

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor

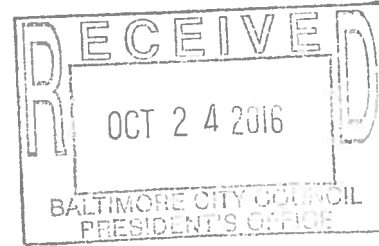


DEPARTMENT OF LAW

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

October 20, 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 15-0509 – Baltimore City Landmark List—Eastern Avenue Pumping Station

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 15-0509 for form and legal sufficiency. It would designate the Eastern Avenue Pumping Station at 751 Eastern Avenue as a historical landmark.

The Law Department notes preliminarily that the bill fails to identify whether the landmark designation is for the interior or the exterior of the above structure, as is required by the City Code. *See* Baltimore City Code (BCC), Art. 6, §4-1. The Commission for Historical & Architectural Preservation confirms that the designation is for the structure’s exterior. The Law Department offers the **attached amendments** to the bill to correct this oversight and to correctly identify the sections which are to be added to the City Code.

An ordinance of the Mayor and City Council is required to add a structure to the “Landmark List: Exteriors.” BCC, Art. 6, §4-2(1). The City Council must refer the bill for written reports and recommendations to the Commission for Historical and Architectural Preservation (CHAP), the Planning Commission, and any other agency that the Council President designates. BCC Art. 6, §4-5(a). Section 4-6 of Article 6 sets forth the public notice and hearing requirements. Receipt of the CHAP report is a prerequisite to the holding of a hearing on a bill seeking to add a structure to the “Landmark List: Exteriors” when the bill was not initiated by CHAP, as is the case here. BCC, Art. 6, §4-8(b). However, if CHAP does not submit a report within 100 days of the referral, the Council may proceed to set a hearing on the bill without a CHAP report. BCC, Art. 6, §4-8(c).

CHAP has reviewed this bill and has submitted a report approving the landmark designation. The Planning Commission has also provided a favorable report. Assuming the notice and hearing requirements are satisfied and the bill is amended as recommended, the Law Department approves the bill for form and legal sufficiency.

Fav w/ Amend

Sincerely,

A handwritten signature in black ink, appearing to read "m/landis". The signature is fluid and cursive, with a large initial "m" and a distinct "landis" ending.

Jennifer Landis
Assistant Solicitor

cc: David Ralph, Acting City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Victor Tervalá, Chief Solicitor
Hilary Ruley, Chief Solicitor

**AMENDMENTS TO COUNCIL BILL 15-0509
(First Reader Copy)**

By: Law Department
{To be offered to the Urban Affairs and Aging Committee}

Amendment No. 1

On page 1, in line 2, after “**List**”, insert “: **Exteriors**”; and, on the same page, in line 4, after “landmark”, insert “: exterior”.

Amendment No. 2

On page 1, in line 7, strike “13-36” and substitute “17A-40”; and, on the same page, in line 15, strike “**13-36**” and substitute “17A-40”.

Amendment No. 3

On page 1, in line 14, strike “13” and substitute “17A”; and, in the same line, after “**List**”, insert “: **Exteriors**”.