

Resolution Concerning Electioneering, Campaign Activities, Parking, and Structures at the Cleveland County Board of Elections Office

WHEREAS, the Cleveland County Board of Elections (the “Board”) conducts early voting and election-day operations at the property owned by Cleveland County, North Carolina (the “County”) located at 827 West Marion Street, Shelby, North Carolina (the “CCBOE Building”); and

WHEREAS, the CCBOE Building lies within the corporate limits of the City of Shelby (the “City”), and is therefore also subject to the City’s Unified Development Ordinance (“UDO”) and related sign, event, and noise regulations, as well as applicable state election laws; and

WHEREAS, pursuant to North Carolina Gen. Stat. § 163-166.4, the Board must prescribe a Buffer Zone surrounding voting places within which electioneering is prohibited, and shall designate an Area for Election-Related Activity in which lawful campaign activity is permitted; and

WHEREAS, pursuant to North Carolina Gen. Stat. §§ 163-33, the Board has the authority to maintain order and to make and issue such rules, regulations, and instructions as it may deem necessary for the guidance of election officers and voters so long as all of the foregoing are not inconsistent with State law or directives handed down by the Executive Director of the North Carolina Board of Elections per North Carolina Gen. Stat. § 163-132.4; and

WHEREAS, the Board desires to harmonize North Carolina election law, Cleveland County ordinances, City of Shelby ordinances, and site-specific procedures, to: (1) ensure safe, unobstructed, and unimpeded access to the CCBOE Building and all offices located thereon, including but not limited to the parking lot, parking spaces, the voting place itself, the Board office, and curbside voting; (2) prevent voter harassment, intimidation, and hindrance of access; and (3) permit fair and orderly campaign expression that does not otherwise violate applicable law.

NOW, THEREFORE, BE IT RESOLVED by the Board that the following rules shall apply exclusively to the CCBOE Building and appurtenances thereto, including the land, buildings, sidewalks, driveways, and parking area owned, leased, or controlled by the County and/or the Board, respectively, located at 827 West Marion Street, Shelby, North Carolina, at such times as a voting place is located on such property in connection with early voting in any election and on the date of such election as such terms are defined in North Carolina Gen. Stat. § 163-165.

Section 1. Applicable Law

1. State Law: Pursuant to North Carolina Gen. Stat. §163-166.4, no person or group of persons may hinder access, harass others, distribute campaign literature, place political advertising, solicit votes, or otherwise engage in election-related activity in the voting place or within the Board-designated Buffer Zone.
2. State Law: Pursuant to North Carolina Gen. Stat. §136-32, statutorily compliant political signs are permitted in the right-of-way of the State highway system during the period beginning on the thirtieth (30th) day before the beginning date of early voting through tenth (10th) day after the primary or election day. All signs placed lawfully in the right-of-way must meet size, placement, and visibility requirements.

3. City of Shelby UDO Sign Chapter: In residential zoning districts within the City of Shelby, no more than one sign shall be permitted per lot for each candidate or issue. No sign shall be attached to utility poles, traffic regulatory signs, or other publicly maintained structures. All signs must be lawfully placed and meet UDO standards for size, placement, and visibility.

Section 2. Definitions

For purposes of this Resolution, the following definitions shall apply:

- “CCBOE Building” means all land, buildings, sidewalks, driveways, and parking areas owned by the County and leased and/or controlled by the Board, respectively, located at 827 West Marion Street, Shelby, North Carolina.
- “Voting Place” means the room or area where voting occurs, as designated by the Board pursuant to North Carolina Gen. Stat. §163-166.4.
- “Buffer Zone” means the area surrounding the Voting Place, not exceeding fifty (50) feet from the entrance thereto, in which electioneering and political advertising are prohibited.
- “Area for Election-Related Activity” means the clearly marked location immediately beyond the Buffer Zone where lawful campaign activity may occur.
- “Public Right-of-Way” means the publicly owned and controlled strip of land containing a street, sidewalk, or utility corridor, which is not property of the County or the Board and is subject to State regulation.
- “Campaign materials” include, but are not limited to, campaign signs, banners, flags, tents, tables, chairs, literature, and similar items used to advocate for or against a candidate or ballot measure. Any item used for campaign purposes that is not specifically identified in this policy shall be considered campaign material and shall be subject to this policy.

