

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

November 22, 2011

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

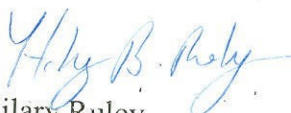
Re: City Council Bill 11-0767-- Board of Municipal and Zoning Appeals –  
Public Hearings

Dear President and City Council Members:

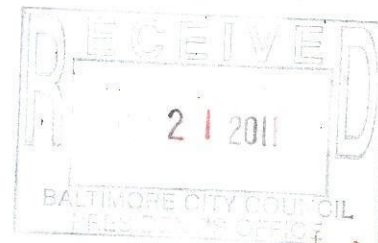
The Law Department has reviewed City Council Bill 11-0767. The bill would modify three sections of Zoning Code concerning the conduct of hearings before the Board of Municipal and Zoning Appeals (“BMZA”). First, the bill would require that the BMZA add to its minutes the findings of fact and decision on each question considered. Second, the bill would require the “applicant, appellant or other person initiating the hearing” before the BMZA to place a notice giving the time, place and purpose of the hearing on “the subject property” 45 days before the hearing. Third, the bill would require the BMZA to have one hearing a month be scheduled to begin after 5pm. Fourth, the bill would require a BMZA member to be physically present to participate in a hearing. Fifth, the bill would amend the statute to state the current requirement that all BMZA voting sessions be open to the public. Finally, the bill would prevent a BMZA member from voting on a matter unless that member was physically present at the hearing on the matter and is physically present at the voting session.

The Law Department defers to the BMZA for the practical impact of these proposed changes. The Law Department approves this bill for form and legal sufficiency.

Very truly yours,

  
Hilary Ruley  
Assistant Solicitor

cc: George Nilson, City Solicitor  
Angela C. Gibson, Mayor’s Legislative Liaison  
Elena DiPietro, Chief Solicitor  
Ashlea Brown, Assistant Solicitor  
Victor Tervalá, Assistant Solicitor



*F / Defers to BMZA*