

CITY OF BALTIMORE

SHEILA DIXON, Mayor



DEPARTMENT OF LAW

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

June 6, 2008

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 08-0116 – Water Regulations – Citation Penalties

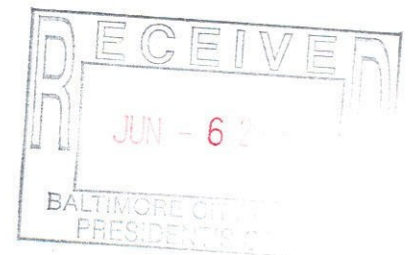
Dear Madame President and City Council Members:

The Law Department has reviewed City Council Bill 08-0116 for form and legal sufficiency. The bill would enumerate fine amounts for violations of regulations designed to protect watershed areas and the City's water supply. The current Code provision issues a \$250 prepayable fine for a violation of *any* rule and regulation pertaining to the protection of the water supply. *See* Baltimore City Code Art. 1 § 40 – 14(e)(4a); § 41 – 14(3). Bill 08-0116 itemizes fine amounts for violations of specific regulations, resulting in amounts comparable to each offense. With the exception of one regulation, polluting in reservoir waters or tributaries (a \$500 fine), the specified amounts are all equal to or less than the current \$250 fine.

City Council Bill 08-0116 is in accordance with Article 24 § 1-1(a)(2) of the Baltimore City Code which grants authority to the Director of Public Works to adopt and enforce rules pertaining to the City's water supply. Section 21 – 11 of Article 24 authorizes the enforcement of those rules by environmental or civil citation. *See* Baltimore City Code Art. 24 § 21 – 11(a). The fines imposed by the Bill are less than \$1000 and are therefore in compliance with Article II § 48 of the Charter, which grants the City the power to impose penalties not exceeding that amount. *See* Baltimore City Charter, Art. II § 48. Therefore, the Law Department approves the bill for form and legal sufficiency.

Sincerely,

Ashlea Brown  
Assistant Solicitor



cc: George Nilson, City Solicitor  
Angela C. Gibson, Mayor's Legislative Liaison  
Elena DiPietro, Assistant Solicitor  
Deepa Bhattacharyya, Assistant Solicitor

