

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

commission, or any of them, or any combination of two or more of them, under the provisions of any of the aforementioned chapters of the laws of Maryland or ordinances of the mayor and city council of Baltimore or any other law, or in connection with any of the matters or things mentioned in or contemplated by any of the aforesaid chapters of the laws of Maryland or ordinances of the mayor and city council of Baltimore or any other law, except in the manner, at the time, and to the extent specifically and definitely set forth in this article;"

These provisions of Article 62B make it clear that while the Maryland Port Authority is created as an instrumentality of the State of Maryland, it does not enjoy immunity from City laws and ordinances and must comply with the provisions of said City laws and ordinances to the same extent as a private corporation.

Paragraph 1092 of Article 5 of the Baltimore City Code of 1950 provides:

"Lands owned by the State of Maryland or buildings or other structures owned by the State and located on such lands are not required to conform to the provisions of this Code." (Emphasis supplied)

The Maryland Port Authority, which is authorized to acquire and hold title to property in its own name, is obviously not exempt from the provisions of the Code.

We contemplate no serious difficulty in handling the approval by the City agencies of any construction work that said Authority may undertake, and we feel that the Maryland Port Authority certainly desires to comply with the provisions of the Baltimore City Code which protect the public health and safety of the citizens of Baltimore.

Very truly yours,

/s/ HUGO A. RICCIUTI
City Solicitor

/s/ W. THOMAS GISRIEL
Assistant City Solicitor

R/G/b