



# **BALTIMORE CITY COUNCIL LAND USE & TRANSPORTATION COMMITTEE**

## **Mission Statement**

*On behalf of the Citizens of Baltimore City, The Land Use & Transportation Committee is committed to shaping a reliable, equitable, and sustainable future for Baltimore's land use and transportation systems. Through operational oversight and legislative action, the committee aims to develop and support lasting solutions grounded in principles of good governance.*

**The Honorable Ryan Dorsey**

**CHAIR**

**PUBLIC HEARING**

**2/26/2026**

**9:00 AM**

**CLARENCE "DU" BURNS COUNCIL CHAMBERS**

**25-0016**

**Zoning Code – Minor Variances - Modifications**

# City Council Committees

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Antonio Glover

*Staff: Paroma Nandi  
(Paroma.Nandi@baltimorecity.gov)*

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*Staff: Ethan Navarre (Ethan.Navarre@baltimorecity.gov)*

**LAND USE & TRANSPORTATION COMMITTEE****The Honorable Ryan Dorsey  
CHAIR****Bill Hearing***25-0016**Zoning Code – Minor Variance - Modifications*

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**Purpose**

FOR the purpose of amending provisions of the Baltimore City Zoning Code relating to minor variances.

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***REPORTING AGENCIES***

• <b>Law Department</b>	• <b>Approve for form and sufficiency</b>
• <b>Board of Municipal &amp; Zoning Appeals</b>	• <b>No Objection</b>
• <b>Planning Department</b>	• <b>Amend and approve</b>
• <b>Department of Finance</b>	•
• <b>Department of Transportation</b>	• <b>Without Recommendation</b>

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***BACKGROUND***

This bill, if enacted, would change what is considered a minor variance, changing the cap on what is considered a minor variance from 10% to 15% of applicable requirements. For instance, if your setback was 10 feet from the property line under the current zoning code a variance of 1 foot or less would be considered a minor variance – this change would add an extra 5% (or 6 inches in this case) to that standard.

The bill also changes the rules for requesting variances related to bulk or yard regulations for a parcel with a nonconforming structure that has existed for at least 50 years. A variance for increasing bulk or density would be considered a minor variance if the increase is less than 15%. This is a change from the previous limit of 10%.

In addition to these changes, the bill expands the category of minor variances to include applications for single-family dwellings in residential districts. This provision is being added to the end of an existing "and" list, meaning that while single-family dwellings may now qualify for minor variances, the other requirements of Section 5-302(b)(1) must still be met for the dwelling to be considered under this category.

The Planning department, in its report, notes that the goal of the bill is to streamline the variance process and allow residents to handle a broader range of variances with the Zoning Administrator rather than having to go to the BMZA. Staff believe this will reduce the burden on residents looking to make changes to their property.

Planning also noted concerns by residents who feel that this change would weaken zoning protections and limit their input into changes in their community. However, under Section 5-304(b), if a written objection to a minor variance is received during the required posting period, the appeal will need to be resubmitted to the BMZA and will be subject to the public hearing requirements applicable to major variances.

BMZA concurred with the findings of the Planning Department that this bill could, in theory, speed up the process of minor variances; however, it notes that the Zoning Administrator does not approve any variances but sends them to BMZA. That process would need to change for this bill to have a practical effect.

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***FISCAL NOTE***

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Analysis by: Tony Leva  
Analysis Date: 2/25/2026

Direct Inquiries to: [Anthony.Leva@baltimorecity.gov](mailto:Anthony.Leva@baltimorecity.gov)

**CITY OF BALTIMORE  
COUNCIL BILL 25-0016  
(First Reader)**

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Introduced by: Councilmember Schleifer

Cosponsored by: Councilmember Jones and President Cohen

Introduced and read first time: January 27, 2025

Assigned to: Land Use and Transportation Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Finance, Department of Transportation

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning Code – Minor Variances – Modifications**

3 FOR the purpose of amending provisions of the Baltimore City Zoning Code relating to minor  
4 variances.

5 BY repealing and re-ordaining, with amendments

6 Article 32 - Zoning

7 Sections 5-302(b)

8 Baltimore City Code

9 (Edition 2000)

10 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
11 Laws of Baltimore City read as follows:

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

**Council Bill 25-0016**

**Baltimore City Code**

**Article 32. Zoning**

**Title 5. Applications and Authorizations**

**Subtitle 3. Variances**

**§ 5-302. Minor and major variances distinguished.**

(a) *In general.*

This Code allows for 2 types of variances that may be granted under this subtitle, minor variances and major variances.

