

**19A NCAC 02E .0420 CONSTRUCTION WITHIN RIGHT-OF-WAY**

(a) Unless authorized in writing by the Chief Engineer's Office upon a showing that the change in construction within the right-of-way is beneficial to the public, it shall be unlawful for any person or firm to construct, place, or erect any of the following, or any combination thereof, over any road, highway, or right-of-way of the State Highway System:

- (1) power, broadband, telephone, or other poles;
- (2) signboards or fences;
- (3) water, gas, oil, petroleum products, steam chemicals, sewage, drainage, irrigation, or other pipelines; or
- (4) wires, cables, or other obstructions.

(b) Rules for the preparation and submission of applications for utility encroachments shall be found at 19A NCAC 02B .0500.

*History Note: Authority G.S. 136-18(10); 136-93;  
Eff. July 1, 1978;  
Amended Eff. December 1, 2012;  
Readopted Eff. March 1, 2019.*