

Honorable Meyer Reamer, Equitable Building (cont'd)

alley or other public property has been granted by the Board of Estimates, and unless the payment of the money required therefor has been made and all other terms and conditions required by said Board shall have been complied with, except as provided for in this Article."

Under the provisions of Section 47 of the Baltimore City Charter (1938 Edition) -

"the right to use the streets, avenues, alleys or public property by any person or body corporate for steps, porticoes, bay-windows, bow-windows, signs, columns, piers, or other projections or structural ornaments of any character * * * and not being a franchise or right requiring a formal grant by ordinance under the terms of this section, may be granted by the Board of Estimates * * *."

In view of the above provisions, it is my opinion that any sign which projects beyond the building line over a public highway or sidewalk can only be erected if the person desiring to erect the same has obtained the necessary privilege from the Board of Estimates and the permit required by Article 3, Section 5, Paragraph 16 of the Baltimore City Code (1927 Edition). The fact that the cornice of a particular piece of property extends out beyond the building line and over a public sidewalk would not, in my opinion, authorize the property owner to make use of the space above the public sidewalk for purposes other than a cornice.

The Minor Privilege Bureau has advised me that the oil-cloth sign of Mr. Cohen sets out about one foot from the brick front wall of the building. The Bureau of Plans & Surveys has advised me that the brick front wall of 717 W. Baltimore Street is approximately two inches back of the building line of Baltimore Street. On the basis of this information, it would appear that the sign extends approximately ten inches over the public sidewalk and should not have been erected without compliance with the minor privilege laws.

Very truly yours,

(signed) CHARLES C. G. EVANS

City Solicitor

CCGE/RRS