

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

May 7, 2010

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 10-0437 – Residential Code –Automatic Fire Sprinkler
Systems

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 10-0437 for form and legal sufficiency. The bill proposes to change the language in the Baltimore City Building, Fire and Related Codes to require automatic sprinkler systems in any new or renovated 1 or 2 family dwelling or renovated townhouse in addition to the current requirement of placing them in any newly constructed townhouse. The renovation must be 30 percent or more of the gross floor area to trigger the sprinkler system requirement.

It is within the City's power to regulate the construction of buildings and to safeguard against fires. *See* Charter, Art. II, §7; Art. I, §1. Although the Public Safety Article of the Maryland Code also provides fire safety regulations, that article is only applicable in Baltimore City to properties owned by the state or that require state licensure, such as hospitals and nursing homes, which would not be affected by the changes proposed in this bill. Md. Code, Pub. Safety, §6-401.

As there are no legal impediments to this bill, the Law Department approves it 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, Special Assistant Solicitor
Terese Brown, Assistant Solicitor

