

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2016, Legislative Day No. 39

Bill No. 87-16

Introduced by Mr. Pruski

By the County Council, November 21, 2016

Introduced and first read on November 21, 2016
Public Hearing set for and held on December 19, 2016
Public Hearing on AMENDED BILL set for and held on January 3, 2017
Public hearing on SECOND AMENDED BILL set for and held on January 17, 2017
Public hearing on THIRD AMENDED BILL set for and held on February 6, 2017
Public hearing on FOURTH AMENDED BILL set for and held on February 21, 2017
Bill AMENDED AND VOTED ON February 21, 2017
Bill Expires February 24, 2017

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

- 1 AN ORDINANCE concerning: Public Safety and Licenses – Public Nuisances
2
3 FOR the purpose of establishing abatement authority for certain public nuisances;
4 providing for the suspension of hotel licenses in certain circumstances; defining
5 certain terms; establishing notice requirements for certain public nuisances; providing
6 for hearings; providing for the authority to issue orders to abate certain public
7 nuisances; setting forth an appeal procedure; authorizing adoption of certain rules and
8 regulations; prohibiting certain conduct; and generally relating to public nuisances.
9
10 BY repealing and reenacting, with amendments: § 11-6A-113(a)
11 Anne Arundel County Code (2005, as amended)
12
13 BY renumbering: §§ 12-6-101 through 12-6-106, and the title “Title 6. Miscellaneous
14 Provisions”, to be §§ 12-7-101 through 12-7-106, and the title “Title 7. Miscellaneous
15 Provisions”, respectively
16 Anne Arundel County Code (2005, as amended)

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment.

1 By adding: §§ 12-6-101 through 12-6-107 to be under the new title, "Title 6. Public
2 Nuisances"
3 Anne Arundel County Code (2005, as amended)
4

5 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
6 *Maryland,* That §§ 12-6-101 through 12-6-106 and the title "Title 6. Miscellaneous
7 Provisions" of the Arundel County Code (2005, as amended) are hereby renumbered to
8 be §§ 12-7-101 through 12-7-106 and the title "Title 7. Miscellaneous Provisions",
9 respectively.

10
11 SECTION 2. *And be it further enacted,* That Section(s) of the Anne Arundel County
12 Code (2005, as amended) read as follows:
13

14 ARTICLE 11. LICENSES

15 TITLE 6A. HOTELS

16 11-6A-113. Suspension and revocation.

17
18 (a) **Suspension.** At the end of the time designated pursuant to § 11-6A-112 for
19 correction of a violation, the Director or the Health Officer shall re-inspect the hotel. If
20 the Director or the Health Officer determines that the violations have not been corrected,
21 the Director shall issue an order suspending the license, which shall be promptly provided
22 to the licensee. The order shall provide that the violation cited in the notice and order of
23 suspension shall be corrected within 30 days of the issuance of the order or the license
24 shall be revoked. IF, AFTER THE EXHAUSTION OF ALL AVAILABLE APPEALS, AN ORDER
25 TO ABATE A PUBLIC NUISANCE ISSUED BY THE CHIEF OF POLICE IN ACCORDANCE WITH §
26 12-6-105 OF THIS CODE REQUIRES CLOSURE OF A HOTEL, THE LICENSE SHALL BE
27 SUSPENDED FOR THE SAME TIME PERIOD AS THE CLOSURE.
28
29

30 ARTICLE 12. PUBLIC SAFETY

31 TITLE 6. PUBLIC NUISANCES

32 12-6-101. Definitions.

33 IN THIS TITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.
34

35 (1) "ASSIGNATION" HAS THE MEANING STATED IN THE CRIMINAL LAW ARTICLE, §
36 11-301, OF THE STATE CODE.
37

38 (2) "CHIEF" MEANS THE CHIEF OF POLICE OR THE DESIGNEE OF THE CHIEF OF
39 POLICE.
40

41 (3) "CLOSING" OR "CLOSURE" MEANS THE SECURING OF A STRUCTURE FROM
42 HUMAN ENTRY, USE, OR OCCUPATION.
43

44 (4) "CONTROLLED DANGEROUS SUBSTANCE" MEANS A SUBSTANCE LISTED IN
45 SCHEDULE I OR SCHEDULE II IN THE CRIMINAL LAW ARTICLE, § 5-402 OR § 5-403, OF THE
46 STATE CODE.
47
48
49
50

1 (5) "CONTROLLED PARAPHERNALIA" HAS THE MEANING STATED IN THE
2 CRIMINAL LAW ARTICLE, § 5-101, OF THE STATE CODE.

