



March 3, 2021

The Honorable President and Members
of the Baltimore City Council
Fourth Floor, City Hall
Baltimore, Maryland 21202
c/o Natawna Austin, Executive Secretary

Re: Bill 21-0036 {"City Code – Definitions and Rules of Interpretation"}

You have referred the above-referenced bill to the Department of Legislative Reference (“DLR”) for its comments and report. This bill as introduced would create a set of common definitions and rules of interpretation for the entirety of the Baltimore City Code, rather than the piecemeal and patchwork way we currently include these items within ordinances. DLR believes that this bill represents a statutory best practice, and if enacted, the City would join, among others, the State, Baltimore County, Montgomery County, Prince George’s County, and Anne Arundel County as jurisdictions that presently have a similar common set of definitions and rules of interpretation for their respective codes. Thus, DLR very much supports this legislation and urges its enactment.

Currently, there is no central location within the Baltimore City Code for commonly-used and basic definitions, such as “person”, “includes” or “including”, or “City.” As a result, each unit of the Code, be it an article, subtitle, part, or section, using these terms needs these definitions restated for statutory precision. This is similarly true of rules of interpretation, such as the treatment of statutory “captions” and mandatory versus permissive terms. Having a common set of definitions and rules would alleviate this need for onerous repetition while still allowing for individualized tailoring per the needs of a specific statute. (This will most likely arise with the definition of “person,” where, in certain circumstances, a particular ordinance will necessitate the inclusion of City governmental units within that definition.)

If this bill is enacted, DLR would propose to delete purely duplicative definitions in a future corrective bill. Obviously, the corrective bill would *not* propose to affect definitions that might deviate in any way from those set forth within General Provisions Article.

As stated above, DLR believes that this bill represents a statutory best practice and strongly supports its passage.



cc: The Honorable Isaac Schleifer, Chair of the Rules and Legislative Oversight Committee
The Honorable Ryan Dorsey
Mr. Matthew Stegman
Ms. Nikki Thompson
Ms. Nina Themelis
Mr. Richard Kummerich