

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

March 5, 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 12-0028 – Commercial Energy Efficiency – Lighting
Systems

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 12-0028 for form and legal sufficiency. The bill proposes changes to Section 9-102 of the International Energy Conservation Code, which is codified in the City's Building Fire and Related Codes Article of the Baltimore City Code. In addition to minor grammatical changes ("shall" changed to "must"), the bill would remove the current provision that allows buildings larger than 5,000 square feet to use a programmed time-of-day and holiday schedule for lighting in certain areas. The bill would also clarify that light controls in sleeping units must be configured to require a room key to activate the lighting. The changes would apply to all permits for new construction or substantial improvements to an existing structure (cost of improvements exceeds 50% of market value prior to change) that are applied for after January 1, 2013.

It is within the City's power to legislate concerning the construction of buildings and the general health and welfare of the City. *See* Charter, Art. II, §§1, 27, 37. It is also consistent with the authority granted to the Sustainability Commission or the Office of Sustainability. *See* City Code, Art. 1, §34-1; Art. 5, §34-1. As there are no legal impediments to these changes, the Law Department approves the bill for form and legal sufficiency.

Very truly yours,

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Assistant Solicitor

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

