

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
		Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 10/17/2014

2. COMAR Codification

Title Subtitle Chapter Regulation

14	25	01	01
14	25	02	01
14	25	02	04
14	25	02	08
14	25	02	11
14	25	02	13
14	25	02	15
14	25	02	18
14	25	03	01
14	25	03	02
14	25	03	03
14	25	03	04
14	25	03	05

3. Name of Promulgating Authority

Maryland Stadium Authority

4. Name of Regulations Coordinator
Bruce L Benshoof

Telephone Number
410-576-7030

Mailing Address

200 St. Paul Place, 20th Floor

City	State	Zip Code
Baltimore	MD	21202

Email

bbenshoof@oag.state.md.us

5. Name of Person to Call About this Document

Bruce L Benshoof

Telephone No.

410-576-7030

Email Address

bbenshoof@oag.state.md.us

6. Check applicable items:

New Regulations

Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: 9/2/2014.

Repeal of Existing Regulations

Recodification

Incorporation by Reference of Documents Requiring DSD Approval

Reproposal of Substantively Different Text:

:

Md. R

(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

Yes No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Bruce L Benschopf, Assistant Attorney General, (telephone #410-576-7030) on 8/7/2014. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Michael Frenz

Title

Executive Director

Telephone No.

(410) 333-1560

Date

9/10/2014

**Title 14
INDEPENDENT AGENCIES**

Subtitle 25 MARYLAND STADIUM AUTHORITY

14.25.01 General

Subtitle 25 MARYLAND STADIUM AUTHORITY

14.25.02 Prohibited Activities

Subtitle 25 MARYLAND STADIUM AUTHORITY

14.25.03 Free Speech Activities

Subtitle 25 MARYLAND STADIUM AUTHORITY

14.25.03 Free Speech Activities

Subtitle 25 MARYLAND STADIUM AUTHORITY

14.25.03 Free Speech Activities

Subtitle 25 MARYLAND STADIUM AUTHORITY

14.25.03 Free Speech Activities

Subtitle 25 MARYLAND STADIUM AUTHORITY

14.25.03 Free Speech Activities

Authority: Economic Development Article §§10-604, 10-613(a)(4), and 10-616(b),
Annotated Code of Maryland

Notice of Proposed Action

□

The Maryland Stadium Authority proposes to amend Regulation .01 under COMAR 14.25.01 General, Regulations .01, .04, .08, .11, .13, .15, and .18 under COMAR 14.25.02 Prohibited Activities, Regulations .01, .02,.03, and .04 under COMAR 14.25.03 Free Speech Activities, and delete Regulation .05 under COMAR 14.25.03 Free Speech Activities.

This action was considered by the Maryland Stadium Authority at a public meeting held on August 12, 2014.

Statement of Purpose

The purpose of this action is to modify the regulations that:

- (1) Govern or otherwise may have an impact on free speech activities at an Authority facility;
- (2) May have an impact on individuals with a disability, particularly in connection with the use and training of service animals;
- (3) Pertain to bicycles at an Authority facility, particularly with respect to how the Authority may treat a bicycle that is secured to or left unattended at any part of an Authority facility other than designated bicycle racks; and
- (4) Pertain to trespass, particularly trespass on the playing field at an Authority facility.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has an impact on individuals with disabilities as follows: Regulation .04 under COMAR 14.25.02 Prohibited Activities is being revised to clarify that wheelchairs and similar means of personal mobility are permitted on the sidewalks of Authority facilities. Regulation .11 under COMAR 14.25.02 Prohibited Activities is being revised to ensure that the full range of service animals and their handlers, as recognized under applicable federal and State laws, are permitted at Authority facilities.

Opportunity for Public Comment

Comments may be sent to Michael J. Frenz, Executive Director, Maryland Stadium Authority, 333 West Camden Street, Suite 500, Baltimore, Maryland 21201, or call 410-333-1560, or email to mfrenz@mdstad.com, or fax to 410-333-1888. Comments will be accepted through November 17, 2014. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Maryland Stadium Authority during a public meeting to be held on December 2, 2014, 3:00 PM, at the Maryland Stadium Authority's Executive Conference Room on the fifth floor of the Warehouse at Camden Yards, 333 W. Camden Street, Baltimore, MD 21201.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2015

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

No

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

No funds are necessary to implement these regulations.

