

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

June 20, 2017

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

Re: City Council Bill 17-0034 – Metropolitan District of Baltimore County –
Extension 165

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0034 for form and legal sufficiency. The bill provides that the Mayor and City Council consent to and approve the petition to extend the Metropolitan District of Baltimore County to a tract of land consisting of approximately 27.7932 acres in the 4th Election District of Baltimore County. The bill provides that the ordinance takes effect on the date it is enacted.

The Metropolitan District of Baltimore County was established by the Metropolitan District Act (hereinafter the "Act"), Chapter 539 of the Acts of 1924 as amended by Chapter 1017 of the Acts of 1945, and Chapter 515 of the Acts of 1955. Under the Act, the City is "required to supply water to consumers in the metropolitan district of Baltimore County at cost and entirely without profit or loss." *Baltimore County v. Mayor and City Council of Baltimore*, 329 Md. 692, 696 (1993) (internal quotations omitted). *See also* Public Local Law §§ 25-22 through 25-30. The initial boundaries of the Metropolitan District were set in the Act, but inhabitants in any locality adjoining, but outside of, the Metropolitan District can make a written petition to the County to join the District. *See* 1924 Laws of Md., Ch. 539 § 14; 1955 Laws of Md., Ch.515, § 1. The petition has to be approved by the Mayor and City Council of Baltimore. *Id.*; *see also* Baltimore County Code, Art. 20, §§ 1-101(b), 1-102 (Mayor and City Council must approve any Metropolitan District Extensions); *Home Owners' Loan Corp. v. Baltimore City*, 175 Md. 676, 680-81 (1939) (City has no duty to supply water outside of its boundaries unless provided by ordinance).

This ordinance is the appropriate legal authorization for the extension of the Metropolitan District of Baltimore County. Subject to confirmation by the Baltimore City Department of Public Works that the applicable requirements have been met to extend the Metropolitan District of Baltimore County, the Law Department approves the bill for form and legal sufficiency.

Sincerely,

Jennifer Landis
Assistant Solicitor

cc: David Ralph, Interim City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Victor Tervalva, Chief Solicitor

