

February 26, 2021

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 21-0029 – Commercial Parking Facilities – Annual License Fee

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 21-0029, which would modify the annual licensing fee for commercial parking facilities and how the fee is calculated, set the start date for the fee and provide for the annual adjustment of the licensing fee for inflation as measured by the Consumer Price Index.

The City has the authority “to license, tax and regulate all businesses, trades, vocations or professions.” City Charter, Art. II, § (17). The authority to license includes the power to charge a regulatory fee that is reasonably related to the government’s cost of regulating the business. *Maryland Theatrical Corp. v. Brennan*, 180 Md. 377, 381 (1942). If, in practice, this fee calculation results in a fee that is no longer related to the City’s cost of this licensing program, then the fee would be subject to challenge on that basis.

However, as written the Law Department would approve Council Bill 21-0029 for form and legal sufficiency.

Very truly yours,



Ashlea Brown  
Assistant City Solicitor



Hilary Ruley  
Chief Solicitor

cc: Nina Themelis  
Matthew Stegman  
Elena DiPietro  
Victor Terval