

Introduced by: Councilmember Schleifer *Not DOLSEY, Henry, 2B, Burnett*

Prepared by: Department of Legislative Reference Date: August 13, 2019 *Reisinger*

HOUSING AND URBAN AFFAIRS

Referred to: _____ Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 19 - 0432

A BILL ENTITLED

AN ORDINANCE concerning

Campaign Signs in Residential Areas – Repeal of Earliest Date Requirement

FOR the purpose of repealing a prohibition on erecting campaign signs on residential property prior to a certain date; and conforming and clarifying related provisions.

BY repealing and re-ordaining, with amendments

Article 19 - Police Ordinances
Section(s) 46-1
Baltimore City Code
(Edition 2000)

****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

<input checked="" type="checkbox"/> Department of Public Works	<input type="checkbox"/> Baltimore City Public School System
<input type="checkbox"/> Department of Real Estate	<input type="checkbox"/> Baltimore Development Corporation
<input type="checkbox"/> Department of Recreation and Parks	<input checked="" type="checkbox"/> City Solicitor
<input type="checkbox"/> Department of Transportation	<input type="checkbox"/> Comptroller's Office
<input type="checkbox"/> Fire Department	<input type="checkbox"/> Department of Audits
<input type="checkbox"/> Health Department	<input type="checkbox"/> Department of Finance
<input type="checkbox"/> Mayor's Office of Employment Development	<input type="checkbox"/> Department of General Services
<input type="checkbox"/> Mayor's Office of Human Services	<input checked="" type="checkbox"/> Department of Housing and Community Development
<input type="checkbox"/> Mayor's Office of Information Technology	<input type="checkbox"/> Department of Human Resources
<input type="checkbox"/> Office of the Mayor	<input type="checkbox"/> Department of Planning
<input checked="" type="checkbox"/> Police Department	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
Boards and Commissions	
<input type="checkbox"/> Environmental Control Board	<input type="checkbox"/> Board of Estimates
<input type="checkbox"/> Fire & Police Employees' Retirement System	<input type="checkbox"/> Board of Ethics
<input type="checkbox"/> Labor Commissioner	<input type="checkbox"/> Board of Municipal and Zoning Appeals
<input type="checkbox"/> Parking Authority Board	<input type="checkbox"/> Comm. for Historical and Architectural Preservation
<input type="checkbox"/> Planning Commission	<input type="checkbox"/> Commission on Sustainability
<input type="checkbox"/> Wage Commission	<input type="checkbox"/> Employees' Retirement System
<input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> Other: <i>Board of Elections</i>
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

CITY OF BALTIMORE
ORDINANCE **19-324**
Council Bill 19-0432

Introduced by: Councilmember Schleifer, President Scott, Councilmembers Cohen, Dorsey,
Henry, Burnett, Reisinger

Introduced and read first time: August 19, 2019

Assigned to: Housing and Urban Affairs Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: November 18, 2019

AN ORDINANCE CONCERNING

Campaign Signs in Residential Areas – Repeal of Earliest Date Requirement

FOR the purpose of repealing a prohibition on erecting campaign signs on residential property prior to a certain date; and conforming and clarifying related provisions Article 19, Subtitle 46 {"Signs - Campaign Signs in Residential Areas"} of the City Code.

BY repealing and re-ordaining, with amendments

~~Article 19 - Police Ordinances~~

~~Section(s) 46-1~~

~~Baltimore City Code~~

~~(Edition 2000)~~

BY repealing

Article 19 - Police Ordinances

Subtitle 46. Signs - Campaign Signs in Residential Areas

Baltimore City Code

(Edition 2000)

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

~~Baltimore City Code~~

~~Article 19. Police Ordinances~~

~~Subtitle 46. Signs - Campaign Signs in Residential Areas~~

~~§ 46-1. [When signs may be displayed] SIGN REMOVAL.~~

~~{(a) Earliest date.}~~

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
Strike-out indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

