

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

ANDRE M. DAVIS, City Solicitor
101 City Hall
Baltimore, Maryland 21202

October 10, 2017

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

Re: City Council Bill 17-0128 – City Streets – Closing – Portion of a 10 Foot
Alley Lying Between North Milton Avenue and Rose Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0128 for form and legal sufficiency. The bill would allow the City to condemn and close a portion of a 10-foot alley lying between North Milton Avenue and Rose Street that it no longer needs, as shown on Plat 129-A-39A in the office of the Department of Transportation. The bill expressly reserves the rights the Mayor and City Council has in the structures located under the street bed, including access rights.

Section (34) of Article II of the City Charter grants the Mayor and City Council the power to “construct, open, extend, widen, straighten or close streets, bridges, tunnels or approaches to them and other public ways of every kind within the bounds of the City.” Section 116(b)(2) of Article VII of the City Charter requires the Department of Transportation to prepare all ordinances for the opening and closing of streets.

As this bill meets with the applicable sections of the Charter, the Law Department approves it for form and legal sufficiency.

Very truly yours,

Hilary Ruley
Chief Solicitor

cc: Andre M. Davis, City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Victor Tervalá, Chief Solicitor
Jennifer Landis, Assistant Solicitor