
CITY OF BALTIMORE

BRANDON M. SCOTT,
Mayor



DEPARTMENT OF LAW
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January 3, 2024

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

Re: City Council Bill 23-0398– Study and Report – 2023 Baltimore City Food Climate

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 23-0398 for form and legal sufficiency. The bill requires the Director of the Department of Planning and the Commissioner of the Health Department to consult with the Baltimore Development Corporation and the Johns Hopkins Center for a Livable Future and to submit a report detailing the current state of the food insecurity in Baltimore City. The bill also describes the topics to be addressed in the report, establishes a final submission deadline of 180 after enactment, and prior to the report’s final submission to the City Council, requires public notice and the report to be published seeking public comment, for a period of at least 30 days.

The City Council has the power to investigate “in furtherance of its legislative function,” 4 McQuillin Mun. Corp. § 13:7, and it may “pass any ordinance, not inconsistent with the provisions of [the City] Charter or the laws of the State . . . as it may deem proper in maintaining the peace, good government, health and welfare of Baltimore City,” City Charter, Art. II, § (47). Moreover, Section 2(a) of Article VII of the Charter allows for ordinances to give additional duties to “a department, officer, commission, board or other municipal agency” so long as those duties are “consistent with the Charter and subject to the supervision of a superior municipal officer or agency.” Charter, Art. VII, § 2(a). In addition, Art. III, Sec. 9 of the City Charter and Art. 1, Sec. 1-4 gives the City Council authority to call before it, department heads and other City officials to inquire about the operation of City agencies and to investigate complaints and allegations regarding City operations. However, the City Council cannot compel the Johns Hopkins Center for a Livable Future to participate in the study and report or to appear before them, although Johns Hopkins representatives may do so voluntarily.

The Law department notes the following technical amendment(s) to the bill:

- Page 1, Line 2. Unless the bill is enacted in 2023, “2023” should be removed from the title.
- Page 1, Line 11, the word “stat” should be “state.”
- Page 1, Line 13, there should be a comma after City Council.

Accordingly, it is within the power of the City Council to require the designated agencies to conduct the study and report on the Baltimore City Food Climate. With the required technical amendment(s) and based on the foregoing analysis, this bill is consistent with the Charter authority of the City Council. As such, the Law Department can approve the bill for form and legal sufficiency.

Very truly yours,



Teresa Epps Cummings

cc: Ebony M. Thompson, Acting City Solicitor
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