Council Bill 19-0432

1 ~~{Signs announcing candidates seeking elected public office may not be erected on the~~
2 ~~exterior or in the yard of any dwelling in Baltimore City before the last day on which a~~
3 ~~certificate of candidacy may be withdrawn.}~~


4 ~~{(b) Latest date.}~~

5 ~~[The signs] SIGNS FOR CANDIDATES SEEKING ELECTED PUBLIC OFFICE must be removed~~
6 ~~FROM THE EXTERIOR OR THE YARD OF ANY DWELLING IN BALTIMORE CITY within 30 days~~
7 ~~after any primary election day by an unsuccessful primary candidate and within 30 days~~
8 ~~after any general election day by all other candidates whenever the signs were erected at~~
9 ~~the direction of or with the consent of the candidates City Code Article 19, Subtitle 46~~
10 ~~{“Signs - Campaign Signs in Residential Areas”}, is repealed, in its entirety.~~

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

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

Certified as duly passed this _____ day of DEC 07 2019, 20__



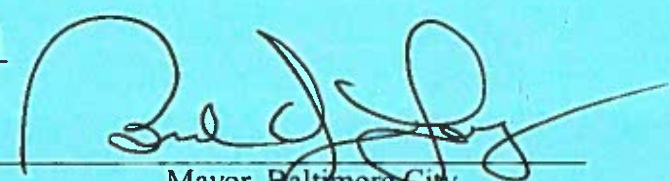
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,
this _____ day of DEC, 07 2019




Chief Clerk

Approved this 18th day of Dec., 20 19



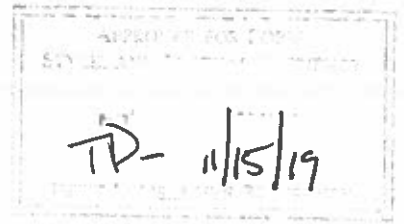
Mayor, Baltimore City

Approved For Form and Legal Sufficiency
This 12th Day of December 2019



Chief Solicitor

AMENDMENT TO COUNCIL BILL 19-0432
(1" Reader Copy)



By: Housing and Urban Affairs Committee
{To be offered on the Council Floor}

Amendment No. 1

On page 1, in line 2, strike “of the **Earliest Date Requirement**”; and, on that same page, in line 3, strike beginning with “a” down through and including “provisions” in line 4, and substitute “Article 19, Subtitle 46 {“Signs - Campaign Signs in Residential Areas”} of the City Code”; and, on that same page, strike lines 5 through 9 in their entireties and substitute:

“BY repealing
Article 19 - Police Ordinances
Subtitle 46. Signs - Campaign Signs in Residential Areas
Baltimore City Code
(Edition 2000)”

and, on that same page, in line 10, strike “the” down through and including “candidates” in line 2, on page 2, and substitute “City Code Article 19, Subtitle 46 {“Signs - Campaign Signs in Residential Areas”}. is repealed, in its entirety”.

ADOPTED

BALTIMORE CITY COUNCIL
Housing and Urban Affairs Committee
VOTING RECORD

DATE: 11-12-19

BILL#: 19 0432


BILL TITLE: Ordinance – Campaign Signs in Residential Areas – Repeal of Earliest Date Requirement

MOTION BY: Schleifer **SECONDED BY:** Cohen

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Bullock, J. Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schleifer, I. Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Burnett, K.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cohen, Z.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, R.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Henry, B.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sneed, S.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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TOTALS				

CHAIRPERSON: [Signature]
COMMITTEE STAFF: Richard G. Krummerich, Initials: RK

FROM	NAME & TITLE	Rudolph S. Chow, P.E., Director	CITY OF BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	City Council Bill 19-0432		

DATE: October 31, 2019

TO

TO Housing and Urban Affairs Committee

INTRODUCTION

I am herein reporting on City Council Bill 19-0432 introduced by Council Member Schleifer, President Scott, Council Members Cohen, Dorsey, Henry, Burnett, and Reisinger.

PURPOSE

The purpose of the Bill is to repeal the prohibition on erecting campaign signs on residential property prior to a certain date; and to conform and clarify related provisions.

