



PORTABLE BASKETBALL BACKSTOPS

The placement of Portable Basketball Backstops on any County owned or maintained highways, roads, bridges, streets or within the road right-of-way is not permitted. While the County fully understands and appreciates the desires to provide an opportunity for children to play outside, when play takes place in the street, we must balance that interest with our obligation to maintain a safe road system. Please note that the road right-of-way is owned by the County and the road system falls under the authority of the Department of Public Works (§225.5 of the County Code, Powers and duties of county.) As a result, the County can and must make decisions

regarding how the road right-of-way can and cannot be used, and must apply those standards uniformly. Those decisions, too, must be governed by the fact that the road system has been established primarily to accommodate motor vehicles travelling at posted speed limits. The backstops pose a danger not only to the children who use them as it encourages them to play in a street that is intended for vehicular movement, but also to the motorist, who may suddenly veer out of the way into another vehicle or child if they are surprised by a child running out in front of them. Having identified the backstops as “nuisances” and devices that have the potential to be dangerous to the health and safety of the citizens (Harford County Code §179.3-4), it is the County’s legal obligation that when we are notified of the presence of a backstop in the street or within the right of way, that we must take steps to have it removed or relocated.

HARFORD COUNTY CODE

§ 179-3 - Notice of abatement; failure to comply.

A. In all cases where any public nuisance, as defined, enumerated or set forth by law, may be found or caused near to or upon any public way or place or public property, it shall be the duty of the county to serve written notice upon the owner or occupant of any premises or other person causing such nuisance requiring such owner or occupant or other person to abate such nuisance within a reasonable time. If the owner or occupant of such premises or other person causing such nuisance cannot be found, the notice shall be posted upon such premises.

B. It shall not be necessary for the county to designate in the notice the manner in which any such nuisance will be abated, unless the county shall deem it advisable to do so.

C. If the owner or occupant of such premises or other person causing such nuisance shall refuse or neglect to abate such nuisance within the designated time after such notice is given, such person so violating this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, be subject to the provisions of § 1-23 of this Code.

D. In addition, the county may cause such nuisance to be abated either summarily or in any manner authorized by law, including the institution in the name of the county, against the owner or occupant of such premises or other person, of an action therefor and for recovery of the amount of expense of such abatement.

§ 179-4 - Nuisances or detriments to health and safety.

No building, vehicle, structure, receptacle, yard, lot, premises or part thereof shall be made, used, maintained or operated in the county in any manner causing or producing any nuisance or that is detrimental or dangerous to health and safety.