

**CITY OF BALTIMORE
COUNCIL BILL 06-0515
(First Reader)**

Introduced by: Councilmembers Curran, Young, Clarke, Reisinger, Kraft, Spector, Harris,
Rawlings Blake, Holton, Welch, Branch

Introduced and read first time: September 18, 2006

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Police Department, Department of
Housing and Community Development, Department of Public Works, Environmental Control
Board, Department of Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Campaign Signs in Residential Areas – Size**

3 FOR the purpose of limiting the size of campaign signs permitted in residential areas; increasing
4 the penalties for violating the laws governing these signs; imposing certain civil fines;
5 correcting, clarifying, and conforming certain language; and generally relating to campaign
6 signs in residential areas.

7 BY repealing and reordaining, with amendments

8 Article 19 - Police Ordinances

9 Section(s) 46-1 through 46-5

10 Baltimore City Code

11 (Edition 2000)

12 BY adding

13 Article 1 - Mayor, City Council, and Municipal Agencies

14 Section(s) 40-14(e)(3)(Subtitle 46) and 41-14(2)(Subtitle 46)

15 Baltimore City Code

16 (Edition 2000)

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

19 **Baltimore City Code**

20 **Article 19. Police Ordinances**

21 **Subtitle 46. Signs – Campaign Signs in Residential Areas**

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

Council Bill 06-0515

1 **§ 46-1. When signs may be displayed.**

2 (a) *Earliest date.*

3 Signs announcing candidates seeking elected public office may be erected on the exterior
4 of structures or in yards in Residence and Office-Residence Zoning Districts in Baltimore
5 City no earlier than on the last day on which a certificate of candidacy must be
6 withdrawn.

7 (b) *Latest date.*

8 The signs must be removed within 30 days after any primary election day by an
9 unsuccessful primary candidate and within 30 days after any general election day by all
10 other candidates whenever the signs were erected at the direction of[,] or with the consent
11 of[,] the [said] candidates.

12 **§ 46-2. Where and how displayed.**

13 (a) *In general.*

14 [These] ALL signs:

15 (1) shall be confined within private property; and

16 (2) [shall] MAY NOT BE PLACED SO AS TO OBSTRUCT THE VISION OF OPERATORS OF MOTOR
17 vehicles.

18 (b) *Required relocation.*

19 The Police Commissioner or [his] THE COMMISSIONER'S agent may require that a sign be
20 relocated:

21 (1) if he OR SHE reasonably determines that its placement may obstruct the vision of
22 operators of motor vehicles; or

23 (2) for other public safety reasons.

24 **§ 46-3. MAXIMUM SIZE.**

25 (A) *IN GENERAL.*

26 NO SIGN ERECTED UNDER THIS SUBTITLE MAY EXCEED AN AREA OF 16 SQUARE FEET.

27 (B) *COMPUTING AREA.*

28 A SIGN'S AREA SHALL BE COMPUTED AS PROVIDED IN § 11-203 OF THE CITY ZONING
29 CODE.

Council Bill 06-0515

§ 46-4. [§ 46-3.] Permitted inferences.

For [the purpose] PURPOSES of enforcing this subtitle, the presence of a violative [political campaign] sign permits, but does not require, an inference that it was placed or erected at the direction of or with the consent of the candidate whose name appears [thereon] ON THE SIGN.

§ 46-5. ENFORCEMENT BY CITATION.

(A) *IN GENERAL.*

IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT PROCEDURE, THIS SUBTITLE MAY BE ENFORCED BY ISSUANCE OF:

(1) AN ENVIRONMENTAL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 40 {"ENVIRONMENTAL CONTROL BOARD"}; OR

(2) A CIVIL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 41 {"CIVIL CITATIONS"}.

(B) *PROCESS NOT EXCLUSIVE.*

THE ISSUANCE OF A CITATION TO ENFORCE THIS SUBTITLE DOES NOT PRECLUDE PURSUING ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION AUTHORIZED BY LAW.

§ 46-6. [§ 46-5.] Penalties.

(A) *IN GENERAL.*

Any person who violates any provision of this subtitle is guilty of a misdemeanor and, [upon] ON conviction [thereof], [shall be fined] IS SUBJECT TO A FINE OF not more than [\$25] \$100 for each [separate] offense.

(B) *EACH DAY A SEPARATE OFFENSE.*

EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 40-14. Violations to which subtitle applies.

(e) *Provisions and penalties enumerated.*

(3) **Article 19. Police Ordinances**

...

SUBTITLE 46. SIGNS – CAMPAIGN SIGNS IN RESIDENTIAL AREAS \$100

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Council Bill 06-0515

1 **Subtitle 41. Civil Citations**

2 **§ 41-14. Offenses to which subtitle applies – Listing.**

3 **(2) Article 19. Police Ordinances**

4 . . .

5 SUBTITLE 46. SIGNS – CAMPAIGN SIGNS IN RESIDENTIAL AREAS \$100

6 . . .

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

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