

CITY OF BALTIMORE

SHEILA DIXON, Mayor



DEPARTMENT OF LAW

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

March 7, 2008

The Honorable President and
Members of the Baltimore
City Council
c/o Karen Randle, Executive Secretary
409 City Hall
Baltimore, MD 21202

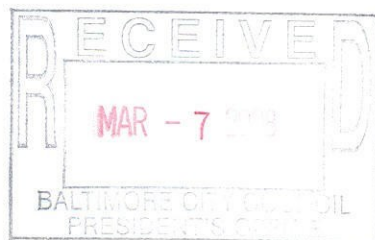
RE: City Council Bill 08-0019 – Building Code-Dwellings-Carbon Monoxide Alarms

Dear President and Members

You have requested the advice of the Law Department regarding City Council Bill 08-0019. Bill 19 will require the installation and maintenance of carbon monoxide alarms in dwellings, hotels, motels, boarding or rooming houses or other structures that provide living or sleeping facilities.

In the Md. Annotated Code, Public Safety Article, Section 12-1101 et seq., the Maryland General Assembly has enacted laws regulating the installation and placement of carbon monoxide alarms in dwellings. Section 12-1106 provides that county and municipal governments may enact more stringent laws that relate to carbon monoxide alarms. Bill 19 defines “dwelling” in broader language and is therefore potentially more stringent. The Bill generally requires that alarms to be placed in the same areas within a dwelling as required by State law. The Bill is also more stringent in that it requires the owner of a rental unit to provide a carbon monoxide alarm that is designed to alert persons with hearing impairments, if the tenancy is occupied by a person who is hearing impaired and the tenant has asked in writing for the alarm.

City Council Bill 08-0019 is consistent with the authority of the City Council. The Law Department, therefore, approves the City Council Bill 08-0019 for form and legal sufficiency.



Sincerely yours,

Elena R. DiPietro
Assistant Solicitor



cc: Honorable James B. Kraft
Angela Gibson, City Council Liaison
George A. Nilson, City Solicitor
Linda C. Barclay, Chief Solicitor
Deepa Bhattacharyya, Assistant Solicitor