E. If these regulations have no economic impact under Part A, indicate reason briefly:

These regulations govern whether conduct, including expressive conduct, is permitted or prohibited at Authority facilities.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

These regulations govern whether conduct, including expressive conduct, is permitted or prohibited at Authority facilities.

G. Small Business Worksheet:

Attached Document:

Title 14 INDEPENDENT AGENCIES

Subtitle 25 MARYLAND STADIUM AUTHORITY

Chapter 01 General

Authority: Economic Development Article, §§10-604, 10-613(a)(4), and 10-616(b), Annotated Code of Maryland

.01 Definitions.

A. In this subtitle, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Authority" means the Maryland Stadium Authority, an independent unit of the Executive Branch of State Government.

(2) Authority Facility.

(a) "Authority facility" means:

(i) The Camden Yards Sports Complex, including Oriole Park at Camden Yards and the Ravens' Stadium;

(ii) Offices, restaurants, stores, museums, parking facilities, and other facilities located on the Camden Yards Sports Complex; and

(iii) Facilities located on other Authority property.

(b) "Authority facility" includes the grounds and walkways surrounding the facilities listed in §B(2)(a) of this regulation and adjacent parking lots or garages owned or controlled by the Authority.

(3) "*Camden Station*" means the building known as Camden Station located within the Camden Yards Sports Complex, but does not include the grounds and walkways surrounding it.

(4) "*Demonstration*" means a person or gathering of persons at an Authority facility for the purpose of expressing an opinion to observers through use of their speech, signs, or express conduct, excluding any expression or conduct prohibited under Chapter 02 of this Subtitle.

[(3)](5) "Director of Facilities Management" means the director of a particular Authority facility.

(6) "*Director of Security Management*" means the director of security management for the Authority.

[(4)](7) "Distribution of literature" means the distribution of flyers, leaflets, brochures, pamphlets, books, or any other printed or written material.

(8) "*Emergency*" means, as reasonably determined by the Authority or by authorized police or fire officials, an actual or imminent fire, flood, riot, weather, outages of power or public services, terrorism, public disturbance, or other catastrophe that will or is likely to:

(a) Endanger the health, safety, or welfare of persons at an Authority facility;

(b) Threaten the destruction, loss, or damage to public or private property located at an Authority facility; or

(c) Disturb the normal and peaceful conduct of business, sports, or other activities at an Authority facility.

(9) "*Eutaw Way*" means the pedestrian area known as Eutaw Way between the playing field and seating bowl of Oriole Park at Camden Yards to the west, the Warehouse to the east, Gate A of Oriole Park to the south, and Gate H of Oriole Park to the north.

[(5)](10) "Event" means any game, concert, ceremony, banquet, party, or other activity or event at an Authority facility.

[(6)](11) "Executive Director" means the Executive Director of the Authority.

(12) "*Free Speech Activities*" include a demonstration, distribution of literature, collection of petition signatures, and other activities protected by the First and Fourteenth Amendments to the Constitution of the United States and Articles 10, 13, and 40 of the Declaration of Rights within the Maryland Constitution, provided, however, that such activities shall not include any activity prohibited under Chapter 02 of this Subtitle.

(13) "*Performing Arts Center*" means the France-Merrick Performing Arts Center, including the Hippodrome Theatre at the France-Merrick Performing Arts Center.

(14) "Plazas" means and includes the plazas surrounding Oriole Park at Camden Yards and the Ravens' Stadium, including the breezeway underneath the Warehouse, but does not include the sidewalks directly adjacent to public streets.

[(7)](15) "Smoking" means the burning of a lighted cigarette, cigar, pipe, or any other matter or substance that contains tobacco.

