

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

June 15, 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 10-0506 – Mayor’s Anti-Animal Abuse Advisory  
Commission – Establishment

Dear President and City Council Members:

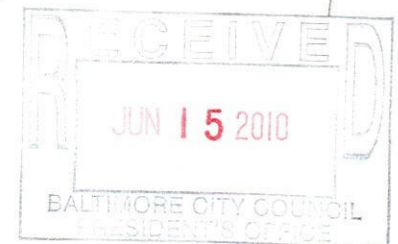
The Law Department has reviewed City Council Bill 10-0506, for form and legal sufficiency. The bill will add Sections 55-1 through 55-13 to Article 1 of the Baltimore City Code (“Code”) and establish the Mayor’s Anti-Animal Advisory Commission to eradicate animal abuse in Baltimore.

The Baltimore City Charter provides that “[t]he Mayor and City Council of Baltimore shall have power to pass all ordinances, not inconsistent with the Charter, necessary to give effect and operation to all powers vested in the City.” BALTO. CHART., Art. III, Sec. 11. The Charter contemplates the creation of boards and commissions and provides that “[e]xcept as committed to the Board of Estimates, the executive power of the City is vested in the Mayor, the departments, commissions and boards provided for in this article and the special officers, departments, commissions and boards that *may* be created by law. BALTO. CHART., Art. VII, Sec. 1(a) (*emphasis added*). Additionally, in Article IV, section 6, the Charter provides for the filling of vacancies on boards and commissions created by “Charter or other law.” Creation of a board or commission by ordinance is therefore within the authority of the City Council to the extent that it does not conflict with the Charter, the Constitution, or laws of the State of Maryland.

The Law Department approves Bill 10-0506 for form and legal sufficiency.

Very truly yours,

Terese M. Brown  
Assistant Solicitor



cc: George Nilson, City Solicitor  
Angela C. Gibson, Mayor's Legislative Liaison  
Zoe Michal, Director of Scheduling, Council President's Office  
Elena DiPietro, Chief Solicitor  
Hilary Ruley, Assistant Solicitor  
Ashlea Brown, Special Assistant Solicitor  
Terese Brown, Assistant Solicitor