

**CITY OF BALTIMORE
COUNCIL BILL 07-0755
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: August 13, 2007
Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and Community Development, Department of Public Works, Department of Finance, Mayor's Office of Criminal Justice

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Signs on or Affecting Public Property –**
3 **Enforcement by Housing and Community Development**

4 FOR the purpose of transferring from the Department of Public Works to the Department of
5 Housing and Community Development the enforcement of the laws governing signs on or
6 affecting public property.

7 BY repealing and reordaining, with amendments

8 Article 19 - Police Ordinances

9 Section(s) 45-3 and 45-4

10 Baltimore City Code

11 (Edition 2000)

12 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
13 Laws of Baltimore City read as follows:

14 **Baltimore City Code**

15 **Article 19. Police Ordinances**

16 **Subtitle 45. Signs - On or Affecting Public Property**

17 **§ 45-3. Removal of illegal signs.**

18 (a) *From City property – by Department.*

19 For any sign posted in violation of § 45-2(1) through (6) of this subtitle, the Department
20 of [Public Works] HOUSING AND COMMUNITY DEVELOPMENT may:

21 (1) summarily remove the sign; or

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 (2) send written notice to the person responsible, as described in § 45-5 of this
2 subtitle, ordering that person to remove the sign within the time specified in the
3 notice.

4 (b) *From City property – by others.*

5 (1) For any sign posted in violation of § 45-2(1) through (6) of this subtitle, any
6 individual may:

7 (i) summarily remove the sign; and

8 (ii) either:

9 (A) discard the sign in an appropriate manner; or

10 (B) submit the sign to the Department of [Public Works] HOUSING AND
11 COMMUNITY DEVELOPMENT for further enforcement proceedings.

12 (2) A submission to the Department of [Public Works] HOUSING AND COMMUNITY
13 DEVELOPMENT for further enforcement proceedings:

14 (i) must be accompanied by an affidavit, in the form and tenor required by the
15 regulations adopted under § 45-4 of this subtitle, that describes the
16 circumstances of the violation and removal; and

17 (ii) may designate a non-profit community or neighborhood association listed
18 with the Department of Planning to share in any fines that might be collected
19 in the matter.

20 (3) An association so designated is entitled to receive 50% of any fine collected under
21 City Code Article 1, Subtitle 40 {"Environmental Control Board"} or Subtitle 41
22 {"Civil Citations"}.

23 (c) *From public utility property.*

24 For any sign posted in violation of § 45-2(7) of this subtitle:

25 (1) the public utility may summarily remove the sign; or

26 (2) the public utility or the Department [Public Works] HOUSING AND COMMUNITY
27 DEVELOPMENT may send written notice to the person responsible, as described in
28 § 45-5 of this subtitle, ordering that person to remove the sign within the time
29 specified in the notice.

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1 **§ 45-4. Liability for costs and expenses.**

2 (a) *In general.*

3 Any person who posts a sign in violation of this subtitle and any other person responsible
4 for the sign, as described in § 45-5 of this subtitle, is liable to the City or to the public
5 utility, as the case may be, for the costs of:

6 (1) removing the sign; and

7 (2) repairing any damage caused by the placement or removal of the sign.

8 (b) *Rules and regulations for City property.*

9 (1) The [Director of Public Works] COMMISSIONER OF HOUSING AND COMMUNITY
10 DEVELOPMENT shall adopt regulations to provide for the removal of signs illegally
11 placed on City property.

12 (2) The regulations shall include:

13 (i) charges to be assessed for the costs of removing illegal signs and repairing
14 damages;

15 (ii) rules, procedures, and forms to carry out § 45-3(b) {"Removal of illegal signs:
16 From City property – by others"} of this subtitle; and

17 (iii) provisions that require the Commissioner to report:

18 (A) the name of the person or entity represented on the material removed;

19 (B) the number of advertisements, notices, or other signs removed;

20 (C) the location of the material; and

21 (D) the type of structure from which the material was removed.

22 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
23 are not law and may not be considered to have been enacted as a part of this or any prior
24 Ordinance.

25 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
26 after the date it is enacted.