3
4 (6) "CRIME OF VIOLENCE" HAS THE MEANING STATED IN THE CRIMINAL LAW
5 ARTICLE, § 14-101, OF THE STATE CODE.

6
7 (7) "DEPARTMENT" MEANS THE ANNE ARUNDEL COUNTY POLICE DEPARTMENT.

8
9 (8) "HUMAN TRAFFICKING" MEANS THE CRIME DESCRIBED IN THE CRIMINAL LAW
10 ARTICLE, § 11-303, OF THE STATE CODE.

11
12 (9) "LEWDNESS" HAS THE MEANING STATED IN § 9-1-704 OF THIS CODE.

13
14 (10) "OPERATOR" MEANS ANY PERSON WHO HAS CHARGE, CARE, OR CONTROL OF
15 A PREMISES OR STRUCTURE, AND INCLUDES A TENANT.

16
17 (11) "PREMISES" MEANS ANY LOT OR PARCEL OF LAND, OR ANY PORTION
18 THEREOF, AND INCLUDES ANY BUILDINGS OR OTHER STRUCTURES THEREON.

19
20 (12) "PROSTITUTION" HAS THE MEANING STATED IN THE CRIMINAL LAW
21 ARTICLE, § 11-301, OF THE STATE CODE

22
23 (13) "PUBLIC NUISANCE" MEANS ANY PREMISES ~~THAT WHERE, ON TWO TEN OR~~
24 ~~MORE SEPARATE OCCASIONS WITHIN A 12- MONTH PERIOD, WERE USED~~ ARRESTS HAVE
25 BEEN MADE FOR:

26
27 (I) ~~FOR~~ PROSTITUTION, LEWDNESS, ASSIGNATION, OR HUMAN TRAFFICKING;

28
29 (II) ~~BY PERSONS WHO ASSEMBLE FOR THE SPECIFIC PURPOSE OF ILLEGALLY~~
30 ILLEGALLY ADMINISTERING A CONTROLLED DANGEROUS SUBSTANCE PROHIBITED
31 UNDER THE CRIMINAL LAW ARTICLE, § 5-601, OF THE STATE CODE;

32
33 (III) ~~FOR THE ILLEGAL MANUFACTURE OR DISTRIBUTION OF A CONTROLLED~~
34 DANGEROUS SUBSTANCE OR CONTROLLED PARAPHERNALIA PROHIBITED UNDER THE
35 CRIMINAL LAW ARTICLE, § 5-602, ET SEQ., OF THE STATE CODE;

36
37 (IV) ~~FOR THE ILLEGAL STORAGE OR CONCEALMENT OF A CONTROLLED~~
38 DANGEROUS SUBSTANCE OR CONTROLLED PARAPHERNALIA IN SUFFICIENT QUANTITY
39 TO REASONABLY INDICATE UNDER ALL THE CIRCUMSTANCES INTENT TO
40 MANUFACTURE, DISTRIBUTE, OR DISPENSE A CONTROLLED DANGEROUS SUBSTANCE OR
41 CONTROLLED PARAPHERNALIA;

42
43 (V) ~~FOR~~ ILLEGAL GAMBLING;

44
45 (VI) ~~FOR~~ STORAGE OR POSSESSION OF STOLEN PROPERTY;

46
47 (VII) ~~FOR STORAGE OR POSSESSION OF UNREGISTERED FIREARMS WEARING,~~
48 CARRYING OR TRANSPORTING A HANDGUN AS PROHIBITED UNDER THE CRIMINAL LAW
49 ARTICLE, §4-203, OF THE STATE CODE OR USE OF A HANDGUN IN THE COMMISSION OF A
50 CRIME AS PROHIBITED UNDER THE CRIMINAL LAW ARTICLE, §4-204, OF THE STATE CODE;

51
52 (VIII) ~~FOR~~ FURTHERANCE OF A CRIME OF VIOLENCE;

53
54 (IX) ~~BY PERSONS WHO ENGAGE IN~~ A CRIME OF VIOLENCE ON OR NEAR THE
55 PREMISES; OR

56
57 (X) ~~FOR~~ CRIMINAL GANG OFFENSES PROHIBITED UNDER THE CRIMINAL LAW
58 ARTICLE 9, SUBTITLE 8, OF THE STATE CODE.

