
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
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May 18, 2026

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 26-0192 – Charter Amendment – Minor Privileges

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 26-0192 for form and legal sufficiency. The bill—entitled a resolution—would amend Article VIII of the City’s Charter in the following ways:

- Adds the City’s stormwater system to the list of inalienable City property in Section 1.
- Clarifies in current Section 1—proposed Section 1(b)(1)—that the City may grant franchises in the City’s conduit system.
- Simplifies and rewords in a new Section 1(b)(2) and Section 1(c) the current language in the third paragraph of current Section 1.
- Simplifies and rewords current Sections 2 and 9—proposed Section 3—related to minor privileges, including providing that minor privileges may be identified and defined by ordinance.
- Repeals the requirement for BOE approval of minor privileges and instead states that such privileges may be granted by an executive agency under a process established by ordinance.
- Repeals current Sections 4 through 9.
- Transition Provisions and Effective Dates
 - Section 2 of the resolution states that each provision repealed becomes effective upon the earlier of the date of the next general election—*i.e.*, roughly two years—

or upon passage of an ordinance or promulgation of a regulation governing the subject matter of the repealed provision.

- Section 3 of the resolution states that all other provisions become effective on the 30th day after the general election on November 3, 2026.

The Charter amendments above, including the provisions proposed for repeal that may instead be addressed in ordinance, relate to the “form and structure of government” and so constitute proper Charter material. *See, e.g., Baltimore City Bd. of Elections v. Mayor & City Council of Baltimore*, 489 Md. 465, 478 (2025) (“A charter is equivalent to a constitution. As with a constitution, a charter provides a broad organizational framework establishing the form and structure of government in pursuance of which the local jurisdiction is to be governed and local laws enacted.”) (cleaned up).

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

Sincerely,



Jeffrey Hochstetler
Chief Solicitor

cc: Ebony Thompson, City Solicitor
Nina Themlis, Mayor’s Office of Government Relations
Ty’lor Schnella, Mayor’s Office of Government Relations
Hilary Ruley, Chief Solicitor, General Counsel Division
Ashlea Brown, Chief Solicitor
Michelle Toth, Assistant Solicitor
Desireé Luckey, Assistant Solicitor