

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall  
Baltimore, Maryland 21202

October 4, 2018

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

Re: City Council Bill 18-0272 – Zoning – Sign Regulations

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 18-0272 for form and legal sufficiency. The bill repeals and replaces Title 17 of the new Zoning Code to comply with the Supreme Court case of *Reed v. Town of Gilbert Arizona*, 135 S.Ct. 2218 (2015), and those cases that have interpreted it. See, e.g., *Central Radio Co., Inc. v. City of Norfolk, Va.*, 811 F.3d 625, 634 (4<sup>th</sup> Cir. 2016); see also *Christ v. Town of Ocean City, Maryland*, 15-3305 (D. Md. May 9, 2018). It does that, primarily, by making sign regulations uniform by district and not sign type. Like most other regulations in the Zoning Code, Tables are created in accordance with the text. Additional parts of other Titles of the Zoning Code are also changed to conform with this new governing structure.

Since the bill authorizes a change in the text of the Zoning Code, contained in Article 32 of the Baltimore City Code, it is a “legislative authorization.” Baltimore City Code, Art. 32, § 5-501. Legislative authorizations require that certain procedures be followed in the bill’s passage. Specifically, certain notice requirements apply to the bill. Baltimore City Code, Art. 32, § 5-601. The bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner. Baltimore City Code, Art. 32, §§ 5-504, 5-506. Finally, certain limitations on the City Council’s ability to amend the bill apply. Baltimore City Code, Art. 32, §5-507. Assuming all the procedural requirements are met, the Law Department will approve the bill for form and legal sufficiency.

Very truly yours,

A handwritten signature in blue ink that reads "Hilary R. Ruley". The signature is fluid and cursive.

Hilary Ruley  
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  
Victor Tervalá, Chief Solicitor  
Ashlea Brown, Assistant Solicitor  
Avery Aisenstark