

**ORDINANCES AND RESOLUTIONS
OF THE
MAYOR AND CITY COUNCIL
OF BALTIMORE**

PASSED AT THE ANNUAL SESSION 2006-2007

VOLUME 1

Ordinances 06-357 to 07-551

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MAYOR AND CITY COUNCIL OF BALTIMORE
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EXPLANATION OF SYMBOLOGY

CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill
by amendment or deleted from existing law by amendment.
Underlined italics indicate matter added to the bill by
amendment after printing for third reading.

ORDINANCES

PASSED AT THE ANNUAL SESSION

2006-2007

**CITY OF BALTIMORE
ORDINANCE 06-357
(Council Bill 05-287)**

AN ORDINANCE CONCERNING

Towing Services – License Fees

FOR the purpose of modifying the application, license, and related fees for persons engaged in certain towing services; correcting, clarifying, and conforming certain language; providing for a special effective date; and generally relating to the licensing and regulation of towing services.

BY repealing and reordaining, with amendments

Article 15 - Licensing and Regulation
Section(s) 22-5(a) and 22-6
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 15. Licensing and Regulation

Subtitle 22. Towing Services

§ 22-5. Applications.

(a) *In general.*

- (1) Applications shall be made on forms [to be] furnished by the Board.
- (2) [The] WITH THE APPLICATION, THE applicant shall pay [to the Director of Finance a filing] A NON-REFUNDABLE APPLICATION fee of [\$10] \$100 [when the application is made].
- (3) Before the examination, the applicant shall pay an additional NON-REFUNDABLE fee, to be set FROM TIME TO TIME by the Board of Estimates[, which shall be] IN an amount sufficient to cover the cost to the City of necessary background checks and investigations.

§ 22-6. Issuance; fees.*(a) In general.*

[Upon] ON approval BY THE BOARD of a license application [by the Board] AND PAYMENT OF THE APPLICABLE LICENSE FEE, the Director of Finance shall issue [a] THE license.

(b) Annual fee.

The annual license fee [shall be \$25] IS ~~\$50~~ \$100 [per] FOR EACH vehicle [utilized] TO BE USED by the licensee [to tow a motor vehicle] FOR TOWING under this subtitle.

(c) Replacement fee.

[In case of loss, mutilation, or destruction of] IF a license IS LOST, MUTILATED, OR DESTROYED, a duplicate shall be issued [at a cost of \$2 per license] ON PAYMENT OF A REPLACEMENT FEE OF \$10.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on ~~the 30th day after the date it is enacted~~ January 1, 2007.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-358
(Council Bill 05-296)**

AN ORDINANCE CONCERNING

Parking Fines – Penalties for Nonpayment

FOR the purpose of setting ~~a limit~~ limits on the penalty imposed for nonpayment of a citation issued for certain parking, stopping, standing, and related offenses; and generally relating to fines, penalties, and procedures for certain offenses.

BY repealing and reordaining, with amendments

Article 31 - Transit and Traffic
Section(s) 36-22
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 31. Transit and Traffic

Subtitle 36. Parking, etc., Fines, Penalties, and Procedures

§ 36-22. Imposition of penalties.

(a) *Notice to offender.*

If a person fails to pay the appropriate fine for a violation by the date specified in the citation and fails to file a notice of intention to stand trial for the offense, a formal notice of the violation shall be sent to the owner's last known address.

(b) *Penalties if not paid.*

- (1) If, within 15 days from the date of the notice, the citation has not been satisfied, the person who received the citation is liable for a penalty ~~EQUAL TO THE LESSER~~ of:

(i) ~~\$16 for each month or part of a month the citation remains unsatisfied; AND~~

(ii) ~~3 TIMES THE AMOUNT OF THE FINE IMPOSED FOR THE VIOLATION FOR WHICH THE CITATION WAS ISSUED.~~

- (2) IF THE PERSON WHO RECEIVED THE CITATION AGREES TO A PAYMENT SCHEDULE ACCEPTABLE TO THE DIRECTOR OF FINANCE OR, IF THE MATTER HAS BEEN REFERRED TO A COLLECTION AGENCY, ACCEPTABLE TO THAT AGENCY, THE MONTHLY PENALTY IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION DOES NOT ACCRUE WHILE THE PERSON IS MAKING TIMELY PAYMENTS IN ACCORD WITH THE AGREED-TO SCHEDULE.

- (3) ~~(2)~~ If the City has requested the State Motor Vehicle Administration to refuse registration or transfer of registration of the subject vehicle until the charge has been satisfied, a further penalty of \$25 is imposed.

- (4) ~~(3)~~ These penalties are in addition to and may be collected in the same manner as the fines imposed by this subtitle.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-359
(Council Bill 06-358)**

AN ORDINANCE CONCERNING

Baltimore City Commission for Women – Reconstitution

FOR the purpose of reviving and reconstituting the Baltimore City Commission for Women; providing for the appointment and term of members; providing for staff to the Commission; restating the Commission's powers and duties; correcting, clarifying, and conforming certain language; and providing for a special effective date.

BY repealing and reordaining, with amendments

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 20-1 through 20-5, inclusive
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 20. Baltimore City Commission for Women

§ 20-1. [Establishment; composition] COMMISSION ESTABLISHED.

(a) *In general.*

There is a Baltimore City Commission for Women[.].

(B) *COMPOSITION.*

[which shall consist of 25 members who are residents of Baltimore City] THE COMMISSION
COMPRISES ~~THE FOLLOWING~~ 19 MEMBERS:

~~(1) 14 MEMBERS, 1 TO BE APPOINTED BY EACH OF THE 14 DISTRICT MEMBERS OF THE CITY COUNCIL;~~

~~(2) 2 MEMBERS, TO BE APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL; AND~~

~~(3) 3 MEMBERS, TO BE appointed by the Mayor in accordance with Article IV, § 6 of the City Charter.~~

(c) [(b)] *Appointment without regard to political affiliation.*

[Members shall be appointed] THE APPOINTMENT OF MEMBERS MUST BE MADE without regard to political affiliation.

§ 20-2. Terms, compensation, vacancies.*(a) Terms of office.*

- (1) [Commissioners] MEMBERS serve for a term of 4 years, concurrent with the [Mayor's term] TERMS of [office] THE MAYOR AND THE CITY COUNCIL.
- (2) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(b) Compensation; EXPENSES.

Members OF THE COMMISSION:

- (1) [shall receive no] ARE NOT ENTITLED TO compensation for their services; BUT
- (2) ARE ENTITLED TO REIMBURSEMENT FOR EXPENSES INCURRED, AS PROVIDED IN THE ORDINANCE OF ESTIMATES.

(c) Vacancies.

- [(1) Any vacancy in the membership of the Commission shall be filled by the Mayor pursuant to Article IV, § 6 of the City Charter.
- (2) A member serves until his or her successor is appointed and qualifies.
- (3)] A member appointed to fill a vacancy in an unexpired term or to succeed a member who is holding over serves only for the remainder of that term.

§ 20-3. [Organization; meetings] OFFICERS; COMMITTEES.*(a) Officers.*

- (1) The MAYOR SHALL DESIGNATE A MEMBER OF THE COMMISSION TO SERVE AS ITS [Chairperson] CHAIR [of the Commission shall be appointed by the Mayor from a list of candidates who are Commission members submitted to him by the Commission].
- (2) Members of the Commission may select any other officers they [deem] CONSIDER necessary OR APPROPRIATE.

(b) Committees.

- [(1) The Chairperson of the Commission may, with the approval of the majority of the Commission members, appoint committees to assist in carrying out any of the functions and duties of the Commission. Any committees thus appointed shall consist of not less than 3 members.
- (2) The Chairperson may also appoint advisory committees of citizens and at least 1 Commission member.
- (3) Regular or advisory committee actions shall not be deemed to be the action of the Commission unless expressly ratified.]

THE CHAIR MAY APPOINT COMMITTEES TO ASSIST THE COMMISSION IN CARRYING OUT ITS FUNCTIONS AND DUTIES.

§ 20-4. MEETINGS; QUORUM.

(A) [(c) *Meetings; quorum*] *IN GENERAL.*

- (1) The Commission shall meet at the call of the [Chairperson] CHAIR as frequently as required to perform its duties[, but not less than once each month].
- (2) A majority of the members of the Commission [shall constitute] CONSTITUTES a quorum for the transaction of business.
- (3) [and an] AN affirmative vote by the majority of a quorum [shall be sufficient] IS NEEDED for any official action.

(B) *RULES OF PROCEDURE.*

[(3)] The Commission may adopt [a set of] rules OF PROCEDURE to govern its [own] meetings and procedures.

(C) [(d)] *Failure to attend meetings.*

If any member is absent FROM REGULARLY SCHEDULED MEETINGS more than 3 times in 1 year, not counting absences excused by the [Commission Chairperson,] CHAIR [the Chairperson shall recommend to the Mayor that the member's appointment be terminated]:

- (1) THE MEMBER IS CONSIDERED TO HAVE RESIGNED; AND
- (2) THE CHAIR SHALL REQUEST THAT MEMBER'S APPOINTING AUTHORITY TO FILL THE RESULTANT VACANCY.

§ 20-5. [§ 20-4.] Personnel; BUDGET.

(a) *Executive Director.*

- (1) The [Mayor shall] COMMISSION MAY appoint a properly qualified person as Executive Director of the Commission[, to be an officer of the Mayor and City Council of Baltimore, in accordance with Article IV, § 6 of the City Charter, for a term of 4 years].
- (2) The Executive Director [thus appointed shall receive such] IS ENTITLED TO A salary, as [may be] provided in the Ordinance of Estimates.
- (3) The Executive Director shall perform the duties [prescribed by] THAT the Commission PRESCRIBES.

(b) *Staff[: budget].*

- (1) The Executive Director [shall be authorized to] MAY employ [such assistants] A STAFF as [shall be necessary to carry out her or his duties] PROVIDED IN THE ORDINANCE OF ESTIMATES.
- (2) [Such assistants] STAFF MEMBERS shall be members of the classified service.

[(2) The Executive Director shall expend such funds as may be provided in the Ordinance of Estimates.]

(c) *Volunteers.*

The Commission may engage the services of volunteer workers and consultants, without salary, as [they may deem] IT CONSIDERS necessary from time to time.

(D) *BUDGET.*

THE DIRECTOR MAY EXPEND FUNDS AS AUTHORIZED IN THE ORDINANCE OF ESTIMATES OR IN ANY SUPPLEMENTAL APPROPRIATIONS.

§ 20-6. [§ 20-5.] Powers and duties.

(A) *IN GENERAL.*

The Baltimore City Commission for Women [is empowered to] SHALL undertake the [following:] ACTIVITIES DESCRIBED IN THIS SECTION.

(B) *DEVELOP REFERRAL SYSTEM.*

[(1)] THE COMMISSION SHALL:

- (1) develop an information and referral system for all services in the City related to women[and
- (2) recommend other services when a need for [such services] THEM is determined[;].

(C) *PROVIDE FOCUS AND FORUM FOR AMELIORATION.*

[(2)] THE COMMISSION SHALL serve as the focus and forum for the identification and amelioration of the unique problems faced by women in our society and on any practice of discrimination or prejudice that exists because of gender[;].

(D) *CONDUCT RESEARCH AND EDUCATIONAL PROGRAMS.*

(1) [(3)] THE COMMISSION SHALL:

- (I) conduct research, policy analysis, and public information and education programs and activities to assist in addressing the needs of women; and
 - (II) [to] institute and conduct other programs, meetings, and conferences to promote equal rights and opportunities for all women.
- (2) [Such] THESE programs and activities shall address the special needs of women related to race, age, national origin, religious preference, disability, sexual preference, physical characteristics, marital status, reproductive health, and economic status[;].

(E) *REVIEW AND MONITOR WORKFORCE.*

[(4)] THE COMMISSION SHALL:

- (1) review and monitor the conditions of women in the workforce in Baltimore City[,];

(2) [and to] make recommendations promoting equal pay for work of equal value and equitable representation by women in all job levels; and

(3) [to] direct attention to the problems facing women in the workforce[;].

(F) *ADVISE AND COUNSEL.*

[(5)] THE COMMISSION SHALL:

(1) advise and counsel the residents of Baltimore City, the City Council, the Mayor, and the various departments and agencies of the City, state, and federal governments on all matters involving women's lives; and

(2) [to] recommend [such] programs and legislation [as] it [deems] CONSIDERS necessary and proper to promote and ensure equal rights, equal opportunities, and equal access to services for all persons regardless of gender[;].

(G) *EVALUATE POLICIES AND PROGRAMS.*

[(6)] THE COMMISSION SHALL review and evaluate the impact of existing and proposed policies and programs and legislation affecting women[;].

(H) *SEEK TO REMOVE INEQUALITIES.*

[(7)] THE COMMISSION SHALL work to remove inequalities due to discrimination or prejudice on the basis of gender in [such areas as] housing, recreation, employment, education, community services, criminal justice, financing, credit, insurance, and related matters[; and].

(I) *MONITOR BOARDS AND COMMISSIONS.*

[(8)] THE COMMISSION SHALL monitor City government so as to ensure the equitable representation of women on all City boards and commissions.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-360
(Council Bill 06-411)**

AN ORDINANCE CONCERNING

**City Streets – Opening – Certain Alleys Lying
Within the Washington Hill Chapel Urban Renewal Area Project**

FOR the purpose of condemning and opening certain alleys lying within the Washington Hill Chapel Urban Renewal Area Project, bounded by Lombard Street, Broadway, Baltimore Street, and Ann Street, as shown on Plat 114-A-12 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, and 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and open certain alleys lying within the Washington Hill Chapel Urban Renewal Area Project, bounded by Lombard Street, Broadway, Baltimore Street, and Ann Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the south side of a 15.5-foot alley, laid out in the rear of the properties known as No. 1701/1721 E. Baltimore Street, and the east side of a 4-foot alley, laid out in the rear of the properties known as No. 11/23 through No. 31 Yogurt Lane, said point of beginning being distant westerly 54.2 feet, more or less, measured along the south side of said 15.5-foot alley from the west side of Regester Street, 20 feet wide, and running thence binding on the east side of said 4-foot alley, Southerly 149.2 feet, more or less, to intersect the north side of a 4-foot alley, laid out in the rear of the properties known as No. 1704 through No. 1706/1712 E. Lombard Street; thence binding on the north side of last said 4-foot alley, Westerly 4.0 feet to intersect the west side of said 4-foot alley, mentioned firstly herein; thence binding on the west side of said 4-foot alley, mentioned firstly herein, Northerly 149.2 feet, more or less, to intersect the south side of said 15.5-foot alley, and thence binding on the south side of said 15.5-foot alley, Easterly 4.0 feet to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the south side of a 4-foot alley, laid out in the rear of the property known as No. 1720 E. Lombard Street, and the east side of Regester Street, 20 feet wide, said point of beginning being distant northerly 67.00 feet, measured along the east side of said Regester Street from the north side of Lombard Street, 60 feet wide, and running thence binding on the east side of said Regester Street, Northerly 4.0 feet to intersect the north side of said 4-foot alley; thence binding on the north side of said 4-foot alley, Easterly 67.5 feet, more or less, to the easternmost extremity of said 4-foot alley, there situate; thence binding on the easternmost extremity of said 4-foot alley, Southerly 4.0 feet to intersect the south side of said 4-foot alley, and thence binding on the south side of said 4-foot alley, Westerly 67.5 feet, more or less, to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the north side of a 4-foot alley, laid out in the rear of the property known as No. 1720 E. Lombard Street, and the west side of a 3-foot alley, contiguous to the west outline of the property known as No. 1732/34 E. Lombard Street, there situate, said point of beginning being distant easterly 64.5 feet, more or less, measured along the north side of said 4-foot alley from the east side of Regester Street, 20 feet wide, and running thence binding on the west side of said 3-foot alley, Northerly 108.5 feet, more or less, to the northernmost extremity of said 3-foot alley, there situate; thence binding on the northernmost extremity of said 3-foot alley, Easterly 3.0 feet to intersect the west outline of said 3-foot alley; thence binding on the west outline of said 3-foot alley, Southerly 108.5 feet, more or less, to intersect the north side of said 4-foot alley, and thence binding on the north side of said 4-foot alley, Westerly 3.0 feet to the place of beginning.

As delineated on Plat 114-A-12, prepared by the Survey Control Section and filed on March 1, 2006, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and opening of certain alleys and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-361
(Council Bill 06-412)**

AN ORDINANCE CONCERNING

**City Streets – Closing – Certain Alleys
Lying Within the Washington Hill Chapel Urban Renewal Area Project**

FOR the purpose of condemning and closing certain alleys lying within the Washington Hill Chapel Urban Renewal Area Project, bounded by Lombard Street, Broadway, Baltimore Street, and Ann Street, as shown on Plat 114-A-12A in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close certain alleys lying within the Washington Hill Chapel Urban Renewal Area Project, bounded by Lombard Street, Broadway, Baltimore Street, and Ann Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the south side of a 15.5-foot alley, laid out in the rear of the properties known as No. 1701/1721 E. Baltimore Street, and the east side of a 4-foot alley, laid out in the rear of the properties known as No. 11/23 through No. 31 Yogurt Lane, said point of beginning being distant westerly 54.2 feet, more or less, measured along the south side of said 15.5-foot alley from the west side of Regester Street, 20 feet wide, and running thence binding on the east side of said 4-foot alley, Southerly 149.2 feet, more or less, to intersect the north side of a 4-foot alley, laid out in the rear of the properties known as No. 1704 through No. 1706/1712 E. Lombard Street; thence binding on the north side of last said 4-foot alley, Westerly 4.0 feet to intersect the west side of said 4-foot

alley, mentioned firstly herein; thence binding on the west side of said 4-foot alley, mentioned firstly herein, Northerly 149.2 feet, more or less, to intersect the south side of said 15.5-foot alley, and thence induing on the south side of said 15.5-foot alley, Easterly 4.0 feet to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the south side of a 4-foot alley, laid out in the rear of the property known as No. 1720 E. Lombard Street, and the east side of Regester Street, 20 feet wide, said point of beginning being distant northerly 67.00 feet, measured along the east side of said Regester Street from the north side of Lombard Street, 60 feet wide, and running thence binding on the east side of said Regester Street, Northerly 4.0 feet to intersect the north side of said 4-foot alley; thence binding on the north side of said 4-foot alley, Easterly 67.5 feet, more or less, to the easternmost extremity of said 4-foot alley, there situate; thence binding on the easternmost extremity of said 4-foot alley, Southerly 4.0 feet to intersect the south side of said 4-foot alley, and thence binding on the south side of said 4-foot alley, Westerly 67.5 feet, more or less, to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the north side of a 4-foot alley, laid out in the rear of the property known as No. 1720 E. Lombard Street, and the west side of a 3-foot alley, contiguous to the west outline of the property known as No. 1732/34 E. Lombard Street, there situate, said point of beginning being distant easterly 64.5 feet, more or less, measured along the north side of said 4-foot alley from the east side of Regester Street, 20 feet wide, and running thence binding on the west side of said 3-foot alley, Northerly 108.5 feet, more or less, to the northernmost extremity of said 3-foot alley, there situate; thence binding on the northernmost extremity of said 3-foot alley, Easterly 3.0 feet to intersect the west outline of said 3-foot alley; thence binding on the west outline of said 3-foot alley, Southerly 108.5 feet, more or less, to intersect the north side of said 4-foot alley, and thence binding on the north side of said 4-foot alley, Westerly 3.0 feet to the place of beginning.

As delineated on Plat 114-A-12A, prepared by the Survey Control Section and filed on March 1, 2006, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of certain alleys and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-362
(Council Bill 06-440)**

AN ORDINANCE CONCERNING

Baltimore City Veterans Commission

FOR the purpose of establishing the Baltimore City Veterans Commission; providing for the appointment, terms, powers, and duties of the Commission; providing for staff to the Commission; defining certain terms; providing for a special effective date; and generally relating to assisting veterans and their families.

BY adding

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 49-1 through 49-9, inclusive, to be under the new subtitle,
"Subtitle 49. Baltimore City Veterans Commission"
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

SUBTITLE 49. BALTIMORE CITY VETERANS COMMISSION

§ 49-1. "VETERAN" DEFINED".

IN THIS SUBTITLE, "VETERAN" MEANS A PERSON WHO:

(1) SERVED IN THE ACTIVE MILITARY SERVICE OF:

(I) THE ARMY, NAVY, MARINE CORPS, OR AIR FORCE;

(II) THE COAST GUARD, PUBLIC HEALTH SERVICE COMMISSIONED CORPS, OR MERCHANT MARINES;

(III) THE ARMY, AIR, OR STATE NATIONAL GUARD; OR

(IV) A RESERVE COMPONENT OF ONE OF THESE SERVICES; AND

(2) WAS RELEASED FROM THAT SERVICE OTHER THAN BY DISHONORABLE DISCHARGE.

§ 49-2. COMMISSION ESTABLISHED.

(A) *IN GENERAL.*

THERE IS A BALTIMORE CITY VETERANS COMMISSION.

(B) *COMPOSITION.*

THE COMMISSION COMPRISES THE FOLLOWING 11 MEMBERS:

- (1) 5 MEMBERS, TO BE APPOINTED BY THE MAYOR IN ACCORDANCE WITH ARTICLE IV, § 6 OF THE CITY CHARTER;
- (2) 4 MEMBERS, TO BE APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL;
- (3) THE POLICE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE; AND
- (4) THE FIRE CHIEF OR THE CHIEF'S DESIGNEE.

(C) *QUALIFICATIONS.*

EACH APPOINTED MEMBER MUST BE A VETERAN.

§ 49-3. PURPOSE.

THE VETERANS COMMISSION IS DEDICATED TO:

- (1) PROVIDING ASSISTANCE TO VETERANS WHO RESIDE IN THE CITY, ARE EMPLOYED BY THE CITY, OR ARE RETIRED CITY EMPLOYEES, AND THEIR FAMILIES, WHEN IN NEED; AND
- (2) WORKING WITH THE MAYOR AND CITY COUNCIL, VETERANS GROUPS, AND OTHERS ON POLICIES, PROGRAMS, AND CONCERNS RELATED TO VETERANS AND THEIR FAMILIES.

§ 49-4. TERMS, COMPENSATION, VACANCIES.

