

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

January 19, 2016

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 15-0581– RPP Area 9 (Federal Hill) – Exception for 807
Light Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 15-581 by adding an exception to the Plan's general permit allotments for dwellings units.

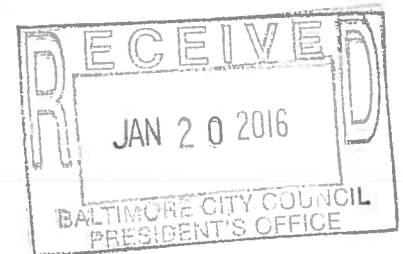
The Law Department notes that the City Code permits a parking management plan to be modified by ordinance if the plan is the product of administrative regulation. *See* City Code, Art. 31, § 10-19(a). We further note that an administrative regulation created the current RPP parking management plan. Therefore, an ordinance amending the plan, such as proposed by this bill, is lawful.

The Law Department also notes that the bill affects only a single address within the RPP. The disparate treatment of this property will be presumed legal as long as a rational basis exists to treat the property differently than other properties in the RPP. *See Schweiker v. Wilson*, 450 U.S. 221, 230 (1981) (“legislation [must] classify the persons it affects in a manner rationally related to legitimate governmental objectives”).

Assuming a rational basis exists for the legislation, and some description of it is provided in written or oral testimony at the bill hearing, the Law Department will approve the bill as drafted for form and legal sufficiency.

Sincerely,

Victor k. Tervalo
Chief Solicitor



fav w/ comm

cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Jennifer Landis, Assistant City Solicitor