

Mr. P. W. Wilkinson, Secretary, Board of Fire Commissioners (cont'd)

general law, it may be said that a 'public local law' is a statute dealing with some matter of governmental administration peculiarly local in character, in which persons outside of that locality have no direct interest, and a 'public general law' is one which deals with a subject in which all the citizens of the state are interested alike, and the fact that it permits or directs differences in matters of mere administrative detail suited to the peculiar needs of localities does not make it any the less a public general law".

Obviously, it is clear from the foregoing that the city has the exclusive power to pass local laws for Baltimore City, subject to the Constitution and Public General Laws of the State, upon all matters covered by the express powers granted to the city by its charter, except that in case of conflict between a local law and a Public General Law the Public General Law shall control.

An examination of the Act discloses that there is no limitation, as to the boundaries of the various political subdivisions of the state, within which the act is applicable but it is evident that it was the intention of the Legislature that the provisions of the Act should be state-wide in their effect. Therefore, the statute is a Public General Law.

On the other hand, there is no explicit or direct conflict between the provisions of the statute and those of the municipal legislation. The act is a state-wide police measure while the said ordinance is a local one. Without any repugnancy in language or purpose, a conflict between two such generically different enactments, each operating in its particular field, is difficult to conceive.

In view of the above, I am of the opinion that to legally use fireworks within the corporate limits of Baltimore City in connection with Fourth of July community celebrations:

(A) Everyone, except the Federal, State or municipal governments, must comply with the provisions of the Act of the Legislature hereinabove mentioned; and