

CITY OF BALTIMORE

SHEILA DIXON, Mayor



DEPARTMENT OF LAW

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

March 31, 2008

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 08-0039 – Vacant Lot Registration-Repeal of Registration Fee

Dear President and Members

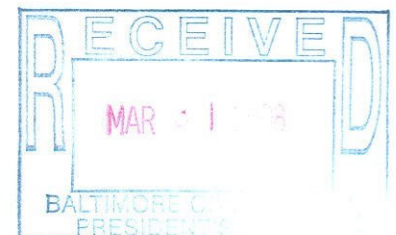
You have requested the advice of the Law Department regarding City Council Bill 08-0039. City Council Bill 39 repeals the annual registration fee for the filing of vacant lot registration statements and provides that no fee or charge may be imposed for the filing of registration statements.

Article II, Section 47 of the Baltimore City Charter grants to the Mayor and City Council the authority “to pass any ordinance, not inconsistent with the provisions of this Charter or the laws of the State, which it may deem proper in the exercise of any of the powers, either express or implied enumerated in this Charter, as well as any ordinance as it may deem proper in maintaining the peace, good government, health and welfare of Baltimore City...” To administer programs enacted pursuant to the general welfare power, a fee can be charged to cover the cost of administration. Imposition of a fee is not required. The City Council may repeal a fee imposed by ordinance. It should, however, consider how the reduction in revenue will impact the City’s ability to administer the registration program.

The Law Department, therefore, approves the City Council Bill 08-0039 for form and legal sufficiency.

Sincerely yours,

Elena R. DiPietro
Assistant Solicitor



cc: Honorable Robert Curran
Angela Gibson, City Council Liaison
George A. Nilson, City Solicitor
Linda C. Barclay, Chief Solicitor
Deepa Bhattacharyya, Assistant Solicitor