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CITY OF BALTIMORE

BRANDON M. SCOTT  
Mayor



DEPARTMENT OF LAW  
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July 12, 2023

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 23-0400 – Port Covington Community Benefits District –  
Amendment – Boundaries

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 23-0400 for form and legal sufficiency. The bill would change the boundaries of the Port Covington Community Benefits District.

Section (63) of Article II of the City's Charter is the authority given by the General Assembly to the Mayor and City Council of Baltimore to create by ordinance six supplemental tax areas, called Community Benefit Districts. City Charter, Art. II, § (63). The ordinance enacting the Port Covington Community Benefits District is codified in Subtitle 10 of Article 14 of the City Code. This bill would change Section 10-2(b) of that Article to change the map of the District and thereby change its boundaries.

The same considerations that were present for the creation of the original District's boundaries would apply to any change in those boundaries:

The City Council must:

- (1) give consideration to the views of the property owners, the retail merchants, the property tenants, and the other members of the business and residential communities within the district;
- (2) make a determination that a district created under this section will reflect a diverse mix of business and residential properties; and
- (3) make a determination that a district created under this section will reflect a diverse economic, social, and racial mix.

City Charter, Art. II, § (63)(f).

The changes in the District's boundaries can only be effective if approved by the voters in that district in an election. City Charter, Art. II, § (63)(k). The procedures for the election must be contained in an ordinance. City Charter, Art. II, § (63)(k)(3). Section 10-13 of Article 14 of the City Code is the codified ordinance containing the process for district elections. Assuming that the district election process is followed and 58% of the affected voters approve, then the District boundaries would be changed.

The Law Department can approve the bill for form and legal sufficiency.

Very truly yours,



Hilary Ruley  
Chief Solicitor

cc: Ebony M. Thompson, Acting City Solicitor  
Nina Themelis, Mayor's Office of Government Relations  
Elena DiPietro, Chief Solicitor, General Counsel Division  
Ashlea Brown, Chief Solicitor  
Jeffery Hochstetler, Chief Solicitor  
Teresa Cummings, Assistant Solicitor  
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