(A) *TERMS OF OFFICE.*

- (1) COMMISSION MEMBERS SERVE FOR A TERM OF 4 YEARS, CONCURRENT WITH THE TERMS OF THE MAYOR AND THE CITY COUNCIL.
- (2) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(B) *COMPENSATION; EXPENSES.*

MEMBERS OF THE COMMISSION:

- (1) ARE NOT ENTITLED TO COMPENSATION FOR THEIR SERVICES; BUT
- (2) ARE ENTITLED TO REIMBURSEMENT FOR EXPENSES INCURRED, AS PROVIDED IN THE ORDINANCE OF ESTIMATES.

(C) *VACANCIES.*

A MEMBER APPOINTED TO FILL A VACANCY IN AN UNEXPIRED TERM OR TO SUCCEED A MEMBER WHO IS HOLDING OVER SERVES ONLY FOR THE REMAINDER OF THAT TERM.

§ 49-5. OFFICERS; COMMITTEES.

(A) *OFFICERS.*

- (1) THE MAYOR SHALL DESIGNATE A MEMBER OF THE COMMISSION TO SERVE AS ITS CHAIR.
- (2) MEMBERS OF THE COMMISSION MAY SELECT ANY OTHER OFFICERS THEY CONSIDER NECESSARY OR APPROPRIATE.

(B) *COMMITTEES.*

THE CHAIR MAY APPOINT COMMITTEES TO ASSIST THE COMMISSION IN CARRYING OUT ITS FUNCTIONS AND DUTIES.

§ 49-6. MEETINGS; QUORUM.

(A) *IN GENERAL.*

- (1) THE COMMISSION SHALL MEET AT THE CALL OF THE CHAIR AS FREQUENTLY AS REQUIRED TO PERFORM ITS DUTIES.
- (2) A MAJORITY OF THE MEMBERS OF THE COMMISSION CONSTITUTES A QUORUM FOR THE TRANSACTION OF BUSINESS.
- (3) AN AFFIRMATIVE VOTE BY THE MAJORITY OF A QUORUM IS NEEDED FOR ANY OFFICIAL ACTION.

(B) *RULES OF PROCEDURE.*

THE COMMISSION MAY ADOPT RULES OF PROCEDURE TO GOVERN ITS MEETINGS AND OPERATIONS.

(C) *FAILURE TO ATTEND MEETINGS.*

IF ANY MEMBER IS ABSENT FROM REGULARLY SCHEDULED MEETINGS MORE THAN 3 TIMES IN 1 YEAR, NOT COUNTING ABSENCES EXCUSED BY THE CHAIR:

- (1) THE MEMBER IS CONSIDERED TO HAVE RESIGNED; AND
- (2) THE CHAIR SHALL REQUEST THAT MEMBER'S APPOINTING AUTHORITY TO FILL THE RESULTANT VACANCY.

§ 49-6. PERSONNEL; BUDGET.*(A) EXECUTIVE DIRECTOR.*

- (1) THE COMMISSION MAY APPOINT A PROPERLY QUALIFIED PERSON AS ITS EXECUTIVE DIRECTOR.
- (2) THE EXECUTIVE DIRECTOR IS ENTITLED TO A SALARY, AS PROVIDED IN THE ORDINANCE OF ESTIMATES.
- (3) THE EXECUTIVE DIRECTOR SHALL PERFORM THE DUTIES THAT THE COMMISSION PRESCRIBES.

(B) STAFF.

- (1) THE EXECUTIVE DIRECTOR MAY EMPLOY A STAFF AS PROVIDED IN THE ORDINANCE OF ESTIMATES.
- (2) STAFF MEMBERS SHALL BE MEMBERS OF THE CLASSIFIED SERVICE.

(C) VOLUNTEERS.

THE COMMISSION MAY ENGAGE THE SERVICES OF VOLUNTEER WORKERS AND CONSULTANTS, WITHOUT SALARY, AS IT CONSIDERS NECESSARY FROM TIME TO TIME.

(D) BUDGET.

THE COMMISSION MAY EXPEND FUNDS AS AUTHORIZED IN THE ORDINANCE OF ESTIMATES OR IN ANY SUPPLEMENTAL APPROPRIATIONS.

§ 49-8. POWERS AND DUTIES.*(A) ASSISTANCE TO VETERANS, ETC.*

THE COMMISSION SHALL ASSIST VETERANS WHO RESIDE IN THE CITY, ARE EMPLOYED BY THE CITY, OR ARE RETIRED CITY EMPLOYEES, AND THEIR FAMILIES, IN MATTERS RELATING TO:

- (1) EDUCATIONAL TRAINING AND RETRAINING SERVICES AND FACILITIES;
- (2) HEALTH, MEDICAL, AND REHABILITATION SERVICES AND FACILITIES;
- (3) SPECIAL RIGHTS AND PRIVILEGES PROVIDED BY FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS;
- (4) EMPLOYMENT AND REEMPLOYMENT SERVICES; AND
- (5) OTHER MATTERS OF A RELATED OR SIMILAR NATURE.

(B) INFORMATION RESOURCE.

THE COMMISSION SHALL SERVE AS A RESOURCE FOR INFORMATION RELATING TO VETERANS' ISSUES.

(C) *COMMUNITY AWARENESS.*

THE COMMISSION SHALL UNDERTAKE AND SUPPORT ACTIVITIES AND PROGRAMS TO:

- (1) INCREASE COMMUNITY AWARENESS OF VETERANS' RIGHTS;
- (2) HONOR AND MEMORIALIZE DECEASED VETERANS; AND
- (3) HONOR THOSE CURRENTLY SERVING IN THE ARMED FORCES.

§ 49-9. AGENCY COOPERATION.

AT THE REQUEST OF THE COMMISSION, ALL CITY OFFICIALS AND AGENCIES SHALL COOPERATE WITH THE COMMISSION AND EXTEND THE SERVICES AND FACILITIES THAT THE COMMISSION REQUIRES.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on ~~the 30th day after the date it is enacted~~ January 1, 2007.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-363
(Council Bill 06-460)**

AN ORDINANCE CONCERNING

**Sale of Property – Air Rights over a 2-Foot
Portion of Wolfe Street**

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in a certain parcel of land known as the air rights over a 2-foot portion of Wolfe Street contiguous to the east side thereof, extending from Madison Street, Northerly 321.4 feet, more or less, to Ashland Avenue, and at a horizontal plane having an elevation of 109.0 feet and ascending to an elevation of unlimited height and no longer needed for public use; and providing for a special effective date.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in a certain parcel of land known as the air rights over a 2-foot portion of Wolfe Street contiguous to the east side thereof, extending from Madison Street, Northerly 321.4 feet, more or less, to Ashland Avenue, and at a horizontal plane having an elevation of 109.0 feet and

ascending to an elevation of unlimited height, and lying within the Middle East Urban Renewal Project, and more particularly described as follows:

Beginning for the same at the point formed by the intersection of the east side of Wolfe Street, 70 feet wide, and the north side of Madison Street, 66 feet wide, and at a horizontal plane having an elevation of 109.0 feet and ascending to an elevation of unlimited height, and running thence binding on the north side of said Madison Street, Westerly 2.0 feet, more or less; thence by a straight line parallel with and distant 2.0 feet, more or less, westerly measured at a right angle from the east side of said Wolfe Street, Northerly 321.4 feet, more or less, to intersect the south side of Ashland Avenue, 66 feet wide; thence binding on the south side of said Ashland Avenue, Easterly 2.0 feet, more or less, to intersect the east side of said Wolfe Street, and thence binding on the east side of said Wolfe Street, Southerly 321.4 feet, more or less, to the place of beginning.

Subject to a full width Perpetual Easement for all Municipal Utilities and Services, not to be abandoned, over the entire herein above described parcel of land.

This property being no longer needed for public use.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-364
(Council Bill 06-461)**

AN ORDINANCE CONCERNING

**City Streets – Opening – Certain Streets and Alleys Lying
Within the Middle East Urban Renewal Project**

FOR the purpose of condemning and opening certain streets and alleys lying within the Middle East Urban Renewal Project, bounded by Madison Street, Broadway, Chase Street, and Washington Street, as shown on Plat 348-A-80 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, and 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and open certain streets and alleys lying within the Middle East Urban Renewal Project, bounded by Madison Street, Broadway, Chase Street, and Washington Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the south side of Barnes Street, 50 feet wide, and the east side of Broadway, 130.5 feet wide, and running thence binding on the east side of said Broadway, Northerly 50.0 feet to intersect the north side of said Barnes Street; thence binding on the north side of said Barnes Street, Easterly 192.0 feet, more or less, to intersect the west side of McDonogh Street, 60 feet wide; thence binding on the west side of said McDonogh Street, Southerly 50.0 feet to intersect the south side of said Barnes Street, and thence binding on the south side of said Barnes Street, Westerly 192.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the north side of Ashland Avenue, 66 feet wide, and the west side of a 12-foot alley laid out in the rear of the properties known as Nos. 901 through 925 N. Broadway, said point of beginning being distant easterly 100.0 feet, more or less, measured along the north side of said Ashland Avenue from the east side of Broadway, 130.5 feet wide, and running thence binding on the west side of said 12-foot alley, Northerly 264.0 feet, more or less, to intersect the south side of Barnes Street, 50 feet wide; thence binding on the south side of said Barnes Street, Easterly 12.0 feet to intersect the east side of said 12-foot alley; thence binding on the east side of said 12-foot alley, Southerly 264.0 feet, more or less, to intersect the north side of said Ashland Avenue, and thence binding on the north side of said Ashland Avenue, Westerly 12.0 feet to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the west side of McDonogh Street, 60 feet wide, and the south side of a 3-foot alley laid out in the rear of the properties known as Nos. 1704 through 1714 Ashland Avenue, said point of beginning being distant northerly 74.5 feet, more or less, measured along the west side of said McDonogh Street from the north side of Ashland Avenue, 66 feet wide, and running thence binding on the south side of said 3-foot alley, Westerly 80.0 feet, more or less, to intersect the east side of a 12-foot alley laid out in the rear of the properties known as Nos. 901 through 925 N. Broadway; thence binding on the east side of said 12-foot alley, Northerly 3.0 feet to intersect the north side of said 3-foot alley; thence binding on the north side of said 3-foot alley, Easterly 80.0 feet, more or less, to intersect the west side of said McDonogh Street, and thence binding on the west side of said McDonogh Street, Southerly 3.0 feet to the place of beginning.

Beginning for Parcel No. 4 at the point formed by the intersection of the north side of Barnes Street, 50 feet wide, and the west side of a 12-foot alley laid out adjacent to the eastern outline of the property known as No. 1704 Barnes Street, and in the rear of the properties known as Nos. 937 through 947 N. Broadway, said point of beginning being distant easterly 100.0 feet, more or less, measured along the north side of said Barnes Street from the east side of Broadway, 130.5 feet wide, and running thence binding on the west side of said 12-foot alley, Northerly 118.0 feet, more or less, to intersect the south side of Eager Street, 66 feet wide; thence binding on the south side of said Eager Street, Easterly 12.0 feet to intersect the east side of said 12-foot alley; thence binding on the east side of said 12-foot alley, Southerly 118.0 feet, more or less, to intersect the north side of said Barnes Street, and thence binding on the north side of said Barnes Street, Westerly 12.0 feet to the place of beginning.

Beginning for Parcel No. 5 at the point formed by the intersection of the north side of a 3-foot alley laid out in the rear of the properties known as Nos. 1703 through 1713 E. Eager Street, and the west side of McDonogh Street, 60 feet wide, said point of beginning being distant southerly 62.5 feet, more or less, measured along the west side of said McDonogh Street from the south side of Eager Street, 66 feet wide, and running thence binding on the west side of said McDonogh Street, Southerly 3.0 feet to intersect the south side of said 3-foot alley; thence binding on the south side of said 3-foot alley, Westerly 80.0 feet, more or less, to intersect the east side of a 12-foot alley laid out adjacent to the eastern outline of the

property known as No. 1704 Barnes Street, and in the rear of the properties known as Nos. 937 through 947 N. Broadway; thence binding on the east side of said 12-foot alley, Northerly 3.0 feet to intersect the north side of said 3-foot alley, and thence binding on the north side of said 3-foot alley, Easterly 80.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 6 at the point formed by the intersection of the north side of Ashland Avenue, 66 feet wide, and the east side of McDonogh Street, 60 feet wide, and running thence binding on the north side of said Ashland Avenue, Westerly 60.0 feet to intersect the west side of said McDonogh Street; thence binding on the west side of said McDonogh Street, Northerly 432.7 feet, more or less, to intersect the south side of Eager Street, 66 feet wide; thence binding on the south side of said Eager Street, Easterly 60.0 feet to intersect the east side of said McDonogh Street, and thence binding on the east side of said McDonogh Street, Southerly 432.7 feet, more or less, to the place of beginning.

Beginning for Parcel No. 7 at the point formed by the intersection of the south side of Barnes Street, 50 feet wide, and the east side of McDonogh Street, 60 feet wide, and running thence binding on the east side of said McDonogh Street, Northerly 50.0 feet to intersect the north side of said Barnes Street; thence binding on the north side of said Barnes Street, Easterly 233.2 feet, more or less, to intersect the west side of Rutland Avenue, 70 feet wide; thence binding on the west side of said Rutland Avenue, Southerly 50.0 feet to intersect the south side of said Barnes Street, and thence binding on the south side of said Barnes Street, Westerly 233.2 feet, more or less, to the place of beginning.

Beginning for Parcel No. 8 at the point formed by the intersection of the north side of Ashland Avenue, 66 feet wide, and the east side of Shuter Street, 20 feet wide, and running thence binding on the north side of said Ashland Avenue, Westerly 20.0 feet to intersect the west side of said Shuter Street; thence binding on the west side of said Shuter Street, Northerly 264.4 feet, more or less, to intersect the south side of Barnes Street, 50 feet wide; thence binding on the south side of said Barnes Street, Easterly 20.0 feet to intersect the east side of said Shuter Street, and thence binding on the east side of said Shuter Street, Southerly 264.4 feet, more or less, to the place of beginning.

Beginning for Parcel No. 9 at the point formed by the intersection of the west side of a 3-foot alley laid out in the rear of the properties known as Nos. 903 through 929 McDonogh Street, and the south side of Barnes Street, 50 feet wide, said point of beginning being distant easterly 63.3 feet, more or less, measured along the south side of said Barnes Street from the east side of McDonogh Street, 60 feet wide, and running thence binding on the south side of said Barnes Street, Easterly 3.0 feet to intersect the east side of said 3-foot alley; thence binding on the east side of said 3-foot alley, Southerly 186.7 feet, more or less, to intersect the north side of a 3-foot alley laid out in the rear of the properties known as Nos. 1716 through 1728/1730 Ashland Avenue; thence binding on the north side of last said 3-foot alley, Westerly 3.0 feet to intersect the west side of said 3-foot alley, mentioned firstly herein, and thence binding on the west side of said 3-foot alley, mentioned firstly herein, Northerly 186.7 feet, more or less, to the place of beginning.

Beginning for Parcel No. 10 at the point formed by the intersection of the east side of a 3-foot alley laid out in the rear of the properties known as Nos. 900 through 926 Rutland Avenue, and the south side of Barnes Street, 50 feet wide, said point of beginning being distant westerly 63.5 feet, more or less, measured along the south side of said Barnes Street from the west side of Rutland Avenue, 70 feet wide, and running thence binding on the east side of said 3-foot alley, Southerly 186.7 feet, more or less, to intersect the north side of a 3-foot alley laid out in the rear of the properties known as Nos. 1732 through 1746 Ashland Avenue; thence binding on the north side of last said 3-foot alley, Westerly 3.0 feet to intersect the west side of said 3-foot alley, mentioned firstly herein; thence binding on the west side of said 3-foot alley, mentioned firstly herein, Northerly 186.7 feet, more or less, to intersect the south side of said Barnes Street, and thence binding on the south side of said Barnes Street, Easterly 3.0 feet to the place of beginning.

Beginning for Parcel No. 11 at the point formed by the intersection of the south side of a 3-foot alley laid out in the rear of the properties known as Nos. 1716 through 1728/1730 Ashland Avenue, and the east side of McDonogh Street, 60 feet wide, said point of beginning being distant northerly 74.8 feet, more or less, measured along the east side of said McDonogh Street from the north side of Ashland Avenue, 66 feet wide, and running thence binding on the east side of said McDonogh Street, Northerly 3.0 feet to intersect the north side of said 3-foot alley; thence binding on the north side of said 3-foot alley, Easterly 106.4 feet, more or less, to intersect the west side of Shuter Street, 20 feet wide; thence binding on the west side of said Shuter Street, Southerly 3.0 feet to intersect the south side of said 3-foot alley, and thence binding on the south side of said 3-foot alley, Westerly 106.4 feet, more or less, to the place of beginning.

Beginning for Parcel No. 12 at the point formed by the intersection of the north side of a 3-foot alley laid out in the rear of the properties known as Nos. 1707 through 1711 Barnes Street, and the west side of Shuter Street, 20 feet wide, said point of beginning being distant southerly 53.0 feet, more or less, measured along the west side of said Shuter Street from the south side of Barnes Street, 50 feet wide, and running thence binding on the west side of said Shuter Street, Southerly 3.0 feet to intersect the south side of said 3-foot alley; thence binding on the south side of said 3-foot alley, Westerly 40.6 feet, more or less, to intersect the east side of a 3-foot alley, laid out in the rear of the properties known as Nos. 903 through 929 McDonogh Street; thence binding on the east side of last said 3-foot alley, Northerly 3.0 feet to intersect the north side of said 3-foot alley, mentioned firstly herein, and thence binding on the north side of said 3-foot alley, mentioned firstly herein, Easterly 40.6 feet, more or less, to the place of beginning.

Beginning for Parcel No. 13 at the point formed by the intersection of the east side of Shuter Street, 20 feet wide, and the north side of a 3-foot alley laid out in the rear of the properties known as Nos. 1713 through 1717 Barnes Street, said point of beginning being distant southerly 53.0 feet, more or less, measured along the east side of said Shuter Street from the south side of Barnes Street, 50 feet wide, and running thence binding on the north side of said 3-foot alley, Easterly 41.0 feet, more or less, to intersect the west side of a 3-foot alley laid out in the rear of the properties known as Nos. 900 through 926 Rutland Avenue; thence binding on the west side of last said 3-foot alley, Southerly 3.0 feet to intersect the south side of said 3-foot alley, mentioned firstly herein; thence binding on the south side of said 3-foot alley, mentioned firstly herein, Westerly 41.0 feet, more or less, to intersect the east side of said Shuter Street, and thence binding on the east side of said Shuter Street, Northerly 3.0 feet to the place of beginning.

Beginning for Parcel No. 14 at the point formed by the intersection of the west side of Rutland Avenue, 70 feet wide, and the south side of a 3-foot alley laid out in the rear of the properties known as Nos. 1732 through 1746 Ashland Avenue, said point of beginning being distant northerly 74.8 feet, more or less, measured along the west side of said Rutland Avenue from the north side of Ashland Avenue, 66 feet wide, and running thence binding on the south side of said 3-foot alley, Westerly 106.8 feet, more or less, to intersect the east side of Shuter Street, 20 feet wide; thence binding on the east side of said Shuter Street, Northerly 3.0 feet to intersect the north side of said 3-foot alley; thence binding on the north side of said 3-foot alley, Easterly 106.8 feet, more or less, to intersect the west side of said Rutland Avenue, and thence binding on the west side of said Rutland Avenue, Southerly 3.0 feet to the place of beginning.

Beginning for Parcel No. 15 at the point formed by the intersection of the east side of McDonogh Street, 60 feet wide, and the north side of a 3-foot alley laid out in the rear of the properties known as Nos. 1715 through 1747 E. Eager Street, said point of beginning being distant southerly 63.3 feet, more or less, measured along the east side of said McDonogh Street from the south side of Eager Street, 66 feet wide, and running thence binding on the north side of said 3-foot alley, Easterly 233.2 feet, more or less, to intersect the west side of Rutland Avenue, 70 feet wide; thence binding on the west side of said Rutland Avenue, Southerly 3.0 feet to intersect the south side of said 3-foot alley; thence binding on the south side of said 3-foot alley, Westerly 233.2 feet, more or less, to intersect the east side of said McDonogh Street, and thence binding on the east side of said McDonogh Street, Northerly 3.0 feet to the place of beginning.

Beginning for Parcel No. 16 at the point formed by the intersection of the east side of a 3-foot alley laid out in the rear of the properties known as Nos. 928 through 934 Rutland Avenue, and the north side of Barnes Street, 50 feet wide, said point of beginning being distant westerly 63.0 feet, more or less, measured along the north side of said Barnes Street from the west side of Rutland Avenue, 70 feet wide, and running thence binding on the north side of said Barnes Street, Westerly 3.0 feet to intersect the west side of said 3-foot alley; thence binding on the west side of said 3-foot alley, Northerly 52.0 feet, more or less, to intersect the south side of a 3-foot alley laid out in the rear of the properties known as Nos. 1715 through 1747 E. Eager Street; thence binding on the south side of last said 3-foot alley, Easterly 3.0 feet to intersect the east side of said 3-foot alley, mentioned firstly herein, and thence binding on the east side of said 3-foot alley, mentioned firstly herein, Southerly 52.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 17 at the point formed by the intersection of the west side of a 3-foot alley laid out in the rear of the properties known as Nos. 935 and 937 McDonogh Street, and the south side of a 3-foot alley, laid out in the rear of the properties known as Nos. 1715 through 1747 E. Eager Street, said point of beginning being distant easterly 60.0 feet, more or less, measured along the south side of last said 3-foot alley from the east side of McDonogh Street, 60 feet wide, and running thence binding on the south side of last said 3-foot alley, Easterly 3.0 feet to intersect the east side of said 3-foot alley, mentioned firstly herein; thence binding on the east side of said 3-foot alley, mentioned firstly herein, Southerly 26.0 feet, more or less, to the southernmost extremity of said 3-foot alley, mentioned firstly herein, there situate; thence binding on the southernmost extremity of said 3-foot alley, mentioned firstly herein, Westerly 3.0 feet to intersect the west side of said 3-foot alley, mentioned firstly herein, and thence binding on the west side of said 3-foot alley, mentioned firstly herein, Northerly 26.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 18 at the point formed by the intersection of the east side of Durham Street, 40 feet wide, and the north side of Ashland Avenue, 66 feet wide, and running thence binding on the north side of said Ashland Avenue, Westerly 40.0 feet to intersect the west side of said Durham Street; thence binding on the west side of said Durham Street, Northerly 435.0 feet, more or less, to intersect the south side of Eager Street, 66 feet wide; thence binding on the south side of said Eager Street, Easterly 40.0 feet to intersect the east side of said Durham Street, and thence binding on the east side of said Durham Street, Southerly 435.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 19 at the point formed by the intersection of the west side of Wolfe Street, 60 feet wide, and the south side of a 10-foot alley, laid out in the rear of the properties known as Nos. 1820 through 1838 Ashland Avenue, said point of beginning being distant northerly 64.2 feet, more or less, measured along the west side of said Wolfe Street from the north side of Ashland Avenue, 66 feet wide, and running thence binding on the south side of said 10-foot alley, Westerly 135.5 feet, more or less, to intersect the east side of Durham Street, 40 feet wide; thence binding on the east side of said Durham Street, Northerly 10.0 feet to intersect the north side of said 10-foot alley; thence binding on the north side of said 10-foot alley, Easterly 135.5 feet, more or less, to intersect the west side of said Wolfe Street, and thence binding on the west side of said Wolfe Street, Southerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 20 at the point formed by the intersection of the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1821 through 1839 E. Eager Street, and the west side of Wolfe Street, 60 feet wide, said point of beginning being distant southerly 63.0 feet, more or less, measured along the west side of said Wolfe Street from the south side of Eager Street, 66 feet wide, and running thence binding on the west side of said Wolfe Street, Southerly 10.0 feet to intersect the south side of said 10-foot alley; thence binding on the south side of said 10-foot alley, Westerly 135.5 feet, more or less, to intersect the east side of Durham Street, 40 feet wide; thence binding on the east side of said Durham Street, Northerly 10.0 feet to intersect the north side of said 10-foot alley, and thence binding on the north side of said 10-foot alley, Easterly 135.5 feet, more or less, to the place of beginning.

