

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

November 4, 2011

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 11- 0792 – Alley– Gating and Greening Program
– Eligibility to Participate

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 11-0792 for form and legal sufficiency. The bill would extend the alley gating and greening program to include alleys that are abutted by commercial structures, as well as residential structures or a combination of residential and commercial structures. The bill also corrects certain administrative references to reflect the assumption of jurisdiction over the program by the Department of General Services, as well as makes other corrections and clarifications.

The bill does not include a definition of “commercial” structures, and there is no generally applicable definition of the term in the Zoning Code or in the City Code. Without a definition, it is questionable whether the bill is intended to include industrial, office or business establishments or a combination of these.

If a definition of the term “commercial” is included in the bill, the Law Department will approve the bill for form and legal sufficiency.

Sincerely yours,


Victor K. Tervala
Assistant Solicitor

F/A

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