BRIEF HISTORY

Article 19 Subtitle 46 of the Baltimore City Code prohibits, among other things, the placement of campaign signs on the exterior or in the yard of any dwelling before the last day on which a certificate of candidacy may be withdrawn. These signs are required to be removed from exteriors or yards of dwellings within 30 days after any primary election by an unsuccessful candidate and within 30 days after any general election day by all candidates. It is these provisions that this Bill is either deleting or modifying.

FISCAL IMPACT

The Department of Public Works is not involved in any enforcement actions related to campaign signs posted on private property; therefore, the Department does not anticipate any fiscal impact resulting from enactment of this legislation.

AGENCY/DEPARTMENT POSITION

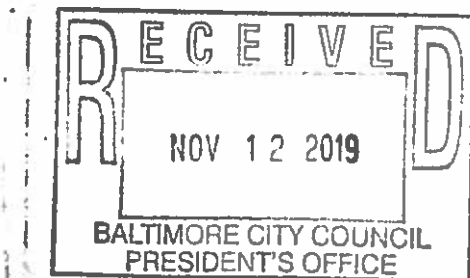
The Department of Public Works defers to the Department of Law on City Council Bill 19-0432. If you have any questions, please do not hesitate to contact Ms. Marcia Collins at 410-396-1960 (Marcia.Collins@baltimorecity.gov).

Sincerely,

Rudolph S. Chow for
 Rudolph S. Chow, P.E.
 Director

RSC:MMC

De fers to Law





BALTIMORE CITY
DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Housing Commissioner *MB*

Date: November 5, 2019

Re: **City Council Bill 19-0432 Campaign Signs in Residential Areas - Repeal of Earliest Date Requirement**

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 19-0432 for the purpose of repealing a prohibition on erecting campaign signs on residential property prior to a certain date; and conforming and clarifying related provisions.

If enacted, this bill would repeal part of Subtitle 46 in Article 19 of the City Code concerning political signs. Currently, signs announcing candidates seeking elected public office may not be erected on the exterior or in the yard of any dwelling in Baltimore City before the last day on which a certificate of candidacy may be withdrawn. The signs must be removed within 30 days after any primary election day by an unsuccessful primary candidate and within 30 days after any general election day by all other candidates whenever the signs were erected at the direction of or with the consent of the candidates.

The entire subtitle is not legally enforceable because it is an unconstitutional regulation of speech, because of this DHCD cannot support the bill as drafted. However, DHCD is supportive of the amendments drafted by the Law Department to repeal the entirety of Subtitle 46 of Article 19.

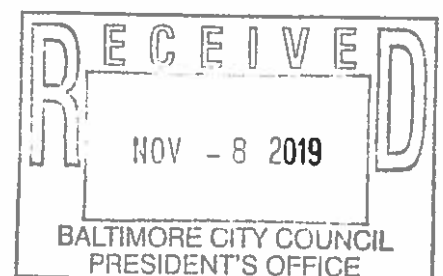
The majority of campaign sign violations are for signs posted on public property. Recently, DHCD received 5 complaints for signs posted too early, the complaint was investigated but no notices or citations were issued. Prior to this most recent report DHCD cannot recall the last time we received a complaint about an early posted or late removed sign. The violation text was removed from the DHCD system in 2007, so no notices or citations have been issued in the past 12 years for this code violation.

The DHCD opposes City Council Bill 19-0432 as drafted.

MB:sm

cc: Mr. Nicholas Blandy, Mayor's Office of Government Relations

opposed





BALTIMORE POLICE DEPARTMENT



BEARNARD C. "JACK" YOUNG
Mayor

MICHAEL S. HARRISON
Police Commissioner

September 6, 2019

Honorable President and Members of the Baltimore City Council
Room 400, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

**RE: City Council Bill #19-0432
Campaign Signs in Residential Areas – Repeal of Earliest Date Requirement**

Dear Council President Scott and Members of the City Council:

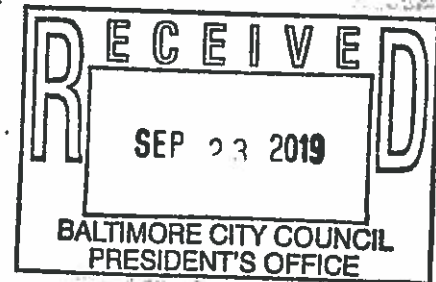
The Baltimore Police Department (BPD) has reviewed Council Bill 19-0432. The bill repeals a prohibition on erecting campaign signs on residential property prior to a certain date; and conforms and clarifies related provisions.