Beginning for Parcel No. 21 at the point formed by the intersection of the east side of a 10-foot alley laid out in the rear of the properties known as Nos. 900 through 942 N. Wolfe Street, and the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1820 through 1838 Ashland Avenue, said point of beginning being distant westerly 76.0 feet, more or less, measured along the north side of last said 10-foot alley from the west side of Wolfe Street, 60 feet wide, and running thence binding on the north side of last said 10-foot alley, Westerly 10.0 feet to intersect the west side of said 10-foot alley, mentioned firstly herein; thence binding on the west side of said 10-foot alley, mentioned firstly herein, Northerly 287.8 feet, more or less, to intersect the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1821 through 1839 E. Eager Street; thence binding on the south side of last said 10-foot alley, Easterly 10.0 feet to intersect the east side of said 10-foot alley, mentioned firstly herein, and thence binding on the east side of said 10-foot alley, mentioned firstly herein, Southerly 287.8 feet, more or less, to the place of beginning.

Beginning for Parcel No. 22 at the point formed by the intersection of the west side of Durham Street, 40 feet wide, and the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1810 through 1818 Ashland Avenue, said point of beginning being distant northerly 64.0 feet, more or less, measured along the west side of said Durham Street from the north side of Ashland Avenue, 66 feet wide, and running thence binding on the south side of said 10-foot alley, Westerly 65.0 feet, more or less, to the westernmost extremity of said 10-foot alley, there situate; thence binding on the westernmost extremity of said 10-foot alley, Northerly 10.0 feet to intersect the north side of said 10-foot alley; thence binding on the north side of said 10-foot alley, Easterly 65.0 feet, more or less, to intersect the west side of said Durham Street, and thence binding on the west side of said Durham Street, Southerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 23 at the point formed by the intersection of the east side of a 10-foot alley laid out in the rear of the properties known as Nos. 902 through 948 N. Durham Street, and the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1810 through 1818 Ashland Avenue, said point of beginning being distant westerly 50.0 feet, more or less, measured along the north side of last said 10-foot alley from the west side of Durham Street, 40 feet wide, and running thence binding on the north side of last said 10-foot alley, Westerly 10.0 feet to intersect the west side of said 10-foot alley, mentioned firstly herein; thence binding on the west side of said 10-foot alley, mentioned firstly herein, Northerly 286.0 feet, more or less, to intersect the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1801/1803 through 1819 E. Eager Street; thence binding on the south side of last said 10-foot alley, Easterly 10.0 feet to intersect the east side of said 10-foot alley, mentioned firstly herein, and thence binding on the east side of said 10-foot alley, mentioned firstly herein, Southerly 286.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 24 at the point formed by the intersection of the east side of Rutland Avenue, 70 feet wide, and the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1801/1803 through 1819 E. Eager Street, said point of beginning being distant southerly 65.0 feet, more or less, measured along the east side of said Rutland Avenue from the south side of Eager Street, 66 feet wide, and running thence binding on the north side of said 10-foot alley, Easterly 130.0 feet, more or less, to intersect the west side of Durham Street, 40 feet wide; thence binding on the west side of said Durham Street, Southerly 10.0 feet to intersect the south side of said 10-foot alley; thence binding on the south side of said 10-foot alley, Westerly 130.0 feet, more or less, to intersect the east side of said Rutland Avenue, and thence binding on the east side of said Rutland Avenue, Northerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 25 at the point formed by the intersection of the south side of a 4-foot alley laid out in the rear of the properties known as Nos. 1800 through 1808 Ashland Avenue, and the east side of Rutland Avenue, 70 feet wide, said point of beginning being distant northerly 70.0 feet, more or less, measured along the east side of said Rutland Avenue from the north side of Ashland Avenue, 66 feet wide, and running thence binding on the east side of said Rutland Avenue, Northerly 4.0 feet to intersect

the north side of said 4-foot alley; thence binding on the north side of said 4-foot alley, Easterly 65.0 feet, more or less, to the easternmost extremity of said 4-foot alley, there situate; thence binding on the easternmost extremity of said 4-foot alley, Southerly 4.0 feet to intersect the south side of said 4-foot alley, and thence binding on the south side of said 4-foot alley, Westerly 65.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 26 at the point formed by the intersection of the north side of Ashland Avenue, 66 feet wide, and the west side of Chapel Street, 20 feet wide, and running thence binding on the west side of said Chapel Street, Northerly 432.0 feet, more or less, to intersect the south side of Eager Street, 66 feet wide; thence binding on the south side of said Eager Street, Easterly 20.0 feet to intersect the east side of said Chapel Street; thence binding on the east side of said Chapel Street, Southerly 432.0 feet, more or less, to intersect the north side of said Ashland Avenue, and thence binding on the north side of said Ashland Avenue, Westerly 20.0 feet to the place of beginning.

Beginning for Parcel No. 27 at the point formed by the intersection of the north side of Ashland Avenue, 66 feet wide, and the west side of a 10-foot alley, laid out in the rear of the properties known as Nos. 901 through 967/969 N. Wolfe Street, said point of beginning being distant easterly 75.5 feet, more or less, measured along the north side of said Ashland Avenue from the east side of Wolfe Street, 60 feet wide, and running thence binding on the west side of said 10-foot alley, Northerly 432.0 feet, more or less, to intersect the south side of Eager Street, 66 feet wide; thence binding on the south side of said Eager Street, Easterly 10.0 feet to intersect the east side of said 10-foot alley; thence binding on the east side of said 10 foot alley, Southerly 432.0 feet, more or less, to intersect the north side of said Ashland Avenue, and thence binding on the north side of said Ashland Avenue, Westerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 28 at the point formed by the intersection of the west side of Chapel Street, 20 feet wide, and the south side of a 10-foot alley, laid out in the rear of the properties known as Nos. 1904 through 1910 Ashland Avenue, said point of beginning being distant northerly 75.0 feet, more or less, measured along the west side of said Chapel Street from the north side of Ashland Avenue, 66 feet wide, and running thence binding on the south side of said 10-foot alley, Westerly 60.0 feet, more or less, to intersect the east side of a 10-foot alley laid out in the rear of the properties known as Nos. 901 through 967/969 N. Wolfe Street; thence binding on the east side of last said 10-foot alley, Northerly 10.0 feet to intersect the north side of said 10-foot alley, mentioned firstly herein; thence binding on the north side of said 10-foot alley, mentioned firstly herein, Easterly 60.0 feet, more or less, to intersect the west side of said Chapel Street, and thence binding on the west side of said Chapel Street, Southerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 29 at the point formed by the intersection of the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1914 through 1922 Ashland Avenue, and the east side of Chapel Street, 20 feet wide, said point of beginning being distant northerly 70.0 feet, more or less, measured along the east side of said Chapel Street from the north side of Ashland Avenue, 66 feet wide, and running thence binding on the east side of said Chapel Street, Northerly 10.0 feet to intersect the north side of said 10-foot alley; thence binding on the north side of said 10-foot alley, Easterly 65.0 feet, more or less, to intersect the west side of a 10-foot alley laid out in the rear of the properties known as Nos. 910 through 958 N. Washington Street; thence binding on the west side of last said 10-foot alley, Southerly 7.0 feet, more or less, to the southernmost extremity of last said 10-foot alley there situate; thence binding on the southernmost extremity of last said 10-foot alley, Easterly 2.0 feet, more or less, to intersect the west side of a 3 foot alley laid out in the rear of the properties known as Nos. 900 through 908 N. Washington Street; thence binding on the west side of said 3 foot alley, Southerly 3.0 feet, more or less, to intersect the south side of said 10-foot alley, mentioned firstly herein, and thence binding on the south side of said 10-foot alley, mentioned firstly herein, Westerly 67.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 30 at the point formed by the intersection of the east side of Chapel Street, 20 feet wide, and the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1915 through 1923 E. Eager Street, said point of beginning being distant southerly 55.0 feet, more or less, measured along the east side of said Chapel Street from the south side of Eager Street, 66 feet wide, and running thence binding on the north side of said 10-foot alley, Easterly 65.0 feet, more or less, to intersect the west outline of the property known as No. 1925 E. Eager Street; thence binding in part on the west outline of said property, in part on the west side of a 10-foot alley, laid out in the rear of the properties known as Nos. 910 through 958 N. Washington Street, and in all, Southerly 10.0 feet to intersect the south side of said 10-foot alley, mentioned firstly herein; thence binding on the south side of said 10-foot alley, mentioned firstly herein, Westerly 65.0 feet, more or less, to intersect the east side of said Chapel Street, and thence binding on the east side of said Chapel Street, Northerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 31 at the point formed by the intersection of the west outline of the property known as No. 1925 E. Eager Street, and the northernmost extremity of a 10-foot alley laid out in the rear of the properties known as Nos. 910 through 958 N. Washington Street, said point of beginning being distant southerly 59.0 feet, more or less, measured along the west outline of said 1925 E. Eager Street from the south side of Eager Street, 66 feet wide, and running thence binding on the northernmost extremity of said 10-foot alley, Easterly 10.0 feet to intersect the east side of said 10-foot alley; thence binding on the east side of said 10-foot alley, Southerly 299.0 feet, more or less, to the southernmost extremity of said 10-foot alley, there situate; thence binding on the southernmost extremity of said 10-foot alley, Westerly 10.0 feet to intersect the west side of said 10-foot alley, and thence binding on the west side of said 10-foot alley, Northerly 299.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 32 at the point formed by the intersection of the south side of Eager Street, 66 feet wide, and the east side of a 3.5-foot wide alley laid out in the rear of the properties known as Nos. 960 through 968 N. Washington Street, said point of beginning being distant westerly 58.0 feet, more or less, measured along the south side of said Eager Street from the west side of Washington Street, 70 feet wide, and running thence binding on the east side of said 3.5-foot wide alley, Southerly 60.0 feet, more or less, to the southernmost extremity of said 3.5-foot alley, there situate; thence binding on the southernmost extremity of said 3.5-foot alley, Westerly 3.5 feet to intersect the west side of said 3.5-foot alley; thence binding on the west side of said 3.5-foot alley, Northerly 60.0 feet, more or less, to intersect the south side of said Eager Street, and thence binding on the south side of said Eager Street, Easterly 3.5 feet to the place of beginning.

Beginning for Parcel No. 33 at the point formed by the intersection of the north side of a 2.5-foot alley laid out in the rear of the properties known as Nos. 1905 through 1911/1913 E. Eager Street, and the west side of Chapel Street, 20 feet wide, said point of beginning being distant southerly 55.1 feet, more or less, measured along the west side of said Chapel Street from the south side of Eager Street, 66 feet wide, and running thence binding on the west side of said Chapel Street, Southerly 2.5 feet to intersect the south side of said 2.5-foot alley; thence binding on the south side of said 2.5-foot alley, Westerly 60.0 feet, more or less, to intersect the east side of a 10-foot alley laid out in the rear of the properties known as Nos. 901 through 967/969 N. Wolfe Street; thence binding on the east side of said 10-foot alley, Northerly 2.5 feet to intersect the north side of said 2.5-foot alley, and thence binding on the north side of said 2.5-foot alley, Easterly 60.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 34 at the point formed by the intersection of the east side of a 3 foot alley laid out in the rear of the properties known as Nos. 900 through 908 N. Washington Street, and the north side of Ashland Avenue, 66 feet wide, said point of beginning being distant westerly 70.0 feet, more or less, measured along the north side of said Ashland Avenue from the west side of Washington Street, 70 feet wide, and running thence binding on the north side of said Ashland Avenue, Westerly 3.0 feet to intersect the west side of said 3-foot alley; thence binding on the west side of said 3-foot alley, Northerly 73.0 feet, more or less, to intersect the southernmost extremity of a 10-foot alley laid out in the rear of the properties known as Nos. 910 through 958 N. Washington Street, there situate; thence binding on the southernmost

extremity of said 10-foot alley, Easterly 3.0 feet to intersect the east side of said 3-foot alley, and thence binding on the east side of said 3-foot alley, Southerly 73.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 35 at the point formed by the intersection of the north side of Eager Street, 66 feet wide, and the west side of a 10-foot alley laid out adjacent to the eastern outline of the property known as No. 1910 E. Eager Street, and in the rear of the properties known as Nos. 1003/1005 through 1039 N. Wolfe Street, said point of beginning being distant easterly 75.0 feet, more or less, measured along the north side of said Eager Street from the east side of Wolfe Street, 60 feet wide, and running thence binding on the west side of said 10-foot alley, Northerly 331.0 feet, more or less, to intersect the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1901 through 1917 E. Chase Street; thence binding on the south side of last said 10-foot alley, Easterly 10.0 feet to intersect the east side of said 10-foot alley, mentioned firstly herein; thence binding on the east side of said 10-foot alley, mentioned firstly herein, Southerly 331.0 feet, more or less, to intersect the north side of said Eager Street, and thence binding on the north side of said Eager Street, Westerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 36 at the point formed by the intersection of the east side of a 10-foot alley laid out adjacent to the west outline of the property known as No. 1928 E. Eager Street, and in the rear of the properties known as Nos. 1002 through 1034 N. Washington Street, and the north side of Eager Street, 66 feet wide, said point of beginning being distant westerly 75.0 feet, more or less, measured along the north side of said Eager Street from the west side of Washington Street, 70 feet wide, and running thence binding on the north side of said Eager Street, Westerly 10.0 feet to intersect the west side of said 10-foot alley; thence binding on the west side of said 10-foot alley, Northerly 331.0 feet, more or less, to intersect the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1919 through 1935 E. Chase Street; thence binding on the south side of last said 10-foot alley, Easterly 10.0 feet to intersect the east side of said 10-foot alley, mentioned firstly herein, and thence binding on the east side of said 10-foot alley, mentioned firstly herein, Southerly 331.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 37 at the point formed by the intersection of the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1919 through 1935 E. Chase Street, and the west side of Washington Street, 70 feet wide, said point of beginning being distant southerly 90.0 feet, more or less, measured along the west side of said Washington Street from the south side of Chase Street, 66 feet wide, and running thence binding on the west side of said Washington Street, Southerly 10.0 feet to intersect the south side of said 10-foot alley; thence binding on the south side of said 10-foot alley, Westerly 141.0 feet, more or less, to intersect the east side of Chapel Street, 30 feet wide; thence binding on the east side of said Chapel Street, Northerly 10.0 feet to intersect the north side of said 10-foot alley, and thence binding on the north side of said 10-foot alley, Easterly 141.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 38 at the point formed by the intersection of the east side of Wolfe Street, 60 feet wide, and the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1901 through 1917 E. Chase Street, said point of beginning being distant southerly 90.0 feet, more or less, measured along the east side of said Wolfe Street from the south side of Chase Street, 66 feet wide, and running thence binding on the north side of said 10-foot alley, Easterly 140.0 feet, more or less, to intersect the west side of Chapel Street, 30 feet wide; thence binding on the west side of said Chapel Street, Southerly 10.0 feet to intersect the south side of said 10-foot alley; thence binding on the south side of said 10-foot alley, Westerly 140.0 feet, more or less, to intersect the east side of said Wolfe Street, and thence binding on the east side of said Wolfe Street, Northerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 39 at the point formed by the intersection of the south side of a 3-foot alley laid out in the rear of the properties known as Nos. 1920 through 1926 E. Eager Street, and the east side of Chapel Street, 30 feet wide, said point of beginning being distant northerly 56.5 feet, more or less, measured along the east side of said Chapel Street from the north side of Eager Street, 66 feet wide, and

running thence binding on the east side of said Chapel Street, Northerly 3.0 feet to intersect the north side of said 3-foot alley; thence binding on the north side of said 3-foot alley, Easterly 56.0 feet, more or less, to intersect the west side of a 10-foot alley laid out adjacent to the west outline of the property known as No. 1928 E. Eager Street, and in the rear of the properties known as Nos. 1002 through 1034 N. Washington Street; thence binding on the west side of said 10-foot alley, Southerly 3.0 feet to intersect the south side of said 3-foot alley, and thence binding on the south side of said 3-foot alley, Westerly 56.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 40 at the point formed by the intersection of the west side of Chapel Street, 30 feet wide, and the south side of a 3-foot alley laid out in the rear of the property known as No. 1918 E. Eager Street, said point of beginning being distant northerly 69.0 feet, more or less, measured along the west side of said Chapel Street from the north side of Eager Street, 66 feet wide, and running thence binding on the south side of said 3-foot alley, Westerly 13.8 feet, more or less, to the westernmost extremity of said 3-foot alley, there situate; thence binding on the westernmost extremity of said 3-foot alley, Northerly 3.0 feet to intersect the north side of said 3-foot alley; thence binding on the north side of said 3-foot alley, Easterly 13.8 feet, more or less, to intersect the west side of said Chapel Street, and thence binding on the west side of said Chapel Street, Southerly 3.0 feet to the place of beginning.

Beginning for Parcel No. 41 at the point formed by the intersection of the west side of Washington Street, 70 feet wide, and the south side of a 4-foot alley laid out in the rear of the properties known as Nos. 1928 through 1938 E. Eager Street, said point of beginning being distant northerly 75.0 feet, more or less, measured along the west side of said Washington Street from the north side of Eager Street, 66 feet wide, and running thence binding on the south side of said 4-foot alley, Westerly 75.0 feet, more or less, to intersect the east side of a 10-foot alley laid out adjacent to the west outline of the property known as No. 1928 E. Eager Street, and in the rear of the properties known as Nos. 1002 through 1034 N. Washington Street; thence binding on the east side of said 10-foot alley, Northerly 4.0 feet to intersect the north side of said 4-foot alley; thence binding on the north side of said 4-foot alley, Easterly 75.0 feet, more or less, to intersect the west side of said Washington Street, and thence binding on the west side of said Washington Street, Southerly 4.0 feet to the place of beginning.

Beginning for Parcel No. 42 at the point formed by the intersection of the west side of a 10-foot alley laid out adjacent to the eastern outline of the property known as No. 1910 E. Eager Street, and in the rear of the properties known as Nos. 1003/1005 through 1039 N. Wolfe Street, and the south side of a 3-foot alley laid out in the rear of the properties known as Nos. 1904 through 1910 E. Eager Street, said point of beginning being distant northerly 60.2 feet, more or less, measured along the west side of said 10-foot alley from the north side of Eager Street, 66 feet wide, and running thence binding on the south side of said 3-foot alley, Westerly 49.6 feet, more or less, to the westernmost extremity of said 3-foot alley, there situate; thence binding on the westernmost extremity of said 3-foot alley, Northerly 3.0 feet to intersect the north side of said 3-foot alley; thence binding on the north side of said 3-foot alley, Easterly 49.6 feet, more or less, to intersect the west side of said 10-foot alley, and thence binding on the west side of said 10-foot alley, Southerly 3.0 feet to the place of beginning.

Beginning for Parcel No. 43 at the point formed by the intersection of the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1800 through 1818 E. Eager Street, and the east side of Rutland Avenue, 70 feet wide, said point of beginning being distant northerly 63.2 feet, more or less, measured along the east side of said Rutland Avenue from the north side of Eager Street, 66 feet wide, and running thence binding on the east side of said Rutland Avenue, Northerly 10.0 feet to intersect the north side of said 10-foot alley; thence binding on the north side of said 10-foot alley, Easterly 130.0 feet, more or less, to intersect the west side of Durham Street, 40 feet wide; thence binding on the west side of said Durham Street, Southerly 10.0 feet to intersect the south side of said 10-foot alley, and thence binding on the south side of said 10-foot alley, Westerly 130.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 44 at the point formed by the intersection of the east side of Rutland Avenue, 70 feet wide, and the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1801 through 1819 E. Chase Street, said point of beginning being distant southerly 63.0 feet, more or less, measured along the east side of said Rutland Avenue from the south side of Chase Street, 66 feet wide, and running thence binding on the north side of said 10-foot alley, Easterly 130.0 feet, more or less, to intersect the west side of Durham Street, 40 feet wide; thence binding on the west side of said Durham Street, Southerly 10.0 feet to intersect the south side of said 10-foot alley; thence binding on the south side of said 10-foot alley, Westerly 130.0 feet, more or less, to intersect the east side of said Rutland Avenue, and thence binding on the east side of said Rutland Avenue, Northerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 45 at the point formed by the intersection of the west side of Wolfe Street, 60 feet wide, and the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1820 through 1838 E. Eager Street, said point of beginning being distant northerly 63.2 feet, more or less, measured along the west side of said Wolfe Street from the north side of Eager Street, 66 feet wide, and running thence binding on the south side of said 10-foot alley, Westerly 136.5 feet, more or less, to intersect the east side of Durham Street, 40 feet wide; thence binding on the east side of said Durham Street, Northerly 10.0 feet to intersect the north side of said 10-foot alley; thence binding on the north side of said 10-foot alley, Easterly 136.5 feet, more or less, to intersect the west side of said Wolfe Street, and thence binding on the west side of said Wolfe Street, Southerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 46 at the point formed by the intersection of the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1821 through 1839 E. Chase Street, and the west side of Wolfe Street, 60 feet wide, said point of beginning being distant southerly 63.0 feet, more or less, measured along the west side of said Wolfe Street from the south side of Chase Street, 66 feet wide, and running thence binding on the west side of said Wolfe Street, Southerly 10.0 feet to intersect the south side of said 10-foot alley; thence binding on the south side of said 10-foot alley, Westerly 136.5 feet, more or less, to intersect the east side of Durham Street, 40 feet wide; thence binding on the east side of said Durham Street, Northerly 10.0 feet to intersect the north side of said 10-foot alley, and thence binding on the north side of said 10-foot alley, Easterly 136.5 feet, more or less, to the place of beginning.

