



CITY OF HOUSTON

Department of Neighborhoods

Sylvester Turner

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Senate Committee on Transportation
Senator Robert Nichols, Chair
Sam Houston Building, Rm. 450
201 East 14th Street
Austin, Texas 78711

RE: Support for Senate Bill 190 authored by Senator Borris Miles

Dear Committee Members,

My name is TaKasha Francis, Director of the City of Houston Department of Neighborhoods. In my role as Director, I oversee five divisions that are dedicated to improving the quality of life in Houston neighborhoods through the delivery of services, innovative programs, and strong community partnerships. One of those divisions is the Inspections and Public services division which conducts inspections and code enforcement to reduce blight and make neighborhoods cleaner and safer. This division is responsible for enforcing single family dwelling city code violations under Chapter 10, including nuisances and dangerous buildings. We also enforce illegal signs placed in city right of ways, otherwise known as bandit signs (City of Houston Municipal Code, Sec. 28-39. - *Posting advertising matter on utility poles, trees, traffic signs, etc.*)

Bandit signs are not only dreadful eyesores and litter, and many times end up in our drains and waterways. They are also dangerous traffic obstructions. The illegal placement of these signs also creates traffic hazards that can distract or confuse motorists, or impair the driver's ability to see pedestrians, obstacles or read traffic signs. Bandit signs are also sometimes linked to fraudulent and predatory activity. Some of these signs are the handiwork of scammers who are not legitimate in the businesses they purport to represent. Additionally, there is enormous economic impact to cities in frequently impounding these signs daily, and in many cases, by repeat violators that illegally replace their signs as quickly as we pick them up. It costs the City of Houston \$282,000.00 annually to collect these signs. This translates into over 10,400 manhours for code enforcement officers. Annually, we collect nearly 30,000 illegal signs and receive around 2,000 service calls regarding them.

Vice Mayor Pro Tem Martha Castex Tatum previously testified to the predatory nature of many of these signs that are deliberately placed in minority or economically distressed areas. For example, the sign "We Buy Diabetic Strips" is a gateway into what has become an underground business of people suffering from diabetes selling their medical supplies for cash instead of using as intended for their health.

For these reasons, I enthusiastically support Senator Miles proposed two amendments to Texas Transportation Code Section 393.007 under Senate Bill 190. The first amendment will maintain the first offense fine at \$1,000 but add penalties of \$2,500 for a second violation and \$5,000 for third and subsequent violations.

At first glance this appears unnecessarily harsh because of the amount. However, the maximum civil violation is seen as a “cost of doing business” by these illegal bandit sign operators according to scores of websites and YouTube videos on the internet that teach people how to use bandit signs to advertise their business. These repeat violators use bandit signs as a guerrilla marketing tactic and are not deterred by our consistent warnings and inexpensive citations. Furthermore, this amount, especially if levied daily, is cost prohibitive and makes it an unlikely and costly marketing tactic. Our goal is not a money grab, but a deterrent. We simply want violators to stop. This is the goal.

The second amendment expands the standards for the violation, by adding that a person that benefits from the illegal placement of a sign may be liable for a civil penalty. This is critical because cities are subsidizing the free advertisement these businesses get from these illegal signs. It is well settled that bandit signs are the cheapest way to conduct mass advertising because public right of ways provides the most visibility and drives traffic to their businesses. Any sales generated to this business because of this advertising is a benefit at the cost of taxpayers. We cannot afford to subsidize these costs repeatedly because businesses refuse to comply. This also eliminates a common enforcement issue where businesses claim to have no knowledge of how illegal bandit signs are produced or distributed. This added language ensures legal responsibility to the businesses directly benefiting from these signs creates another incentive for compliance.

In closing, I urge you to submit and support this legislation that adds a more powerful tool to local municipalities’ enforcement toolboxes. This type of accountability ensures all Texans will live in humane, healthy, and safe homes and neighborhoods. I may be reached by phone at 832-393-1098 or email at TaKasha.Francis@houston.tx.gov if further information is needed.

Sincerely,

/s/TaKasha L. Francis

TaKasha L. Francis
Director, Department of Neighborhoods
City of Houston