1 **12-6-102. Scope**

2
3 ~~THIS TITLE APPLIES TO ALL PROPERTIES WITHIN THE COUNTY, EXCEPT THAT IT DOES~~
4 ~~NOT APPLY TO ANY TYPE OF DWELLING OR DWELLING UNIT, AS THOSE TERMS ARE~~
5 ~~DEFINED IN § 18-1-101 OF THIS CODE. THIS TITLE APPLIES TO ALL HOTELS AS DEFINED IN §~~
6 ~~11-6A-101 OF THIS CODE THAT HAVE 200 UNITS OR FEWER.~~
7

8 **12-6-103. Notice of public nuisance.**

9
10 (A) **Issuance of notice; service and posting.** IF THE DEPARTMENT DETERMINES
11 THAT A PREMISES IS A PUBLIC NUISANCE, THE CHIEF SHALL ISSUE A WRITTEN NOTICE OF
12 PUBLIC NUISANCE TO THE OWNER AND TO THE OPERATOR, IF THE NAME AND ADDRESS
13 OF THE OPERATOR IS KNOWN TO THE DEPARTMENT OR IS READILY ASCERTAINABLE.
14 THE NOTICE SHALL BE SERVED BY PERSONAL DELIVERY OR CERTIFIED MAIL, RETURN
15 RECEIPT REQUESTED, ~~AND;~~ SHALL BE POSTED ON THE PREMISES; AND SHALL BE SERVED
16 ON THE BOARD OF HEALTH.
17

18 (B) **Contents of notice.** THE NOTICE OF PUBLIC NUISANCE SHALL STATE:

19
20 (1) THE BASIS FOR THE DETERMINATION THAT A PREMISES IS A PUBLIC
21 NUISANCE;

22
23 (2) THE RIGHT TO A HEARING, AND THE DATE, PLACE, AND TIME OF THE
24 HEARING;

25
26 (3) THE RIGHT OF THE PERSONS RECEIVING THE NOTICE TO BE HEARD AND TO BE
27 REPRESENTED AT THE HEARING;

28
29 (4) THE ABATEMENT AUTHORITY OF THE ~~CHIEF COUNTY,~~ AND THE
30 CONSEQUENCES OF THE FAILURE TO APPEAR AT THE HEARING; AND

31
32 (5) ANY OTHER NECESSARY INFORMATION.
33

34 **12-6-104. Hearing.**

35
36 (A) **Generally.** AT LEAST FIVE BUSINESS DAYS AFTER THE DATE OF THE NOTICE OF
37 PUBLIC NUISANCE AND AT THE TIME AND PLACE INDICATED IN THE NOTICE OF PUBLIC
38 NUISANCE, A HEARING SHALL OCCUR BEFORE ~~A PANEL CONSISTING OF THE CHIEF, THE~~
39 ~~FIRE CHIEF, AND THE HEALTH OFFICER~~ THE BOARD OF HEALTH FOR THE PURPOSE OF
40 DETERMINING WHETHER A PUBLIC NUISANCE EXISTS ON A PREMISES.
41

42 (B) **Prima facie evidence of public nuisance.** AT THE HEARING, THE ~~CHIEF PANEL~~
43 ~~CHIEF OR A DESIGNEE OF THE CHIEF~~ SHALL PRESENT THE GROUNDS FOR THE
44 DETERMINATION THAT A PUBLIC NUISANCE EXISTS AT THE PREMISES. ~~TWO REPORTS~~
45 ~~PROOF OF TEN ARRESTS BY POLICE OFFICERS WRITTEN IN THE REGULAR COURSE OF~~
46 ~~BUSINESS OF A PREMISES HAVING BEEN USED FOR ANY ACTIVITIES DEFINED AS A~~
47 ~~PUBLIC NUISANCE ON TWO PERSONS ENGAGING IN ANY ACTIVITIES LISTED IN THE~~
48 ~~DEFINITION OF PUBLIC NUISANCE ON THE PREMISES ON TEN OR MORE SEPARATE~~
49 ~~OCCASIONS WITHIN A 12-MONTH PERIOD, ARE PRIMA FACIE EVIDENCE THAT THE~~
50 ~~PREMISES IS A PUBLIC NUISANCE.~~
51

