

Honorable James J. Welsh, City Council (continued)

Sub-sections 33½ (c) and (d) of said Section 6, in part, provide that, subject to the limitations provided in Section 33½, the powers granted to the City shall be in addition to any powers which it now has and nothing in the section shall be construed in any way to impair or diminish the powers now possessed by the City, and that all other laws, or parts of laws, inconsistent with the provisions of Section 33½ be and they are repealed to the extent of any such inconsistency.

Sub-section (16) of Section 6 of the Baltimore City Charter (1949 Edition) authorizes the City to license, tax and regulate all businesses, trades, vocations or professions.

In the case of Meushaw v. State, 109 Md. 84, in upholding the power of Baltimore City to impose a two hundred dollar license tax on dealers selling in the wholesale produce market, the Court said on page 91:

" \* \* \* This is not a question of the exercise of mere police power, or of the power merely to license or regulate. Much larger and broader powers are granted to the City under the New Charter with respect to the subject matter we are considering \* \* \*. Under Section 6 of the Charter the Mayor and City Council of Baltimore is given the power to license, tax and regulate all businesses, trades, avocations or professions, and under this grant of power the City had the clear right to impose the charge of two hundred dollars for the use and privilege of selling in this market."

" \* \* \* the charge exacted of the class of persons mentioned in the Ordinance is not strictly a license, or regulation tax, but is a tax for revenue imposed by the City upon persons engaged in the wholesale produce business in that market."

In Jacobs v. Mayor and City Council of Baltimore, 172 Md. 350, which involved a fee charged for a license in connection with the regulation of the retail sale of coal, the Court stated on page 358:

"The grant of power to the municipality is broad and comprehensive, and there can be no question of its possession of the corporate capacity to provide by ordinance for license and regulation of all kinds of business. The authority to impose a license fee may be employed as a regulatory measure or to produce revenue."