(16) "Spine" means the pedestrian walkway that provides a connection between Lee Street at its north end and Hamburg Street at its south end and which lies between the parking lots that are designated as Lot B and Lot C.

[(8)](17) "Stadium Structures" means and includes the facades, fences, and admission gates that comprise the outer perimeter of the baseball stadium and the football stadium at the Camden Yards Sports Complex.

[(9)](18) "Tailgating" means the *preparing, cooking, serving, or consuming* of food [and]or [consumption of alcoholic] beverages before, *during*, or after an event [at an Authority facility]on an Authority-owned or operated parking lot or open space.

(19) "Warehouse" means the building known as the Warehouse at Camden Yards within the Camden Yards Sports Complex, but does not include the grounds and walkways surrounding it, nor the open breezeway underneath it.

(20) "Working Days" means Monday through Friday excepting all legal holidays and all other days on which the Executive Branch of State Government is generally closed.

Chapter 02 Prohibited Activities

Authority: Economic Development Article, §§10-604, 10-613(a)(4), and 10-616(b), Annotated Code of Maryland

.01 Disturbing the Public Peace and Disorderly Conduct.

A. The following conduct is prohibited *at any Authority facility*:

(1) [Loud or unseemly noises, profane cursing, swearing, or use of obscene language;]The use of language meant to incite immediate violence or an immediate breach of the peace;

(2) [Obscene or profane clothing, banners, or other written materials;]The description or depiction of erotic or pornographic images or conduct; or

(3) Lewd or indecent exposure[; or].

[(4) Any other conduct which unreasonably disturbs normal activity at an Authority facility.]

B. An individual *at an Authority facility* may not:

(1) [Disturb]Willfully act in a disorderly manner that disturbs the peace of others;

(2) [Through organized or unorganized activity, engage]Engage in, instigate, or encourage the continuation or escalation of a [contention or] fight or other physical violence; or

(3) In any way endanger the life, person, property, health, or safety of others[,] by words, actions, or attempts[,] made directly or by aiding or abetting others to do so.

.04 Obstruction of Traffic.

A. Conduct which obstructs sidewalks, walkways, entrances, corridors, stairways, or parking lots, or which otherwise obstructs or hinders normal pedestrian or vehicular traffic and business, is prohibited. *In general, a single person engaged in Free Speech Activities does not impermissibly obstruct a sidewalk, unless that person intentionally moves to obstruct or hinder pedestrians or vehicles attempting to pass by such person.*

B. Sidewalks and other walkways located on Authority property are for use by pedestrian traffic only, and the use of bicycles, roller skates, roller blades, skateboards, motorcycles, or any other form of transportation (*other than a wheelchair or other transportation reasonably necessary for a person's mobility*) on those sidewalks is prohibited at all times. On event dates, the use of bicycles, roller skates, roller blades, and skateboards is prohibited on parking lots owned or controlled by the Authority.

.08 Disobeying Authorities and Signs; Entrances and Exits.

An individual may not:

A. Disobey an order of a police officer acting within the scope of the officer's employment;

B. Disobey, disregard, or fail to comply with any rule or regulation, warning, prohibition, instruction, or direction, whether posted or displayed by sign, notice, bulletin, card, or poster, or when notified or informed as to its existence by a police officer; or

C. Enter or leave an Authority facility, *including any parking lot or garage owned or operated by the Authority*, at points not designated as proper entrances or exits.

.11 Animals.

[Animals of any kind are prohibited at an Authority facility except:

A. Guide animals for the visually impaired;

B. Lead animals for the hearing impaired;

C. Animals used for governmental security purposes and law enforcement; and

D. Animals specifically authorized by the Authority.]

A. *Except as otherwise specifically permitted by this regulation, a person may not bring any animal onto or into an Authority facility.*

B. *As used in this regulation, the term "service animal" means and includes:*

(1) A service animal as defined under the Americans with Disabilities Act of 1990 and regulations promulgated thereunder;

(2) Pursuant to 28 CFR 35.136(i), a miniature horse used by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability, is housebroken, and is under the sufficient control of its handler;

(3) A service animal as defined in §7-701 of the Human Services Article, Annotated Code of Maryland, and regulations promulgated thereunder.