52 (C) **Owner or operator.** THE OWNER AND OPERATOR SHALL HAVE A RIGHT TO BE
53 PRESENT AT THE HEARING AND AN OPPORTUNITY TO DEMONSTRATE THAT A PUBLIC
54 NUISANCE DOES NOT EXIST ON A PREMISES, EXCEPT THAT AN OPERATOR MAY ONLY
55 PARTICIPATE AT A HEARING IF A MAJORITY OF THE MEMBERS OF THE PANEL BOARD OF
56 HEALTH DETERMINE THAT SUFFICIENT EVIDENCE IS PRESENTED TO THE CHIEF PANEL
57 BOARD OF HEALTH TO DEMONSTRATE THAT THE OPERATOR HAS AUTHORIZATION TO

1 USE THE PREMISES, WHICH CAN INCLUDE BUT IS NOT LIMITED TO, CONFIRMATION FROM
2 THE OWNER, OR A LEASE OR SIMILAR AGREEMENT.
3

4 **12-6-105. Order; nuisance abatement authorized.**
5

6 (A) **Findings; issuance of order.** WITHIN TEN DAYS OF THE DATE OF THE HEARING,
7 THE ~~CHIEF PANEL~~ BOARD OF HEALTH SHALL ISSUE A WRITTEN MEMORANDUM AND
8 ORDER DETERMINING WHETHER A PUBLIC NUISANCE EXISTS ON THE PREMISES. IF THE
9 EVIDENCE PRESENTED AT THE HEARING SHOWS BY A PREPONDERANCE OF THE
10 EVIDENCE THAT A PUBLIC NUISANCE EXISTS, THE ~~CHIEF PANEL~~ BOARD OF HEALTH
11 ~~SHALL~~ MAY ISSUE A WRITTEN ORDER FOR ABATEMENT OF PUBLIC NUISANCE SETTING
12 FORTH THE TERMS FOR THE ABATEMENT OF THE PUBLIC NUISANCE AS WELL AS
13 INFORMATION REGARDING THE RIGHT TO APPEAL THE ORDER OR TO SEEK
14 MODIFICATION OF THE ORDER. THE ~~PANEL~~ BOARD OF HEALTH SHALL INCLUDE THE
15 REASONS FOR ISSUING OR NOT ISSUING AN ORDER OF ABATEMENT IN THE
16 MEMORANDUM REQUIRED UNDER THIS SUBSECTION.
17

18 (B) **Failure to appear at hearing.** A DEFAULT ORDER FOR ABATEMENT OF PUBLIC
19 NUISANCE MAY BE ISSUED IF THE OWNER OR OPERATOR FAILS TO APPEAR AT THE
20 SCHEDULED HEARING.
21

22 (C) **Lack of knowledge; acquiescence.** THE ~~CHIEF PANEL~~ BOARD OF HEALTH MAY
23 ORDER APPROPRIATE RELIEF UNDER THIS SECTION WITHOUT PROOF THAT AN OWNER OR
24 OPERATOR HAD ANY KNOWLEDGE OF THE EXISTENCE OF THE PUBLIC NUISANCE. THE
25 ~~PANEL~~ BOARD OF HEALTH MAY ORDER THE CLOSURE OF THE ENTIRE HOTEL OR ANY
26 PORTION OF THE HOTEL NECESSARY TO ABATE THE NUISANCE.
27

28 (D) **Discontinuance not a bar to relief.** EVIDENCE THAT THE PUBLIC NUISANCE HAS
29 BEEN DISCONTINUED AT THE TIME NOTICE OF PUBLIC NUISANCE WAS ISSUED OR AT THE
30 TIME OF THE HEARING DOES NOT BAR THE ~~CHIEF~~ BOARD OF HEALTH FROM IMPOSING
31 APPROPRIATE RELIEF UNDER THIS SECTION.
32