The Baltimore Police Department has no objection to this bill. Thank you for the opportunity to comment.

Sincerely,

Michelle Wirzberger, Esq.
Director of Government Affairs

cc: Natwana Austin, Executive Secretary of the Baltimore City Council
Dominic McAilly, Legislative Assistant, Office of the Council President
Matt Stegmand, Mayor's Legislative Liaison
Eric Melancon, BPD Chief of Staff
Andrew Smullian, BPD Deputy Chief of Staff
Deputy Commissioner Michael Sullivan
Dan Beck, BPD Chief of Legal Affairs
Justin Conroy, Chief Solicitor



*No
objection*



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CITY OF BALTIMORE

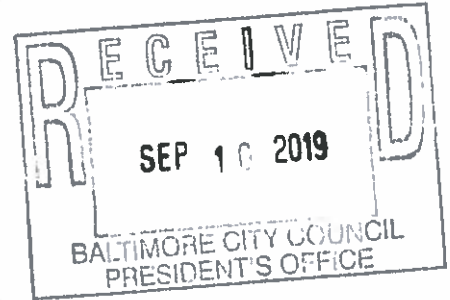
BERNARD C. "JACK" YOUNG
Mayor



DEPARTMENT OF LAW
ANDRE M. DAVIS, CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

September 10, 2019

The Honorable President and Members
of the Baltimore City Council
Attn: Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202



Re: City Council Bill 19-0432 – Campaign Signs in Residential Areas – Repeal
of Earliest Date Requirement

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 19-0432 for form and legal sufficiency. The bill would repeal part of Subtitle 46 in Article 19 of the City Code concerning political signs.

Since the entire Subtitle is not legally enforceable because it is an unconstitutional regulation of speech, the bill to repeal part of the Subtitle is legally sufficient. *Reed v. Town of Gilbert Arizona*, 135 S.Ct. 2218, 2230 (2015) (signs that treat political speech differently from other speech are presumptively unconstitutional and subject to strict scrutiny requiring the government to prove the restriction is narrowly tailored to meet a compelling government interest); *accord Wagner v. City of Garfield Heights*, 675 Fed. Appx. 599, 606-07 (6th Cir. 2017) (unreported) (struck down town's political sign ordinance as not meeting strict scrutiny standard because it was underinclusive: town could not explain why restrictions placed on political signs but not signs with other messages furthered government interest); *see also American Association of Political Consultants, Inc., v. Federal Communications Commission*, 923 F.3d 159 (4th Cir. 2019) (explaining that in "conducting a strict scrutiny review, we are obliged to examine the speech restriction for an infirmity that is commonly referred to as 'underinclusiveness.' An 'underinclusive' restriction is one that covers too little speech, thereby leaving 'appreciable damage to the government's interest unprohibited.' An underinclusive restriction thus fails a strict scrutiny review.") (citations and quotations omitted); *see also Fusaro v. Cogan*, 930 F.3d 241, 253 (4th Cir 2019) ("First Amendment requires courts 'to guard against undue hindrances to political conversations and the exchange of ideas'" (citations omitted); *Central Radio Co., Inc. v. City of Norfolk, Va.*, 811 F.3d 625, 634 (4th Cir. 2016) (City's sign restrictions were unconstitutional because they regulated based on content of message displayed).

