driveways, or in any location prohibited by state regulation.

Additionally, the state has campaign signage regulations (see below). Please review any signs made for your campaign and their placement and be sure that they meet the borough and state standards.

## Alaska Laws re. Political Campaign Signs

State of Alaska laws regarding political advertising are illustrated below in two sections of Alaska Statutes pertaining to sign posting and/or advertising in the right-of-way of Alaska's highways:

1. Campaign signs placed within the state's road and highway rights-of-way are unauthorized encroachments under AS 19.25.200 – 19.25.250 and may be removed by DOT&PF crews without notification. Vehicles parked in rights-of-way that are used to display political advertisements are also prohibited and subject to removal.
2. AS 19.25.105(a) states, "Outdoor advertising may not be erected or maintained within 660 feet of the nearest edge of the right-of-way and visible from the main-traveled way of the interstate, primary, or secondary highways in this state..." If a sign is on commercial property, but within 660 feet of the state's right-of-way, DOT&PF personnel may send a 30-day written notice requesting removal of the sign. This notice will be sent to the property owner and the candidate.
3. Further, we have been notified that, as a result of a lawsuit in the State of Alaska, the following ruling has been made:

*The court issued an order clarifying that owners or occupants of private property located adjacent to State highway right of ways may place a small, temporary, political campaign sign on their property during election season provided they have not been paid to display the signs. The order specifies that these signs cannot be larger than 4 feet by 8 feet in size. **The order does not allow political signs to be placed within State highway right of ways and it does not authorize other forms of outdoor advertising.***

Campaign advertising is an important effort and expensive investment for all candidates. We realize that candidates and their volunteers may simply not realize the limitations of advertising in the rights-of-way, or the exact locations of the rights-of-way.

You can get more information about state rights of way here:  
<http://dot.alaska.gov/stwddes/dcsrow/campaignsigns.shtml>

**Thank you for your cooperation with these requirements, and good luck with your campaign!**