

File No. 9783 Continued.

OPINION.

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Paragraph 13 of Section 47 (page 267) of the Building Code, provides that no permit shall be given for the erection of a Livery Stable, without the approval of the Mayor. It, also, provides, in the same paragraph "no permit for such buildings shall be issued, unless at least ten days notice of the application therefor, shall be published, etc."

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It is contended by the owner of the property that as he contemplates making use of some portion of the present building, that he is not compellable to advertise in accordance with this paragraph. I am inclined to disagree with him. As I understand the application, the only portion of the old building which is to be used is a portion of the south wall, ten feet high. The rest of the building is to be practically demolished to make way for the new building, and to all intents and purposes, from such information as I have in hand, it is evident that a new Livery Stable is to be erected.

Under the circumstances, I see no reason why such a building should be exempted from the provisions of the Building Code above referred to, and, therefore, advise you that in my opinion Building Inspector Preston, is correct in requiring the advertisement.

Yours very truly,

(Signed) W. H. DeC. Wright,  
Assistant City Solicitor.

File No. 9783.

LAW DEPARTMENT.

Baltimore, March 29th, 1909.

Mr. Edward D. Preston,  
Inspector of Buildings.

Dear Sir:-

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Replying to your letter of the 29th instant, asking me to advise you whether it will be necessary to have advertised the application for rebuilding a livery stable at Howard street and Park avenue, I enclose herewith copy of a report, dated the 30th instant, from Mr. W. H. DeC. Wright to myself, with reference thereto. I concur in the conclusions reached by Mr. Wright.

I also return herewith the application which you sent me.

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