Beginning for Parcel No. 47 at the point formed by the intersection of the east side of a 10-foot alley laid out in the rear of the properties known as Nos. 1002 through 1052 N. Durham Street, and the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1800 through 1818 E. Eager Street, said point of beginning being distant westerly 50.0 feet, more or less, measured along the north side of last said 10-foot alley from the west side of Durham Street, 40 feet wide, and running thence binding on the north side of last said 10-foot alley, Westerly 10.0 feet to intersect the west side of said 10-foot alley, mentioned firstly herein; thence binding on the west side of said 10-foot alley, mentioned firstly herein, Northerly 288.2 feet, more or less, to intersect the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1801 through 1819 E. Chase Street; thence binding on the south side of last said 10-foot alley, Easterly 10.0 feet to intersect the east side of said 10-foot alley, mentioned firstly herein, and thence binding on the east side of said 10-foot alley, mentioned firstly herein, Southerly 288.2 feet, more or less, to the place of beginning.

Beginning for Parcel No. 48 at the point formed by the intersection of the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1820 through 1838 E. Eager Street, and the west side of a 10-foot alley laid out in the rear of the properties known as Nos. 1003 through 1051 N. Durham Street, said point of beginning being distant easterly 50.0 feet, more or less, measured along the north side of said 10-foot alley, mentioned firstly herein, from the east side of Durham Street, 40 feet wide, and running thence binding on the west side of last said 10-foot alley, Northerly 288.2 feet, more or less, to intersect the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1821 through 1839 E. Chase Street; thence binding on the south side of last said 10-foot alley, Easterly 10.0 feet to intersect the east side of said 10-foot alley, mentioned secondly herein; thence binding on the east side of said 10-foot

alley, mentioned secondly herein, Southerly 288.2 feet, more or less, to intersect the north side of said 10-foot alley, mentioned firstly herein, and thence binding on the north side of said 10-foot alley, mentioned firstly herein, Westerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 49 at the point formed by the intersection of the east side of McDonogh Street, 60 feet wide, and the north side of a 15-foot alley laid out in the rear of the property known as No. 1731 E. Chase Street, said point of beginning being distant southerly 73.4 feet, more or less, measured along the east side of said McDonogh Street from the south side of Chase Street, 66 feet wide, and running thence binding on the north side of said 15-foot alley, Easterly 235.0 feet, more or less, to intersect the west side of Rutland Avenue, 70 feet wide; thence binding on the west side of said Rutland Avenue, Southerly 15.0 feet to intersect the south side of said 15-foot alley; thence binding on the south side of said 15-foot alley, Westerly 235.0 feet, more or less, to intersect the east side of said McDonogh Street, and thence binding on the east side of said McDonogh Street, Northerly 15.0 feet to the place of beginning.

Beginning for Parcel No. 50 at the point formed by the intersection of the south side of a 15-foot alley laid out in the rear of the property known as No. 1731 E. Chase Street, and the east side of a 20-foot alley laid out in the rear of the properties known as Nos. 1002 through 1036 Rutland Avenue, said point of beginning being distant westerly 113.0 feet, more or less, measured along the south side of said 15-foot alley from the west side of Rutland Avenue, 70 feet wide, and running thence binding on the east side of said 20-foot alley, Southerly 232.7 feet, more or less, to the southernmost extremity of said 20-foot alley, there situate; thence binding on the southernmost extremity of said 20-foot alley, Westerly 20.0 feet to intersect the west side of said 20-foot alley; thence binding on the west side of said 20-foot alley, Northerly 232.7 feet, more or less, to intersect the south side of said 15-foot alley, and thence binding on the south side of said 15-foot alley, Easterly 20.0 feet to the place of beginning.

Beginning for Parcel No. 51 at the point formed by the intersection of the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1712 through 1744 E. Eager Street, and the east side of McDonogh Street, 60 feet wide, said point of beginning being distant northerly 63.0 feet, more or less, measured along the east side of said McDonogh Street from the north side of Eager Street, 66 ft. wide, and running thence binding on the east side of said McDonogh Street, Northerly 10.0 feet to intersect the north side of said 10-foot alley; thence binding on the north side of said 10-foot alley, Easterly 235.0 feet, more or less, to intersect the west side of Rutland Avenue, 70 feet wide; thence binding on the west side of said Rutland Avenue, Southerly 10.0 feet to intersect the south side of said 10-foot alley, and thence binding on the south side of said 10-foot alley, Westerly 235.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 52 at the point formed by the intersection of the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1712 through 1744 E. Eager Street and the west side of a 3-foot alley laid out in the rear of the properties known as Nos. 1003 and 1005 McDonogh Street, said point of beginning being distant easterly 75.0 feet, more or less, measured along the north side of said 10-foot alley from the east side of McDonogh Street, 60 feet wide, and running thence binding on the west side of said 3-foot alley, Northerly 25.3 feet, more or less, to the northernmost extremity of said 3-foot alley, there situate; thence binding on the northernmost extremity of said 3-foot alley, Easterly 3.0 feet to intersect the east side of said 3-foot alley; thence binding on the east side of said 3-foot alley, Southerly 25.3 feet, more or less, to intersect the north side of said 10-foot alley, and thence binding on the north side of said 10-foot alley, Westerly 3.0 feet to the place of beginning.

Beginning for Parcel No. 53 at the point formed by the intersection of the west side of McDonogh Street, 60 feet wide, and the south side of a 3-foot alley laid out in the rear of the properties known as Nos. 1700 through 1710 E. Eager Street, said point of beginning being distant northerly 70.2 feet, more or less, measured along the west side of said McDonogh Street from the north side of Eager Street, 66 feet wide, and running thence binding on the south side of said 3-foot alley, Westerly 80.0 feet, more or less, to

intersect the east side of a 12-foot alley laid out in the rear of the properties known as Nos. 1001 through 1053 N. Broadway; thence binding on the east side of said 12-foot alley, Northerly 3.0 feet to intersect the north side of said 3-foot alley; thence binding on the north side of said 3-foot alley, Easterly 80.0 feet, more or less, to intersect the west side of said McDonogh Street, and thence binding on the west side of said McDonogh Street, Southerly 3.0 feet to the place of beginning.

Beginning for Parcel No. 54 at the point formed by the intersection of the north side of a 3-foot alley laid out in the rear of the properties known as Nos. 1703 through 1711 E. Chase Street, and the west side of McDonogh Street, 60 feet wide, said point of beginning being distant southerly 76.5 feet, more or less, measured along the west side of said McDonogh Street from the south side of Chase Street, 66 feet wide, and running thence binding on the west side of said McDonogh Street, Southerly 3.0 feet to intersect the south side of said 3-foot alley; thence binding on the south side of said 3-foot alley, Westerly 80.0 feet, more or less, to intersect the east side of a 12-foot alley laid out in the rear of the properties known as Nos. 1001 through 1053 N. Broadway; thence binding on the east side of said 12-foot alley, Northerly 3.0 feet to intersect the north side of said 3-foot alley, and thence binding on the north side of said 3-foot alley, Easterly 80.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 55 at the point formed by the intersection of the east side of Wolfe Street, 70 feet wide, and the north side of Madison Street, 66 feet wide, and running thence binding on the north side of said Madison Street, Westerly 70.0 feet, to intersect the west side of said Wolfe Street; thence binding on the west side of said Wolfe Street, Northerly 321.4 feet, more or less, to intersect south side of Ashland Avenue, 66 feet wide; thence binding on the south side of said Ashland Avenue, Easterly 70.0 feet, to intersect the east side of said Wolfe Street, and thence binding on the east side of said Wolfe Street, Southerly 321.4 feet, more or less, to the place of beginning.

As delineated on Plat 348-A-80, prepared by the Survey Control Section and filed on October 7, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and opening of the streets and alleys and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-365
(Council Bill 06-462)**

AN ORDINANCE CONCERNING

**City Streets – Closing – Certain Streets and Alleys Lying
Within the Middle East Urban Renewal Project**

FOR the purpose of condemning and closing certain streets and alleys lying within the Middle East Urban Renewal Project, bounded by Madison Street, Broadway, Chase Street, and Washington Street, as shown

on Plat 348-A-80A in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions

Section 4

and

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter

(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close certain streets and alleys lying within the Middle East Urban Renewal Project, bounded by Madison Street, Broadway, Chase Street, and Washington Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the south side of Barnes Street, 50 feet wide, and the east side of Broadway, 130.5 feet wide, and running thence binding on the east side of said Broadway, Northerly 50.0 feet to intersect the north side of said Barnes Street; thence binding on the north side of said Barnes Street, Easterly 192.0 feet, more or less, to intersect the west side of McDonogh Street, 60 feet wide; thence binding on the west side of said McDonogh Street, Southerly 50.0 feet to intersect the south side of said Barnes Street, and thence binding on the south side of said Barnes Street, Westerly 192.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the north side of Ashland Avenue, 66 feet wide, and the west side of a 12-foot alley laid out in the rear of the properties known as Nos. 901 through 925 N. Broadway, said point of beginning being distant easterly 100.0 feet, more or less, measured along the north side of said Ashland Avenue from the east side of Broadway, 130.5 feet wide, and running thence binding on the west side of said 12-foot alley, Northerly 265.0 feet, more or less, to intersect the south side of Barnes Street, 50 feet wide; thence binding on the south side of said Barnes Street, Easterly 12.0 feet to intersect the east side of said 12-foot alley; thence binding on the east side of said 12-foot alley, Southerly 265.0 feet, more or less, to intersect the north side of said Ashland Avenue, and thence binding on the north side of said Ashland Avenue, Westerly 12.0 feet to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the west side of McDonogh Street, 60 feet wide, and the south side of a 3-foot alley laid out in the rear of the properties known as Nos. 1704 through 1714 Ashland Avenue, said point of beginning being distant northerly 74.5 feet, more or less, measured along the west side of said McDonogh Street from the north side of Ashland Avenue, 66 feet wide, and running thence binding on the south side of said 3-foot alley, Westerly 80.0 feet, more or less, to intersect the east side of a 12-foot alley laid out in the rear of the properties known as Nos. 901 through 925 N. Broadway; thence binding on the east side of said 12-foot alley, Northerly 3.0 feet to intersect the north side of said 3-foot alley; thence binding on the north side of said 3-foot alley, Easterly 80.0 feet, more or less, to intersect the west side of said McDonogh Street, and thence binding on the west side of said McDonogh Street, Southerly 3.0 feet to the place of beginning.

Beginning for Parcel No. 4 at the point formed by the intersection of the north side of Barnes Street, 50 feet wide, and the west side of a 12-foot alley laid out adjacent to the eastern outline of the property known as No. 1704 Barnes Street, and in the rear of the properties known as Nos. 937 through 947 N. Broadway, said point of beginning being distant easterly 100.0 feet, more or less, measured along the north side of said Barnes Street from the east side of Broadway, 130.5 feet wide, and running thence

binding on the west side of said 12-foot alley, Northerly 118.0 feet, more or less, to intersect the south side of Eager Street, 66 feet wide; thence binding on the south side of said Eager Street, Easterly 12.0 feet to intersect the east side of said 12-foot alley; thence binding on the east side of said 12-foot alley, Southerly 118.0 feet, more or less, to intersect the north side of said Barnes Street, and thence binding on the north side of said Barnes Street, Westerly 12.0 feet to the place of beginning.

Beginning for Parcel No. 5 at the point formed by the intersection of the north side of a 3-foot alley laid out in the rear of the properties known as Nos. 1703 through 1713 E. Eager Street, and the west side of McDonogh Street, 60 feet wide, said point of beginning being distant southerly 62.5 feet, more or less, measured along the west side of said McDonogh Street from the south side of Eager Street, 66 feet wide, and running thence binding on the west side of said McDonogh Street, Southerly 3.0 feet to intersect the south side of said 3-foot alley; thence binding on the south side of said 3-foot alley, Westerly 80.0 feet, more or less, to intersect the east side of a 12-foot alley laid out adjacent to the eastern outline of the property known as No. 1704 Barnes Street, and in the rear of the properties known as Nos. 937 through 947 N. Broadway; thence binding on the east side of said 12-foot alley, Northerly 3.0 feet to intersect the north side of said 3-foot alley, and thence binding on the north side of said 3-foot alley, Easterly 80.0 feet, more or less to the place of beginning.

Beginning for Parcel No. 6 at the point formed by the intersection of the north side of Ashland Avenue, 66 feet wide, and the east side of McDonogh Street, 60 feet wide, and running thence binding on the north side of said Ashland Avenue, Westerly 60.0 feet to intersect the west side of said McDonogh Street; thence binding on the west side of said McDonogh Street, Northerly 432.7 feet, more or less, to intersect the south side of Eager Street, 66 feet wide; thence binding on the south side of said Eager Street, Easterly 60.0 feet to intersect the east side of said McDonogh Street, and thence binding on the east side of said McDonogh Street, Southerly 432.7 feet, more or less, to the place of beginning.

Beginning for Parcel No. 7 at the point formed by the intersection of the south side of Barnes Street, 50 feet wide, and the east side of McDonogh Street, 60 feet wide, and running thence binding on the east side of said McDonogh Street, Northerly 50.0 feet to intersect the north side of said Barnes Street; thence binding on the north side of said Barnes Street, Easterly 233.2 feet, more or less, to intersect the west side of Rutland Avenue, 70 feet wide; thence binding on the west side of said Rutland Avenue, Southerly 50.0 feet to intersect the south side of said Barnes Street, and thence binding on the south side of said Barnes Street, Westerly 233.2 feet, more or less, to the place of beginning.

Beginning for Parcel No. 8 at the point formed by the intersection of the north side of Ashland Avenue, 66 feet wide, and the east side of Shuter Street, 20 feet wide, and running thence binding on the north side of said Ashland Avenue, Westerly 20.0 feet to intersect the west side of said Shuter Street; thence binding on the west side of said Shuter Street, Northerly 264.4 feet, more or less, to intersect the south side of Barnes Street, 50 feet wide; thence binding on the south side of said Barnes Street, Easterly 20.0 feet to intersect the east side of said Shuter Street, and thence binding on the east side of said Shuter Street, Southerly 264.4 feet, more or less, to the place of beginning.

Beginning for Parcel No. 9 at the point formed by the intersection of the west side of a 3-foot alley laid out in the rear of the properties known as Nos. 903 through 929 McDonogh Street, and the south side of Barnes Street, 50 feet wide, said point of beginning being distant easterly 63.3 feet, more or less, measured along the south side of said Barnes Street from the east side of McDonogh Street, 60 feet wide, and running thence binding on the south side of said Barnes Street, Easterly 3.0 feet to intersect the east side of said 3-foot alley; thence binding on the east side of said 3-foot alley, Southerly 186.7 feet, more or less, to intersect the north side of a 3 foot alley laid out in the rear of the properties known as Nos. 1716 through 1728/1730 Ashland Avenue; thence binding on the north side of last said 3-foot alley, Westerly 3.0 feet to intersect the west side of said 3-foot alley, mentioned firstly herein, and thence binding on the west side of said 3-foot alley, mentioned firstly herein, Northerly 186.7 feet, more or less, to the place of beginning.

Beginning for Parcel No. 10 at the point formed by the intersection of the east side of a 3-foot alley laid out in the rear of the properties known as Nos. 900 through 926 Rutland Avenue, and the south side of Barnes Street, 50 feet wide, said point of beginning being distant westerly 63.5 feet, more or less, measured along the south side of said Barnes Street from the west side of Rutland Avenue, 70 feet wide, and running thence binding on the east side of said 3-foot alley, Southerly 186.7 feet, more or less, to intersect the north side of a 3-foot alley laid out in the rear of the properties known as Nos. 1732 through 1746 Ashland Avenue; thence binding on the north side of last said 3-foot alley, Westerly 3.0 feet to intersect the west side of said 3-foot alley, mentioned firstly herein; thence binding on the west side of said 3-foot alley, mentioned firstly herein, Northerly 186.7 feet, more or less, to intersect the south side of said Barnes Street, and thence binding on the south side of said Barnes Street, Easterly 3.0 feet to the place of beginning.

Beginning for Parcel No. 11 at the point formed by the intersection of the south side of a 3-foot alley laid out in the rear of the properties known as Nos. 1716 through 1728/1730 Ashland Avenue, and the east side of McDonogh Street, 60 feet wide, said point of beginning being distant northerly 74.8 feet, more or less, measured along the east side of said McDonogh Street from the north side of Ashland Avenue, 66 feet wide, and running thence binding on the east side of said McDonogh Street, Northerly 3.0 feet to intersect the north side of said 3-foot alley; thence binding on the north side of said 3-foot alley, Easterly 106.4 feet, more or less, to intersect the west side of Shuter Street, 20 feet wide; thence binding on the west side of said Shuter Street, Southerly 3.0 feet to intersect the south side of said 3-foot alley, and thence binding on the south side of said 3-foot alley, Westerly 106.4 feet, more or less, to the place of beginning.

Beginning for Parcel No. 12 at the point formed by the intersection of the north side of a 3-foot alley laid out in the rear of the properties known as Nos. 1707 through 1711 Barnes Street, and the west side of Shuter Street, 20 feet wide, said point of beginning being distant southerly 53.0 feet, more or less, measured along the west side of said Shuter Street from the south side of Barnes Street, 50 feet wide, and running thence binding on the west side of said Shuter Street, Southerly 3.0 feet to intersect the south side of said 3-foot alley; thence binding on the south side of said 3-foot alley, Westerly 40.6 feet, more or less, to intersect the east side of a 3 foot alley, laid out in the rear of the properties known as Nos. 903 through 929 McDonogh Street; thence binding on the east side of last said 3-foot alley, Northerly 3.0 feet to intersect the north side of said 3-foot alley, mentioned firstly herein, and thence binding on the north side of said 3-foot alley, mentioned firstly herein, Easterly 40.6 feet, more or less, to the place of beginning.

Beginning for Parcel No. 13 at the point formed by the intersection of the east side of Shuter Street, 20 feet wide, and the north side of a 3-foot alley laid out in the rear of the properties known as Nos. 1713 through 1717 Barnes Street, said point of beginning being distant southerly 53.0 feet, more or less, measured along the east side of said Shuter Street from the south side of Barnes Street, 50 feet wide, and running thence binding on the north side of said 3-foot alley, Easterly 41.0 feet, more or less, to intersect the west side of a 3 foot alley laid out in the rear of the properties known as Nos. 900 through 926 Rutland Avenue; thence binding on the west side of last said 3-foot alley, Southerly 3.0 feet to intersect the south side of said 3-foot alley, mentioned firstly herein; thence binding on the south side of said 3-foot alley, mentioned firstly herein, Westerly 41.0 feet, more or less, to intersect the east side of said Shuter Street, and thence binding on the east side of said Shuter Street, Northerly 3.0 feet to the place of beginning.

Beginning for Parcel No. 14 at the point formed by the intersection of the west side of Rutland Avenue, 70 feet wide, and the south side of a 3-foot alley laid out in the rear of the properties known as Nos. 1732 through 1746 Ashland Avenue, said point of beginning being distant northerly 74.8 feet, more or less, measured along the west side of said Rutland Avenue from the north side of Ashland Avenue, 66 feet wide, and running thence binding on the south side of said 3-foot alley, Westerly 106.8 feet, more or less, to intersect the east side of Shuter Street, 20 feet wide; thence binding on the east side of said Shuter Street, Northerly 3.0 feet to intersect the north side of said 3-foot alley; thence binding on the north side

of said 3-foot alley, Easterly 106.8 feet, more or less, to intersect the west side of said Rutland Avenue, and thence binding on the west side of said Rutland Avenue, Southerly 3.0 feet to the place of beginning.

Beginning for Parcel No. 15 at the point formed by the intersection of the east side of McDonogh Street, 60 feet wide, and the north side of a 3-foot alley laid out in the rear of the properties known as Nos. 1715 through 1747 E. Eager Street, said point of beginning being distant southerly 63.3 feet, more or less, measured along the east side of said McDonogh Street from the south side of Eager Street, 66 feet wide, and running thence binding on the north side of said 3-foot alley, Easterly 233.2 feet, more or less, to intersect the west side of Rutland Avenue, 70 feet wide; thence binding on the west side of said Rutland Avenue, Southerly 3.0 feet to intersect the south side of said 3-foot alley; thence binding on the south side of said 3-foot alley, Westerly 233.2 feet, more or less, to intersect the east side of said McDonogh Street, and thence binding on the east side of said McDonogh Street, Northerly 3.0 feet to the place of beginning.

