

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

February 27, 2017

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 17-0019 – Bike Lanes – Increased Parking Penalties

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0019 for form and legal sufficiency. The bill would modify the language in Section 31 of Article 31 (Transit and Traffic) of the Baltimore City Code to add bike lanes to the list of areas in which parking can result in impounding of the illegally parked car. The bill would also increase the fine for parking in bike lanes in Section 36 of the same Article.

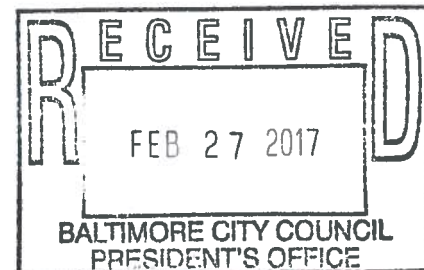
The Baltimore City Charter allows the Mayor and City Council to enact ordinances not inconsistent with the Charter or State law that promote the general welfare, and to exercise police power and regulate the use of streets; all of which may be enforced with fines that do not exceed \$1,000. City Charter, Art. II, §§(27), (34), (47), (48). The Maryland General Assembly has explicitly provided that state vehicle laws “do not prevent a local authority, in the reasonable exercise of its police power, from exercising” certain powers as to highways in its jurisdiction, including the “regulating or prohibiting the stopping, standing, or parking of vehicles.” Md. Code, Transp., §25-102.

As this bill is in accordance with the applicable law, the Law Department approves it for form and legal sufficiency.

Very truly yours,

Hilary Ruley
Chief Solicitor

cc: David E. Ralph, Acting City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Victor Tervalá, Chief Solicitor
Jennifer Landis, Assistant Solicitor



A