
CITY OF BALTIMORE

CATHERINE E. PUGH,
Mayor



DEPARTMENT OF LAW
ANDRE M. DAVIS, CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

May 7, 2018

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 18-0204 – Dangerous Knives – Commercial Display to
Minors

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 18-204 for form and legal sufficiency. The bill limits the ability of commercial establishments to display a “dangerous knife” to minors.

The Law Department notes that the term “minor” is undefined by this bill or in any part of the law applicable to the bill (specifically, Article 19, Part 3 and § 59-23). Without a definition, the application of the law is unclear. Is the term “minor” intended to apply to individuals under the age of 21 or under the age of 18? Attached is a proposed amendment.

Similarly, the phrase “commercial establishment” is undefined. Without a definition, the prohibition concerning displays of a “dangerous knife” would affect all varieties of business enterprises, not just those engaged in the actual sale of a “dangerous knife.” If the sponsor’s intent is to reach all businesses, no definition is needed. On the other hand, if the reach is intended to be less broad, the Law Department has attached an amendment for consideration.

The ability of the Mayor and City Council to adopt legislation regulating the display of a “dangerous knife” is authorized by City Charter, Article II, §§ 27 (Police Power) & 47 (General Welfare). The Law Department is prepared to approve the bill for form and legal sufficiency provided the term “minor” is defined.

Sincerely,

A handwritten signature in black ink that reads 'Victor K. Tervala'. The signature is written in a cursive style with a long horizontal stroke at the end.

Victor K. Tervala
Chief Solicitor

cc: Andre M. Davis, City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Ashlea Brown, Assistant Solicitor

**AMENDMENTS TO COUNCIL BILL 18-0204
(1" Reader Copy)**

By: _____
{To be offered to the Public Safety Committee}

Amendment No. 1

On page 2, in line 22, after "ESTABLISHMENT" insert "THAT OFFERS KNIVES FOR SALE".

Amendment No. 2

On page 2, in lines 24 and 26, in each instance strike "MINORS" and substitute "INDIVIDUALS UNDER THE AGE OF 18".