Not only are the content restrictions in Subtitle 46 of Article 19 of the City Code unconstitutional and therefore unenforceable, the size and display of outdoor signs is now governed by Title 17 of Article 32 of the City Code concerning zoning. Title 17 of that zoning code impliedly repealed Subtitle 46 of Article 19 because Title 17 is a later enactment that dictates

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attributes of permissible signs in each zoning district. City Code, Art. 32, § 17-101, *et. seq.*; see *e.g.*, *Blackstone v. Sharma*, 461 Md. 87, 143 (2018) (“if two statutes contain an irreconcilable conflict, the statute whose relevant substantive provisions were enacted most recently may impliedly repeal any conflicting provision of the earlier statute.”) (citations omitted).

For clarity, the Law Department recommends that the entirety of Subtitle 46 of Article 19 be repealed. An amendment to effectuate that repeal is attached. However, failure to enact this bill or to amend it will not change the fact that the entirety of Subtitle 46 of Article 19 is unenforceable.

Very truly yours,



Hilary Ruley
Chief Solicitor

cc: Andre M. Davis, City Solicitor
Matthew Stegman, Mayor’s Office of Government Relations
Elena DiPietro, Chief Solicitor, General Counsel Division
Victor Tervalá, Chief Solicitor
Ashlea Brown, Assistant Solicitor

AMENDMENTS TO COUNCIL BILL 19-0432
(1st Reader Copy)

Proposed by: Law Dep't

On page 1, in line 2, delete "OF EARLIEST DATE REQUIREMENT"

On page 1, in lines 3 and 4, delete "a prohibition on erecting campaign signs on residential property prior to a certain date; and conforming and clarifying related provisions" and subsite "Subtitle 46 of Article 19 of the Baltimore City Code"

On page 1, in line 5, delete "and re-ordaining, with amendments"

On page 1, in line 7, delete "Section(s) 46-1" and substitute "Subtitle 46"

On page 1, in line 15, insert a "[" before "§"

On page 1, in line 15 delete "[" before "When" and delete "]" after "displayed"

On page 1, in line 15 delete "SIGN REMOVAL"

On page 1, delete all brackets in lines 16, 17, 19 and 21.

On page 1, in line 21 delete "SIGNS FOR CANDIDATES SEEKING ELECTED PUBLIC OFFICE"

On page 1, in line 22, delete "FROM THE EXTERIOR OR THE YARD OF ANY DWELLING IN BALTIMORE CITY"

On page 2, after line 2, insert:

§ 46-2. Where and how displayed.

(a) In general.

All signs:

(1) shall be confined within private property; and

(2) may not be placed so as to obstruct the vision of operators of motor vehicles.

(b) Required relocation.

The Police Commissioner or the Commissioner's agent may require that a sign be relocated:

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

(2) for other public safety reasons.

§ 46-3. Maximum size.

(a) In general.

No sign erected under this subtitle may exceed an area of 16 square feet.

(b) Computing area.

A sign's area shall be computed as provided in Baltimore City Zoning Code Title 17, Subtitle 3 {"Sign Dimension Measurement Methodology"}.

§ 46-4. Permitted inferences.

For purposes of enforcing this subtitle, the presence of a violative 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 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. Penalties.

(a) In general.

Any person who violates any provision of this subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$100 for each offense.

(b) Each day a separate offense.

Each day that a violation continues is a separate offense.]

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

Present 6 - Member John T. Bullock, Member Isaac "Yitzy" Schleifer, Member Kristerfer Burnett, Member Zeke Cohen, Member Bill Henry, and Member Shannon Sneed

Absent 1 - Member Ryan Dorsey

ITEMS SCHEDULED FOR PUBLIC HEARING

19-0432

Campaign Signs in Residential Areas - Repeal of Earliest Date Requirement
For the purpose of repealing a prohibition on erecting campaign signs on residential property prior to a certain date; and conforming and clarifying related provisions.

