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CITY OF BALTIMORE

BERNARD C. “JACK” YOUNG  
Mayor



DEPARTMENT OF LAW  
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October 13, 2020

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

Re: City Council Bill 20-0607 –Naming an Unnamed Alley, Located in the Rear  
of 216 East Biddle Street, Mura Alley

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 20-0607 for form and legal sufficiency. The bill would name an unnamed alley located at the rear of 216 East Biddle Street.

Subtitle 7 of Article 26 of the City Code governs the naming of a street. There is a different process for public thoroughfares than there is for private streets. A private street can only be renamed after a majority of the property owners petition the Department of Transportation, which forwards its recommendation to the City Council. In this case, the alley is more than 10 feet in width, so it is declared to be a public street. Baltimore City Code, Art. 26, § 31-1(b).

For a public thoroughfare, a City Council Bill must be introduced and referred to the City’s Department of Transportation (“DOT”) and the Department of Planning’s Historical and Architectural Preservation Division, known as the Commission for Historical and Architectural Preservation (“CHAP”). City Code, Art. 6, § 2-1 (CHAP is a division of Planning Department); Art. 26, § 7-3(a). The City Council cannot act until it receives a report from DOT and CHAP. City Code, Art. 26, § 7-3(b). Once it receives those reports, the City Council may name the street so long as it meets four requirements:

- (1) the name may not be the same as the name of an existing street, avenue, or thoroughfare;
- (2) the name may not be the name of a living person or persons;
- (3) the name may not be the name of an existing or proposed business or of an existing or proposed product of a business; and
- (4) the name shall be given to the entire length of the street, avenue, or thoroughfare.

The proposed name of “Mura Alley” appears to be the same as “Mura Street” that is located to its east between Preston and Biddle Streets and crossing Chester and Colington Avenues. Although those would be differentiated because one is an alley and another a street, the use of “Mura” would violate the first requirement that the name not be the same as another existing street, avenue or thoroughfare. The name also appears to be of an existing business that manages web

content primarily for marketing and development professionals. See [www.murasoftware.com/](http://www.murasoftware.com/) <last visited September 28, 2020>. Thus, this name violates the third requirement above.

Although the plain meaning of these guidelines governs their interpretation, “in the interest of completeness,” the purpose behind a law can be examined, including its context and “archival legislative history of relevant enactments.” See, e.g., *Stubbs v. State*, WL 4133942 (Md. Sept. 9, 2008) (citations omitted); *Hudson v. Housing Authority of Baltimore City*, 402 Md. 18, 34 (2007) (“lens of legislative history serves to affirm our plain meaning reading.”). The legislative history behind these guidelines reveals that they were enacted as part of Ordinance 76-140 because the Department of Public Works (“DPW”) had noticed a sharp increase in street names being changed. Notes in the bill file document DPW’s testimony that to rename a street, the “procedure should be tougher – e.g. criteria for change.” To this end, DPW requested that the bill be held “pending possible amendments *re* criteria for changing street names.” Thereafter, an amendment to set guidelines for renaming a street, which had not been part of the original bill, was introduced and passed. The guidelines found today in Section 7-3 of Article 26 of the Baltimore City Code are identical to those proposed by DPW in 1976 and the language has remained unchanged for over thirty years. Since DPW originally proposed the amendment to the bill to create these guidelines, it is the authority on the intent of the requirements noted above. See, e.g., *Maryland Com’n on Human Relations v. Bethlehem Steel Corp.*, 295 Md. 586, 593(1983) (agency is best able to interpret its own legislative intent). However, it is clear that the City wanted to create strict criteria for renaming streets such that no alley should have the same name as any other street. Nor was it likely the intent to reference any existing businesses, even if those businesses were not located in Baltimore.

Therefore, the Law Department cannot approve the bill as written. If the bill were amended to change the proposed name to one that is not already an existing street or an existing business, the Law Department could approve the bill for form and legal sufficiency.

Very truly yours,



Hilary Ruley  
Chief Solicitor

cc: Dana P. Moore, Acting City Solicitor  
Matthew Stegman, Mayor’s Office of Government Relations  
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