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Mayor & City Council of Baltimore v. Varghese

Supreme Court of Maryland - December 23, 2025 - A.3d - 2025 WL 3715481

Bicyclist who was injured when he crashed into steel cable stretched between two bollards on city-owned pier brought negligence and premises liability action against mayor and city council.

Following jury verdict in favor of bicyclist finding city liable and awarding damages, the Circuit Court denied city defendants' motion for judgment notwithstanding verdict alleging governmental immunity. City appealed. The Appellate Court affirmed. City appealed.

The Supreme Court held that:

- City's discretionary decisions regarding design and placement of steel cable were governmental acts for which city had governmental immunity;
- Allegedly hazardous nature of steel cable was not so obviously dangerous as to deprive city of governmental immunity; and
- Negligence claim was fundamentally premised on city's design choice rather than city's alleged duty to respond to known hazard on paved public way.

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