Beginning for Parcel No. 16 at the point formed by the intersection of the east side of a 3 foot alley laid out in the rear of the properties known as Nos. 928 through 934 Rutland Avenue, and the north side of Barnes Street, 50 feet wide, said point of beginning being distant westerly 63.0 feet, more or less, measured along the north side of said Barnes Street from the west side of Rutland Avenue, 70 feet wide, and running thence binding on the north side of said Barnes Street, Westerly 3.0 feet to intersect the west side of said 3-foot alley; thence binding on the west side of said 3-foot alley, Northerly 52.0 feet, more or less, to intersect the south side of a 3 foot alley laid out in the rear of the properties known as Nos. 1715 through 1747 E. Eager Street; thence binding on the south side of last said 3-foot alley, Easterly 3.0 feet to intersect the east side of said 3-foot alley, mentioned firstly herein, and thence binding on the east side of said 3-foot alley, mentioned firstly herein, Southerly 52.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 17 at the point formed by the intersection of the west side of a 3 foot alley laid out in the rear of the properties known as Nos. 935 and 937 McDonogh Street, and the south side of a 3-foot alley laid out in the rear of the properties known as Nos. 1715 through 1747 E. Eager Street, said point of beginning being distant easterly 60.0 feet, more or less, measured along the south side of last said 3-foot alley from the east side of McDonogh Street, 60 feet wide, and running thence binding on the south side of last said 3-foot alley, Easterly 3.0 feet to intersect the east side of said 3-foot alley, mentioned firstly herein; thence binding on the east side of said 3-foot alley, mentioned firstly herein, Southerly 26.0 feet, more or less, to the southernmost extremity of said 3-foot alley, mentioned firstly herein, there situate; thence binding on the southernmost extremity of said 3-foot alley, mentioned firstly herein, Westerly 3.0 feet to intersect the west side of said 3-foot alley, mentioned firstly herein, and thence binding on the west side of said 3-foot alley, mentioned firstly herein, Northerly 26.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 18 at the point formed by the intersection of the east side of Durham Street, 40 feet wide, and the north side of Ashland Avenue, 66 feet wide, and running thence binding on the north side of said Ashland Avenue, Westerly 40.0 feet to intersect the west side of said Durham Street; thence binding on the west side of said Durham Street, Northerly 435.0 feet, more or less, to intersect the south side of Eager Street, 66 feet wide; thence binding on the south side of said Eager Street, Easterly 40.0 feet to intersect the east side of said Durham Street, and thence binding on the east side of said Durham Street, Southerly 435.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 19 at the point formed by the intersection of the west side of Wolfe Street, 60 feet wide, and the south side of a 10-foot alley, laid out in the rear of the properties known as Nos. 1820 through 1838 Ashland Avenue, said point of beginning being distant northerly 64.2 feet, more or less, measured along the west side of said Wolfe Street from the north side of Ashland Avenue, 66 feet wide, and running thence binding on the south side of said 10-foot alley, Westerly 135.5 feet, more or less, to intersect the east side of Durham Street, 40 feet wide; thence binding on the east side of said Durham Street, Northerly 10.0 feet to intersect the north side of said 10-foot alley; thence binding on the north side

of said 10-foot alley, Easterly 135.5 feet, more or less, to intersect the west side of said Wolfe Street, and thence binding on the west side of said Wolfe Street, Southerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 20 at the point formed by the intersection of the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1821 through 1839 E. Eager Street, and the west side of Wolfe Street, 60 feet wide, said point of beginning being distant southerly 63.0 feet, more or less, measured along the west side of said Wolfe Street from the south side of Eager Street, 66 feet wide, and running thence binding on the west side of said Wolfe Street, Southerly 10.0 feet to intersect the south side of said 10-foot alley; thence binding on the south side of said 10-foot alley, Westerly 135.5 feet, more or less, to intersect the east side of Durham Street, 40 feet wide; thence binding on the east side of said Durham Street, Northerly 10.0 feet to intersect the north side of said 10-foot alley, and thence binding on the north side of said 10-foot alley, Easterly 135.5 feet, more or less, to the place of beginning.

Beginning for Parcel No. 21 at the point formed by the intersection of the east side of a 10-foot alley laid out in the rear of the properties known as Nos. 900 through 942 N. Wolfe Street, and the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1820 through 1838 Ashland Avenue, said point of beginning being distant westerly 76.0 feet, more or less, measured along the north side of last said 10-foot alley from the west side of Wolfe Street, 60 feet wide, and running thence binding on the north side of last said 10-foot alley, Westerly 10.0 feet to intersect the west side of said 10-foot alley, mentioned firstly herein; thence binding on the west side of said 10-foot alley, mentioned firstly herein, Northerly 287.8 feet, more or less, to intersect the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1821 through 1839 E. Eager Street; thence binding on the south side of last said 10-foot alley, Easterly 10.0 feet to intersect the east side of said 10-foot alley, mentioned firstly herein, and thence binding on the east side of said 10-foot alley, mentioned firstly herein, Southerly 287.8 feet, more or less, to the place of beginning.

Beginning for Parcel No. 22 at the point formed by the intersection of the west side of Durham Street, 40 feet wide, and the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1810 through 1818 Ashland Avenue, said point of beginning being distant northerly 64.0 feet, more or less, measured along the west side of said Durham Street from the north side of Ashland Avenue, 66 feet wide, and running thence binding on the south side of said 10-foot alley, Westerly 65.0 feet, more or less, to the westernmost extremity of said 10-foot alley, there situate; thence binding on the westernmost extremity of said 10-foot alley, Northerly 10.0 feet to intersect the north side of said 10-foot alley; thence binding on the north side of said 10-foot alley, Easterly 65.0 feet, more or less, to intersect the west side of said Durham Street, and thence binding on the west side of said Durham Street, Southerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 23 at the point formed by the intersection of the east side of a 10-foot alley laid out in the rear of the properties known as Nos. 902 through 948 N. Durham Street, and the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1810 through 1818 Ashland Avenue, said point of beginning being distant westerly 50.0 feet, more or less, measured along the north side of last said 10-foot alley from the west side of Durham Street, 40 feet wide, and running thence binding on the north side of last said 10-foot alley, Westerly 10.0 feet to intersect the west side of said 10-foot alley, mentioned firstly herein; thence binding on the west side of said 10-foot alley, mentioned firstly herein, Northerly 286.0 feet, more or less, to intersect the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1801/1803 through 1819 E. Eager Street; thence binding on the south side of last said 10-foot alley, Easterly 10.0 feet to intersect the east side of said 10-foot alley, mentioned firstly herein, and thence binding on the east side of the 10-foot alley, mentioned firstly herein, Southerly 286.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 24 at the point formed by the intersection of the east side of Rutland Avenue, 70 feet wide, and the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1801/1803 through 1819 E. Eager Street, said point of beginning being distant southerly 65.0 feet, more

or less, measured along the east side of said Rutland Avenue from the south side of Eager Street, 66 feet wide, and running thence binding on the north side of said 10-foot alley, Easterly 130.0 feet, more or less, to intersect the west side of Durham Street, 40 feet wide; thence binding on the west side of said Durham Street, Southerly 10.0 feet to intersect the south side of said 10-foot alley; thence binding on the south side of said 10 foot alley, Westerly 130.0 feet, more or less, to intersect the east side of said Rutland Avenue, and thence binding on the east side of said Rutland Avenue, Northerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 25 at the point formed by the intersection of the south side of a 4-foot alley laid out in the rear of the properties known as Nos. 1800 through 1808 Ashland Avenue, and the east side of Rutland Avenue, 70 feet wide, said point of beginning being distant northerly 70.0 feet, more or less, measured along the east side of said Rutland Avenue from the north side of Ashland Avenue, 66 feet wide, and running thence binding on the east side of said Rutland Avenue, Northerly 4.0 feet to intersect the north side of said 4-foot alley; thence binding on the north side of said 4-foot alley, Easterly 65.0 feet, more or less, to the easternmost extremity of said 4-foot alley, there situate; thence binding on the easternmost extremity of said 4-foot alley, Southerly 4.0 feet to intersect the south side of said 4-foot alley, and thence binding on the south side of said 4-foot alley, Westerly 65.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 26 at the point formed by the intersection of the north side of Ashland Avenue, 66 feet wide, and the west side of Chapel Street, 20 feet wide, and running thence binding on the west side of said Chapel Street, Northerly 432.0 feet, more or less, to intersect the south side of Eager Street, 66 feet wide; thence binding on the south side of said Eager Street, Easterly 20.0 feet to intersect the east side of said Chapel Street; thence binding on the east side of said Chapel Street, Southerly 432.0 feet, more or less, to intersect the north side of said Ashland Avenue, and thence binding on the north side of said Ashland Avenue, Westerly 20.0 feet to the place of beginning.

Beginning for Parcel No. 27 at the point formed by the intersection of the north side of Ashland Avenue, 66 feet wide, and the west side of a 10-foot alley, laid out in the rear of the properties known as Nos. 901 through 967/969 N. Wolfe Street, said point of beginning being distant easterly 75.5 feet, more or less, measured along the north side of said Ashland Avenue from the east side of Wolfe Street, 60 feet wide, and running thence binding on the west side of said 10-foot alley, Northerly 432.0 feet, more or less, to intersect the south side of Eager Street, 66 feet wide; thence binding on the south side of said Eager Street, Easterly 10.0 feet to intersect the east side of said 10-foot alley; thence binding on the east side of said 10-foot alley, Southerly 432.0 feet, more or less, to intersect the north side of said Ashland Avenue, and thence binding on the north side of said Ashland Avenue, Westerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 28 at the point formed by the intersection of the west side of Chapel Street, 20 feet wide, and the south side of a 10-foot alley, laid out in the rear of the properties known as Nos. 1904 through 1910 Ashland Avenue, said point of beginning being distant northerly 75.0 feet, more or less, measured along the west side of said Chapel Street from the north side of Ashland Avenue, 66 feet wide, and running thence binding on the south side of said 10-foot alley, Westerly 60.0 feet, more or less, to intersect the east side of a 10-foot alley laid out in the rear of the properties known as Nos. 901 through 967/969 N. Wolfe Street; thence binding on the east side of last said 10-foot alley, Northerly 10.0 feet to intersect the north side of said 10-foot alley, mentioned firstly herein; thence binding on the north side of said 10-foot alley, mentioned firstly herein, Easterly 60.0 feet, more or less, to intersect the west side of said Chapel Street, and thence binding on the west side of said Chapel Street, Southerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 29 at the point formed by the intersection of the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1914 through 1922 Ashland Avenue, and the east side of Chapel Street, 20 feet wide, said point of beginning being distant northerly 70.0 feet, more or less, measured along the east side of said Chapel Street from the north side of Ashland Avenue, 66 feet wide,

and running thence binding on the east side of said Chapel Street, Northerly 10.0 feet to intersect the north side of said 10-foot alley; thence binding on the north side of said 10-foot alley, Easterly 65.0 feet, more or less, to intersect the west side of a 10-foot alley laid out in the rear of the properties known as Nos. 910 through 958 N. Washington Street; thence binding on the west side of last said 10-foot alley, Southerly 7.0 feet, more or less, to the southernmost extremity of last said 10-foot alley, there situate; thence binding on the southernmost extremity of last said 10-foot alley, Easterly 2.0 feet, more or less, to intersect the west side of a 3-foot alley laid out in the rear of the properties known as Nos. 900 through 908 N. Washington Street; thence binding on the west side of said 3-foot alley, Southerly 3.0 feet, more or less, to intersect the south side of said 10-foot alley, mentioned firstly herein, and thence binding on the south side of said 10-foot alley, mentioned firstly herein, Westerly 67.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 30 at the point formed by the intersection of the east side of Chapel Street, 20 feet wide, and the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1915 through 1923 E. Eager Street, said point of beginning being distant southerly 55.0 feet, more or less, measured along the east side of said Chapel Street from the south side of Eager Street, 66 feet wide, and running thence binding on the north side of said 10-foot alley, Easterly 65.0 feet, more or less, to intersect the west outline of the property known as No. 1925 E. Eager Street; thence binding in part on the west outline of said property, in part on the west side of a 10-foot alley, laid out in the rear of the properties known as Nos. 910 through 958 N. Washington Street, and in all, Southerly 10.0 feet to intersect the south side of said 10-foot alley, mentioned firstly herein; thence binding on the south side of said 10-foot alley, mentioned firstly herein, Westerly 65.0 feet, more or less, to intersect the east side of said Chapel Street, and thence binding on the east side of said Chapel Street, Northerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 31 at the point formed by the intersection of the west outline of the property known as No. 1925 E. Eager Street, and the northernmost extremity of a 10-foot alley laid out in the rear of the properties known as Nos. 910 through 958 N. Washington Street, said point of beginning being distant southerly 59.0 feet, more or less, measured along the west outline of said 1925 E. Eager Street from the south side of Eager Street, 66 feet wide, and running thence binding on the northernmost extremity of said 10-foot alley, Easterly 10.0 feet to intersect the east side of said 10-foot alley; thence binding on the east side of said 10-foot alley, Southerly 299.0 feet, more or less, to the southernmost extremity of said 10-foot alley, there situate; thence binding on the southernmost extremity of said 10-foot alley, Westerly 10.0 feet to intersect the west side of said 10-foot alley, and thence binding on the west side of said 10-foot alley, Northerly 299.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 32 at the point formed by the intersection of the south side of Eager Street, 66 feet wide, and the east side of a 3.5-foot wide alley laid out in the rear of the properties known as Nos. 960 through 968 N. Washington Street, said point of beginning being distant westerly 58.0 feet, more or less, measured along the south side of said Eager Street from the west side of Washington Street, 70 feet wide, and running thence binding on the east side of said 3.5-foot wide alley, Southerly 60.0 feet, more or less, to the southernmost extremity of said 3.5-foot alley, there situate; thence binding on the southernmost extremity of said 3.5-foot alley, Westerly 3.5 feet to intersect the west side of said 3.5-foot alley; thence binding on the west side of said 3.5-foot alley, Northerly 60.0 feet, more or less, to intersect the south side of said Eager Street, and thence binding on the south side of said Eager Street, Easterly 3.5 feet to the place of beginning.

Beginning for Parcel No. 33 at the point formed by the intersection of the north side of a 2.5-foot alley laid out in the rear of the properties known as Nos. 1905 through 1911/1913 E. Eager Street, and the west side of Chapel Street, 20 feet wide, said point of beginning being distant southerly 55.1 feet, more or less, measured along the west side of said Chapel Street from the south side of Eager Street, 66 feet wide, and running thence binding on the west side of said Chapel Street, Southerly 2.5 feet to intersect the south side of said 2.5-foot alley; thence binding on the south side of said 2.5-foot alley, Westerly 60.0 feet, more or less, to intersect the east side of a 10-foot alley laid out in the rear of the properties known as Nos. 901

through 967/969 N. Wolfe Street; thence binding on the east side of said 10-foot alley, Northerly 2.5 feet to intersect the north side of said 2.5-foot alley, and thence binding on the north side of said 2.5-foot alley, Easterly 60.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 34 at the point formed by the intersection of the east side of a 3-foot alley laid out in the rear of the properties known as Nos. 900 through 908 N. Washington Street, and the north side of Ashland Avenue, 66 feet wide, said point of beginning being distant westerly 70.0 feet, more or less, measured along the north side of said Ashland Avenue from the west side of Washington Street, 70 feet wide, and running thence binding on the north side of said Ashland Avenue, Westerly 3.0 feet to intersect the west side of said 3-foot alley; thence binding on the west side of said 3-foot alley, Northerly 73.0 feet, more or less, to intersect the southernmost extremity of a 10-foot alley laid out in the rear of the properties known as Nos. 910 through 958 N. Washington Street, there situate; thence binding on the southernmost extremity of said 10-foot alley, Easterly 3.0 feet to intersect the east side of said 3-foot alley, and thence binding on the east side of said 3-foot alley, Southerly 73.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 35 at the point formed by the intersection of the north side of Eager Street, 66 feet wide, and the west side of a 10-foot alley laid out adjacent to the eastern outline of the property known as No. 1910 E. Eager Street, and in the rear of the properties known as Nos. 1003/1005 through 1039 N. Wolfe Street, said point of beginning being distant easterly 75.0 feet, more or less, measured along the north side of said Eager Street from the east side of Wolfe Street, 60 feet wide, and running thence binding on the west side of said 10-foot alley, Northerly 331.0 feet, more or less, to intersect the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1901 through 1917 E. Chase Street; thence binding on the south side of last said 10-foot alley, Easterly 10.0 feet to intersect the east side of said 10-foot alley, mentioned firstly herein; thence binding on the east side of said 10-foot alley, mentioned firstly herein, Southerly 331.0 feet, more or less, to intersect the north side of said Eager Street, and thence binding on the north side of said Eager Street, Westerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 36 at the point formed by the intersection of the east side of a 10-foot alley laid out adjacent to the west outline of the property known as No. 1928 E. Eager Street, and in the rear of the properties known as Nos. 1002 through 1034 N. Washington Street, and the north side of Eager Street, 66 feet wide, said point of beginning being distant westerly 75.0 feet, more or less, measured along the north side of said Eager Street from the west side of Washington Street, 70 feet wide, and running thence binding on the north side of said Eager Street, Westerly 10.0 feet to intersect the west side of said 10-foot alley; thence binding on the west side of said 10-foot alley, Northerly 331.0 feet, more or less, to intersect the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1919 through 1935 E. Chase Street; thence binding on the south side of last said 10-foot alley, Easterly 10.0 feet to intersect the east side of said 10-foot alley, mentioned firstly herein, and thence binding on the east side of said 10-foot alley, mentioned firstly herein, Southerly 331.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 37 at the point formed by the intersection of the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1919 through 1935 E. Chase Street, and the west side of Washington Street, 70 feet wide, said point of beginning being distant southerly 90.0 feet, more or less, measured along the west side of said Washington Street from the south side of Chase Street, 66 feet wide, and running thence binding on the west side of said Washington Street, Southerly 10.0 feet to intersect the south side of said 10-foot alley; thence binding on the south side of said 10-foot alley, Westerly 141.0 feet, more or less, to intersect the east side of Chapel Street, 30 feet wide; thence binding on the east side of said Chapel Street, Northerly 10.0 feet to intersect the north side of said 10-foot alley, and thence binding on the north side of said 10-foot alley, Easterly 141.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 38 at the point formed by the intersection of the east side of Wolfe Street, 60 feet wide, and the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1901

through 1917 E. Chase Street, said point of beginning being distant southerly 90.0 feet, more or less, measured along the east side of said Wolfe Street from the south side of Chase Street, 66 feet wide, and running thence binding on the north side of said 10-foot alley, Easterly 140.0 feet, more or less, to intersect the west side of Chapel Street, 30 feet wide; thence binding on the west side of said Chapel Street, Southerly 10.0 feet to intersect the south side of said 10-foot alley; thence binding on the south side of said 10-foot alley, Westerly 140.0 feet, more or less, to intersect the east side of said Wolfe Street, and thence binding on the east side of said Wolfe Street, Northerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 39 at the point formed by the intersection of the south side of a 3-foot alley laid out in the rear of the properties known as Nos. 1920 through 1926 E. Eager Street, and the east side of Chapel Street, 30 feet wide, said point of beginning being distant northerly 56.5 feet, more or less, measured along the east side of said Chapel Street from the north side of Eager Street, 66 feet wide, and running thence binding on the east side of said Chapel Street, Northerly 3.0 feet to intersect the north side of said 3-foot alley; thence binding on the north side of said 3-foot alley, Easterly 56.0 feet, more or less, to intersect the west side of a 10-foot alley laid out adjacent to the west outline of the property known as No. 1928 E. Eager Street, and in the rear of the properties known as Nos. 1002 through 1034 N. Washington Street; thence binding on the west side of said 10-foot alley, Southerly 3.0 feet to intersect the south side of said 3-foot alley, and thence binding on the south side of said 3-foot alley, Westerly 56.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 40 at the point formed by the intersection of the west side of Chapel Street, 30 feet wide, and the south side of a 30-foot alley laid out in the rear of the property known as No. 1918 E. Eager Street, said point of beginning being distant northerly 69.0 feet, more or less, measured along the west side of said Chapel Street from the north side of Eager Street, 66 feet wide, and running thence binding on the south side of said 3-foot alley, Westerly 13.8 feet, more or less, to the westernmost extremity of said 3-foot alley, there situate; thence binding on the westernmost extremity of said 3-foot alley, Northerly 3.0 feet to intersect the north side of said 3-foot alley; thence binding on the north side of said 3-foot alley, Easterly 13.8 feet, more or less, to intersect the west side of said Chapel Street, and thence binding on the west side of said Chapel Street, Southerly 3.0 feet to the place of beginning.

Beginning for Parcel No. 41 at the point formed by the intersection of the west side of Washington Street, 70 feet wide, and the south side of a 4-foot alley laid out in the rear of the properties known as Nos. 1928 through 1938 E. Eager Street, said point of beginning being distant northerly 75.0 feet, more or less, measured along the west side of said Washington Street from the north side of Eager Street, 66 feet wide, and running thence binding on the south side of said 4-foot alley, Westerly 75.0 feet, more or less, to intersect the east side of a 10-foot alley laid out adjacent to the west outline of the property known as No. 1928 E. Eager Street, and in the rear of the properties known as Nos. 1002 through 1034 N. Washington Street; thence binding on the east side of said 10-foot alley, Northerly 4.0 feet to intersect the north side of said 4-foot alley; thence binding on the north side of said 4-foot alley, Easterly 75.0 feet, more or less, to intersect the west side of said Washington Street, and thence binding on the west side of said Washington Street, Southerly 4.0 feet to the place of beginning.

Beginning for Parcel No. 42 at the point formed by the intersection of the west side of a 10-foot alley laid out adjacent to the eastern outline of the property known as No. 1910 E. Eager Street, and in the rear of the properties known as Nos. 1003/1005 through 1039 N. Wolfe Street, and the south side of a 3-foot alley laid out in the rear of the properties known as Nos. 1904 through 1910 E. Eager Street, said point of beginning being distant northerly 60.2 feet, more or less, measured along the west side of said 10-foot alley from the north side of Eager Street, 66 feet wide, and running thence binding on the south side of said 3-foot alley, Westerly 49.6 feet, more or less, to the westernmost extremity of said 3-foot alley, there situate; thence binding on the westernmost extremity of said 3-foot alley, Northerly 3.0 feet to intersect the north side of said 3-foot alley; thence binding on the north side of said 3-foot alley, Easterly 49.6 feet, more or less, to intersect the west side of said 10-foot alley, and thence binding on the west side of said 10-foot alley, Southerly 3.0 feet to the place of beginning.

