

CITY OF BALTIMORE

SHEILA DIXON, Mayor



DEPARTMENT OF LAW

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

July 17, 2009

The Honorable President and
Members of the Baltimore
City Council
c/o Karen Randle, Executive Secretary
409 City Hall
Baltimore, MD 21202

RE: City Council Bill 09-0369 – Carbon Monoxide- Installation


Dear President and Members

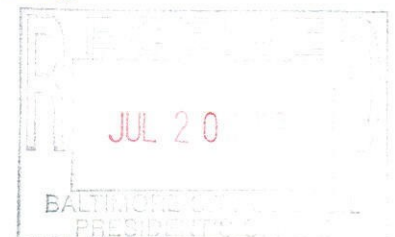
You have requested the advice of the Law Department regarding City Council Bill 09-0369. Bill 369 will require the installation of carbon monoxide alarms on ceiling as well as on the walls in dwellings, hotels, motels, boarding or rooming houses or other structures that provide living or sleeping facilities.

In the Md. Annotated Code, Public Safety Article, Section 12-1101 et seq., the Maryland General Assembly has enacted laws regulating the installation and placement of carbon monoxide alarms in dwellings. § 12-1104 requires that there must be a carbon monoxide alarm installed in a central location outside of each sleeping area within a dwelling subject to this subtitle. Section 12-1106 provides that county and municipal governments may enact more stringent laws that relate to carbon monoxide alarms. Bill 369 requires carbon monoxide alarms to be placed on ceilings as well as walls and is therefore potentially more stringent. The Bill generally requires that alarms to be placed in the same areas within a dwelling as required by State law.

City Council Bill 09-0369 is consistent with the authority of the City Council. The Law Department, therefore, approves the City Council Bill 09-0369 for form and legal sufficiency.

Sincerely yours,


Elena R. DiPietro
Chief Solicitor



cc: Honorable James B. Kraft
Angela Gibson, City Council Liaison
George A. Nilson, City Solicitor
Ashlea Brown, Assistant Solicitor
Hilary Ruley, Assistant Solicitor
Minda Goldberg, Assistant Solicitor