Sponsors: Isaac "Yitzy" Schleifer, President Brandon M. Scott, Zeke Cohen, Ryan Dorsey, Bill Henry, Kristerfer Burnett, Edward Reisinger

A motion was made by Member "Yitzy" Schleifer, seconded by Member Cohen, that this Ordinance be Recommended Favorably with Amendment. The motion carried by the following vote:

Yes: 6 - Member Bullock, Member "Yitzy" Schleifer, Member Burnett, Member Cohen, Member Henry, and Member Sneed

Absent: 1 - Member Dorsey

ADJOURNMENT



HEARING NOTES

Bill: CC 19-0432

Ordinance – Campaign Signs in Residential Areas – Repeal of Earliest Date Requirements

Committee: Housing and Urban Affairs
Chaired By: Councilmember John Bullock

Hearing Date: November 12, 2019
Time (Beginning): 3:32 PM
Time (Ending): 3:39 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: 29
Committee Members in Attendance:
John Bullock Sharon Sneed
Isaac "Yitzy" Schleifer
Kristerfer Burnett
Zeke Cohen
Bill Henry

Bill Synopsis in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Attendance sheet in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Agency reports read?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Hearing televised or audio-digitally recorded?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Certification of advertising/posting notices in the file?	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Evidence of notification to property owners?	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Final vote taken at this hearing?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Motioned by:	Councilmember Schleifer		
Seconded by:	Councilmember Cohen		
Final Vote:	Fav. with Amendments		

Major Speakers

(This is not an attendance record.)

- Hilary Ruley - Law Department
- Jason Heisler - HCD
-



Baltimore City Council Committee Hearing Attendance Record

Subject: Ordinance – Campaign Signs in Residential Areas –Repeal of Earliest Date Requirement	Bill #: 19-0432
Committee: Housing and Urban Affairs	Chair: John Bullock
Date: Tuesday, November 12, 2019	Time: 3:30 PM
Location: Clarence "Du" Burns Council Chamber	

PLEASE PRINT CLEARLY

CHECK HERE TO TESTIFY



First Name	Last Name	Address / Organization / Email	Testify	What is your position on this bill?		Lobbyist Are you registered the City?	
				For	Against	Yes	No
John	Doe	400 N. Holliday St. Johndoenbmore@yahoo.com	✓	✓	✓	✓	✓

***NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD AS A LOBBYIST. REGISTRATION CAN BE DONE ONLINE AND IS A SIMPLE PROCESS. FOR INFORMATION VISIT: [HTTPS://ETHICS.BALTIMORECITY.GOV/](https://ethics.baltimorecity.gov/) OR CALL: 410-34730**

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Meeting Agenda - Final

Housing and Urban Affairs Committee

Tuesday, November 12, 2019

3:30 PM

Du Burns Council Chamber, 4th floor, City Hall

19-0432

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

19-0432

Campaign Signs in Residential Areas - Repeal of Earliest Date Requirement

For the purpose of repealing a prohibition on erecting campaign signs on residential property prior to a certain date; and conforming and clarifying related provisions.

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

BILL SYNOPSIS

Committee: Housing and Urban Affairs

Bill CC 19-0432

Ordinance – Campaign Signs in Residential Areas – Repeal of Earliest Date Requirement

Sponsor: Councilmember Schleifer, et al

Introduced: August 19, 2019

Purpose:

For the purpose of repealing a prohibition on erecting campaign signs on residential property prior to a certain date; and conforming and clarifying related provisions.

Effective: 30 days after enactment

Agency Reports

Department of Law
Police Department
Department of Housing and Community Development
Department of Public Works
Board of Elections

Favorable/Amend
No Objection

Analysis

Current Law

Section 46-1 of Article 19 of the Baltimore City Code regulates the time during which political campaign signs may be displayed on residences in Baltimore City.

Background

CC 19-0432 repeals the prohibition against placing campaign signs on residences prior the withdrawal date for the relevant election.