Beginning for Parcel No. 43 at the point formed by the intersection of the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1800 through 1818 E. Eager Street, and the east side of Rutland Avenue, 70 feet wide, said point of beginning being distant northerly 63.2 feet, more or less, measured along the east side of said Rutland Avenue from the north side of Eager Street, 66 feet wide, and running thence binding on the east side of said Rutland Avenue, Northerly 10.0 feet to intersect the north side of said 10-foot alley; thence binding on the north side of said 10-foot alley, Easterly 130.0 feet, more or less, to intersect the west side of Durham Street, 40 feet wide; thence binding on the west side of said Durham Street, Southerly 10.0 feet to intersect the south side of said 10 foot alley, and thence binding on the south side of said 10-foot alley, Westerly 130.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 44 at the point formed by the intersection of the east side of Rutland Avenue, 70 feet wide, and the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1801 through 1819 E. Chase Street, said point of beginning being distant southerly 63.0 feet, more or less, measured along the east side of said Rutland Avenue from the south side of Chase Street, 66 feet wide, and running thence binding on the north side of said 10-foot alley, Easterly 130.0 feet, more or less, to intersect the west side of Durham Street, 40 feet wide; thence binding on the west side of said Durham Street, Southerly 10.0 feet to intersect the south side of said 10-foot alley; thence binding on the south side of said 10-foot alley, Westerly 130.0 feet, more or less, to intersect the east side of said Rutland Avenue, and thence binding on the east side of said Rutland Avenue, Northerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 45 at the point formed by the intersection of the west side of Wolfe Street, 60 feet wide, and the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1820 through 1838 E. Eager Street, said point of beginning being distant northerly 63.2 feet, more or less, measured along the west side of said Wolfe Street from the north side of Eager Street, 66 feet wide, and running thence binding on the south side of said 10-foot alley, Westerly 136.5 feet, more or less, to intersect the east side of Durham Street, 40 feet wide; thence binding on the east side of said Durham Street, Northerly 10.0 feet to intersect the north side of said 10-foot alley; thence binding on the north side of said 10-foot alley, Easterly 136.5 feet, more or less, to intersect the west side of said Wolfe Street, and thence binding on the west side of said Wolfe Street, Southerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 46 at the point formed by the intersection of the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1821 through 1839 E. Chase Street, and the west side of Wolfe Street, 60 feet wide, said point of beginning being distant southerly 63.0 feet, more or less, measured along the west side of said Wolfe Street from the south side of Chase Street, 66 feet wide, and running thence binding on the west side of said Wolfe Street, Southerly 10.0 feet to intersect the south side of said 10-foot alley; thence binding on the south side of said 10-foot alley, Westerly 136.5 feet, more or less, to intersect the east side of Durham Street, 40 feet wide; thence binding on the east side of said Durham Street, Northerly 10.0 feet to intersect the north side of said 10-foot alley, and thence binding on the north side of said 10-foot alley, Easterly 136.5 feet, more or less, to the place of beginning.

Beginning for Parcel No. 47 at the point formed by the intersection of the east side of a 10-foot alley laid out in the rear of the properties known as Nos. 1002 through 1052 N. Durham Street, and the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1800 through 1818 E. Eager Street, said point of beginning being distant westerly 50.0 feet, more or less, measured along the north side of last said 10-foot alley from the west side of Durham Street, 40 feet wide, and running thence binding on the north side of last said 10-foot alley, Westerly 10.0 feet to intersect the west side of said 10-foot alley, mentioned firstly herein; thence binding on the west side of said 10-foot alley, mentioned firstly herein, Northerly 288.2 feet, more or less, to intersect the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1801 through 1819 E. Chase Street; thence binding on the south side of last said 10-foot alley, Easterly 10.0 feet to intersect the east side of said 10-foot alley, mentioned firstly herein, and thence binding on the east side of said 10-foot alley, mentioned firstly herein, Southerly 288.2 feet, more or less, to the place of beginning.

Beginning for Parcel No. 48 at the point formed by the intersection of the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1820 through 1838 E. Eager Street, and the west side of a 10-foot alley laid out in the rear of the properties known as Nos. 1003 through 1051 N. Durham Street, said point of beginning being distant easterly 50.0 feet, more or less, measured along the north side of said 10-foot alley, mentioned firstly herein, from the east side of Durham Street, 40 feet wide, and running thence binding on the west side of last said 10-foot alley, Northerly 288.2 feet, more or less, to intersect the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1821 through 1839 E. Chase Street; thence binding on the south side of last said 10-foot alley, Easterly 10.0 feet to intersect the east side of said 10-foot alley, mentioned secondly herein; thence binding on the east side of said 10-foot alley, mentioned secondly herein, Southerly 288.2 feet, more or less, to intersect the north side of said 10-foot alley, mentioned firstly herein, and thence binding on the north side of said 10-foot alley, mentioned firstly herein, Westerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 49 at the point formed by the intersection of the east side of McDonogh Street, 60 feet wide, and the north side of a 15-foot alley laid out in the rear of the property known as No. 1731 E. Chase Street, said point of beginning being distant southerly 73.4 feet, more or less, measured along the east side of said McDonogh Street from the south side of Chase Street, 66 feet wide, and running thence binding on the north side of said 15-foot alley, Easterly 235.0 feet, more or less, to intersect the west side of Rutland Avenue, 70 feet wide; thence binding on the west side of said Rutland Avenue, Southerly 15.0 feet to intersect the south side of said 15-foot alley; thence binding on the south side of said 15-foot alley, Westerly 235.0 feet, more or less, to intersect the east side of said McDonogh Street, and thence binding on the east side of said McDonogh Street, Northerly 15.0 feet to the place of beginning.

Beginning for Parcel No. 50 at the point formed by the intersection of the south side of a 15-foot alley laid out in the rear of the property known as No. 1731 E. Chase Street, and the east side of a 20-foot alley laid out in the rear of the properties known as Nos. 1002 through 1036 Rutland Avenue, said point of beginning being distant westerly 113.0 feet, more or less, measured along the south side of said 15-foot alley from the west side of Rutland Avenue, 70 feet wide, and running thence binding on the east side of said 20-foot alley, Southerly 232.7 feet, more or less, to the southernmost extremity of said 20-foot alley, there situate; thence binding on the southernmost extremity of said 20-foot alley, Westerly 20.0 feet to intersect the west side of said 20-foot alley; thence binding on the west side of said 20-foot alley, Northerly 232.7 feet, more or less, to intersect the south side of said 15-foot alley, and thence binding on the south side of said 15-foot alley, Easterly 20.0 feet to the place of beginning.

Beginning for Parcel No. 51 at the point formed by the intersection of the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 1712 through 1744 E. Eager Street, and the east side of McDonogh Street, 60 feet wide, said point of beginning being distant northerly 63.0 feet, more or less, measured along the east side of said McDonogh Street from the north side of Eager Street, 66 feet wide, and running thence binding on the east side of said McDonogh Street, Northerly 10.0 feet to intersect the north side of said 10-foot alley; thence binding on the north side of said 10-foot alley, Easterly 235.0 feet, more or less, to intersect the west side of Rutland Avenue, 70 feet wide; thence binding on the west side of said Rutland Avenue, Southerly 10.0 feet to intersect the south side of said 10-foot alley, and thence binding on the south side of said 10-foot alley, Westerly 235.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 52 at the point formed by the intersection of the north side of a 10-foot alley laid out in the rear of the properties known as Nos. 1712 through 1744 E. Eager Street and the west side of a 3-foot alley laid out in the rear of the properties known as Nos. 1003 and 1005 McDonogh Street, said point of beginning being distant easterly 75.0 feet, more or less, measured along the north side of said 10-foot alley from the east side of McDonogh Street, 60 feet wide, and running thence binding on the west side of said 3-foot alley, Northerly 25.3 feet, more or less, to the northernmost extremity of said 3-foot alley, there situate; thence binding on the northernmost extremity of said 3-foot alley, Easterly 3.0 feet to

intersect the east side of said 3-foot alley; thence binding on the east side of said 3-foot alley, Southerly 25.3 feet, more or less, to intersect the north side of said 10-foot alley, and thence binding on the north side of said 10-foot alley, Westerly 3.0 feet to the place of beginning.

Beginning for Parcel No. 53 at the point formed by the intersection of the west side of McDonogh Street, 60 feet wide, and the south side of a 3-foot alley laid out in the rear of the properties known as Nos. 1700 through 1710 E. Eager Street, said point of beginning being distant northerly 70.2 feet, more or less, measured along the west side of said McDonogh Street from the north side of Eager Street, 66 feet wide, and running thence binding on the south side of said 3-foot alley, Westerly 80.0 feet, more or less, to intersect the east side of a 12-foot alley laid out in the rear of the properties known as Nos. 1001 through 1053 N. Broadway; thence binding on the east side of said 12-foot alley, Northerly 3.0 feet to intersect the north side of said 3-foot alley; thence binding on the north side of said 3-foot alley, Easterly 80.0 feet, more or less, to intersect the west side of said McDonogh Street, and thence binding on the west side of said McDonogh Street, Southerly 3.0 feet to the place of beginning.

Beginning for Parcel No. 54 at the point formed by the intersection of the north side of a 3-foot alley laid out in the rear of the properties known as Nos. 1703 through 1711 E. Chase Street, and the west side of McDonogh Street, 60 feet wide, said point of beginning being distant southerly 76.5 feet, more or less, measured along the west side of said McDonogh Street from the south side of Chase Street, 66 feet wide, and running thence binding on the west side of said McDonogh Street, Southerly 3.0 feet to intersect the south side of said 3-foot alley; thence binding on the south side of said 3-foot alley, Westerly 80.0 feet, more or less, to intersect the east side of a 12-foot alley laid out in the rear of the properties known as Nos. 1001 through 1053 N. Broadway; thence binding on the east side of said 12-foot alley, Northerly 3.0 feet to intersect the north side of said 3-foot alley, and thence binding on the north side of said 3-foot alley, Easterly 80.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 55 at the point formed by the intersection of the east side of Wolfe Street, 70 feet wide, and the north side of Madison Street, 66 feet wide, and at a horizontal plane having an elevation of 109.0 feet and ascending to an elevation of unlimited height, and running thence binding on the north side of said Madison Street Westerly 2.0 feet, more or less; thence by a straight line through the bed of said Wolfe Street, Northerly 321.4 feet, more or less, to intersect the south side of Ashland Avenue, 66 feet wide; thence binding on the south side of said Ashland Avenue, Easterly 2.0 feet, more or less, to intersect the east side of said Wolfe Street, and thence binding on the east side of said Wolfe Street, Southerly 321.4 feet, more or less, to the place of beginning.

As delineated on Plat 348-A-80A, prepared by the Survey Control Section and filed on October 7, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of portions of streets and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of

Baltimore have been abandoned by the Mayor and south side of said Ashland Avenue, Easterly 70.0 feet, to intersect the east side of said Wolfe Street, and thence binding on the east side of said Wolfe Street, Southerly 321.4 feet, more or less, to the place of beginning.

As delineated on Plat 348-A-80, prepared by the Survey Control Section and filed on October 7, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and opening of the streets and alleys and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-366
(Council Bill 06-499)**

AN ORDINANCE CONCERNING

**Sale of Property – Certain Alleys Lying Within the
Washington Hill Chapel Urban Renewal Area Project**

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain parcels of land known as the former beds of 2 4-foot alleys and 1 3-foot alley lying within the Washington Hill Chapel Urban Renewal Project and no longer needed for public use; and providing for a special effective date.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in certain parcels of land known as the former beds of 2 4-foot alleys and 1 3-foot alley lying within the Washington Hill Chapel Urban Renewal Project, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the south side of a 15.5 foot alley, laid out in the rear of the property known as No. 1701/1721 E. Baltimore Street, and the east side of the former bed of a 4-foot alley, laid out in the rear of the properties known as No. 11/23 through No. 31 Yogurt Lane, said point of beginning being distant westerly 54.2 feet, more or less, measured along the south side of said 15.5-foot alley from the west side of Regester Street, 20 feet wide, and running thence binding on the east side of the former bed of said 4-foot alley, Southerly 149.2 feet, more or less, to intersect the north side of a 4-foot alley, laid out in the rear of the properties known as No. 1704 through

No. 1706/1712 E. Lombard Street; thence binding on the north side of last said 4-foot alley, Westerly 4.0 feet to intersect the west side of the former bed of said 4-foot alley, mentioned firstly herein; then binding on the west side of the former bed of said 4-foot alley, mentioned firstly herein, Northerly 149.2 feet, more or less, to intersect the south side of said 15.5-foot alley, and thence binding on the south side of said 15.5-foot alley, Easterly 4.0 feet to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the south side of the former bed of a 4-foot alley, laid out in the rear of the property known as No. 1720 E. Lombard Street, and the east side of Regester Street, 20 feet wide, said point of beginning being distant northerly 67.0 feet, measured along the east side of said Regester Street from the north side of Lombard Street, 60 feet wide, and running thence binding on the east side of said Regester Street, Northerly 4.0 feet to intersect the north side of the former bed of said 4-foot alley; thence binding on the north side of the former bed of said 4-foot alley, Easterly 67.5 feet, more or less, to the easternmost extremity of the former bed of said 4-foot alley, there situate; thence binding on the easternmost extremity of the former bed of said 4-foot alley, Southerly 4.0 feet to intersect the south side of the former bed of said 4-foot alley, and thence binding on the south side of the former bed of said 4-foot alley, Westerly 67.5 feet, more or less, to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersect of the north side of the former bed of a 4-foot alley, laid out in the rear of the property known as No. 1720 E. Lombard Street, and the west side of the former bed of a 3-foot alley, contiguous to the west outline of the property known as No. 1732/34 E. Lombard Street, there situate, said point of beginning being distant easterly 64.5 feet, more or less, measured along the north side of the former bed of said 4-foot alley from the east side of Regester Street, 20 feet wide, and running thence binding on the west side of the former bed of said 3-foot alley, Northerly 108.5 feet, more or less, to the northernmost extremity of the former bed of said 3-foot alley, there situate; thence binding on the northernmost extremity of the former bed of said 3-foot alley, Easterly 3.0 feet to intersect the east side of the former bed of said 3-foot alley; thence binding on the east side of the former bed of said 3-foot alley, Southerly 108.5 feet, more or less, to intersect the north side of the former bed of said 4-foot alley, and thence binding on the north side of the former bed of said 4-foot alley, Westerly 3.0 feet to the place of beginning.

Subject to a full width Perpetual Easement for all Municipal Utilities and Services, not to be abandoned, over the entire herein above described parcel of land.

This property being no longer needed for public use.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-367
(Council Bill 06-500)**

AN ORDINANCE CONCERNING

**Sale of Property – the Former Bed of Montreal Street and
2 Portions of the Former Bed of Mount Royal Avenue**

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain parcels of land known as the former bed of Montreal Street and 2 portions of the former bed of Mount Royal Avenue and no longer needed for public use; and providing for a special effective date.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in certain parcels of land known as the former bed of Montreal Street and 2 portions of the former bed of Mount Royal Avenue, and more particularly described as follows:

Beginning for the Parcel No. 1 at the point formed by the intersection of the west side of the former bed of Montreal Street, 66 feet wide, and the south side of North Avenue, 100 feet wide, and running thence binding on the south side of said North Avenue, Easterly 66.0 feet to intersect the east side of the former bed of said Montreal Street; thence binding on the east side of the former bed of said Montreal Street, Southerly 127.2 feet, more or less, to intersect the northeast side of Mount Royal Avenue, varying in width; thence binding on the northeast side of said Mount Royal Avenue, the 2 following courses and distances; namely, Northwesterly 63.9 feet, more or less, and Northwesterly 12.6 feet, more or less, to intersect the west side of the former bed of said Montreal Street, and thence binding on the west side of the former bed of said Montreal Street, Northerly 89.6 feet, more or less, to the place of beginning.

Beginning for Parcel No. 2 at a point on the northeast side of the former bed of Mount Royal Avenue, varying in width, distant southeasterly 36.9 feet, more or less, measured along the northeast side of said Mount Royal Avenue, from the south side of North Avenue, 100 feet wide, and running thence binding on the northeast side of the former bed of said Mount Royal Avenue, Southeasterly 48.8 feet, more or less, to the southwest side of the former bed of said Mount Royal Avenue, and thence binding on the southwest and west sides of the former bed of said Mount Royal Avenue, the 2 following courses and distances; namely, Northwesterly 46.7 feet, more or less, and Northeasterly 4.4 feet, more or less, to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the east side of the former bed of Montreal Street, 66 feet wide, and the northeast side of the former bed of Mount Royal Avenue, varying in width, and running thence binding on the northeast side of the former bed of said Mount Royal Avenue, Southeasterly 80.4 feet, more or less, to intersect the northwest side of McMechen Street, 66 feet wide; thence binding on the southwest side of the former bed of said Mount Royal Avenue, the 3 following courses and distances; namely, Northwesterly 30.3 feet, more or less, Northwesterly 69.6 feet, more or less, and Northwesterly 43.2 feet, more or less, to intersect the northeast side of the former bed of said

Mount Royal Avenue, and thence binding on the northeast side of the former bed of said Mount Royal Avenue, Southeasterly 63.9 feet, more or less, to the place of beginning.

Subject to a full width Perpetual Easement for all Municipal Utilities and Services, not to be abandoned, over the entire herein above described parcel of land.

This property being no longer needed for public use.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-368
(Council Bill 06-501)**

AN ORDINANCE CONCERNING

**Sale of Property – 407, 409, 415, 417, 419, and 421 East Chase Street; and Approximately
75 Feet of Warden Street Right of Way from 4-Foot Alley North to East Chase Street**

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain property known as 407, 409, 415, 417, 419, and 421 East Chase Street, and approximately 75 feet of the Warden Street right of way from a 4-foot alley north to East Chase Street, no longer needed for public use; and providing for a special effective date.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the Comptroller of Baltimore City may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in the property known as 407, 409, 415, 417, 419, and 421 East Chase Street (Block ~~1979-B~~ 1179-B, Lots 39-44) and approximately 75 feet of the Warden Street right of way from a 4-foot alley north to East Chase Street, no longer needed for public use, and more particularly described as follows:

The subject parcels (Block ~~1979-B~~ 1179-B, Lots 39-44, and the portion of Warden Street) are blighted and long-vacant properties on the south side of East Chase Street in the Johnston Square/Brentwood communities. The properties will be offered for sale as one parcel, with priority given to proposals that include job creation for the community

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-369
(Council Bill 06-502)**

AN ORDINANCE CONCERNING

**Sale of Property – South Side West North Avenue Southeast Corner
West Mount Royal Avenue (Block 386, Lot 11)**

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in a certain property known as South Side West North Avenue Southeast Corner West Mount Royal Avenue (Block 386, Lot 11) and no longer needed for public use; and providing for a special effective date.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in the property known as South Side West North Avenue Southeast Corner West Mount Royal Avenue (Block 386, Lot 11), and more particularly described as follows:

The subject parcel (Block 386, Lot 11) is an unimproved lot,
containing 0.182 acres, this property being no longer needed for public use.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-370
(Council Bill 06-503)**

AN ORDINANCE CONCERNING

**City Streets – Closing –
Montreal Street and 2 Portions of Mount Royal Avenue**

FOR the purpose of condemning and closing (1) Montreal Street, extending from North Avenue Southerly to Mount Royal Avenue, (2) a portion of Mount Royal Avenue contiguous to the northeast side thereof, and (3) a portion of Mount Royal Avenue contiguous to the northeast side thereof, extending from McMechen Street, Northwesterly 144.3 feet, more or less, as shown on Plat 348-A-87 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close (1) Montreal Street, extending from North Avenue Southerly to Mount Royal Avenue, (2) a portion of Mount Royal Avenue contiguous to the northeast side thereof, and (3) a portion of Mount Royal Avenue contiguous to the northeast side thereof, extending from McMechen Street, Northwesterly 144.3 feet, more or less, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the west side of Montreal Street, 66 feet wide, and the south side of North Avenue, 100 feet wide, and running thence binding on the south side of said North Avenue, Easterly 66.0 feet to intersect the east side of said Montreal Street; thence binding on the east side of said Montreal Street, Southerly 127.2 feet, more or less, to intersect the northeast side of Mount Royal Avenue, varying in width; thence binding on the northeast side of said Mount Royal Avenue, the 2 following courses and distances; namely, Northwesterly 63.9 feet, more or less, and Northwesterly 12.6 feet, more or less, to intersect the west side of said Montreal Street, and thence binding on the west side of said Montreal Street, Northerly 89.6 feet, more or less, to the place of beginning.

Beginning for Parcel No. 2 at a point on the northeast side of Mount Royal Avenue, varying in width, distant southeasterly 36.9 feet, more or less, measured along the northeast side of said Mount Royal Avenue, from the south side of North Avenue, 100 feet wide, and running thence binding on the northeast side of said Mount Royal Avenue, Southeasterly 48.8 feet, more or less, and thence by straight lines through the bed of said Mount Royal Avenue, the 2 following courses and distances; namely, Northwesterly 46.7 feet, more or less, and Northeasterly 4.4 feet, more or less, to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the east side of Montreal Street, 66 feet wide, and the northeast side of Mount Royal Avenue, varying in width, and running thence binding on the northeast side of said Mount Royal Avenue, Southeasterly 80.4 feet, more or less, to intersect the northwest side of McMechen Street, 66 feet wide; thence by straight lines through the bed of said Mount Royal Avenue, the 3 following courses and distances; namely, Northwesterly 30.3 feet, more or less,

Northwesterly 69.6 feet, more or less, and Northwesterly 43.2 feet, more or less, to intersect the northeast side of said Mount Royal Avenue, and thence binding on the northeast side of said Mount Royal Avenue, Southeasterly 63.9 feet, more or less, to the place of beginning.

As delineated on Plat 348-A-87, prepared by the Survey Control Section and filed on June 15, 2006, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of Montreal Street and 2 portions of Mount Royal Avenue and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-371
(Council Bill 06-512)**

AN ORDINANCE CONCERNING

Planned Unit Development – Amendment – Brewers Hill

FOR the purpose of approving a certain ~~amendment~~ amendments to the Development Plan of the Brewers Hill Planned Unit Development; and providing for a special effective date.

BY authority of

Article - Zoning
Title 9, Subtitles 1 and 4
Baltimore City Revised Code
(Edition 2000)

Recitals

By Ordinance 06-250, the Mayor and City Council approved the application of Natty Boh, LLC, to create a Planned Unit Development for Brewers Hill by repealing Ordinance 00-128 and replacing the previous Planned Unit Development and accompanying Development Plan.

Natty Boh, LLC, wishes to amend the Development Plan, as previously approved by the Mayor and City Council, to attach design guidelines as part of the Planned Unit Development and to amend the development sub-limits in Area 6 of the Planned Unit Development, and the adjustment of the Area 6 sub-limits does not increase the overall square footage or unit limits within the Planned Unit Development.

