

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 11/19/2001

Reference No.: CB-73-2001

Proposer: County Executive

Draft No.: 2

Sponsors: Russell, Estepp, Bailey, Shapiro, Wilson, Scott

Item Title: An Ordinance authorizing the Department of Public Works and Transportation to enforce the County's prohibitions against certain illegal signs

Drafter: Karen T. Zavakos
Office of Law

Resource Betty Hager Francis
Personnel: DPW&T

LEGISLATIVE HISTORY:

Date Presented: 9/25/2001

Executive Action: __/__/____

Committee Referral: 9/25/2001 THE

Effective Date: 1/4/2002

Committee Action: 10/17/2001 FAV(A)

Date Introduced: 10/23/2001

Public Hearing: 11/19/2001 10:30 A.M.

Council Action: 11/19/2001 ENACTED

Council Votes: RVR:A, DB:A, JE:A, IG:A, TH:A, AS:A, PS:A, MW:A

Pass/Fail: P

Remarks: _____

TRANSPORTATION, HOUSING AND ENVIRONMENT COMMITTEE DATE: 10/17/01

Committee Vote: Favorable as Amended, 5-0, (In favor: Council Members Estepp, Shapiro, Bailey, Gourdine and Hendershot)

Staff gave an overview of the legislation and informed the Committee of referral comments that were received. CB-73-2001 will amend Section 27-609 of the County Code, by extending the authority to the Director of the Department of Public Works and Transportation (DPW&T) to enforce the County's prohibitions against illegal signs located within the County right-of-way.

The County Executive supports CB-73-2001. The Legislative Officer finds it to be in proper legislative form suggesting that regulation of illegal signs in the County right-of-way should be addressed in Subtitle 23 as a highway maintenance issue rather than in Subtitle 27 as a land use issue. The Legislative Officer further states that the County has a right and obligation to

maintain roads and rights-of-way for their intended purposes. The Legislative Officer recommended amendments to CB-73-2001.

The Office of Law finds it to be in proper legislative form. The Director of the Department of Environmental Resources (DER) supports CB-73-2001 and indicates that they will work with the (DPW&T) to coordinate enforcement activities. The Director of the DPW&T supports the legislation and states that this Bill, when enacted, will give the County another instrument to aid in its clean-up and revitalization efforts.

The Committee amended CB-73-2001 on page 2, after line 30, to add the following new subsection: (e) It shall be unlawful for any person to attach any sign or poster to any public utility pole or to the exterior of any other public structure. Unless rebutted by competent evidence, any such sign or poster shall be presumed to be owned by and attached by the person whose business name, business address, business telephone, or trademark is contained on the face of the sign or poster.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

This bill extends authority to the Department of Public Works and Transportation for the enforcement of the County Sign Ordinance relating to signs in the County right-of-way.

CODE INDEX TOPICS: