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CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG  
Mayor



DEPARTMENT OF LAW  
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October 22, 2019

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 19-0450 – Zoning – Signs – Conversion of Existing Non-Digital Billboards

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 19-0450 for form and legal sufficiency. The bill would eliminate some of the current conditions in Section 17-406(d) of Article 32 that must be met before an existing non-digital billboard can be converted to a digital billboard. There are no legal impediments to the elimination of these conditions.

The City Council must consider the following when evaluating changes to the text of the City's Zoning Code (Article 32 of the Baltimore City Code):

- (1) the amendment's consistency with the City's Comprehensive Master Plan;
- (2) whether the amendment would promote the public health, safety, and welfare;
- (3) the amendment's consistency with the intent and general regulations of this Code;
- (4) whether the amendment would correct an error or omission, clarify existing requirements, or effect a change in policy; and
- (5) the extent to which the amendment would create nonconformities.

Additionally, any bill that authorizes a change in the text of the Zoning Code is a "legislative authorization," which requires that certain procedures be followed in the bill's passage, including a public hearing. Baltimore City Code, Art. 32, §§ 5-501; 5-507; 5-601(a). Certain notice requirements apply to the bill. Baltimore City Code, Art. 32, §§ 5-601(b)(1), (c), (e). The bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner. Baltimore City Code, Art. 32, §§ 5-504, 5-506. Finally, certain limitations on the City Council's ability to amend the bill apply. Baltimore City Code, Art. 32, §5-507(c). Assuming all the procedural requirements are met, the Law Department can approve the bill for form and legal sufficiency.

Very truly yours,

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

Hilary Ruley  
Chief Solicitor

cc: Andre M. Davis, City Solicitor  
Matthew Stegman, Mayor's Office of Government Relations  
Elena DiPietro, Chief Solicitor, General Counsel Division  
Victor Tervalá, Chief Solicitor  
Ashlea Brown, Assistant Solicitor