Additional Information

Fiscal Note: Not Available

Information Source(s): Bill File

Analysis by: Richard G. Krummerich *RK* Direct Inquiries to: 410-396-1266
Analysis Date: 11-7-19

Q

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**CITY OF BALTIMORE
COUNCIL BILL 19-0432
(First Reader)**

Introduced by: Councilmember Schleifer, President Scott, Councilmembers Cohen, Dorsey,
Henry, Burnett, Reisinger

Introduced and read first time: August 19, 2019

Assigned to: Housing and Urban Affairs Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Campaign Signs in Residential Areas – Repeal of Earliest Date Requirement**

3 FOR the purpose of repealing a prohibition on erecting campaign signs on residential property
4 prior to a certain date; and conforming and clarifying related provisions.

5 BY repealing and re-ordaining, with amendments

6 Article 19 - Police Ordinances

7 Section(s) 46-1

8 Baltimore City Code

9 (Edition 2000)

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

12 **Baltimore City Code**

13 **Article 19. Police Ordinances**

14 **Subtitle 46. Signs - Campaign Signs in Residential Areas**

15 **§ 46-1. [When signs may be displayed] SIGN REMOVAL.**

16 [(a) *Earliest date.*]

17 [Signs announcing candidates seeking elected public office may not be erected on the
18 exterior or in the yard of any dwelling in Baltimore City before the last day on which a
19 certificate of candidacy may be withdrawn.]

20 [(b) *Latest date.*]

21 [The signs] **SIGNS FOR CANDIDATES SEEKING ELECTED PUBLIC OFFICE** must be removed
22 **FROM THE EXTERIOR OR THE YARD OF ANY DWELLING IN BALTIMORE CITY** within 30 days
23 after any primary election day by an unsuccessful primary candidate and within 30 days

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

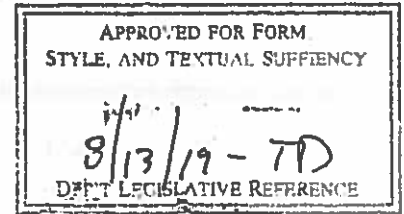
Council Bill 19-0432

1 after any general election day by all other candidates whenever the signs were erected at
2 the direction of or with the consent of the candidates.

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

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

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: Councilmember Schleifer

A BILL ENTITLED

AN ORDINANCE concerning

Campaign Signs in Residential Areas – Repeal of Earliest Date Requirement

FOR the purpose of repealing a prohibition on erecting campaign signs on residential property prior to a certain date; and conforming and clarifying related provisions.

BY repealing and re-ordaining, with amendments

Article 19 - Police Ordinances
Section(s) 46-1
Baltimore City Code
(Edition 2000)

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

Baltimore City Code

Article 19. Police Ordinances

Subtitle 46. Signs - Campaign Signs in Residential Areas

§ 46-1. [When signs may be displayed] SIGN REMOVAL.

[(a) *Earliest date.*]

[Signs announcing candidates seeking elected public office may not be erected on the exterior or in the yard of any dwelling in Baltimore City before the last day on which a certificate of candidacy may be withdrawn.]

[(b) *Latest date.*]

[The signs] SIGNS FOR CANDIDATES SEEKING ELECTED PUBLIC OFFICE must be removed FROM THE EXTERIOR OR THE YARD OF ANY DWELLING IN BALTIMORE CITY within 30 days after any primary election day by an unsuccessful primary candidate and within 30 days after any general election day by all other candidates whenever the signs were erected at