(b) *Minor variances.*

(1) Minor variances comprise the following specified variances:

(i) a reduction in lot width by no more than [10%] 15% of the applicable minimum lot width requirements;

(ii) a reduction in required yards and setbacks by no more than [10%] 15% or [2] 5 feet, whichever is less;

(iii) a reduction in the number of off-street parking spaces by no more than 10% of the applicable minimum requirements;

(iv) a reduction in the required alley width for access to off-street parking;  
and

(v) a variance to bulk or yard regulations if:

(A) the parcel of land is improved with a nonconforming structure that has been in existence for at least 50 years;

(B) the variance would not permit more than a [10%] 15% cumulative increase in the bulk and density of a structure that has been in existence for 50 or more years; and

(C) in the opinion of the Zoning Administrator, the application complies with all applicable approval criteria for [variances.]  
VARIANCES; AND

(VI) A VARIANCE TO BULK OR YARD REGULATIONS IF THE VARIANCE APPLICATION INVOLVES A SINGLE-FAMILY DWELLING WITHIN A RESIDENTIAL DISTRICT.

(2) The Zoning Administrator OR THE BOARD OF MUNICIPAL AND ZONING APPEALS may grant minor variances from the regulations of this Code.

**Council Bill 25-0016**

1       **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is  
2 enacted.

# BALTIMORE CITY COUNCIL





## LAND USE & TRANSPORTATION COMMITTEE

*25-0016*

**Zoning Code – Minor Variances – Modifications**

# Agency Reports

FROM	NAME & TITLE	CHRIS RYER, DIRECTOR		CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET			
	SUBJECT	CITY COUNCIL BILL #25-0016 / ZONING CODE – MINOR VARIANCES – MODIFICATIONS			

TO

The Honorable President and  
Members of the City Council  
City Hall, Room 400  
100 North Holliday Street

DATE: February 28, 2025

At its regular meeting of February 27, 2025, the Planning Commission considered City Council Bill #25-0016, for the purpose of amending provisions of the Baltimore City Zoning Code relating to minor variances.

As a part of their deliberation on this bill, the Planning Commission makes the recommendation that the City Council consider the provisions of notice for minor variances. While notice is provided to immediate neighbors by way of posting, there might be some additional notice to any community organizations in the area. The Planning Commission was not able to determine a best practices recommendation at the moment, but wanted to raise the concern for thought.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #25-0016 and adopted the following resolution, with six members being present (six in favor):

**RESOLVED**, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #25-0016 be **amended and approved** by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

cc: Ms. Nina Themelis, Mayor's Office  
The Honorable John Bullock, Council Rep. to Planning Commission  
Ms. Rebecca Witt, BMZA  
Mr. Geoffrey Veale, Zoning Administration  
Ms. Stephanie Murdock, DHCD  
Ms. Hilary Ruley, Law Dept.  
Mr. Francis Burnszynski, PABC  
Mr. Luciano Diaz, DOT  
Ms. Nancy Mead, Council Services



Brandon M. Scott  
Mayor

## PLANNING COMMISSION

*Jon Laria, Chair; Eric Stephenson, Vice Chair*

### STAFF REPORT



Chris Ryer  
Director

**February 27, 2025**

**REQUEST:** City Council Bill #25-0016/ Zoning Code – Minor Variances – Modifications:  
For the purpose of amending provisions of the Baltimore City Zoning Code relating to minor variances.

**RECOMMENDATION:** Amendment and Approval, with the following amendment:

- On Page 2, in Line 18, strike AND

**STAFF:** Justin Walker

**INTRODUCED BY:** Councilmember Schleifer

**SITE/GENERAL AREA:** Citywide

### HISTORY

Similar legislation was included in a bill that was introduced in the previous council session (CCB #23-0435) with some variations. The previous version of the bill categorized variances of 25% or less of applicable requirements as a minor variance as opposed to the 15% proposed in the current bill. The previous version of the bill failed at the end of the last Council session, which required re-introduction.

### ANALYSIS

Background: This bill originated from concerns that city homeowners face difficult and expensive appeals processes when seeking minor deviations from the zoning code. The bill aims to lessen the burden on applicants by increasing the cap on what is considered a minor variance from 10% to 15% of the applicable requirements. Similar legislation was introduced in the previous Council session under City Council Bill #23-0435, which proposed a 25% threshold for minor variances.

Effects of the Bill: The bill will repeal and re-ordain Section 5-302(b). This bill seeks to amend the Baltimore City Zoning Code to broaden the scope of minor variances. Specifically, the bill raises the maximum threshold for minor variances related to lot width, required yards, and setbacks from 10% to 15%. For required yards, the bill changes the maximum allowable minor variance from 2 feet or 10% (whichever is less) to 5 feet or 15% (whichever is less). These changes allow more flexibility to zoning requirements without necessitating a Board of Municipal and Zoning Appeals (BMZA) hearing.

