



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or in the yard of any dwelling in Baltimore City before the last day on which a certificate of candidacy may be withdrawn.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 Blendy, *Mayor's Office of Government Relations*