33 (E) **Order; abatement authority.** ON DETERMINING THAT A PUBLIC NUISANCE
34 EXISTS, THE ~~CHIEF'S PANEL'S~~ BOARD OF HEALTH'S ORDER FOR ABATEMENT OF PUBLIC
35 NUISANCE MAY REQUIRE THE DISCONTINUANCE OF THE PUBLIC NUISANCE ON THE
36 PREMISES AND THE CLOSING OF THE PREMISES, SUBJECT TO SUBSECTION (F) (I), TO THE
37 EXTENT NECESSARY TO ABATE THE NUISANCE. THE FIRST CLOSURE PURSUANT TO AN
38 ORDER OF ABATEMENT SHALL BE FOR A PERIOD OF TIME NOT TO EXCEED TWO WEEKS. A
39 SECOND CLOSURE PURSUANT TO AN ORDER OF ABATEMENT SHALL BE FOR A PERIOD OF
40 TIME NOT TO EXCEED ONE MONTH. ANY SUBSEQUENT CLOSURES PURSUANT TO AN
41 ORDER OF ABATEMENT SHALL BE AT THE DISCRETION OF THE ~~PANEL~~ BOARD OF
42 HEALTH, EXCEPT THAT IN NO EVENT MAY THE CLOSING BE FOR LONGER THAN ONE
43 YEAR FOR ANY ORDER FOR ABATEMENT RELATED TO A SINGLE FINDING.
44

45 (F) **Service and posting of order.** AN ORDER FOR ABATEMENT OF PUBLIC
46 NUISANCE SHALL BE SERVED IN THE SAME MANNER AS, AND ON THE SAME PARTIES
47 SERVED WITH, THE NOTICE OF PUBLIC NUISANCE. THE ORDER SHALL ALSO BE POSTED
48 ON THE PREMISES AND SHALL REMAIN POSTED UNTIL REMOVED BY THE CHIEF AT THE
49 DIRECTION OF THE BOARD OF HEALTH.
50

51 (G) **Nature of closing.** A CLOSING DIRECTED BY THE ~~CHIEF~~ BOARD OF HEALTH IS
52 NOT AN ACT OF POSSESSION, OWNERSHIP, OR CONTROL BY THE COUNTY, AND THE
53 COUNTY IS NOT LIABLE FOR ANY CLAIMS, DAMAGES, OR LIABILITY RESULTING FROM A
54 CLOSING.
55

56 (H) **Modification.** WITHIN 30 DAYS OF A WRITTEN REQUEST FROM THE OWNER OR
57 OPERATOR TO MODIFY OR RESCIND AN ORDER FOR ABATEMENT OF PUBLIC NUISANCE,

1 THE ~~CHIEF~~ BOARD OF HEALTH MAY MODIFY OR RESCIND THE ORDER FOR ABATEMENT
2 OF PUBLIC NUISANCE IN WRITING IF ~~THE CHIEF DETERMINES A MAJORITY OF THE~~
3 MEMBERS OF THE PANEL BOARD OF HEALTH DETERMINE THAT THE NUISANCE HAS BEEN
4 ABATED.

5
6 ~~(I) **Hotels.** IF THE PUBLIC NUISANCE OCCURS ON A PREMISES WITH A HOTEL, AS~~
7 ~~THAT TERM IS DEFINED IN § 11-6A-101 OF THIS CODE, THE CHIEF MAY ORDER THE~~
8 ~~CLOSURE OF THE ENTIRE PREMISES. AN ORDER FOR ABATEMENT OF PUBLIC NUISANCE~~
9 ~~REQUIRING CLOSURE OF A HOTEL SHALL BE FORWARDED TO THE DIRECTOR OF~~
10 ~~INSPECTIONS AND PERMITS AND THE HEALTH OFFICER.~~

11
12 ~~(I) **Appeal.** A PERSON AGGRIEVED BY AN ORDER FOR ABATEMENT OF PUBLIC~~
13 ~~NUISANCE ISSUED UNDER THIS SECTION MAY APPEAL TO THE BOARD OF APPEALS~~
14 ~~WITHIN 30 DAYS OF THE DATE OF THE ORDER. THE BOARD SHALL SCHEDULE A HEARING~~
15 ~~TO OCCUR WITHIN EIGHT BUSINESS DAYS OF THE NOTICE OF APPEAL. CLOSURE OF THE~~
16 ~~PREMISES PURSUANT TO SUBSECTION (E) SHALL BE SUBJECT TO A STAY PENDING~~
17 ~~APPEAL OF AN ORDER TO ABATE THE PUBLIC NUISANCE.~~

18
19 **12-6-106. Prohibited conduct; enforcement.**

20
21 **(A) Enforcement.** BEGINNING ON THE TENTH BUSINESS DAY AFTER AN ORDER FOR
22 ABATEMENT OF PUBLIC NUISANCE HAS BEEN POSTED ON A PREMISES, THE ORDER MAY
23 BE ENFORCED ON WRITTEN DIRECTIVE OF THE ~~CHIEF~~ BOARD OF HEALTH.

