

July 21, 2011

Mark Gawel
Code Enforcement, Rm 213
111 W Chesapeake Ave
Towson, MD 21204

Re: Case #96405, 11825 Belair Rd (sometimes called 11825 Jerusalem Rd)

Dear Mr. Gawel,

I filed a complaint on June 19 concerning numerous new signs and pennants on this property. Mr. Parker visited the site and informed the owner that the new signs must be removed. The owner, in his usual way of getting even with those who file complaints and playing games with the code, replaced the commercial signs with ones as pictured below. Mr. Parker has closed the case, but stated that he will discuss this matter with you and Len, due to the sensitive nature of "personal message" signs.

I understand the sensitivity and the reasons for specific exceptions and allowances in the BCZR for personal messages as well as "flags", but I believe that the BCZR is very explicit concerning what is allowed and that the signs pictured are not allowed.

The County, several years ago, concluded a long fight against Trinity Assembly of God Church to sustain its right to limit religious signs. The Court ruled that "the Sign Law [does not] violate the RLUIPA".

In particular, the BCZR exempts "flags of a nation" from the Code. But it defines "flag" as "a panel of fabric of distinctive design ..."

Likewise, the BCZR provides a specific allowance, in the Table of Temporary Signs, for a "personal message, meaning an accessory sign displaying a political, religious or other noncommercial message". However, once again, it defines a "temporary sign" as "a sign constructed of cloth, fabric, or other lightweight material".

The signs pictured are made of a hard material and are "permanently" fastened to the fence and wall. Thus, they are "permanent signs" as defined in the BCZR and subject to the code as such.

Further, although I know that you are not charged with enforcing US law, it should be noted that the Code of Federal Regulations, Title 4, Chapter 1, Section 8(g) states

"The flag should never have placed upon it, nor on any part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of any nature."

In the case of the Federal law, this provision applies to "a picture or a representation of" a flag, even this sign. The law also prohibits use of the flag for advertising purposes.

I should note that, in addition to these "personal message" signs, there are also pennants, both in the form of shredded (desecrated) US flags as well as simple colored triangular-shaped pennants (as pictured below).

Incidentally, these signs are only the tip of the iceberg of violations at this business. Note the boats stored on this lot, where the only permitted uses are vehicle sales and a service garage.

11825 Belair Rd.

I would appreciate the opportunity to discuss this matter with you, however, I will be out of town until Aug 1.

I trust that, following a discussion of these issues, you will reopen this case and require the owner to comply fully with the sign regulations of the BCZR.

Thanks for your assistance.

Regards,

Michael Pierce
7448 Bradshaw Rd
Kingsville, MD 21087
410 871-4795

cc: Keith Parker
Len Wasilewski



11825 Belair Rd.