Section 3. Designation of Buffer Zone and Area for Election-Related Activity on CCBOE Building Property

1. The Buffer Zone at the CCBOE Building shall extend fifty (50) feet from the entrance to the Voting Place into adjacent sidewalks and parking areas, or as otherwise marked by official signage or ground indicators.
2. An Area for Election-Related Activity shall be a clearly marked location immediately beyond the Buffer Zone where lawful campaign activity may occur, including but not limited to candidates, campaign workers, and political parties conducting lawful activity consistent with this Resolution, provided that any such activity complies with all other applicable laws and ordinances.

Section 4. Electioneering Activity

1. Campaign materials should be placed in the designated ‘Campaign Zone,’ which is property zoned for non-residential use by the City of Shelby and which, accordingly, is not subject to the residential limit on the number of signs.

2. Campaign materials shall not be attached or affixed to trees, utility poles, light poles, fences, buildings, traffic control devices, or any other such structure on the CCBOE Building property.
 3. Campaign materials shall not obstruct sidewalks, pedestrian walkways, accessible routes, building entrances or exits, driveways, parking areas, traffic circulation, emergency vehicle access, or the normal operations of the Board of Elections.
 4. Campaign signs may be placed in the public right-of-way, consistent with State law, provided they do not encroach into the Buffer Zone or reasonably inhibit a person's visibility or otherwise threaten the health or safety of members of the public. For example, campaign signs may not block a driver's view of traffic as they attempt to exit the CCBOE Building parking lot to turn onto Marion Street.
 5. No amplified sound of any kind shall be generated on CCBOE Building property, regardless of whether such sound originates in an Area for Election-Related Activity, to the extent that such sound is audible within the Buffer Zone or Voting Place. This prohibition includes, without limitation, sound emanating from loudspeakers (whether standalone or in vehicles) and megaphones. In addition to the foregoing, any sound that projects into the Buffer Zone or Voting Place that violates North Carolina Gen. Stat. § 163-166.4 shall be subject to discontinuance, regardless of the location of emanation.
 6. Any leftover holes in the ground on CCBOE Building property in the wake of a campaign sign or tent having been there must be filled in by the individual who placed the sign or tent in that particular location. This subsection shall only apply to holes equal to or greater than those left by 2" x 4" posts and not those left by ordinary yard signs.
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Section 5. Parking

1. Overnight parking on CCBOE Building property is prohibited unless authorized in writing by an authorized agent of the Board.
 2. No candidate, campaign workers, or political party representative may reserve, block, or mark parking spaces other than those designated for campaign use by the Board.
 3. Candidates, campaign workers, and political party representatives are expected to park off-site or in areas designated by Board signage, to ensure that parking spaces closest to the Voting Place are consistently available for use by voters.
 4. Vehicles, tents, tables, or other property left unattended or obstructing traffic are subject to removal by Board personnel or law enforcement at the owner's expense.
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Section 6. Enforcement and Posting

1. Board staff and law enforcement personnel are authorized to enforce these rules, direct violators to the Area for Election-Related Activity, and/or remove them from CCBOE Building property if necessary.
2. Violations of City ordinances (e.g., temporary signs, noise, litter, or obstruction) are also subject to City of Shelby enforcement and potential citation or removal.
3. This Resolution shall be posted prominently at the main entrance of the CCBOE Building, distributed to all recognized candidates and political parties, and published on the Board's website prior to each election period.

Adopted this ____ day of _____ 2026, by the Cleveland County Board of Elections.

J. Ronnie Whetstine

Chairman, Cleveland County Board of Elections

H. Allen Langley

Secretary, Cleveland County Board of Elections

Mary S. Accor

Member, Cleveland County Board of Elections

Ali Paksoy, Jr.

Member, Cleveland County Board of Elections

Mary Grace Keller

Member, Cleveland County Board of Elections

Clifton Philbeck

Director, Cleveland County Board of Elections