

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2011, Legislative Day No. 3

Bill No. 6-11

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Mr. Todd Huff, Councilman

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By the County Council, February 7, 2011

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A BILL  
ENTITLED

AN ACT concerning

Solicitation of Donations

FOR the purpose of amending certain definitions in order to clarify the applicability of the law to all County and State roadways; adding a definition; and generally relating to the requirements for a permit to solicit donations on lane dividers or roadways or shoulders.

BY repealing and re-enacting, with amendments

Sections 21-18-101 and 21-18-102 and 21-18-108(a)  
Article 21 - Permits, Licenses, and Business Regulation  
Title 18 - Permit to Solicit Donations  
Baltimore County Code 2003

1           SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE  
2 COUNTY, MARYLAND, that Sections 21-18-101 and 21-18-102 and 21-18-108(a) of Article 21 -  
3 Permits, Licenses, and Business Regulation, Title 18 - Permit to Solicit Donations, of the Baltimore  
4 County Code 2003, be and it is hereby repealed and re-enacted, with amendments, to read as  
5 follows:

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EXPLANATION:           CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
                                  [Brackets] indicate matter stricken from existing law.  
                                  ~~Strike out~~ indicates matter stricken from bill.  
                                  Underlining indicates amendments to bill.

1 §21-18-101. DEFINITIONS.

2 (a) *Definitions.* In this title, the following words have the meanings indicated.

3 (b) *Department.* “Department” means the Department of Permits [and Development Management],  
4 APPROVALS, AND INSPECTIONS.

5 (c) *Lane divider.* “Lane divider” means any intervening space, barrier, or clearly indicated separator  
6 constructed to impede vehicular traffic between [county] roadways.

7 (d) *Roadway.* “Roadway” means that part of a STATE OR COUNTY highway that is improved,  
8 designed, or ordinarily used for vehicular traffic.

9 (E) *SHOULDER.* “SHOULDER” MEANS THAT PART OF A HIGHWAY CONTIGUOUS WITH  
10 THE ROADWAY FOR THE ACCOMMODATION OF STOPPED VEHICLES, FOR  
11 EMERGENCY USE, FOR USE BY BICYCLES AND MOTOR SCOOTERS, AND FOR THE  
12 LATERAL SUPPORT OF THE BASE AND SURFACE COURSES OF THE ROADWAY.

13 [(e)] (F) *Solicit.* “Solicit” means any act by which one person requests an immediate donation of  
14 money or other thing of value from another or others, in person, regardless of the solicitor’s purpose  
15 or intended use of the money or other thing of value. The act of solicitation may be oral, written,  
16 or by other means of communication.

17 §21-18-102. PERMIT REQUIRED.

18 A person may not occupy or stand on a lane divider or in a roadway OR SHOULDER to  
19 solicit without possessing and displaying a permit issued by the Department.

20 § 21-18-108. ENFORCEMENT.

21 (a) *Enforcement action.* The Department may institute AN ACTION at law or IN equity,  
22 including injunction or mandamus, to enforce the provisions of this title.

23 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by the  
24 affirmative vote of five members of the County Council, shall take effect on March 21, 2011.