
CITY OF BALTIMORE

BRANDON M. SCOTT,
Mayor



DEPARTMENT OF LAW
FRONY M. THOMPSON,
ACTING CITY SOLICITOR
100 N. HOLLIDAY STREET
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BALTIMORE, MD 21202

October 3, 2023

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

Re: City Council Bill 23-0396 – City Streets – Closing – A 20 Foot Alley and
Two 10 Foot Alleys

Dear President and City Council Members:


The Law Department reviewed City Council Bill 23-0396 for form and legal sufficiency. The bill would allow the City to condemn and close a 20 foot alley and two 10 foot alleys bounded by Park Heights Avenue, Woodland Avenue, Denmore Avenue, and West Garrison Avenue. The bill expressly reserves the rights of the Mayor and City Council to the subsurface structures and appurtenances now owned by the Mayor and City Council and that no building or structure of any kind may be constructed in or on any part of the street closed under this ordinance until the subsurface structures have been abandoned by the Mayor and City Council and removed as provided in this ordinance.

The proceedings for the condemnation and closing of the 20 foot alley and two 10 foot alleys and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Transportation and filed with the Department of Legislative Reference.

City Charter Article II, § 34 grants the Mayor and City Council the power to “construct, open, extend, widen, straighten or close streets, bridges, tunnels or approaches to them and other public ways of every kind within the bounds of the City.” Moreover, Article II, § 35(e) permits the Mayor and City Council “[t]o close or gate an alley that is no longer needed for through pedestrian or vehicular traffic, in order to promote the public health, safety, or welfare...” Section 116(b)(2) of Article VII of the City Charter requires the Department of Transportation to prepare all ordinances for the opening and closing of streets.

The Law Department approves Council Bill 23-0396 for form and legal sufficiency.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michele L. H.", written in black ink on a light background.

Assistant Solicitor

cc: Ebony Thompson
Nina Themelis
Tiffany Maclin
Elena DiPietro
Hilary Ruley
Ashlea Brown
Jeff Hochstetler
Teresa Cummings