



Legislation Details (With Text)

File #: 11-0764 **Version:** 0 **Name:** Advertising Circulars - Presumption of Placement Without Permission

Type: Ordinance **Status:** Enacted

File created: 8/15/2011 **In control:** City Council

On agenda: **Final action:** 11/17/2011

Enactment date: **Enactment #:** 11-523

Title: Advertising Circulars - Presumption of Placement Without Permission

FOR the purpose of establishing that advertising circulars found on unattended property can be presumed to have been placed without permission; increasing the penalties for repeated violations of the prohibition on the placement of advertising circulars without permission; and generally relating to advertising circulars.

Sponsors: Mary Pat Clarke, Bill Henry, Robert Curran, Carl Stokes, William H. Cole, IV, James B. Kraft, Sharon Green Middleton, Belinda Conaway, Warren Branch, Helen L. Holton

Indexes: Advertising, Circulars

Code sections:

Attachments: 1. 11-0764 - 1st Reader.pdf, 2. Law - 11-0764.pdf, 3. Police - 11-0764.pdf, 4. Environmental Control - 11-0764.pdf, 5. Finance - 11-0764.pdf, 6. 11-0764 - 3rd Reader.pdf

Date	Ver.	Action By	Action	Result
11/17/2011	0	Mayor	Signed by Mayor	
11/14/2011	0	City Council	Approved and Sent to the Mayor	
10/24/2011	0	Judiciary and Legislative Investigations	Recommended Favorably with Amendment	
10/24/2011	0	City Council	Advanced to 3rd Rdr., Adopted Comm. Report	
9/26/2011	0	Judiciary and Legislative Investigations	Scheduled for a Public Hearing	
8/18/2011	0	The City Council	Referred for a Report	
8/18/2011	0	The City Council	Referred for a Report	
8/18/2011	0	The City Council	Referred for a Report	
8/18/2011	0	The City Council	Referred for a Report	
8/15/2011	0	City Council	Assigned	
8/15/2011	0	City Council	Introduced	

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

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THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.
INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmember Clarke

A BILL ENTITLED

AN ORDINANCE concerning
Advertising Circulars - Presumption of Placement Without Permission

FOR the purpose of establishing that advertising circulars found on unattended property can be presumed to have been placed without permission; increasing the penalties for repeated violations of the prohibition on the placement of advertising circulars without permission; and generally relating to advertising circulars.

BY repealing and reordaining, with amendments

Article 19 - Police Ordinances
Section(s) 1-2
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 40-14(e)(3)(§1-2) and 41-14(2)(§1-2)
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 1. Advertising Circulars

§ 12. Placement prohibited without permission.

(A) IN GENERAL.

A person may not affix, place, or cause to be affixed or placed any advertising circular:

- (1) in or on any vehicle in the City, except with the express permission of the owner or operator of the vehicle;
or
- (2) in or on any residential property in the City (whether in or on a fence, railing, door, porch, lawn, sidewalk, or otherwise), except:
 - (i) with the express permission of the owner or occupant of that property; or

- (ii) by placing the advertising circular into a door slot or a nonlockable bin consistent with federal law.
- (B) LACK OF PERMISSION PRESUMED.

AN ADVERTISING CIRCULAR FOUND ON AN UNATTENDED PROPERTY OR VEHICLE IS PRESUMED TO HAVE BEEN PLACED THERE WITHOUT PERMISSION UNLESS THE PERSON RESPONSIBLE FOR ITS PLACEMENT CAN AFFIRMATIVELY ESTABLISH OTHERWISE.

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 40I4. Violations to which subtitle applies.

(e) Provisions and penalties enumerated.

(3) Article 19. Police Ordinances

§ 1-2. Placement {of advertising circulars} without permission	[\$ 50]
1ST OFFENSE	
\$50	
2ND OFFENSE	
\$100	
3RD OR SUBSEQUENT OFFENSE	\$500

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Subtitle 41. Civil Citations

§ 41I4. Offenses to which subtitle applies - Listing.

(2) Article 19. Police Ordinances

§ 1-2. Placement {of advertising circulars} without permission	[\$ 50]
1ST OFFENSE	
\$50	
2ND OFFENSE	
\$100	
3RD OR SUBSEQUENT OFFENSE	\$500

.....

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.

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art 19/AdCircShift/tw

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art 19/AdCircShift/tw