On September 12, 2006, representatives of Natty Boh, LLC, met with the Department of Planning for a preliminary conference to explain the scope and nature of the proposed amendments to the Development Plan.

The representatives of Natty Boh, LLC, have now applied to the Baltimore City Council for approval of these amendments, and they have submitted amendments to the Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, that Section 2 and Section 3(e) is are amended to read as follows:

SECTION 2. AND BE IT FURTHER ORDAINED, That the Mayor and City Council approves the replacement of the Planned Unit Development and approves the new Development Plan submitted by the Developer, as attached to and made part of this Ordinance, including:

(F) EXHIBIT A, “BREWERS HILL PLANNED UNIT DEVELOPMENT DESIGN GUIDELINES”, DATED OCTOBER 2, 2006.

SECTION 3. AND BE IT FURTHER ORDAINED, That the maximum square footage for all buildings and uses in the Planned Unit Development is 1,982,250 square feet, that the maximum square footage for retail uses in the Planned Unit Development is 600,000 square feet, that the maximum square footage for office uses in the Planned Unit Development is 1,982,250 square feet, and that the maximum number of residential units in the Planned Unit Development is 1,070 (or 1,126 when the razoring described in Section 3(a) below is implemented), with further sub-limits and requirements as follows (all references to Areas are as labeled on the Development Plan):

- (e) in Area 6, a maximum of [80] 185 residential units and [122,665] 240,000 square feet, a maximum building height (as currently defined in the Zoning Code of Baltimore City) of 45 feet measured at the northeast corner of each building that is constructed within the Area;

SECTION 2. AND BE IT FURTHER ORDAINED, That the Mayor and City Council approves the ~~amendment~~ amendments to the Development Plan submitted by the Developer.

SECTION 3. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the property are subject to final design approval by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED, That the Planning Department may determine what constitutes minor or major modifications to the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

SECTION 5. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying amended Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the amended Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the amended Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-372
(Council Bill 06-516)**

AN ORDINANCE CONCERNING

**Release of Right-of-Way – a 15.0 Foot Right-of-Way Granted
to the Mayor and City Council of Baltimore Through
the Property of Loyola – Notre Dame Library, Inc.**

FOR the purpose of authorizing the release and surrender by the Mayor and City Council of Baltimore of all of its interests in and to the 15.0 foot wide right-of-way heretofore granted to the City of Baltimore through the property of John W. Garret (and Alice W. Garret, his wife), currently owned by Loyola-Notre Dame Library, Inc. The location and course of the 15.0 foot wide right-of-way to be released is shown on a plat numbered H-20-16716 prepared by the Department of Public Improvements – Highways Department – Sewer Division; and providing for a special effective date.

BY authority of
Article 1 - General Provisions
Section 4
and

Article II - General Powers
Section 31
Baltimore City Charter
(1996 Edition)

Recitals

WHEREAS, By Agreement dated February 17, 1925, and recorded among the Land Records of Baltimore City in Liber SCALE No. 4346, Folio 61, John W. Garret and Alice W. Garret, his wife, granted to the Mayor and City Council of Baltimore the right-of-way shown on a plat numbered H-20-16716 and dated January 6, 1925 and revised January 28, 1925, which plat is recorded with the Agreement; and

WHEREAS, The right-of-way hereinafter described is no longer needed for public use, the public utility that had previously been therein having been abandoned and/or relocated to another right-of-way that was granted to the Mayor and City Council of Baltimore.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City be and is hereby authorized on the behalf of the Mayor and City Council of Baltimore to execute and deliver unto the owner or owners of the land within the right-of-way hereinafter described, a release and surrender of all of the interest of the City of Baltimore in the right-of-way described as follows:

Beginning for a 15.0 foot Right-of-Way to be extinguished at the intersection of the westernmost extremity of Winston Avenue, 40 feet wide, and the north side of a Right-of-Way for Municipal Utilities and Services as shown on a plat numbered H-20-16716 dated January 6, 1925 and revised on January 28, 1925 and attached to an agreement between John W. Garret (and Alice W. Garret, his wife), currently owned by Loyola-Notre Dame Library, Inc., and the Mayor and City Council of Baltimore dated February 17, 1925 and recorded among the Land Records of Baltimore City in Liber SCALE No. 4346, Folio 61, and running thence binding on the westernmost extremity of said Winston Avenue, South 03° 51' 47" West 15.22 feet; thence binding on the south, west and north sides of said Right-of-Way the seven following courses and distances; namely, South 84° 01' 00" West 400.68 feet, South 82° 11' 00" West 184.00 feet, South 84° 04' 00" West 158.32 feet, North 48° 26' 30" East 25.75 feet, North 84° 04' 00" East 137.14 feet, North 82° 11' 00" East 184.00 feet and North 84° 01' 00" East 403.52 feet to the place of beginning.

Containing 11,007.50 square feet or 0.2527 acre of land, more or less.

All courses and distances in the above description are referred to the true meridian as adopted by the Baltimore Survey Control System.

The use of the right-of-way described herein above is no longer needed for public purposes.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-373
(Council Bill 06-517)**

AN ORDINANCE CONCERNING

**Release of Right of Way – a 6.75 Foot Right-of-Way Granted
to the Mayor and City Council of Baltimore Through the
Property of 316 Guilford Avenue, LLC**

FOR the purpose of authorizing the release and surrender by the Mayor and City Council of Baltimore of all of its interests in and to the 6.75 foot wide right-of-way heretofore granted to the City of Baltimore through the property of Market Tavern, Inc., currently owned by 316 Guilford Avenue, LLC; the location and course of the 6.75 foot wide right-of-way to be released being shown on a plat numbered R.W.20-35944; and providing for a special effective date.

BY authority of
Article I - General Provisions
Section 4
and
Article II - General Powers
Section 31
Baltimore City Charter
(1996 Edition)

Recitals

WHEREAS, By the Agreement dated September 30, 1999, and recorded among the Land Records of Baltimore City in Liber F.M.C. No. 326, Folio 154, Market Tavern, Inc., granted to the Mayor and City Council of Baltimore the right-of-way shown on a plat numbered R.W.20-35944 and dated September 13, 1999, which plat is recorded with the Agreement; and

WHEREAS, The right-of-way hereinafter described is no longer needed for public use, the public utility that had previously been therein having been abandoned and/or relocated to another right-of-way that was granted to the Mayor and City Council of Baltimore.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City be and is hereby authorized on the behalf of the Mayor and City Council of Baltimore to execute and deliver unto the owner or owners of the land within the right-of-way hereinafter described, a release and surrender of all of the interest of the City of Baltimore in the right-of-way described as follows:

Beginning for a 6.75 foot Right-of-Way to be extinguished at a point on the east side of Davis Street, 40 feet wide, said point of beginning also being the beginning of a Right-of-Way for Municipal Utilities and Services as shown on a plat numbered R.W.20-35944 dated September 13, 1999 and attached to an agreement by and between Market Tavern, Inc., currently owned by 316 Guilford Avenue, LLC, and the Mayor and City Council of Baltimore dated September 30, 1999 and recorded among the Land Records of Baltimore City in Liber F.M.C. No. 326, Folio 154, having a coordinate value of East 1,042.754 feet and South 1,608.348 feet, and running thence binding on the east side of said Davis Street, North 02° 51' 12" West 14.00 feet; thence binding on the north, east and south sides of said Right of Way, the three following courses and distances; namely, North 87° 08' 48" East 6.75 feet, South 02° 51' 12" East 13.99 feet and South 87° 03' 44" West 6.75 feet to the place of beginning.

Containing 94.47 square feet of land, more or less.

All courses and distances in the above description are referred to the true meridian as adopted by the Baltimore Survey Control System.

The use of the right-of-way described herein above is no longer needed for public purposes.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-374
(Council Bill 06-520)**

AN ORDINANCE CONCERNING

**City Streets – Closing –
An 85-Foot Wide Portion of Fort Avenue**

FOR the purpose of condemning and closing an 85-foot wide portion of Fort Avenue, extending from Fort McHenry National Monument, northwesterly 130.3 feet, as shown on Plat 346-A-51A in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close an 85-foot wide portion of Fort Avenue, extending from Fort McHenry National Monument, northwesterly 130.3 feet, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the southwest side of Fort Avenue, 82.5 feet wide, and the southeast side of Fort Avenue, as realigned and widened to a width of 167.5 feet, said point of beginning being distant 58.58 feet northwesterly measured along the southwest side of Fort Avenue, 82.5 feet wide from the southeasternmost extremity thereof, and running thence binding on the southeast side of Fort Avenue, 167.5 feet wide, Southwesterly 85.0 feet to intersect the southwest side of last said Fort Avenue; thence binding on the southwest side of last said Fort Avenue, Northwesterly 130.3 feet to intersect the northwest side of last said Fort Avenue; thence binding on the northwest side of last said Fort Avenue, Northeasterly 85.0 feet to intersect the southwest side of Fort Avenue, as originally laid

out 82.5 feet wide, and thence binding on the southwest side of last said Fort Avenue, Southeasterly 130.3 feet to the place of beginning.

As delineated on Plat 346-A-51A, prepared by the Survey Control Section and filed on March 16, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of a portion of Fort Avenue and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-375
(Council Bill 06-523)**

AN ORDINANCE CONCERNING

Mondawmin Mall Development District

FOR the purpose of designating a “development district” to be known as the “Mondawmin Mall Development District”; providing for and determining various matters in connection with the establishment of the development district; creating a special, tax increment fund for the development district; allocating certain property taxes to that fund; making certain findings and determinations; and generally relating to the designation and operation of the development district, the establishment and use of the tax increment fund and the issuance and payment of special obligation bonds issued in connection with the development district.

BY authority of
Article II - General Powers
Section (62)
Baltimore City Charter
(1996 Edition)

Recitals

The Tax Increment Financing Act, Article II, Section (62) of the Baltimore City Charter (the “Act”) authorizes the Mayor and City Council of Baltimore to establish a “development district” (as defined in the Act) and a special tax increment fund into which the revenues and receipts from the real property taxes representing the levy on the “tax increment” (as defined in the Act) for the development district are deposited, for the purpose of providing funds for the development of the development district.

The Act also authorizes the City, subject to certain requirements, to issue and deliver bonds for the purpose of financing and refinancing the development of an industrial, commercial, or residential area in Baltimore City. The Act provides, however, that no bonds may be issued by the City until an ordinance is enacted that (i) designates an area or areas within the City as a “development district” and (ii) provides that, until the bonds have been fully paid, the property taxes on real property within the development district shall be divided as provided in the Act.

Mondawmin Business Trust, a Maryland business trust (the “Developer”) has indicated its intention to redevelop the Mondawmin Mall (the “Mall”) retail space located in Baltimore City. A section of the Mall is owned by Mondawmin Business Trust and a small section of the Mall is owned by Northwest Associates, a Maryland general partnership. The redevelopment of the Mall will be carried out by Mondawmin Business Trust. The Developer will initially use its own funds to redevelop the Mall. The bonds issued to finance or refinance the Infrastructure Improvements will be held in escrow until the satisfaction of certain conditions, including completion of the Mall redevelopment and the Infrastructure Improvements.

The Mayor and City Council wishes to establish a development district within the City and to establish a tax increment fund for that development district for the purpose of providing funds for the development of infrastructure improvements relating to the redevelopment of the Mall in the development district.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That for the purposes of this Ordinance, the following terms have the meanings indicated:

- (a) “Act” means the Tax Increment Financing Act, as codified in Article II, Section (62) of the Baltimore City Charter.
- (b) “Assessable base” means the total assessable base of all real property in the Development District subject to taxation, as determined by the Supervisor of Assessments.
- (c) (1) “Assessment ratio” means any real property tax assessment ratio, however designated or calculated, that is used or applied under applicable general law in determining the assessable base.

- (2) "Assessment ratio" includes the assessment percentage provided under §8-103(c) of the State Tax-Property Article, as amended, replaced, or supplemented from time to time.
- (d) "Bond" means any bond, note, or other similar instrument issued by the Mayor and City Council of Baltimore under the Act.
- (e) "Development District" means the area in the City designated in Section 3 of this Ordinance as a development district under the Act.
- (f) "Infrastructure improvements" means the following infrastructure improvements constructed in accordance with all required City approvals:
 - (1) the design and construction of roads, including removal of existing paving, new paving and installation of curbs, gutters, sidewalks, lighting, landscaping, and utilities (including sanitary sewer, storm water, gas, water, fire suppression, electric and traffic signal work);
 - (2) site removal, including regrading and preparation, the removal of excess soil; and demolition of buildings;
 - (3) the design, construction and renovation of parking lots and/or structured parking, including paving and the installation of curbs, gutters, sidewalks, utilities, lighting and landscaping; and
 - (4) the design, acquisition, construction, renovation and development of other infrastructure improvements that are necessary for the completion of the foregoing infrastructure improvements for their intended public purposes.
- (g) "Original assessable base" means the assessable base as of January 1, 2005.
- (h) "Original full cash value" means the dollar amount that is determined by dividing the original assessable base by the assessment ratio used to determine the original assessable base.
- (i) "Original taxable value" means, for any tax year, the dollar amount that is the lesser of:
 - (1) the product of the original full cash value times the assessment ratio applicable to that tax year; or
 - (2) the original assessable base.
- (j) "Tax increment" means for any tax year, the amount by which the assessable base as of January 1 preceding that tax year exceeds the original taxable value, divided by the assessment ratio used to determine the original taxable value.
- (k) "Tax Increment Fund" means the special fund established by Section 4 of this Ordinance.
- (l) "Tax year" means the period from July 1 of a calendar year through June 30 of the next calendar year.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore finds and determines that the establishment of the Mondawmin Mall Development District, the creation of a Tax Increment Fund for that District and the issuance of bonds from time to time, all for the purpose of providing funds for the financing of infrastructure improvements, accomplishes the purposes of the Act, serves public purposes, including the direct and indirect enhancement of the taxable base of the City and the facilitation of

planned improvements to the Mondawmin Mall development, and generally promotes the health, welfare, and safety of the residents of the State of Maryland and of the City of Baltimore.

SECTION 3. AND BE IT FURTHER ORDAINED, That the contiguous area consisting of the properties designated as Ward 15, Section 19, Block 3262F, Lots 001, 002, 003, and 005 (as the same may be renumbered or redesignated), together with the adjoining roads, highways, alleys, rights-of-way and other similar property, shown on the map attached to this Ordinance as Exhibit 1, and made a part of this Ordinance, is designated as a development district to be known as the "Mondawmin Mall Development District."

SECTION 4. AND BE IT FURTHER ORDAINED, That a special fund is established for the Development District to be known as the "Mondawmin Mall Development District Tax Increment Fund." The Director of Finance and other officers and employees of the City shall take all necessary steps to establish the Tax Increment Fund as a separate fund to be held by or for the account of the City.

SECTION 5. AND BE IT FURTHER ORDAINED, That:

- (a) For each tax year that begins after the effective date of this Ordinance, the Director of Finance shall divide the property taxes on real property within the Development District so that:
 - (1) the portion of the taxes that would be produced by the rate at which taxes are levied each year by the City upon the original taxable value shall be allocated to and, when collected, paid into the funds of the City in the same manner as taxes levied and collected by the City on all other property are paid; and
 - (2) the portion of the taxes representing the levy on the tax increment that would normally be paid to the City shall be paid into the Tax Increment Fund, to be applied in accordance with the provisions of the Act.
- (b) The City acknowledges that neither the rate at which taxes are levied on real property within the Development District nor the manner of assessment of the value of real property within the Development District may vary from the rate or manner of assessment that otherwise would have applied if the Development District were not designated and the Tax Increment Fund not created.

SECTION 6. AND BE IT FURTHER ORDAINED, That:

- (a) If no bonds are outstanding with respect to the Development District, money in the Tax Increment Fund may be:
 - (1) used for any other purposes described in the Act;
 - (2) accumulated for payment of debt service on bonds to be subsequently issued under the Act;
 - (3) used to pay or reimburse the City for debt service that the City is obligated to pay or has paid (whether as a general or limited obligation of the City) on bonds issued by the City or by the State of Maryland or any agency, department or political subdivision of the State, the proceeds of which have been used for any of the purposes specified in the Act; or
 - (4) paid to the City to provide funds to be used for any legal purpose.
- (b) In each case, the use must be approved by appropriate action of the Board of Finance, which action may generally specify the purpose for which the Tax Increment Fund may be used and the maximum amount that may be applied for that purpose, without specifying the actual amounts to be applied.

SECTION 7. AND BE IT FURTHER ORDAINED, That:

- (a) If any bonds are outstanding with respect to the Development District, money in the Tax Increment Fund may be used in any fiscal year as provided in Section 6 of this Ordinance and in the indenture authorizing the issuance of the bonds, but only to the extent that:
 - (1) the amount in the Tax Increment Fund exceeds the debt service payable on the bonds in that fiscal year and is not otherwise restricted so as to prohibit its use; and
 - (2) the use is not prohibited by the ordinance authorizing the issuance of the bonds.
- (b) In each case, the use must be approved by appropriate action of the Board of Finance, which action may generally specify the purpose for which the Tax Increment Fund may be used and the maximum amount that may be applied for that purpose, without specifying the actual amounts to be applied.

SECTION 8. AND BE IT FURTHER ORDAINED, That the Director of Finance may do all acts and things and execute all documents and certificates relating to the Development District and the Tax Increment Fund.

SECTION 9. AND BE IT FURTHER ORDAINED, That any approvals, authorizations, or activities provided in this Ordinance do not constitute and may not be deemed to constitute or imply that the City Council, the Mayor, or any department, office or agency of the City has given or will give, any approval, authorization or consent to any action or activity within or required for the development of the Development District, including any land use approval, requirements for the provision of public utilities or services, or any other administrative, judicial, quasi-judicial, or legislative approval, authorization, or consent.

SECTION 10. AND BE IT FURTHER ORDAINED, That this Ordinance may be amended by a subsequent ordinance of the Mayor and City Council of Baltimore, which ordinance may enlarge or reduce the Development District. However, no ordinance may be effective to reduce the size of the Development District so long as there are any outstanding bonds secured by the Tax Increment Fund, unless the ordinance authorizing the issuance of the bonds permits the City to reduce the area constituting the Development District, the holders of the bonds or an authorized representative on their behalf consents to the reduction or the indenture authorizing the issuance of the bonds permits the reduction.

SECTION 11. AND BE IT FURTHER ORDAINED, That the provisions of this Ordinance are severable. If any provision, sentence, clause, section or other part of this Ordinance is held or determined to be illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, that illegality, invalidity, unconstitutionality, or inapplicability does not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance or their application to other persons or circumstances. It is the intent of the Mayor and City Council that this Ordinance would have been passed even if the illegal, invalid, unconstitutional, or inapplicable provision, sentence, clause, section, or other part had not been included in this Ordinance, and as if the person or circumstances to which this Ordinance or part are inapplicable had been specifically exempted.

SECTION 12. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Exhibit 1**Map of Development District**

EDITOR'S NOTE

The Exhibit in this Ordinance is not reproduced here. It may be viewed in a copy of the Ordinance itself.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-376
(Council Bill 06-524)**

AN ORDINANCE CONCERNING

Mondawmin Mall Special Taxing District

FOR the purpose of designating a "special taxing district" to be known as the "Mondawmin Mall Special Taxing District"; providing for and determining various matters in connection with the establishment of the special taxing district; creating a special fund for the special taxing district; providing for the levy of a special tax on all taxable real property located in the special taxing district; and generally relating to the designation and operation of the special taxing district, the establishment and use of the special fund and the issuance and payment of bonds issued in connection with the special taxing district.

BY authority of
Article II - General Powers
Section (62A)
Baltimore City Charter
(1996 Edition)

Recitals

The Special Taxing District Act, Article II, Section (62A) of the Baltimore City Charter (the "Act") authorizes the Mayor and City Council of Baltimore to establish a "special taxing district" (as defined in the Act) and a special fund into which the special taxes levied in the special taxing district are deposited, for the purpose of providing financing, refinancing, or reimbursement for the cost of infrastructure improvements.

The Act also authorizes the City, subject to certain requirements, to issue and deliver bonds, for the purpose of providing financing, refinancing, or reimbursement for the cost of the infrastructure improvements.

The City has been requested to designate and create the Mondawmin Mall Special Taxing District from both (i) the owners of at least two-thirds of the assessed valuation of the real property located in the proposed special taxing district; and (ii) at least two-thirds of the owners of the real property located in the proposed special taxing district.

The Act provides that no bonds may be issued by the City until an ordinance is enacted that (i) designates an area or areas as a "special taxing district"; (ii) creates a special fund for the special taxing district; and (iii) provides for the levy of an ad valorem or special tax on all real property in the special taxing district at a rate or amount designed to provide adequate revenues to pay the principal of, interest on, and redemption premium, if any, on the bonds, to replenish any debt service reserve fund, and for any other purpose related to the ongoing expenses of or security for the bonds.

Mondawmin Business Trust, a Maryland business trust (the “Developer”) has indicated its intention to redevelop the Mondawmin Mall (the “Mall”) retail space located in Baltimore City. The Developer will initially use its own funds to redevelop the Mall. The bonds issued to finance or refinance the Infrastructure Improvements will be held in escrow until the satisfaction of certain conditions, including completion of the Mall redevelopment and Infrastructure Improvements.

The Mayor and City Council wishes to establish a special taxing district within the City, establish a special fund for the special taxing district, and provide for the levy of a special tax on all taxable real property in the special taxing district for the purpose of providing financing for the development of infrastructure improvements relating to the redevelopment of the Mall in the special taxing district.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That for the purposes of this Ordinance, the following terms have the meanings indicated:

- (a) “Act” means the Special Taxing District Act, as codified in Article II, Section (62A) of the Baltimore City Charter.
- (b) “Bond” means any bond, note, or other similar instrument issued by the Mayor and City Council of Baltimore under the Act.
- (c) “Infrastructure improvements” means the following infrastructure improvements constructed in accordance with all required City approvals:
 - (1) the design and construction of roads, including removal of existing paving, new paving and installation of curbs, gutters, sidewalks, lighting, landscaping, and utilities (including sanitary sewer, storm water, gas, water, fire suppression, electric and traffic signal work);
 - (2) site removal, including regrading and preparation, the removal of excess soil; and demolition of buildings;
 - (3) the design, construction and renovation of parking lots and/or structured parking, including paving and the installation of curbs, gutters, sidewalks, utilities, lighting and landscaping; and
 - (4) the design, acquisition, construction, renovation and development of other infrastructure improvements that are necessary for the completion of the foregoing infrastructure improvements for their intended public purposes.
- (d) “Special Tax Fund” means the special fund established by Section 4 of this Ordinance.
- (e) “Special Taxing District” means the area in the City designated in Section 3 of this Ordinance as a special taxing district under the Act.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore finds and determines that the establishment of the Mondawmin Mall Special Taxing District, the creation of the Special Tax Fund for that District and the issuance of bonds from time to time, all for the purpose of providing funds for the financing of the infrastructure improvements, accomplishes the purposes of the Act, serves public purposes, including the direct and indirect enhancement of the taxable base of the City and the facilitation of planned improvements to the Mondawmin Mall development, and generally promotes the health, welfare, and safety of the residents of the State of Maryland and of the City of Baltimore.