C. Service animals.

(1) Individuals with disabilities and the parents of a minor child with a disability are permitted to bring a service animal onto or into an Authority facility.

(2) Service animal trainers (as defined in §7-701 of the Human Services Article, Annotated Code of Maryland, and regulations promulgated thereunder) are permitted to bring an animal being trained or raised as a service animal onto or into an Authority facility, provided, however, that an animal being trained as a service animal and accompanied by a service animal trainer may be excluded from an Authority facility if admitting the animal would create a clear danger of a disturbance or physical harm to any individual at the Authority facility.

(3) No person hosting an event at an Authority facility may require the purchase of a separate ticket or charge any additional amount for the admission of a service animal or an animal being trained or raised as a service animal.

(4) Any person who brings a service animal onto or into an Authority facility shall be strictly liable for any damages to the Authority facility caused by the service animal. The service animal trainer's organization shall be strictly liable for damages to the Authority facility caused by the animal being trained or raised as a service animal. The service animal trainer's organization shall also indemnify and defend the Authority against any claims for personal injuries alleged to have been incurred at an Authority facility and caused by the animal being trained or raised as a service animal.

(5) Nothing in this regulation shall be construed as requiring the Authority to make any physical modification to an Authority facility in order to admit a person accompanied by a service animal or animal being trained or raised as a service animal.

D. Animals used for governmental security and law enforcement purposes shall be permitted onto and into an Authority facility.

E. Other animals may be brought onto or into an Authority facility if specifically authorized by the Executive Director, the Director of Security Management, or the Director of Facilities Management for such Authority facility.

.13 Bicycles.

A. Bicycles are parked on Authority property at the owner's risk.

B. Bicycles shall be parked in designated bicycle parking areas. Bicycle racks are provided.

C. Bicycles chained to any pole or fixed structure other than a bicycle rack or left unattended [anywhere]at a location other than the designated bicycle racks [shall]may be removed by the Authority at the owner's risk. The Authority may treat any bicycle left chained to any pole or fixed structure other than a bicycle rack or left unattended at a location other than the designated bicycle racks as suspicious and may remove, dispose of, or destroy any such bicycle without liability to the owner thereof.

.15 Refusal to Leave Authority Property Upon Request.

Authority property is subject to [Article 27, §577A]Criminal Law Article §6-409, Annotated Code of Maryland. An individual refusing or failing to leave Authority property upon proper request to do so by an authorized agent of the Authority is guilty of a misdemeanor, and upon conviction may be fined not more than \$1,000 or imprisoned for not more than 6 months, or both.

.18 Trespassing on the Playing Field and Interference with Events or Contests.

A. This regulation is in addition to, and not in lieu of, Regulation .15 of this chapter.

B. In accordance with Criminal Law Article §6-402, at locations which are reasonably visible to persons within the Stadium Structures, the Authority has placed signs that conspicuously prohibit trespass upon the playing field of such Authority facility. Except for the Authority, its authorized tenants, and the Authority's and such tenants' licensees, an individual may not [go]trespass upon the playing field at any Authority facility at any time. In accordance with Criminal Law Article §6-402, a person who violates this regulation is guilty of a misdemeanor and on conviction is subject to:

(1) for a first violation, imprisonment not exceeding 90 days or a fine not exceeding \$ 500 or both;

(2) for a second violation occurring within 2 years after the first violation, imprisonment not exceeding 6 months or a fine not exceeding \$ 1,000 or both; and

(3) for each subsequent violation occurring within 2 years after the preceding violation, imprisonment not exceeding 1 year or a fine not exceeding \$ 2,500 or both.

C. An individual may not loiter, project objects onto the playing field or seating area, or act in such a manner as to interfere with the players of athletic events or contests in any Authority facility.

Chapter 03 Free Speech Activities

.01 Intent

A. The regulations in this chapter regulate claims of right founded on federal and State law. These regulations do not themselves create, expressly or implied, any rights, privileges, or immunities of speech.

