

**CITY OF BALTIMORE
COUNCIL BILL 18-0271
(Resolution)
(Charter Amendment)**

Introduced by: President Young and Councilmembers Stokes, Dorsey, Clarke, Scott, Costello,
Bullock, Burnett, Cohen, Sneed, Reisinger, Pinkett, Henry

Introduced and read first time: August 6, 2018

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of
Public Works

A RESOLUTION ENTITLED

1 A RESOLUTION OF THE MAYOR AND CITY COUNCIL concerning

2 **Charter Amendment – Inalienability of Sewer and Water-Supply Systems**

3 FOR the purpose of declaring the inalienability of the City’s sewer system and water-supply
4 system; excepting the sewer and water-supply systems, their operations and uses, from the
5 Charter provisions otherwise authorizing the grant of franchises or rights relating to the
6 operation or use of public property or places; and submitting this amendment to the qualified
7 voters of the City for adoption or rejection.

8 BY proposing to amend
9 Article VIII - Franchises
10 Section 1
11 Baltimore City Charter
12 (1996 Edition)

13 **SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
14 City Charter is proposed to be amended to read as follows:

15 **Baltimore City Charter**

16 **Article VIII. Franchises**

17 **§ 1. Authority to grant.**

18 The title of the City in and to its waterfront, wharf property, land under water, public
19 landings, wharves and docks, streets, lanes, and parks, AND ITS SEWER SYSTEM AND WATER
20 SUPPLY SYSTEM, AS DESCRIBED IN ARTICLE VII, §§ 33 AND 34 OF THIS CHARTER, is hereby
21 declared to be inalienable.

22 [The] WITH THE EXCEPTION OF THE CITY’S SEWER SYSTEM AND WATER-SUPPLY SYSTEM, THE
23 City may grant for a limited time and subject to the limitations and conditions contained in
24 the Charter, specific franchises or rights in or relating to any of the public property or places
25 mentioned in the preceding sentence; provided that such grant is in compliance with the

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

Council Bill 18-0271

1 requirements of the Charter, and that the terms and conditions of the grant shall have first
2 been authorized and set forth in an ordinance duly adopted.

3 Every such grant shall specifically set forth and define the nature, extent and duration of the
4 franchise or right thereby granted, and no franchise or right shall pass by implication under
5 any such grant; and, notwithstanding any such grant the City shall at all times have and retain
6 the power and right to reasonably regulate in the public interest the exercise of the franchise
7 or right so granted; and the City shall not have the power by grant or ordinance to divest itself
8 of the right or power so to regulate the exercise of such franchise or right.

9 **SECTION 2. AND BE IT FURTHER RESOLVED,** That this proposed amendment to the City
10 Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection,
11 in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the
12 City Solicitor.