

File No. 87169

March 22, 1951

Mr. Walter F. Perkins, Chairman  
Airport Board  
Department of Aviation  
Friendship International Airport  
Maryland

Dear Mr. Perkins:

We have your letter of March 7, 1951, relative to Resolution No. 2619, introduced in the City Council on February 19, 1951, and passed at the Council Meeting on Monday, March 5, 1951. We note that at that meeting the Airport Board took the position that it will not commit itself to any long range plans for the operation of Harbor Field, and will not enter into any contracts extending beyond December 31, 1952. You request an opinion from this office as to the effect of this resolution upon the future operations of the Department of Aviation, and specifically whether or not this resolution will necessitate the Aviation Department changing their policy.

We note from the resolution that the Department of Aviation is directed to extend the use of Harbor Field as a perimeter airport for aviation use for a period of not less than five years from December 31, 1951, in order that those interests now using Harbor Field may be assured of a period of operation which will permit them to enter into additional leases with the City with a degree of security, so that improvements and investments which may be made will be protected. The resolution further directs the Department of Aviation to continue with a policy of prudent management with additional promotional efforts for Harbor Field, in order that it may sustain itself and not be a burden to the taxpayers.

Section 28 of the City Charter provides as follows:

"28. CITY COUNCIL - Ordinances, enactment of. Every legislative act of the City shall be by ordinance or resolution. No ordinance or resolution shall be passed except by a vote of a majority of its members, and on its final passage the vote shall be taken by yeas and nays, and the names of members voting for or against the same shall be entered on the journal. \* \* \*"

We are of the opinion that the City Council has the right, under the Charter, to direct the Airport Board to extend the use of Harbor Field for a period