

## TITLE 1. - POSTING SIGNS ON PUBLIC PROPERTY

### § 23-1-101. - DEFINITIONS.

- (a) *In general.* In this title the following words have the meanings indicated.
- (b) *Person.*
- (1) "Person" includes a political candidate or registered political committee.
  - (2) "Person" does not include the county.
- (c) *Public utility.* "Public utility" includes a person awarded a franchise to operate a cable television system.
- (d) *Sign.* "Sign" means a bill, poster, placard, handbill, flyer, painting, sign, notice, advertisement, or other similar objects or matter that contains printed or written words, symbols, or pictures.

(1988 Code, § 3-1) (Bill No. 114-99, § 4, 7-1-2004; Bill No. 74-03, § 2, 7-1-2004)

### § 23-1-102. - POSTING PROHIBITED.

A person may not post, place or affix a sign:

- (1) Except for bus shelters, class B, as defined by the Baltimore County zoning regulations, on a building or other property owned, leased, or controlled by the county;
- (2) On or within the confines of a public park, recreation area, or other landscaped grounds owned or operated by the county;
- (3) On a flagpole, street lamppost, or tree owned by the county;
- (4) On a traffic-control sign or device, including stoplights and their standards, stop signs, yield signs, one-way street signs, or any other sign or device that directs traffic or controls traffic signals or on the supporting post of the sign or device;
- (5) That blocks the view of a traffic-control sign or device by motorists or pedestrians in a manner that creates a hazard;
- (6) That poses a hazard to motorists, pedestrians or cyclists, or protrudes into a street or sidewalk in a manner that interferes with the safe passage of the public; or
- (7) On a pole, building, or property owned, leased, or controlled by a public utility if the pole, building, or property is located within or on a public street, alleyway, or any other public property.

(1988 Code, § 3-1) (Bill No. 114-99, § 4, 7-1-2004; Bill No. 32-04, § 3, 7-4-2004)

### § 23-1-103. - REMOVAL OF ILLEGAL SIGNS.

- (a) *In general.*
- (1) The county may remove a sign posted in violation of § 23-1-102(1) through (6) of this title.

- (2) A public utility may remove a sign posted in violation of § 23-1-102(7) of this title.
- (b) *Liability for costs of removal.* A person who posts a sign and a person who authorizes the posting of a sign in violation of § 23-1-102 of this title is liable to the county or to the public utility for the cost of removing the sign and for any expense for repairing damage done by the removal of the sign.
- (c) *Persons responsible.*
- (1) (i) A candidate for public office and the chairman and treasurer of a registered political committee are:
1. Presumed to have authorized the posting of signs that the candidate or the committee was responsible for printing; and
  2. Liable for the costs of removing the sign imposed under subsection (b) of this section.
- (ii) 1. At the time of filing for candidacy with the Board of Supervisors of Elections, a candidate for public office shall sign a written statement acknowledging the candidate's responsibilities under this section.
2. Failure to sign the statement does not affect the liability of the candidate for the penalties and costs provided for in this section.
- (2) A person whose name, event, business, location, or merchandise is written on a sign is:
- (i) Presumed to have posted or authorized the posting of the sign; and
  - (ii) Liable for the costs of removing the sign imposed under subsection (b) of this section.
- (3) If liability for a sign is contested, the contesting party has the burden of overcoming the presumptions established under this subsection.
- (d) *Regulations regarding removal of signs from county property.*
- (1) The County Administrative Officer shall authorize departments and offices of the county to remove signs illegally posted on county property.
- (2) A department or office authorized to remove illegally posted signs shall adopt regulations, approved by the County Administrative Officer, that include provisions requiring the office or department to report:
- (i) The name of the person represented on the sign removed;
  - (ii) The number of signs removed;
  - (iii) The location of the sign;
  - (iv) From what type of structure the sign was removed; and
  - (v) The cost of removal and repair.
- (e) *Penalties.*
- (1) *Criminal violation.* A person who posts a sign in violation of this title is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500 for each sign posted.

- (2) *Civil penalty.* A person who posts a sign in violation of this title is subject to a civil penalty of \$500 for each sign posted, enforceable in accordance with Article 3, Title 6 of the Code.
  - (3) *Political campaign signs.* For political campaign signs, as defined in the Baltimore County zoning regulations, upon a finding of a violation a civil penalty may be assessed against either the person who posts a sign or the campaign treasurer identified on the authority line of the sign.
- (f) *Removal of signs by residents.*
- (1) Notwithstanding subsections (a)(1) and (d) of this section, it shall not be considered a violation of this title for a person who is not an employee of the county to remove a sign posted in violation of § 23-1-102(1) through 23-1-102(6) of this title.
  - (2) A person who removes a sign under this subsection or purports to remove a sign under this subsection:
    - (i) May not be considered an agent or employee of the county;
    - (ii) May not charge a person responsible for posting a sign as defined in subsection (c) of this section a fee for removing the sign;
    - (iii) To the extent authorized by law, is liable for any damage done to county property or any other persons or property, not including damage to the sign itself, while removing the sign; and
    - (iv) May not be considered to be authorized by this section to trespass onto private property.

(1988 Code, § 3-1) (Bill No. 114-99, § 4, 7-1-2004; Bill No. 38-06, § 1, 6-17-06; Bill No. 41-06, § 1, 6-17-2006; Bill No. 139-06, § 2, 2-3-2007)

Downloaded May 23, 2017