24
25 **(B) Destruction of posted order.** A PERSON MAY NOT DESTROY, REMOVE, OR
26 DEFACE AN ORDER FOR ABATEMENT OF PUBLIC NUISANCE POSTED ON A PREMISE.

27
28 **(C) Failure to obey order.** A PERSON MAY NOT INTENTIONALLY DISOBEY OR FAIL
29 TO COMPLY WITH AN ORDER FOR ABATEMENT OF PUBLIC NUISANCE OR USE OR OCCUPY,
30 OR PERMIT ANY OTHER PERSON TO USE OR OCCUPY, ANY PREMISES ORDERED CLOSED
31 UNDER THIS TITLE.

32
33 **(D) Liability for unauthorized occupancy; costs.** IF A PREMISES IS NOT CLOSED IN
34 ACCORDANCE WITH AN ORDER FOR ABATEMENT OF PUBLIC NUISANCE OR IS USED OR
35 OCCUPIED IN VIOLATION OF AN ORDER FOR ABATEMENT OF PUBLIC NUISANCE, THE
36 CHIEF MAY TAKE ACTION TO EXECUTE, AT THE DIRECTION OF AND WITHIN THE SOLE
37 DISCRETION OF THE BOARD OF HEALTH, THE TERMS OF THE ORDER TO CLOSE THE
38 PREMISES AND THE OWNER OF THE PREMISES SHALL BE LIABLE FOR ALL COSTS
39 INCURRED IN EXECUTING THE TERMS OF THE ORDER. THE INVOICE FOR THE COSTS
40 SHALL BE SUBMITTED TO THE OWNER AND SHALL BE PAYABLE WITHIN 30 DAYS OF THE
41 DATE OF THE INVOICE AND ANY SUMS UNPAID 30 DAYS AFTER THE DATE OF BILLING
42 SHALL BE COLLECTED AS PROVIDED IN § 1-9-101 OF THIS CODE.

43
44 **12-6-107. Rules and regulations.**

45
46 THE ~~CHIEF~~ BOARD OF HEALTH MAY ADOPT REGULATIONS AND HEARING
47 PROCEDURES AS NECESSARY TO CARRY OUT THIS TITLE.

48
49 SECTION 3. *And be it further enacted,* That this Ordinance shall take effect 45 days
50 from the date it becomes law.

READ AND PASSED this 21st day of February, 2017

By Order:



JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 22nd day of February, 2017



JoAnne Gray
Administrative Officer

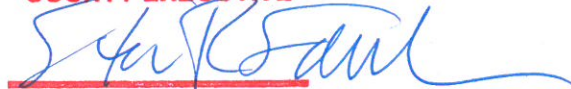
APPROVED AND ENACTED this _____ day of _____, 2017

Steven R. Schuh
County Executive

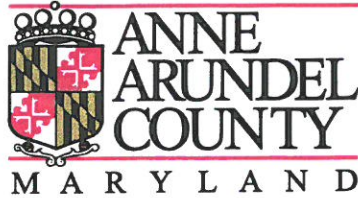
EFFECTIVE DATE:

VETOED

**STEVEN R. SCHUH
COUNTY EXECUTIVE**



STEVEN R. SCHUH
County Executive



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(410) 222-1821 | countyexecutive@aacounty.org | www.aacounty.org

March 3, 2017

Anne Arundel County Council
Arundel Center, 1st Floor
44 Calvert Street
Annapolis, MD 21401

Re: Veto of Bill 87-16: Public Safety and Licenses- Public Nuisances

Dear Members of the Council:

Pursuant to Section 307(j) of the County Charter, I have vetoed the enclosed Bill 87-16 that was passed by the County Council on February 21, 2017. I am vetoing this bill because it is unconstitutional in that it violates the equal protection clause of the 14th Amendment to the Constitution of the United States.

I cannot in good conscience affix my name to a piece of legislation that is unconstitutional, as doing so would violate the oath I took upon taking office.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Schuh", with a long horizontal flourish extending to the right.

Steven R. Schuh