

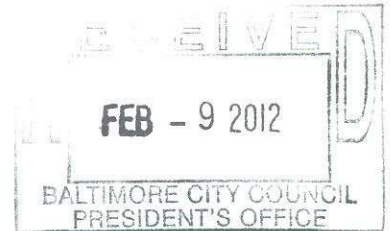
CITY OF BALTIMORE
STEPHANIE RAWLINGS-BLAKE, Mayor



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

February 9, 2012

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



Attn: Karen Randle
Executive Secretary

Re: City Council Bill 12-0009 – Building, Fire, and Related Codes –
Application Fee


Dear President and City Council Members:

The Law Department has reviewed City Council Bill 12-0009 for form and legal sufficiency. The bill establishes the fees for permit and certificate applications that require submission of plans and drawings.

Pursuant to its police powers, the City may charge regulatory fees as provided in this bill, but the amount charged must be no more than necessary to carry out its provisions. *Ocean City v. Purnell-Jarvis, Ltd.*, 86 Md. App. 390, 404-05 (1991). Otherwise the “fee” could be considered a tax.

Thus, as long as the fees imposed by Council Bill 12-0009 bear a reasonable relationship to the expense of the regulation, the Law Department will approve the bill for form and legal sufficiency.

Sincerely yours,


Victor K. Tervala
Assistant Solicitor

cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor
Hilary Ruley, Assistant Solicitor
Ashlea Brown, Assistant Solicitor

