

File No. 9283 Continued.

OPINION.

low water; at the S.E. corner to a point 20' below mean low water; and at the N.E. corner to a point 18' below mean low water will cause the foundations to rest upon a hard sustaining stratum, sufficiently firm to sustain, in accordance with the provisions of the Building Code, the weight that the foundations are designed and intended to carry.

Very truly yours,

File No. 9283.

LAW DEPARTMENT.

Baltimore, March 2, 1909.

Gen. Peter Leary, Jr.,
Chairman, Sewerage Commission.

Dear Sir:-

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You have asked me whether or not the action of Mr. Preston, Inspector of Buildings, in refusing to allow the Sewerage Commission to construct the foundations for the new pumping plant in accordance with the plan outlined in its letter to the Inspector of Buildings of February 27th, is such a final action on the part of the Inspector of Buildings as to entitle the Sewerage Commission to, at once, appeal under paragraphs 1, 2 and 3 of Section 10 of the Building Code.

In my opinion, the action of the Inspector of Buildings is of such a final character, and it is now the duty of the Inspector of Buildings to, at once, appoint an arbitrator on his behalf, so that the points at issue between the Sewerage Commission and the Inspector of Buildings may be promptly settled.

In view of the fact that borings have already been made in order to ascertain the character of the underlying soil at the pumping station site, and in view of the further fact that the rulings of the Inspector of Buildings, for sometime past, have been based upon such borings, it seems to me that paragraph 26 of Section 19 is not applicable to the present controversy.

Truly yours,
(Signed) Edgar Allan Poe,
City Solicitor.