B. The regulations in this chapter are necessary in order to:

- (1) Ensure that those seeking to exercise their freedom of expression can communicate safely with visitors to Authority facilities;
- (2) [Restrict the activities described in this chapter to free areas of Authority facilities;
- (3)] Preserve the aesthetic and recreational atmosphere of Authority facilities; *and*
- [(4)] Protect visitors to Authority facilities from communications or encounters which might constitute harassment, intimidation, or commercial exploitation; and
- (5)](3) Ensure the safe, free, and orderly flow of [visitors, fans,] *pedestrians* and vehicles [through the parking lots and to and from events taking place] at Authority facilities.

.02 Free Speech Activities Generally.

A. An individual desiring to engage in [free speech activities] *Free Speech Activities* at Authority facilities may do so in proper accordance with these regulations and if the activities do not:

- (1) Constitute commercial activities;
- (2) Constitute solicitation for the immediate receipt of money or contributions; or
- (3) Result in interference with the safety of the public or the operation of Authority facilities, disrupt events at an Authority facility, or impede the flow of either vehicular or pedestrian traffic. *In general, a single person engaged in Free Speech Activities does not impermissibly obstruct a sidewalk, unless that person intentionally moves to obstruct or hinder pedestrians or vehicles attempting to pass by such person.*

B. [The] *Except as otherwise provided in this regulation, the use of musical or other noise-producing instruments, microphones or comparable voice-projecting devices[, and loud boisterous, or obscene language] is prohibited at an Authority facility. Subject to applicable noise-control ordinances, a person within the Camden Yards Sports Complex may use a battery-operated handheld megaphone if and when the person is located on a public sidewalk south of Lee Street and north of Hamburg Street (which does not include the Spine).*

C. *Except for the Authority, its authorized tenants, and such tenants' licensees, no person or persons may place or erect any table, display (other than hand-carried signs and placards otherwise permitted), or other stationary object at any location within an Authority facility (including the Plazas and sidewalks). Any person who places or erects a table, display, or other stationary object on Authority property and fails or refuses to remove it upon proper request to do so by an authorized agent of the Authority shall be considered trespassing in violation of Regulation .15 of Chapter 02 of this Subtitle. The Authority may treat any table, display, or other stationary object left unattended at an Authority facility as suspicious and may remove, dispose of, or destroy it without liability to the owner thereof.*

D. *An individual or group engaging in Free Speech Activities shall not engage in any activities prohibited under Chapter 02 of this Subtitle.*

E. *All Free Speech Activities shall be conducted in a peaceful and orderly manner. A person or group of persons participating in any Free Speech Activities may not:*

- (1) *Willfully impede or physically grasp at any other persons using or transiting the Authority facility or viewing the memorials in any of the Plazas;*
- (2) *Attach any objects to any other person's clothing without that person's consent;*
- (3) *Engage in aggressive solicitation (as defined by the Baltimore City Code) or unlawful harassment;*
- (4) *Engage in disorderly conduct;*
- (5) *Unless true, represent or imply that he, she, or their group represents, is affiliated with, or is in any way endorsed by the State of Maryland, the Authority, the Baltimore Orioles, the Baltimore Ravens, or any other tenant of an Authority facility;*
- (6) *Unreasonably disturb tenants or the public in the course of normal business activities, sporting events, entertainment events, or viewing any of the memorials on any of the Plazas.*

F. *Any person, organization, or other legal entity engaging in any Free Speech Activities at an Authority facility shall be responsible for any damages to any property directly caused by that person's, organization's, or other legal entity's actions, including, but not limited to, reimbursement of all cleaning and repair costs incurred by the Authority.*

G. *A person, organization, or other legal entity engaging in any Free Speech Activities at an Authority facility may not leave unattended any pamphlets, handbills, leaflets, signs, placards, posters, collection boxes or containers, or any other materials. The Authority may treat any materials left unattended anywhere at an Authority facility as suspicious and may remove, dispose of, or destroy any such materials without any liability to the owner thereof.*

