

File No. 12181 Continued.

OPINION.

maintain and support the parks, squares, etc., and provides that the distribution of the Park funds, for the maintenance of the different parks and squares, shall be made by the Park Commissioners.

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By a recent Ordinance, the removing of ice and snow from the sidewalks of those streets binding on properties under the control of the Park Board is required to be done by the Board of Park Commissioners. Such sidewalks may properly be considered as appurtenant to the parks and squares, to the same extent as an ordinary sidewalk would be considered as appurtenant to a house, and, for that reason, it is proper that the cleaning should be under the supervision of that authority which has control of the property to which the sidewalk is appurtenant, and, therefore, the cost should be borne by the Board of Park Commissioners, and I think that the usual Park funds are properly devotable to that purpose.

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It is not, however, necessary to make a ruling on that aspect of the matter, as the Park Board has other funds, derived from other sources, which are to be used in the manner which the Mayor and City Council of Baltimore may direct. This Ordinance having provided for the cleaning of such sidewalks, it seems entirely clear that it is the duty of the Park Commissioners to clean such sidewalks and to pay the cost thereof out of its own funds.

Very truly yours,

(Signed) Sylvan Hayes Lauchheimer,
Deputy City Solicitor.

File No. 12181.

LAW DEPARTMENT.

Baltimore, December 17th, 1910.

J. V. Kelly, Esq.,
Secretary-Treasurer,
Park Board.

Dear Sir:-

Replying to your letter of December 16th, 1910, in reference to the cleaning of ice and snow from certain sidewalks, I enclose an opinion of Mr. Lauchheimer, Deputy City Solicitor, in reference

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