

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

August 3, 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 17-0096 – Zoning – After-Hours Establishments; Lounges

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0096 for form and legal sufficiency. The bill defines certain terms and regulates after-hours establishments and lounges as those terms are defined in the bill. The proposed legislation has an immediate effective date.

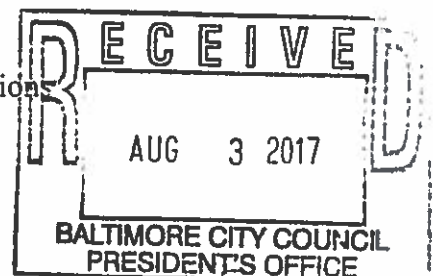
Until Transform Baltimore went into effect, June 5, 2017, after-hours establishments were conditional uses in certain zoning districts requiring approval by the Board of Municipal and Zoning Appeals. Transform Baltimore, effective after the above date, appears to have inadvertently omitted regulations applicable to these establishments. City Council Bill 17-0096 proposes to correct the omission by regulating after-hours establishments in the manner contained in the bill. Furthermore, the bill seeks to regulate “lounges” as that term is defined in the legislation.

In reviewing the bill, the Law Department concluded that the bill as drafted could not be approved for form and legal sufficiency, given certain ambiguity contained in the definition of “lounge.” The amendment offered by the Department of Housing and Community Development (“DHCD”) eliminates the ambiguity. For this reason, and assuming the bill is amended as offered by DHCD, the Law Department is prepared to approve Council Bill 17-0096 for form and legal sufficiency.

Very truly yours,

Victor K. Tervala
Chief Solicitor

cc: David Ralph, Interim City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Jennifer Landis, Assistant City Solicitor



For w/ comments

