

CITY OF BALTIMORE

SHEILA DIXON, Mayor



DEPARTMENT OF LAW

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

February 19, 2009

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 08-0259 – Metal Detectors for City Buildings

Dear Madame President and City Council Members:

The Law Department has reviewed City Council Bill 08-0259 for form and legal sufficiency. It would require that every building owned by the City or occupied by a City agency, except for those used as a residence or by a private business, have a supervised metal detector at its entrance.

Section 31 of Article VII of the Baltimore City Charter gives the Department of Public Works (“DPW”) the authority to operate and maintain all municipal buildings and other public works. Therefore, DPW has the power to place security devices in City buildings, leaving the City Council without the legislative authority to enact legislation on this subject. In addition, this legislation is extremely broad and would likely be very difficult and expensive to implement. For example, the bill would require the City to provide metal detectors and the personnel to operate and maintain them in every library and recreation center. The City also has ownership of school buildings and this legislation would likely conflict with the City’s Memorandum of Understanding with the State to operate the schools.

Based on the foregoing, the Law Department does not approve City Council Bill 08-0259 for form and legal sufficiency.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Hilary Ruley".

Hilary Ruley
Assistant Solicitor

cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor’s Legislative Liaison
Belinda Conaway, Councilmember, 7th District
Elena DiPietro, Chief Solicitor
Deepa Bhattacharyya, Assistant Solicitor
Ashlea Brown, Special Assistant Solicitor

