

Mr. O. H. Hoth, Manager, Tax Department, American Oil Company - #2

construction as, in my opinion, the former construction would be creating a condition whereby the enforcement of the ordinance would be rendered most inadequate. I believe that the City Council intended to require a permit where there are sales made in quantities of less than a barrel of any oil or fluid made from petroleum or its products if such oil or fluid is usable or generally used for illuminating purposes.

Very truly yours,

(signed) CHARLES C. G. EVANS

CCGE/RRS

City Solicitor

FILE NO. 72908

February 26, 1941

J. D. Steele, Esquire, Chairman
Commission on City Plan
400 Municipal Building
Baltimore, Maryland

Dear Mr. Steele:

This will reply to your letter of February 14, 1941, in regard to the jurisdiction of the Commission on City Plan over the character of structures to be erected on land involved in a Subdivision Plan.

Section 2640(a) of the amendment to the City Charter creating the Commission on City Plan authorizes the Commission to -

"investigate and study the development of subdivisions of land
• • • and shall formulate and publish rules and regulations
for the development of such subdivisions which will require that
the development plans include adequate provision for all public
improvements • • •."

If one considers this section without regard to other sections of the Charter Amendment, it could well be argued that the portion of Section 2640 coming