

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor
101 City Hall
Baltimore, Maryland 21202

June 27, 2012

The Honorable President and Members
of the Baltimore City Council
Attn: Karen Randle, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 12-0100 – Solid Waste Management Plan for Baltimore
City – Amendment

Dear President and City Council Members:

The Law Department has reviewed the Mayor and City Council Resolution 12-0100 for form and legal sufficiency. The bill would amend the City's Solid Waste Management Plan to add Chesapeake Compost Works to the list of waste disposal facilities and the list of recycling companies.

Sections 9-503 and 9-1703 of the Environment Article of the Annotated Code of Maryland require that the City have a Solid Waste Management Plan and a plan on recycling and that those plans and any amendments to them be approved by the City's governing body. *See also* Code of Maryland Regulations ("COMAR"), §§26.03.03.02.A; 26.03.03.05. Therefore, this bill is the proper way to propose the change to the Solid Waste Management Plan.

State law also requires that before the City adopt any amendment to the plan, it shall publish notice of the public hearing "published in at least 1 newspaper of general circulation in the county once each week for 2 successive weeks, with the first publication of notice appearing at least 14 days before the hearing." Md. Code, Envir. Art, §9-503(d). Additionally, notice of the hearing must be given to the Maryland Department of the Environment. *See* COMAR, §26.03.03.05.C(2).

Assuming the requisite notice procedures were followed, the Law Department would approve the bill for form and legal sufficiency.

Very truly yours,

Hilary Ruley
Assistant Solicitor



F/Comments

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cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor
Ashlea Brown, Assistant Solicitor
Victor Tervalá, Assistant Solicitor