H. *Any person, organization, or other legal entity engaging in any Free Speech Activities at an Authority facility shall abide by the terms of this chapter, any permit issued pursuant to this chapter, and local, state, and federal law.*

I. *Placards and Signs.*

- (1) *A person at an Authority facility may not carry any placard or sign that:*
 - (a) *Has a height exceeding thirty-six inches (36") or a width exceeding twenty-four inches (24");*
 - (b) *Uses words or images meant to incite immediate violence or an immediate breach of the peace;*

(c) Uses words or images that describe or depict any erotic or pornographic conduct.

(2) Only hand-carried signs and placards are permitted at an Authority facility. No sign or placard may be appended to, hung on, or rested upon any walkway, structure, or other part of an Authority facility. No sign or placard may be placed on or attached to any post or pole in any part of an Authority facility.

[.03 Distribution of Literature

A. The distribution of literature at Authority facilities may be conducted only in those areas and during those times reasonably specified by the Director of Facilities Management.

B. Registration to Distribute Literature.

(1) An organization shall file in writing a notice of registration, on a form provided by the Authority, with the Director of Facilities Management at least 3 days before the date or dates on which the organization plans to distribute its literature.

(2) A notice of registration shall provide the name, address, and telephone number of the organization, the nature and purpose of the activities, and the name, address, and telephone number of an authorized contact person for the organization.

(3) A notice of registration shall indicate the date the organization proposes to distribute its literature.

(4) Copies of all literature to be distributed shall be included with the notice of registration.

C. All distributed literature shall contain an explicit and prominent disclaimer of any association with, or endorsement by, the Authority, the Baltimore Orioles and, if requested by the Authority, any other principal tenant at an Authority facility.

D. An individual distributing literature may not:

(1) Engage in any activity which could be disruptive to the normal course of Authority business, including events at Authority facilities; or

(2) Impede the flow of vehicular or pedestrian traffic.

E. The distribution of literature to those waiting in line to enter an Authority facility is prohibited.]

.03 Areas of Authority Facilities Available for Free Speech Activities.

A. *No part of Camden Station, the Warehouse, any Stadium Structure, the Performing Arts Center, or any parking lot or garage owned or operated by the Authority is a public forum.*

B. *Eutaw Way is part of the Stadium Structure of Oriole Park at Camden Yards whenever a ticket is required for public access thereto, whenever Gate A and Gate H are closed, or whenever Eutaw Way is otherwise closed to the general public. Eutaw Way shall be considered a Plaza when open to the general public.*

C. *The Spine shall not be considered a public forum during any parking lot event or during any event taking place on the Spine itself. At all other times, the Spine shall be considered a Plaza.*

D. *Plazas and sidewalks shall be available for Free Speech Activities in accordance with the regulations in this chapter, but subject to the prohibitions in Chapter 02 of this Subtitle.*

E. *Regardless of whether a permit is required under Regulation .04 of this chapter, the Director of Security Management may require that all Free Speech Activities on any Plaza be limited to areas other than those reasonably designated for ingress, egress, and queuing for ingress, egress, or tickets to a Stadium structure, Camden Station, or the Warehouse.*

[.04 Enforcement.

A. The Authority shall enforce these regulations.

B. The distribution of literature by organizations that have failed to register in accordance with these regulations is prohibited.

C. If any infraction of these regulations is observed by a representative of the Authority, the Executive Director or the Executive Director's representative may immediately ask the violator of these regulations to leave Authority property.

D. Infractions may be grounds for denying future permission to distribute literature on Authority property.]

.04 Permits.

