

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

March 20, 2012

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 12-0027 – Zoning – Conditional Use – Amending  
Ordinance 02-442

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 12-0027 for form and legal sufficiency. The bill permits an increase in the number of beds in the homeless shelter located at 1017 East Baltimore Street, by amending conditional use Ordinance 02-442, which authorized the shelter. There are no legal impediments to this increase.

Pursuant to the City Zoning Code, a conditional use is classified as a “legislative authorization,” requiring certain procedures. ZC § 16-101(d)(1). Notice requirements apply to the introduction of the bill, including posting the property for 30 days within one week of the notice of introduction. See ZC § 16-203. The bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner. See ZC §§ 16-301, 16-302 & 16-304. Additional public notice and hearing requirements also apply to the bill, including advertising the time, place and subject of the hearing in a paper of general circulation for 15 days and posting the property conspicuously with this same information. See Md. Code, Art. 66B, §2.04(b)(2)(i); ZC § 16-402. Finally, certain limitations on the City Council’s ability to amend the bill apply, including a Third Reading hold-over before final passage by the Council. See ZC § 16-403. Assuming all the procedural requirements are met, the Law Department will approve the bill for form and legal sufficiency.

Very truly yours,

  
Hilary Ruley  
Assistant Solicitor

cc: George Nilson, City Solicitor  
Angela C. Gibson, Mayor’s Legislative Liaison  
Elena DiPietro, Chief Solicitor  
Ashlea Brown, Assistant Solicitor  
Victor Tervalá, Assistant Solicitor

