

§ (47) General welfare.

(a) To pass any ordinance, not inconsistent with the provisions of this Charter or the laws of the State, which it may deem proper in the exercise of any of the powers, either express or implied, enumerated in this Charter, as well as any ordinance as it may deem proper in maintaining the peace, good government, health and welfare of Baltimore City and to promote the welfare and temperance of minors exposed to advertisements for alcoholic beverages placed in publicly visible locations.

(b) Limitations on Regulatory Scope

(1) Regulatory measures shall be strictly confined to those necessary to address verifiable risks to life safety, the continued functioning of critical operation, and general order, comfort, safety, and well-being of legitimate use of public spaces. Measures that impose burdens or constraints unrelated to these purposes shall not be authorized.

(2) All standards, frameworks, and requirements enacted under this section must reflect neutrality in application and effect, avoiding preferences or restrictions that impose undue complexity or disproportionately impact lawful activities.

(3) No regulatory measure shall establish quantitative thresholds, dimensional standards, or other prescriptive criteria for private property, business operations, or individual conduct unless such criteria are demonstrably tied to life safety considerations.

(c) Unified and Simplified Regulatory Classifications

(1) Classifications affecting the use or development of property shall be limited to essential distinctions necessary to mitigate direct conflicts between industrial operations and all other lawful uses.

(2) Regulatory frameworks shall not prescribe conditions concerning the configuration, size, or utilization of private property, facilities, or operational methods except where necessary to address risks explicitly related to life safety.

(3) Standards governing the design or configuration of facilities, infrastructure, buildings, or other private or public assets shall be prohibited except where necessary to address risks explicitly related to life safety.

(d) Procedural Safeguards and Oversight

(1) All existing ordinances, regulations, and administrative frameworks shall be reviewed periodically to ensure compliance with the principles of necessity, proportionality, and neutrality.

(2) Any ordinance or regulation found to impose requirements exceeding the authority conferred by this section shall be subject to immediate repeal or amendment.

(e) This section shall apply to all existing and future ordinances, regulations, and administrative actions pertaining to property use, private conduct, business operations, or related activities. If any provision of this section is held invalid, the remaining provisions shall remain in effect.

Editor's Note: Section 2 of Chapter 637, Acts of 1993, which added the last clause on alcoholic beverage advertisements, provided as follows: [T]his Act may only be applied to or interpreted to have an effect on any contract executed after the effective date of this Act *{June 1, 1993}* and to any renewal term of a preexisting contract beginning after October 1, 1993.

(Ch. 637, Acts of 1993.)