

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

October 1, 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 10-0522– Required Parking for Bicycles

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 10-0522 for form and legal sufficiency. It would modify the Baltimore City Zoning Code to differentiate between motor vehicle parking spaces and those parking spaces for bicycles, which are defined to be a certain size depending on whether they are indoor or outdoor. The bill would mandate that when the Department of Planning and the Department of Public Works review a plot plan for a new or expanded use requiring five or more parking spaces, that it also study bicycle movement and traffic. Finally, the bill would compel one bicycle space for every ten vehicle parking spaces. It would also allow the number of vehicle parking spaces to be reduced by one for every bicycle parking space.

The City's authority to create zoning laws derives from Article 66B of the Maryland Code. "Article 66B vests in the City the full power which the State can exercise within the proper limits and scope of the police power." *Gino's of Maryland, Inc. v. City of Baltimore*, 250 Md. 621, 631 (1968)(citation omitted). It has long been the law of the State of Maryland that the police power of the government includes the regulation of bicycles. See *Twilley v. Perkins*, 77 Md. 252, 278-88 (1893).

As there are no impediments to the enactment of this legislation, the Law Department approves the bill for form and legal sufficiency.

Very truly yours,

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Assistant Solicitor

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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