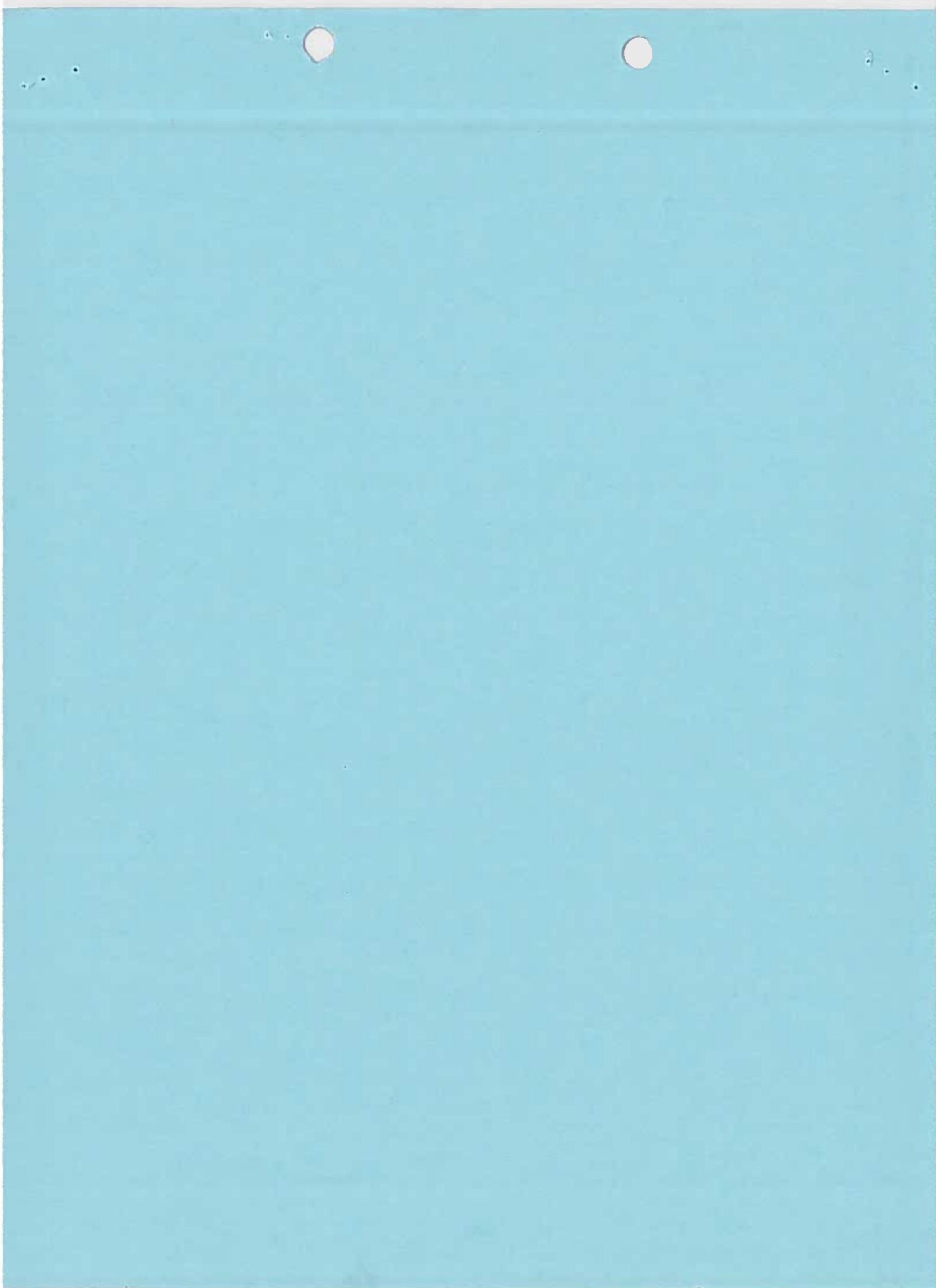
EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

the direction of or with the consent of the candidates.

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

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



ACTION BY THE CITY COUNCIL

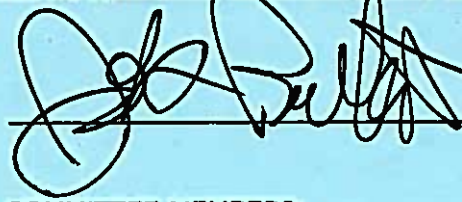
AUG 19 2019

FIRST READING (INTRODUCTION) _____

PUBLIC HEARING HELD ON NOVEMBER 12 20 19

COMMITTEE REPORT AS OF NOVEMBER 18, 20 19

_____ FAVORABLE _____ UNFAVORABLE X FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION


Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

NOV 18 2019

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING _____ **DEC 02 2019**

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) _____ 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____ 20 _____

WITHDRAWAL _____ 20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

President

Chief Clerk