

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

December 28, 2012

Honorable President and Members
of the City Council of Baltimore
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Attn: Karen Randle
Executive Secretary

Re: City Council Bill 12-0161– Zoning – Conditional Use Second-
hand Store – 566 Oldtown Mall

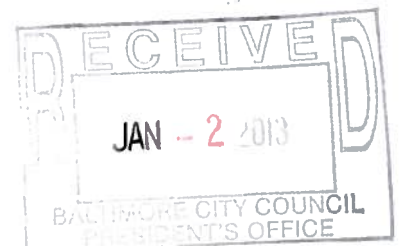
Dear President and City Council Members:

The Law Department has reviewed City Council Bill 12-0161 for form and legal sufficiency. The bill permits the establishment, maintenance, and operation of a second-hand store on the property known as 566 Oldtown Mall.

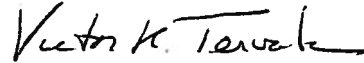
The subject property is zoned B-2-2 (Community Business District). The conditional uses that require the enactment of an ordinance in a B-2 zone include second-hand stores. City Zoning Code (“ZC”) § 6-309(12a). A conditional use is the subject of this proposed ordinance; accordingly, the proposed ordinance satisfies the above requirements.

Pursuant to the City Zoning Code, a bill concerning a conditional use is classified as a “legislative authorization.” ZC § 16-101. Legislative authorizations require that certain procedures be followed in the bill’s passage. Specifically, certain notice requirements apply to the introduction of the bill. *See* ZC § 16-203. The bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner. *See* ZC §§ 16-301, 16-302 & 16-304. Additional public notice and hearing requirements also apply to the bill. *See* ZC § 16-402. Finally, certain limitations on the City Council’s ability to amend the bill apply. *See* ZC § 16-403.

Assuming all the procedural requirements are met, the Law Department will approve the bill for form and legal sufficiency.



Sincerely yours,

A handwritten signature in black ink that reads "Victor K. Tervala". The signature is written in a cursive style with a long horizontal stroke at the end.

Victor K. Tervala
Assistant Solicitor

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