

Frank T. Gray, Esq., Piper & Marbury (continued)

This section of the Code clearly states that the Maryland Port Authority is an instrumentality of the State of Maryland, but to determine whether or not said Authority must comply with the Code requirements of Baltimore City, we must study the other sections of Article 62B under which the Maryland Port Authority is created.

Under Section 6(a) of said Article, the Authority is authorized to acquire property and to take title thereto in its own name. It is further stated in said section -

" In Baltimore City or in any county where planning and development regulations have legal status, the Authority shall comply with and be subject to such rules and regulations pertaining to planning and development to the same extent as private, commercial or industrial enterprise."
(Emphasis supplied)

Under Section 18(b) of said Article, the Authority is subject to taxes imposed by the Mayor and City Council of Baltimore on its land and improvements, and the Authority is also subject to any and all benefit assessments including, but not limited to, sewer and water charges which may be levied by operation of law.

Section 22(b) provides as follows:

"Exercise of city's powers not impeded.--Except as is expressly provided in any or all agreements entered into under and pursuant to the direction and authority hereof, nothing contained in this section shall in any way interfere with or impede the exercise by the Mayor and City Council of Baltimore of any right, privilege or power granted to, or now exercised by the Mayor and City Council of Baltimore under the terms and provisions of the various sections of the Charter and Public Local Laws hereinbefore referred to."

Section 22(f) provides:

"Nothing contained in this article shall be taken or construed to directly or indirectly repeal, amend, alter, modify or affect in any manner or to any extent, except in the manner and to the extent specifically and definitely set forth in this article;

"(iii) Any of the powers, duties or functions of the mayor and city council of Baltimore, the commissioners of finance or the board of estimates of said municipality, or the port of Baltimore