
CITY OF BALTIMORE

BRANDON M. SCOTT,
Mayor



DEPARTMENT OF LAW
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February 13, 2024

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 23-0419– Study and Report – North Franklinton Road

Dear President and City Council Members:

The Law Department reviewed City Council Bill 23-0419 for form and legal sufficiency. The bill requires the Baltimore City Department of Public Works, in consultation with the Department of Transportation, Department of Recreation and Parks, Baltimore Police Department, and Baltimore Fire Department to submit a report evaluating the effectiveness of closing the portion of North Franklinton Road extending through Leakin Park to deter illegal dumping. The bill also describes the topics to be addressed in the report, establishes a final submission deadline of 120 days after enactment, and provides that the bill takes effect on the date of enactment.

The City Council has an inherent power to investigate “in furtherance of its legislative function.” 4 McQuillin Mun. Corp. § 13:7. The City Council may “exercise within the limits of Baltimore City all the power commonly known as the Police Power to the same extent as the State has or could exercise that power within the limits of Baltimore City,” and may “pass any ordinance, not inconsistent with the provisions of this Charter or the laws of the State, which it may deem proper in the exercise of any of the powers, either express or implied, enumerated in this Charter, as well as any ordinance as it may deem proper in maintaining the peace, good government, health and welfare of Baltimore City.” City Charter, Art. II, §§ (27), (47). 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).

Accordingly, the Law Department approves the bill for form and legal sufficiency.

Sincerely,

Michele M. Toth
Assistant Solicitor

cc: Ebony Thompson
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Tiffany Maclin
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