The bill also changes the rules for requesting variances related to bulk or yard regulations for a parcel with a nonconforming structure that has existed for at least 50 years. A variance for increasing bulk or density would be considered a minor variance if the increase is less than 15%. This is a change from the previous limit of 10%.

In addition to these changes, the bill expands the category of minor variances to include applications for single-family dwellings in residential districts. This provision is being added to the end of an existing "and" list, meaning that while single-family dwellings may now qualify for minor variances, the other requirements of Section 5-302(b)(1) must still be met for the dwelling to be considered under this category. Relatedly, the existing "and" on Page 2, in Line 18 needs to be struck, since it's moved to the end of Line 27.

The primary goal of these modifications is to streamline the zoning process. By enabling a broader range of variance requests to be handled administratively by the Zoning Administrator instead of the BMZA, the bill reduces the need for full hearings, ultimately saving time and reducing costs for homeowners, small developers, and the City. This shift allows for more efficient processing of variance requests, enabling property owners to proceed with their projects more quickly while minimizing delays that can arise from lengthy hearings and approvals.

Staff notes that expanding minor variances does not eliminate the public's ability to comment on such variances. According to Section 5-304(b), if a written objection to a minor variance is received during the required posting period, the appeal will need to be resubmitted to the BMZA and will be subject to the public hearing requirements applicable to major variances. We encourage all applicants to reach out to surrounding neighbors and formal community organizations in advance as we believe that a minor variance that is opposed and later referred to the BMZA for hearing would consume more time than a major variance in the first place.

Equity: Covering a wider range of variances administratively will reduce the bureaucratic burden on property owners within the city. Increasing the flexibility of the code allows for easier development without requiring a full public hearing. Streamlining the variance process may particularly benefit homeowners and small-scale developers who lack the resources to navigate lengthy zoning hearings, making it easier for them to make necessary improvements or changes to their properties.

There is concern that expanding minor variances could weaken the zoning protections that homeowners have come to expect. By allowing more variances to be approved administratively, residents may have more difficulty providing input on changes that could affect neighborhood character, stability, and property values. Ensuring transparency and maintaining public trust in the zoning process will be important considerations as these changes are implemented.

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**Chris Ryer**  
**Director**



CITY OF BALTIMORE  
MAYOR BRANDON M. SCOTT

<b>TO</b>	The Honorable President and Members of the Baltimore City Council
<b>FROM</b>	Rebecca Witt, Executive Director, BMZA
<b>CC</b>	Mayor's Office of Government Relations
<b>DATE</b>	March 5, 2025
<b>SUBJECT</b>	City Council Bill 25-0016 – Zoning Code – Modifications

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**Position: No objection.**

**BILL SYNOPSIS**

The bill would increase flexibility in lot width and setback reductions, parking requirements, and alley width regulations, expand minor variance eligibility for older nonconforming structures, create a new minor variance category for single-family dwellings, and allow approvals by either the Zoning Administrator or the Board of Municipal and Zoning Appeals.

**SUMMARY OF POSITION**

At its General Meeting on February 18, 2025, the Board voted 5-0 to submit a report to the City Council expressing no objection to CCB 25-0016 – Zoning Code – Modifications.

In its consideration of this Bill, the Board reviewed the attached staff report.

**FISCAL IMPACT**

None.

**AMENDMENTS**

None.

## BMZA Staff Report

### City Council Bill #25-0016 Zoning Code – Minor Variances – Modifications:

FOR the purpose of amending provisions of the Baltimore City Zoning Code relating to minor variances.

**BMZA STAFF RECOMMENDATION:** No objection.

**SPONSORS:** Council Member Schleifer

### ANALYSIS:

This bill amends the Baltimore City Zoning Code by modifying the criteria for minor variances.

### Key changes include:

- Increasing the allowable reduction in minimum lot width and required yards/setbacks from 10% to 15% (or from 2 feet to 5 feet, whichever is less).
- Allowing a 10% reduction in required off-street parking spaces and modifying regulations on alley width for parking access.
- Expanding minor variance eligibility for nonconforming structures over 50 years old, permitting up to a 15% cumulative increase in bulk and density.
- Introducing a new minor variance category for single-family dwellings in residential districts.
- Allowing either the Zoning Administrator or the Board of Municipal and Zoning Appeals to approve minor variances.

