



Legislation Details (With Text)

File #: 18-0271 **Version:** 0 **Name:** Charter Amendment - Inalienability of Sewer and Water-Supply Systems
Type: Mayor and City Council Res. **Status:** Enacted
File created: 8/6/2018 **In control:** City Council
On agenda: **Final action:** 8/10/2018
Enactment date: **Enactment #:** 18-13

Title: Charter Amendment - Inalienability of Sewer and Water-Supply Systems
For the purpose of declaring the inalienability of the City’s sewer system and water-supply system; excepting the sewer and water-supply systems, their operations and uses, from the Charter provisions otherwise authorizing the grant of franchises or rights relating to the operation or use of public property or places; and submitting this amendment to the qualified voters of the City for adoption or rejection.

Sponsors: President Young, Robert Stokes, Sr., Ryan Dorsey, Mary Pat Clarke, Brandon M. Scott, Eric T. Costello, John T. Bullock, Kristerfer Burnett, Leon F. Pinkett, III, Zeke Cohen, Shannon Sneed, Edward Reisinger, Bill Henry

Indexes: Charter Amendment, Sewer, Water

Code sections:

Attachments: 1. Law 18-0271, 2. DPW 18-0271, 3. Finance 18-0271, 4. 18-0271~1st Reader, 5. 18-0271~3rd Reader, 6. Completed File_18-0271

Date	Ver.	Action By	Action	Result
9/17/2018	0	Mayor	Signed by Mayor	
8/9/2018	0	City Council President	Refer to Dept. of Public Works	
8/9/2018	0	City Council President	Refer to Dept. of Finance	
8/9/2018	0	City Council President	Refer to City Solicitor	
8/6/2018	0	City Council	Advanced to 3rd Reader on same day	
8/6/2018	0	City Council	Approved and Sent to the Mayor	
8/6/2018	0	Judiciary and Legislative Investigations	Recommended Favorably	
8/6/2018	0	Judiciary and Legislative Investigations	Recommended Favorably	Pass
8/6/2018	0	City Council	Assigned	
8/6/2018	0	Judiciary and Legislative Investigations	Scheduled for a Public Hearing	
8/6/2018	0	City Council	Introduced	

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **Warning:** This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*

**City of Baltimore
Council Bill**

(Charter Amendment)

Introduced by: President Young

A Resolution Entitled

A Resolution of the Mayor and City Council concerning
Charter Amendment - Inalienability of Sewer and Water-Supply Systems

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

By proposing to amend
Article VIII - Franchises
Section 1
Baltimore City Charter
(1996 Edition)

Section 1. Be it resolved by the Mayor and City Council of Baltimore, That the City Charter is proposed to be amended to read as follows:

Baltimore City Charter

Article VIII. Franchises

§ 1. Authority to grant.

The title of the City in and to its waterfront, wharf property, land under water, public landings, wharves and docks, streets, lanes, and parks, and its sewer system and water supply system, as described in Article VII, §§ 33 and 34 of this Charter, is hereby declared to be inalienable.

[The] With the exception of the City's sewer system and water-supply system, the City may grant for a limited time and subject to the limitations and conditions contained in the Charter, specific franchises or rights in or relating to any of the public property or places mentioned in the preceding sentence; provided that such grant is in compliance with the requirements of the Charter, and that the terms and conditions of the grant shall have first been authorized and set forth in an ordinance duly adopted.

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

Section 2. And be it further resolved, That this proposed amendment to the City Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection, in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the City Solicitor.