

**Department of Public Works
Engineering, Highway Division, & Fleet Services**

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**Re: Private Signage in Unincorporated El Paso County
April 23, 2020**

FAQ Sheet for Private Signage in Unincorporated El Paso County

Signs are an important part of economic vitality and communication. Placement of private signage is regulated by state and local laws and ordinances, and this is especially true when public rights-of-way are involved. This important information will assist citizens, businesses, churches, advocates, and private property owners to correctly place any private signage (“private signs”) in unincorporated El Paso County. Any citizen, business, church, advocate, or private property owner can expect equal treatment regarding the enforcement of El Paso County criteria and regulations.

Where can private signs be placed in El Paso County?

The County does not issue permits to place private signs in the right-of-way. County regulations prohibit non-traffic signs in El Paso County right of way. According to the Manual on Uniform Traffic Control Devices (MUTCD), published by the U.S. Department of Transportation Federal Highway Administration and adopted by El Paso County, “Any unauthorized traffic control device or other sign or message placed on the highway right-of-way by a private organization or individual constitutes a public nuisance and should be removed. All unofficial or non-essential traffic control devices, signs, or messages should be removed.”

Private signs can be placed on private property only with the owner’s approval. All signs placed on private property in unincorporated El Paso County are regulated by the Land Development Code which is administered through the El Paso County Planning and Community Development Department. Many private properties at intersections also have sight easements for intersections that may not allow signs to be located within certain areas of private property. If you have a question regarding placing or otherwise constructing signs on private property, call the El Paso County Planning and Community Development Department at (719) 520-6300 and ask to speak with a planner.

Homeowners Associations (HOA) or Special Districts such as metropolitan districts may have regulations that affect regarding signage on private property, so check with your HOA or District prior to placing any signs. Before placing a sign inside of incorporated city limits, on property owned by a metropolitan district or HOA, check with the entity for their respective ordinances or regulations. Before placing a sign along a state highway, check with the Colorado Department of Transportation for applicable regulations.

Where is the El Paso County right-of-way?

Generally, along most El Paso County roadways, the right-of-way is at least sixty feet in width or approximately 30 feet from the centerline of the roadway in residential areas and is larger for other roadways. Right-of-way varies in width between roads and may vary in width along different segments of the same road. In most cases, right-of-way width is greater than the surface of the roadway and does not end at the edge of pavement, back of curb, or back of sidewalk. The county does not have right-of-way maps, but there are several ways to help determine the location of a right-of-way line including:

- *Locating property monuments on a property. When a property is subdivided there are typically surveyor pins or rebar placed at the property corners indicating the location of the property line in relationship with the right-of-way.*
- *Reviewing the County Assessor website. The property lines are not always accurate in relationship with the aerial maps, but they often are able to provide general guidance.*
- *Reviewing existing surveys of the property obtained with title work or, if the property is part of a subdivision, its subdivision plat. Recorded surveys and subdivision plats are typically provided with title work when you purchase property or are available for purchase from the El Paso County Clerk and Recorder's Office.*
- *Engaging a licensed professional land surveyor to complete a land survey and, if appropriate, a title search of the public records in the Clerk and Recorder's Office. This is an accurate and reliable method to locate right-of-way, property boundaries and encumbrances on the property.*

Who do I contact about a private sign in the right-of-way?

If you believe a sign is unlawfully placed within the right-of-way you can submit an online Customer Service Request to the Department of Public Works through our Citizen Connect process <https://publicworks.elpasoco.com/customer-service/>. Citizens Connect will allow you to follow the progress of your request or call (719) 520-6460 and leave a detailed message.

What happens if a private sign is placed in the right-of-way?

El Paso County Department of Public Works primary focus is to maintain and keep County Highways safe. If a complaint is filed regarding a sign or County staff identifies a sign that poses a safety hazard or interferes with maintenance activities, authorized County staff will determine if the sign is located within the right-of-way and may remove the sign immediately or contact any individual believed to be associated with the sign to have it removed within a provided timeframe.

Signs removed by El Paso County Department of Public Works will be placed in one of the Department's maintenance yards. El Paso County Department of Public Works will make a reasonable effort to contact someone associated with the sign to coordinate a time where the sign can be retrieved from the maintenance yard where the removed signs have been stored. If a sign is not claimed within 30 days or other arrangements have been made with El Paso County Department of Public Works, the signs will be properly disposed of.

Can a private citizen remove a sign?

El Paso County cannot give legal advice to private citizens. Citizens may expose themselves to safety concerns in removing signs, criminal legal exposure, or civil legal exposure in the removal of signs from public or private property. Some signs, such as campaign signs, are somewhat protected under Colorado law and may be best if removed by authorized personnel in accordance with established policies. If a citizen observes a sign that is a traffic hazard and is an immediate threat to the health, safety and welfare of others, please call 911. If you would like to report a sign in the right-of-way that is a non-emergency contact El Paso County Department of Public Works.