In practice, Zoning Administration does not issue any minor variances; that office forwards all variance requests to BMZA. This bill will have no practical effect unless this process changes.

Both major and minor variance appeals require adherence to the same variance approval standards; the only difference between the two is the venue. If an Appellant cannot demonstrate uniqueness and practical difficulty, along with the rest of the approval standards, the minor variance cannot be legally approved, regardless of who approves it. Therefore, the only difference in outcome should be that Zoning Administration could hypothetically process these appeals more quickly and without a public hearing.

This bill could speed up the process for certain types of variances by allowing the Zoning Administrator's Office to process these appeals, if the Zoning Administrator's Office changes its practice and actually does consider them.



Rebecca L. Witt  
Executive Director



CITY OF BALTIMORE  
MAYOR BRANDON M. SCOTT

<b>TO</b>	The Honorable President and Members of the Baltimore City Council
<b>FROM</b>	Alice Kennedy, Commissioner, Housing and Community Development
<b>CC</b>	Mayor's Office of Government Relations
<b>DATE</b>	March 5 <sup>th</sup> , 2025
<b>SUBJECT</b>	25-0016 Zoning Code – Minor Variances – Modifications

**Position: Favorable**



**BILL SYNOPSIS**

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 25-0016 Zoning Code – Minor Variances – Modifications for the purpose of amending provisions of the Baltimore City Zoning Code relating to minor variances.

If enacted, Council Bill 25-0016 would redefine what constitutes a minor variance, expand the category to include single-family dwellings in residential districts, and allow the Board of Municipal and Zoning Appeals (BMZA) to grant them in addition to the Zoning Administrator. If approved, this Bill will take effect the day of its enactment.

**SUMMARY OF POSITION**

This Bill seeks to amend the Baltimore City Zoning Code to expand the conditions of what constitutes a minor variance and to allow those minor variances to be granted by either the Zoning Administrator or the BMZA. Specifically, the bill raises the maximum threshold for minor variances related to lot width, required yards, and setbacks from 10% to 15%. For required yards, the bill changes the maximum allowable minor variance from 2 feet or 10% (whichever is less) to 5 feet or 15% (whichever is less). The Bill also changes the rules for requesting variances related to bulk or yard regulations for a parcel with a nonconforming structure that has existed for at least 50 years. Within those instances, a variance for increasing bulk or density would be considered a minor variance if the increase is less than 15%, with the previous limit set at 10%. Finally, the Bill expands the category of minor variances to include applications for single-family dwellings in residential districts.

We appreciate the intent of this legislation to funnel more zoning variances away from the BMZA and towards the Zoning Administrator, thereby avoiding the need for full hearings and the delays that can come with them. DHCD's Office of the Zoning Administrator works closely

with the Department of Planning and the BMZA to periodically identify modifications to the Code that need to be made and make suggestions based on their hands-on application. Allowing the Zoning Administrator to process more variance requests could streamline the process, potentially saving the City, homeowners, and small developers both time and money.

### **FISCAL IMPACT**

As drafted, this Bill may have a modest fiscal and administrative impact on DHCD with potentially more applications for minor variances being filed with the Zoning Administrator that would have previously required a hearing before the BMZA.

### **AMENDMENTS**

DHCD supports the procedural amendment suggested by the Planning Commission to strike AND from Line 18 of Page 2.



CITY OF BALTIMORE  
MAYOR BRANDON M. SCOTT

<b>TO</b>	The Honorable President and Members of the Baltimore City Council
<b>FROM</b>	Veronica P. McBeth, Director, Department of Transportation
<b>CC</b>	Mayor's Office of Government Relations
<b>DATE</b>	January 15, 2025
<b>SUBJECT</b>	25-0016 • Zoning Code – Minor Variances – Modifications

**Position: Without recommendation**

**BILL SYNOPSIS**

Council Bill 25-0016 would broaden the scope of what is considered a “minor” variance under the Zoning Code. This would streamline the process for requesting variances for those cases which fall within the requirements being relaxed by this legislation. These changes do not meaningfully impact DOT’s ability to regulate the impact of development on City roadways. In general, the cases to which this legislation would extend minor variance state are not significant enough in scale or impact to warrant DOT involvement, except in cases where modifications need to be made to City right of way (such as driveways, minor privileges, and so on).

**SUMMARY OF POSITION**

This change is not expected to adversely impact DOT or its ability to manage development-related impacts on right of way or traffic congestion. For these reasons, the Department provides no recommendation and defers to the Department of Planning’s recommendations on Council Bill 25-0016.

