
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
JAMES L. SHEA, CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

January 25, 2022

The Honorable President and Members
of the Baltimore City Council
Attn: Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 21-0158 – Landmark List – Truck House No. 5 (Oliver Community Firehouse)

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 21-0158 for form and legal sufficiency. The bill designates the exterior of the Truck House No. 5 (Oliver Community Firehouse), 1220 E. Oliver St., as an historical landmark.

An ordinance of the Mayor and City Council is required to add a structure to the “Landmark List: Exteriors.” Baltimore City Code, 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. Baltimore City Code, Art. 6, § 4-5(a). Section 4-6 of Article 6 of the City Code sets forth the public notice and hearing requirements.

If a bill seeks to add a structure to the “Landmark List: Exteriors” and was not initiated by CHAP, the City Council may not take action to add the structure to that list without first referring the action to CHAP, which has 100 days from that referral to provide a written report and recommendation. Baltimore City Code, Art. 6, § 4-8(b), (c). The Planning Department report states that CHAP reviewed the bill and approves the landmark designation. However, the written report of CHAP’s findings was not posted as of the date of this report. Assuming the CHAP report is submitted and the notice and hearing requirements are satisfied, the Law Department can approve the bill for form and legal sufficiency. Even without the submitted report, the bill may move forward 100 days post referral.

Very truly yours,

Hilary Ruley
Chief Solicitor

cc: James L. Shea, City Solicitor
Nina Themelis, Mayor's Office of Government Relations
Elena DiPietro, Chief Solicitor, General Counsel Division
Ashlea Brown, Chief Solicitor
Victor Tervalá, Chief Solicitor