A. *A group of ten (10) or more persons desiring to engage in Free Speech Activities on one or more of the Plazas shall first obtain a written permit from the Authority for the proposed activity.*

B. *Permits shall be issued on a first-come, first-served basis.*

C. *The Authority may charge a uniform fee for reviewing a permit application and granting a permit under this section. Upon request by the applicant, the Authority may waive the fee based upon the ability of the applicant to pay the fee.*

D. *Permitting Procedures.*

(1) *To obtain a permit, an applicant shall submit a written application to the Authority at least three (3) working days before the date requested; provided, however, that if the request arises in response to an event announced less than five (5) working days in advance thereof, the written application may be submitted one (1) working day prior thereto.*

(2) The application shall be on a form provided by the Authority. The form shall designate the location where it may be filed in person. The form may also designate alternative methods by which the application may be filed, such as a mailing address, facsimile number, email address, or web site.

(3) The application for the permit shall include:

(a) The full name, mailing address, telephone number, and, if available, email address of the person or organization applying for the permit, and, if a group or organization, the name, address, and telephone number of a designated representative;

(b) The full name, mailing address, telephone number, and, if available, email address of the person who will supervise and be responsible for the conduct of the proposed activities;

(c) The date and times of the proposed activity;

(d) A brief description of the proposed activity including the method of communication (such as demonstration, distribution of literature, collection of petition signatures, or other activity);

(e) The number of persons expected to participate; and

(f) The signature of the applicant.

(4) The Director of Security Management shall review each application promptly. If the application is incomplete, the Director of Security Management shall make reasonable efforts to inform the applicant. If the application is complete, the Director of Security Management shall forward a copy thereof to the applicable Director of Facilities Management for review and comment.

(5) The Director of Security Management shall issue the permit unless the Director of Security Management specifically finds that:

(a) The information contained in the permit application is incomplete or contains a material misrepresentation;

(b) The proposed activity would substantially interfere with a scheduled event or another Free Speech Activity for which a permit previously issued;

(c) An Emergency exists;

(d) The proposed activity would materially interfere with vehicular or pedestrian traffic, including viewing of any memorial on the Plazas;

(e) The proposed activity would materially interfere with the normal business activities of the Authority or the Authority's tenants;

(f) The proposed activity, on its face, would violate any law, ordinance, or regulation of the federal, State, or Baltimore City governments; or

(g) The proposed activity reasonably appears to present a clear and present danger to the public safety, health, welfare, or good order.

(E) The Director of Security Management may revoke a permit at any time if:

(1) The actual activity materially differs from the activity proposed in the application and a permit for the actual activity could have been denied;

(2) The activities or conduct of the permitted person or of the permitted group or any individual member of the group present a clear and present danger to the public health, welfare, or public safety;

(3) The activities or conduct of the permitted person or of the permitted group or any individual member of the group violate any applicable law or regulation; or

(4) An Emergency arises.

(F) Appeal of Permit Decisions.

(1) Any person whose permit request is denied, whether in full or in part, or revoked may appeal the decision to the Executive Director by delivering a written appeal within five (5) working days after the decision by the Director of Security Management. The appeal shall state the reasons why the appellant believes the denial or revocation of the permit was in error. The appeal shall also state a mailing address for the appellant and, if the appellant desires service thereby, a facsimile number, email address, or both.

(2) The Executive Director shall review the initial permit decision or revocation in light of the written appeal. Within seven (7) working days after receipt of such appeal, the Executive Director shall issue a written decision either affirming the denial or revocation or granting the permit as requested.

(3) The Executive Director's decision shall be sent via certified mail to the appellant at the address provided in the appeal, with a copy by fax, email, or both, if provided, and shall be effective upon such service.

(4) The Executive Director's decision shall constitute a final decision of the Authority and may be appealed to an appropriate court as provided by law.

[.05 Picketing and Demonstrations.

A. Picketing and demonstrations anywhere on Authority property shall be authorized by the Executive Director in advance.

B. Those picketing or demonstrating:

(1) May do so only in areas specified by the Executive Director;

(2) Shall conduct themselves in a peaceful and orderly manner; and

(3) May not obstruct the use of Authority facilities by others or interfere with the normal course of Authority business.

C. Those under the influence of alcohol or drugs may not picket or demonstrate.

D. The Director of Facilities Management shall approve signs in advance of a specified picket date. Only hand-carried signs are permitted.]