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CITY OF BALTIMORE

BRANDON M. SCOTT,  
Mayor



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

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February 19, 2025

The Honorable President and Members  
of the Baltimore City Council  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

Re: City Council Bill 25-0016 – Zoning Code – Minor Variances – Modifications

Dear President Cohen, Vice President Middleton, and Members of the Council:

The Law Department reviewed City Council Bill 25-0016 for form and legal sufficiency. The bill amends provisions of the Baltimore City Zoning Code relating to minor variances. Specifically, the bill redefines what constitutes a minor variance and provides that the Board of Municipal and Zoning Appeals may also grant a minor variance. The bill would take effect on the date it is enacted.

The bill would amend the text of the City Zoning Code found in Article 32 of the Code. Title 5 of the Zoning Code is applicable to text amendments. A member of the City Council may introduce an ordinance to approve or authorize a text amendment to the Zoning Code. Art. 32, § 5-201(a). An amendment to the Zoning Code is a legislative authorization. Art. 32, § 5-501. The bill must be referred to the required agencies for written reports. Art. 32, § 5-504. The Planning Commission must consider the bill in a public hearing. Art. 32, § 5-506. The City Council must also consider the bill at a public committee hearing. Art. 32, § 5-507. The standards that must be considered for text amendments by both the Planning Commission and the City Council are set out in Section 5-508(c) of Article 32 as follows:

- (1) the amendment's consistency with the City's Comprehensive Master Plan;
- (2) whether the amendment would promote the public health, safety, and welfare;
- (3) the amendment's consistency with the intent and general regulations of this Code;
- (4) whether the amendment would correct an error or omission, clarify existing requirements, or effect a change in policy; and
- (5) the extent to which the amendment would create nonconformities.

Assuming the Planning Commission considers the bill in a public hearing and the notice requirements in Article 32, Subtitle 6 applicable to text amendments are followed, the Law Department sees no legal impediments to adoption of this bill. The Law Department can approve Council Bill 25-0016 for form and legal sufficiency.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Michele M. Toth".

Michele M. Toth  
Assistant Solicitor

cc: Ebony Thompson  
Ty'lor Schnella  
Ethan Hasiuk  
Hilary Ruley  
Ashlea Brown  
Desiree Luckey  
Ahleah Knapp

# BALTIMORE CITY COUNCIL



## LAND USE & TRANSPORTATION COMMITTEE

*25-0016*

**Zoning Code – Minor Variances – Modifications**

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**GOVERNMENT - BALTIMORE CITY** // February 11, 2026

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Manage consent

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### Summary

BALTIMORE CITY COUNCIL PUBLIC HEARING ON BILL NO. 25-0016 The Land Use & Transportation Committee of the Baltimore City Council will conduct a public hearing on City Council Bill No. 25-0016 on Thursday, February 26, 2026, at 9:00 AM in the Clarence "Du" Burns Chamber, City Hall, 100 N. Holliday Street, 4th Floor, Baltimore, MD 21202. Information on how the public can participate in the hearing virtually, via Webex, will be available at https://baltimore.legistar.com/Calendar.aspx.

## Ad Text

February 11, 2026

BALTIMORE CITY COUNCIL PUBLIC HEARING ON BILL NO. 25-0016 The Land Use & Transportation Committee of the Baltimore City Council will conduct a public hearing on City Council Bill No. 25-0016 on Thursday, February 26, 2026, at 9:00 AM in the Clarence "Du" Burns Chamber, City Hall, 100 N. Holliday Street, 4th Floor, Baltimore, MD 21202. Information on how the public can participate in the hearing virtually, via Webex, will be available at

<https://baltimore.legistar.com/Calendar.aspx>. Zoning Code - Minor Variances - Modifications FOR the purpose of amending provisions of the Baltimore City Zoning Code relating to minor variances. Applicant: Isaac "Yitzy" Schleifer - Councilmember 5th District For more information, contact committee staff at (410) 396-1091. NOTE: This bill is subject to amendment by the Baltimore City Council. Ryan Dorsey Chairf11 4134730

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New tariff starts at 10%; Trump administration working to hike it to 15%  
24/2/2026

(<https://thedailyrecord.com/2026/02/24/us-proposes-10-percent-global-import-tariff/>)



With tariff rates uncertain, the economic fog again thickens  
24/2/2026

(<https://thedailyrecord.com/2026/02/24/with-tariff-rates-uncertain-the-economic-fog-again-thickens/>)



Court allows Louisiana law requiring Ten Commandments in schools to take effect  
23/2/2026

(<https://thedailyrecord.com/2026/02/23/federal-rules-louisiana-ten-commandments-law-schools-appeals/>)