



*The purpose of this guide is to assist sign installers and property owners with requirements for Off-Premise Advertising Signs in Bismarck and its extraterritorial area.*

*All requirements for EMCs are found in Chapter 14-03.1 Signs, in particular Section 14-03.1-08(4).*

**Definition of Electronic Message Center**

Off-Premise Advertising Signs, often referred to as billboards, are defined in the ordinance as:

*“A ground sign, as defined in the most recent adoption of the International Building Code (IBC), that may advertise goods or services that are not associated with the use of the premises. Off-premise advertising signs may also advertise on-premise goods or services. An off-premise advertising sign may be static, digital, illuminated, non-illuminated or any combination thereof where permitted.”*

All other signs are generally not permitted to display off-premise commercial content, but only content related to activity occurring on-site (or non-commercial content in certain cases).

**Public Safety Verification**

All Off-Premise Advertising Signs must be reviewed and approved by the traffic engineer and law enforcement to determine if there are potential safety concerns with a specific design and location.

Illustrations from street-level are required from applicants to facilitate this review.

**Allowable Zoning Districts**

Off-premise advertising signs are only allowed in these commercial or industrial zoning districts:

- CG – Commercial zoning district
- MA – Industrial zoning district
- MB - Industrial zoning district

A request to rezone a property for the sole purpose of installing a sign will not be supported by City staff. A [zoning map](#) is available on the City website, and staff may be consulted before any proposed zoning change.

**Roadway Functional Class**

In addition to zoning, Off-Premise Advertising Signs may only be installed adjacent to certain major roadways, known as minor or major arterial roadways.

A [map of functional classes](#) is on the City website.

**Spacing Requirements**

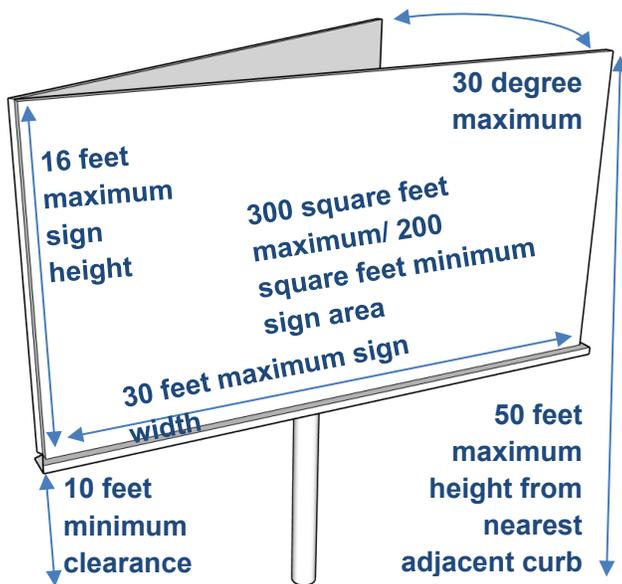
All new Off-Premise Advertising Signs must be spaced a certain distance from existing Off-Premise Advertising Signs. Distance from existing signs is measured along the centerline of the adjacent roadway, counting signs on either side of the road.

Proposed Sign	Distance from Existing Signs	
	Digital	Non-Digital
Digital	1,200 feet	300 feet
Non-Digital	300 feet	300 feet

Additionally, the proposed sign must be 200 feet from an intersection of arterial and/or collector roadways, 500 feet from an interstate interchange, and 300 feet from any residential zoning district. These distances are measured directly and not along a roadway. Maps available on the City of Bismarck website provide the ability to measure approximate distances.

## Dimensional Requirements

The required dimensions for Off-Premise Advertising Signs in most areas are as follows:



Larger signs may be permitted if oriented toward Interstate 94 or Bismarck Expressway east of Airport Road. In these areas, signs may be up to 16 feet in height, 50 feet in width, and 672 square feet in area. Extensions are permitted of up to 20% of the allowable area. No more than two sign faces are allowed on any structure.

All parts of a sign must be setback from the front property line adjacent to a public right-of-way at least 15 feet, except for property lines adjacent to Interstate 94, which do not require a setback. Signs may not hang over any property line or be placed within any easement.

## Special Requirements for Digital Signs

In addition to the spacing requirements above, certain operational requirements apply specifically to Digital Off-Premise Advertising Signs.

- Each frame must hold for at least 7 seconds
- Special effects or video are not permitted.
- The sign may not exceed 0.3 foot-candles above ambient light levels, and must be automatically adjusted with light sensors
- The sign shall have a default mechanism that shall freeze the sign in one position as a static message if a malfunction occurs.

## Content of Signs

The City of Bismarck's sign requirements are content-neutral and the U.S Constitution provides broad free speech protections to outdoor advertisements. However, certain messages may be prohibited, including messages that may be confused for a public safety device and obscene messages.

## Non-Conforming Signs

Signs that were installed in conformance with all requirements at that time may remain in place, even if rendered non-conforming in the current ordinance. The owner of sign is allowed to maintain and perform technological upgrades on an existing non-conforming signs, as long as the overall dimensions, orientation, or location of the sign does not change. No conforming signs must still comply with all operational requirements.

## State and Federal Requirements

Off-Premise Advertising Signs adjacent to Federal-Aid Roadways, which applies in most situations, are subject to state and federal requirements as well. A permit must be obtained from the North Dakota Department of Transportation.

See Chapter 24-17 of the North Dakota Century Code (NDCC) or the federal Highway Beautification Act.

## How to Apply

### Sign Permit

All Off-Premise Advertising Signs require a sign permit. A licensed sign installer may submit a sign permit with the Building Inspections Division of the City of Bismarck's Community Development Department. An application must include:

- Dimensioned sign display
- Site plan with property lines and features
- Street visualizations of the sign in place from 100, 300, and 500 feet in both directions.
- Operational narrative for digital signs.

*For additional information, contact the City of Bismarck Planning Division at 355-1840 or visit the City-County Office Building 221 N. 5th Street during standard office hours.*