

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

Meeting Date:	11/19/2001	Reference No.:	CB-74-2001
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Proposer:	County Executive	Draft No.:	2
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Sponsors: Russell, Wilson, Esteppe, Shapiro, Bailey

Item Title: An Act authorizing the Department of Public Works and Transportation to enforce the County's prohibitions against certain illegal signs, and clarifying the materials and property constituting illegal litter in the County right of way

Drafter: Karen T. Zavakos
Office of Law

Resource Betty Hager Francis
Personnel: DPW&T

LEGISLATIVE HISTORY:

Date Presented: 9/25/2001 **Executive Action:** 12/6/2001 S

Committee Referral: 9/25/2001 THE **Effective Date:** 1/22/2002

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 Esteppe, Shapiro, Bailey, Gourdine and Hendershot)

Staff gave an overview of the legislation and informed the Committee of referral comments that were received. CB-74-2001 extends authority to the Department of Public Works and Transportation (DPW&T) for the enforcement of the County Sign Ordinance relating to signs in the County right-of-way, and clarifies the materials and property constituting illegal litter in the County right-of-way.

Lesa Hoover, Apartments and Office Building Association (AOBA) testified in opposition to Sec. 23-150 of CB-74-2001. Ms. Hoover indicates that this section is in conflict with CB-9-2001, legislation previously approved by the Council. CB-9-2001 prohibits the placement of an evicted tenant's property in the public right-of-way and exempts single family dwellings. She further states that by deleting the existing language in this section, single family dwellings would be in violation of the law.

The County Executive supports CB-74-2001. The Legislative Officer and the Office of Law find it to be in proper legislative form. The Department of Environmental Resources (DER) supports CB-74-2001 and states that they will work with the DPW&T to coordinate enforcement activities. The DPW&T supports CB-74-2001 and states that when enacted, will empower the DPW&T to enforce the prohibition against illegal and unsafe signs in the County right-of-way and at the same time allow for the restoration of safe and well-maintained public space throughout the County.

The Committee amended the language on page 2, line 3 (g), to read "This Section shall not apply to materials left within the public right-of-way as a result of a lawfully executed eviction action from a single family rental facility as defined in Section 13-138 of the Code, or for bulky trash left in the right-of-way as a result of illegal dumping by others." (e), to read "The placement of personal property in the right-of-way as the result of an eviction from a single family rental facility as defined in Section 13-138 of the Code, shall not be subject to the prohibitions of this Section".

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, and clarifies the materials and property constituting illegal litter in the County right-of-way.

CODE INDEX TOPICS: