

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

ANDRE M. DAVIS, CITY SOLICITOR
100 N. Holliday Street
Suite 101, City Hall
Baltimore, Maryland 21202

January 22, 2018

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

Re: City Council Bill 18-0176 – Alley Gating and Greening-Standards

Dear President and City Council Members:

The Law Department has been asked to review City Council Bill 18-0176 for form and legal sufficiency. The bill clarifies a requirement that, to gate or green an alley, the majority of structures abutting the alley must be “residential.” The bill clarifies that abutting structures that are either residential or are non-residential on the first level but, in accordance with the Zoning Code, have one or more upper stories that are being used or are designed and intended to be used as residential dwellings, will both meet the majority residential standard of the law.

Article II, Section 35(e) of the Baltimore City Charter give the Mayor and City Council authority to by ordinance “gate an alley that is no longer needed for through pedestrian or vehicular traffic, in order to promote the public health, safety or welfare. This bill is an appropriate exercise of that authority. Accordingly, the Law Department approves the bill for form and legal sufficiency.

Sincerely yours,

A handwritten signature in blue ink that reads "Elena R. DiPietro".

Elena R. DiPietro
Chief Solicitor

cc: Andre Davis, City Solicitor
Karen Stokes, Executive Director, MOGR
Kyron Banks Mayor’s Legislative Liaison
Victor Tervalo, Chief Solicitor
Hilary Ruley, Chief Solicitor
Jennifer Landis, Special Assistant Solicitor