SECTION 3. AND BE IT FURTHER ORDAINED, That the contiguous area consisting of the properties designated as Ward 15, Section 19, Block 3262F, Lots 001, 002, 003, and 005 (as the same may be

renumbered or redesignated), together with the adjoining roads, highways, alleys, rights-of-way and other similar property, shown on the map attached to this Ordinance as Exhibit 1, and made a part of this Ordinance, is designated as a special taxing district to be known as the "Mondawmin Mall Special Taxing District."

SECTION 4. AND BE IT FURTHER ORDAINED, That a special fund is established for the Special Taxing District to be known as the "Mondawmin Mall Special Tax Fund". The Director of Finance shall deposit in the Special Tax Fund all special taxes levied and collected in accordance with Section 5 of this Ordinance. The Director of Finance and other officers and employees of the City shall take all necessary steps in order to establish the Special Tax Fund as a separate fund to be held by or for the account of the City.

SECTION 5. AND BE IT FURTHER ORDAINED, That:

- (a) A special tax shall be levied upon all real property in the Special Taxing District, unless exempted by the provisions of this Ordinance or otherwise by law, for the purposes, to the extent and in the manner set forth in the Rate and Method of Apportionment of the Special Taxes attached to this Ordinance as Exhibit 2 and made a part of this Ordinance.
- (b) The revenues and receipts from the special tax, the Special Tax Fund, and any other fund into which all or any of these revenues and receipts are deposited after they have been appropriated by the City are pledged to the payment of the principal of and interest on the bonds. These revenues, receipts and funds are not, however, irrevocably pledged to the payment of the principal of and interest on the bonds and the obligation to pay this principal and interest is subject to annual appropriation by the City.
- (c) Special taxes levied in the Special Taxing District may not be accelerated by reason of bond default. The maximum special taxes applicable to any individual property may not be increased in the event that other property owners become delinquent in the payment of the special taxes.

SECTION 6. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore finds that:

- (a) The construction of the infrastructure improvements will create a public benefit and special benefits to the properties in the Special Taxing District;
- (b) The special taxes levied under this Ordinance are levied in an amount that does not exceed the special benefit that the properties within the Special Taxing District will receive from the infrastructure improvements, as shown by the Special Tax Allocation Report attached to this Ordinance as Exhibit 3 and made a part of this Ordinance; and
- (c) The special taxes levied on each property in the Special Taxing District are a fair allocation of the cost of the infrastructure improvements to each property in the Special Taxing District, as shown by the Special Tax Allocation Report.

SECTION 7. AND BE IT FURTHER ORDAINED, That the Director of Finance may do all acts and things and execute all documents and certificates relating to the Special Taxing District and the Special Tax Fund.

SECTION 8. AND BE IT FURTHER ORDAINED, That any approvals, authorizations, or activities provided in this Ordinance do not constitute and may not be deemed to constitute or imply that the City Council, the Mayor, or any department, office or agency of the City has given or will give, any approval, authorization or consent to any action or activity within or required for the development of the Special Taxing District, including any land use approval, requirements for the provision of public utilities or services, or any other administrative, judicial, quasi-judicial, or legislative approval, authorization, or consent.

SECTION 9. AND BE IT FURTHER ORDAINED, That this Ordinance may be amended by a subsequent ordinance of the Mayor and City Council of Baltimore, which ordinance may enlarge or reduce the Special Taxing District, upon receipt of a request from both (i) the owners of at least two-thirds of the assessed valuation of the real property located with the proposed special taxing district; and (ii) at least two-thirds of the owners of the real property located within the proposed special taxing district. However, no ordinance may be effective to reduce the size of the Special Taxing District so long as there are any outstanding bonds secured by the Special Tax Fund, unless the ordinance authorizing the issuance of the bonds permits the City to reduce the area constituting the Special Taxing District, the holders of the bonds or an authorized representative on their behalf consents to the reduction or the indenture authorizing the bonds permits the reduction.

SECTION 10. AND BE IT FURTHER ORDAINED, That the provisions of this Ordinance are severable. If any provision, sentence, clause, section or other part of this Ordinance is held or determined to be illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, that illegality, invalidity, unconstitutionality, or inapplicability does not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance or their application to other persons or circumstances. It is the intent of the Mayor and City Council that this Ordinance would have been passed even if the illegal, invalid, unconstitutional, or inapplicable provision, sentence, clause, section, or other part had not been included in this Ordinance, and as if the person or circumstances to which this Ordinance or part are inapplicable had been specifically exempted.

SECTION 11. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

EXHIBIT 1

Map of the Special Taxing District

EDITOR'S NOTE

The Exhibit in this Ordinance is not reproduced here. It may be viewed in a copy of the Ordinance itself.

EXHIBIT 2

Rate and Method of Apportionment of the Special Taxes

EDITOR'S NOTE

The Exhibit in this Ordinance is not reproduced here. It may be viewed in a copy of the Ordinance itself.

EXHIBIT 3

Special Tax Allocation Report

EDITOR'S NOTE

The Exhibit in this Ordinance is not reproduced here. It may be viewed in a copy of the Ordinance itself.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-377
(Council Bill 06-525)**

AN ORDINANCE CONCERNING

Mondawmin Mall Special Obligation Bonds

FOR the purpose of providing for the issuance of special obligation bonds in an amount not exceeding \$15,000,000 for the purpose of financing infrastructure improvements; providing for the method and sources of payment for these special obligation bonds; authorizing the Board of Finance to specify, prescribe, determine, provide for and approve the details, forms, documents or procedures in connection with the special obligation bonds and any other matters necessary or desirable in connection with the authorization, issuance, sale and payment of these special obligation bonds; and generally relating to the issuance and payment of special obligation bonds.

BY authority of
Article II - General Powers
Sections (62) and (62A)
Baltimore City Charter
(1996 Edition)

Recitals

Article II, Section (62) of the Baltimore City Charter (the "Tax Increment Act") authorizes the Mayor and City Council of Baltimore to establish a "development district" (as defined in the Tax Increment Act) and a special, tax increment fund into which the revenues and receipts from the real property taxes representing the levy on the "tax increment" (as defined in the Tax Increment Act) for the development district are deposited, for the purpose of providing funds for the development of the development district.

Pursuant to an Ordinance enacted prior to or simultaneously with this Ordinance (the "Development District Ordinance"), the City has:

- (1) designated the Mondawmin Mall Development District (the "Development District");
- (2) created the Mondawmin Mall Development District Tax Increment Fund;
- (3) provided that until special obligation bonds issued with respect to the Development District have been fully paid, the property taxes on real property in the Development District shall be divided as provided in the Tax Increment Act; and
- (4) made other findings and determinations with respect to the Development District.

Article II, Section (62A) of the Baltimore City Charter (the "Special Taxing District Act") authorizes the City to establish a "special taxing district" (as defined in the Special Taxing District Act) and a special fund into which the special taxes levied in the special taxing district are deposited, for the purpose of providing financing, refinancing, or reimbursement for the cost of infrastructure improvements.

Pursuant to an Ordinance enacted prior to or simultaneously with this Ordinance (the "Special Taxing District Ordinance"), the City has:

- (1) designated the Mondawmin Mall Special Taxing District (the "Special Taxing District");

- (2) created the Mondawmin Mall Special Taxing District Special Fund;
- (3) authorized the levy of a special tax on all real property within the Special Taxing District; and
- (4) made certain other findings and determinations with respect to the Special Taxing District.

The Tax Increment Act authorizes the City, subject to certain requirements, to issue and deliver bonds for the purpose of financing and refinancing the development of an industrial, commercial or residential area in Baltimore City.

The Special Taxing District Act authorizes the City, subject to certain requirements, to issue and deliver bonds for the purpose of providing financing, refinancing, or reimbursement for the cost of infrastructure improvements.

Mondawmin Business Trust, a Maryland business trust (the “Developer”) has indicated its intention to redevelop the Mondawmin Mall (the “Mall”) retail space located in Baltimore City. The Developer will initially use its own funds to redevelop the Mall. The bonds issued to finance or refinance the Infrastructure Improvements will be held in escrow until the satisfaction of certain conditions, including completion of the Mall redevelopment and the Infrastructure Improvements.

The City wishes to authorize the issuance of special obligation bonds to provide funds for the development of infrastructure improvements relating to the redevelopment of the Mall in the Development District and the Special Taxing District.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That for the purposes of this Ordinance, the following terms have the meanings indicated:

- (a) “Acts” means the Tax Increment Act and the Special Taxing District Act.
- (b) “Bond” means any bond, note, or other similar instrument issued by the Mayor and City Council of Baltimore under the Acts, including without limitation, the bonds authorized by this Ordinance.
- (c) “City expenses” means:
 - (1) the fees and expenses of any fiscal agent or trustee employed by the City in connection with the bonds;
 - (2) the expenses of the City in carrying out its duties under the bonds or indenture, including:
 - (i) the expenses incurred in levying and collecting the special tax; and
 - (ii) all other costs and expenses of the City and the bond trustee, if any, incurred in connection with the discharge of their duties under the bonds and the indenture, including legal expenses associated with those duties, and in any way related to the administration of the Special Taxing District.
- (d) “Development District” means the Mondawmin Mall Development District.
- (e) “Developer” means General Growth Properties, Inc.
- (f) “Includes” or “including” means by way of illustration and not by way of limitation.

- (g) "Indenture" means the indenture or other document under which the bonds are issued.
- (h) "Infrastructure Improvements" means the following infrastructure improvements constructed in accordance with all required City approvals:
 - (1) the design and construction of roads, including removal of existing paving, new paving and installation of curbs, gutters, sidewalks, lighting, landscaping, and utilities (including sanitary sewer, storm water, gas, water, fire suppression, electric and traffic signal work);
 - (2) site removal, including regrading and preparation, the removal of excess soil; and demolition of buildings;
 - (3) the design, construction and renovation of parking lots and/or structured parking, including paving and the installation of curbs, gutters, sidewalks, utilities, lighting and landscaping; and
 - (4) the design, acquisition, construction, renovation and development of other infrastructure improvements that are necessary for the completion of the foregoing infrastructure improvements for their intended public purposes.
- (i) "Rate and Method" means the Rate and Method of Apportionment of the Special Taxes attached to the Special Taxing District Ordinance as Exhibit 2.
- (j) "Special tax" means the special tax authorized, levied and collected in the Special Taxing District by the Special Taxing District Ordinance.
- (k) "Special Tax Fund" means the Mondawmin Mall Special Tax Fund.
- (l) "Special tax revenues" means the revenues and receipts from the special tax, including amounts deposited in the Special Tax Fund and any other fund into which all or any of these revenues and receipts are deposited after they are appropriated by the Mayor and City Council of Baltimore.
- (m) "Special Taxing District" means the Mondawmin Mall Special Taxing District.
- (n) "Special Taxing District Act" means Article II, Chapter (62A) of the Baltimore City Charter.
- (o) "Special Taxing District Ordinance" means the Ordinance of the Mayor and City Council designating the Special Taxing District.
- (p) "Tax increment" means for any tax year, the amount by which the assessable base (as defined in the Tax Increment Ordinance) as of January 1 preceding that tax year exceeds the original taxable value (as defined in the Tax Increment Ordinance), divided by the assessment ratio (as defined in the Tax Increment Ordinance) used to determine the original taxable value.
- (q) "Tax Increment Act" means Article II, Chapter (62) of the Baltimore City Charter.
- (r) "Tax Increment Fund" means the Mondawmin Mall Development District Tax Increment Fund.
- (s) "Tax Increment Ordinance" means the Ordinance of the Mayor and City Council designating the Development District.
- (t) "Tax increment revenues" means the revenues and receipts from the taxes representing the levy on the tax increment that would normally be paid to the City, including amounts deposited in the

Tax Increment Fund or any other fund into which all or any part of these revenues and receipts are deposited after they are appropriated by the Mayor and City Council of Baltimore.

- (u) "Tax year" means the period from July 1 of a calendar year through June 30 of the next calendar year.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore finds and determines that the issuance of bonds from time to time for the purpose of providing funds to finance the infrastructure improvements:

- (a) accomplishes the purposes of the Acts;
- (b) serves public purposes, including the direct and indirect enhancement of the taxable base of the City and the facilitation of planned improvements to the Mondawmin Mall development; and
- (c) generally promotes the health, welfare, and safety of the residents of the State of Maryland and of the City of Baltimore.

SECTION 3. AND BE IT FURTHER ORDAINED, That:

- (a) Bonds may be issued from time to time in one or more series in an aggregate principal amount not to exceed \$15,000,000.
- (b) The proceeds of the bonds may be utilized solely for the following purposes, as the Board of Finance determines pursuant to Section 9 of this Ordinance:
 - (1) to finance all or part of the costs of the infrastructure improvements;
 - (2) to establish a debt service reserve fund for the bonds;
 - (3) to fund capitalized interest on the bonds; and
 - (4) to pay costs and expenses of issuing the bonds.
- (c) The bonds may be issued pursuant to the provisions of an indenture at any time or from time to time in one or more issues or series. Each issue or series of the bonds shall be identified by the year of issue or by other designation.

SECTION 4. AND BE IT FURTHER ORDAINED, That:

- (a) The tax increment revenues are pledged to the payment of the principal of and interest on the bonds. However, the tax increment revenues are not irrevocably pledged to the payment of the principal of and interest on the bonds, and the obligation to pay the principal of and interest on the bonds from the tax increment revenues is subject to annual appropriation by the City.
- (b) The tax increment revenues may also be pledged by the City to the payment of additional bonds issued by the City under the Tax Increment Act relating to the Development District, subject to the provisions of the indenture.
- (c) If any bonds are outstanding, the tax increment revenues may not be used for the purposes set forth in Section 6 of the Tax Increment Ordinance unless the amount in the Tax Increment Fund exceeds:

- (1) the debt service payable on the bonds in that fiscal year and any debt service payable on the bonds in any prior fiscal year that remains unpaid;
- (2) the amount required to replenish any debt service reserve fund established for the bonds; and
- (3) the amount of City expenses due and payable and to become due and payable in that fiscal year.

SECTION 5. AND BE IT FURTHER ORDAINED, That:

- (a) Provision may be made for municipal bond insurance or any other type of financial guaranty of the bonds.
- (b) The bonds may be secured, as the Board of Finance determines under Section 9 of this Ordinance, through:
 - (1) the establishment of debt service reserve funds;
 - (2) the establishment of additional sinking funds; or
 - (3) the pledge of other assets and revenues toward the payment of the principal and interest on the bonds.
- (c) The bonds are special obligations of the City. They do not constitute a general obligation debt of the City or a pledge of the City's full faith and credit or taxing power.

SECTION 6. AND BE IT FURTHER ORDAINED, That the bonds will be payable:

- (a) first, from capitalized interest, if any, and any other available amount in the funds and accounts created by the indenture;
- (b) second, from the tax increment revenues, subject to annual appropriation by the City; and
- (c) third, to the extent the tax increment revenues are not sufficient to pay debt service on the bonds, to replenish any debt service fund for the bonds, and to pay City expenses, from the special tax revenues, subject to annual appropriation by the City.

SECTION 7. AND BE IT FURTHER ORDAINED, That:

- (a) No special tax shall be levied unless the tax increment revenues are not enough to pay debt service on the bonds, to replenish any debt service reserve fund for the bonds, and to pay the City expenses. The amount of the special tax required to be levied in any tax year to provide for the payment of City expenses may be reduced to the extent that amounts are held under the indenture, or amounts are otherwise made available to the City, are available for the payment of City expenses in that tax year.
- (b) The City covenants to levy the special tax, in accordance with the Rate and Method, up to the maximum special tax provided in the Rate and Method, at a rate and amount at least sufficient to pay the principal of and interest on the bonds, to replenish any debt service reserve fund for the bonds and to pay City expenses (to the extent these expenses are not otherwise provided for), to the extent any capitalized interest and any other amounts available under the indenture, the tax increment revenues, and any amounts in the Special Tax Fund are insufficient. The special tax also may be levied with respect to refunding bonds issued under the Special Taxing District Act

without notice to or the consent of the property owners in the Special Taxing District as provided in the indenture.

- (c) The special tax revenues are pledged to the payment of the principal of and interest on the bonds. However, the special tax revenues are not irrevocably pledged to the payment of the principal of and interest on the bonds, and the obligation to pay the principal of and interest on the bonds from the special tax revenues is subject to annual appropriation by the City.

SECTION 8. AND BE IT FURTHER ORDAINED, That:

- (a) The bonds shall be executed in the name of the City and on its behalf by the Mayor, by manual or facsimile signature. The corporate seal of the City or a facsimile of it shall be impressed or otherwise reproduced on the bonds and attested by the Custodian or Alternate Custodian of the City Seal by manual, or facsimile signature.
- (b) The bonds shall be initially issued in escrow. The bonds shall be released from escrow upon satisfaction of certain requirements, including the obligation of the Developer to complete the redevelopment of the Mall and the construction of the Infrastructure Improvements. If the bonds are released from escrow, it is anticipated that they will be remarketed and a portion of the remarketing proceeds will be used to reimburse the Developer for certain costs of the Infrastructure Improvements.
- (c) Each of the following documents, if considered necessary by the Board of Finance for the delivery of the bonds shall be executed in the name of the City and on its behalf by the Mayor or Director of Finance, by manual signature and, if necessary, the corporate seal of the City or a facsimile of it shall be impressed or otherwise reproduced on the documents and attested by the Custodian or Alternate Custodian of the City Seal, by manual signature:
 - (1) the indenture to be entered into between the City and a trustee and/or such other parties deemed appropriate by the Board of Finance to be selected;
 - (2) the development agreement(s) to be entered into among the City, any other governmental entity, if necessary, and the developer(s) of the Development District to provide for the construction by the developer(s) of the infrastructure improvements;
 - (3) an escrow agreement to be entered into among the City, the Developer and an escrow agent, to provide the conditions under which the bonds will be released from escrow and remarketed; and
 - (4) any other documents the Board of Finance considers necessary by for the issuance, sale and delivery of the bonds.
- (d) If any officer whose signature or countersignature or a facsimile of whose signature or countersignature appears on the bonds or any other document ceases to be an officer before the delivery of the bonds or any other document, the signature or countersignature or the facsimile shall nevertheless be valid and sufficient for all purposes, as if the officer had remained in office until delivery.
- (e) The Mayor, the Director of Finance, the Custodian of the City Seal and the Alternate Custodian of the City Seal, and other officials of the City are authorized and empowered to do all acts and things and execute all documents and certificates as the Board of Finance determines to be necessary to carry out the provisions of this Ordinance, subject to the limitations set forth in the Acts, the Tax Increment Ordinance, the Special Taxing District Ordinance, and this Ordinance.

SECTION 9. AND BE IT FURTHER ORDAINED, That the Board of Finance shall specify and prescribe by resolution any of the following as it deems appropriate to finance the infrastructure improvements:

- (a) the principal amount of the bonds to be issued;
- (b) the rate or rates of interest the bonds are to bear or the method for determining the same;
- (c) the manner in which and the terms upon which the bonds are to be sold;
- (d) the manner in which and the times and places that the interest on the bonds is to be paid;
- (e) the time or times that the bonds may be executed, issued, and delivered, including the conditions for releasing the bonds from escrow;
- (f) the form and tenor of the bonds and the denominations in which the bonds may be issued;
- (g) the manner in which and the times and places that the principal of the bonds is to be paid, within the limitations set forth in the Acts;
- (h) provisions pursuant to which any or all of the bonds may be called for redemption prior to their stated maturity dates;
- (i) the terms and provisions of any indenture, development agreement(s), escrow agreement or other documents to be executed by or on behalf of the City and any person in connection with the issuance of the bonds, including, provisions providing for additional security for the bonds;
- (j) provisions establishing sinking funds or debt service reserve funds for the bonds;
- (k) provisions pledging other assets and revenues towards the payment of the principal of and interest on the bonds;
- (l) provision for municipal bond insurance or any other type of financial guaranty of the bonds; and
- (m) any other provisions not inconsistent with the Charter (including the Acts), the Tax Increment Ordinance, the Special Taxing District Ordinance, this Ordinance and other applicable law as the Board of Finance determines to be necessary or desirable to finance the infrastructure improvements.

SECTION 10. AND BE IT FURTHER ORDAINED, That:

- (a) Before the bonds are issued, the Director of Finance shall record among the Land Records of the City, at the cost of the Special Taxing District, a declaration that:
 - (1) encumbers all real property located in the Special Taxing District, except for property exempt by law or the Special Taxing District Ordinance; and
 - (2) designates that property as subject to the Special Taxing District.
- (b) The declaration shall terminate when the Director of Finance records a release stating that all bonds are fully repaid or have been defeased.

SECTION 11. AND BE IT FURTHER ORDAINED, That any approvals, authorizations, or activities provided in this Ordinance do not constitute and may not be deemed to constitute or imply that the City Council, the

Mayor, or any department, office or agency of the City has given or will give, any approval, authorization or consent to any action or activity within or required for the development of the Development/Special Taxing District, including any land use approval, requirements for the provision of public utilities or services, or any other administrative, judicial, quasi-judicial, or legislative approval, authorization or consent.

SECTION 12. AND BE IT FURTHER ORDAINED, That the provisions of this Ordinance are severable. If any provision, sentence, clause, section or other part of this Ordinance is held or determined to be illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, that illegality, invalidity, unconstitutionality, or inapplicability does not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance or their application to other persons or circumstances. It is the intent of the Mayor and City Council that this Ordinance would have been passed even if the illegal, invalid, unconstitutional, or inapplicable provision, sentence, clause, section, or other part had not been included in this Ordinance, and as if the person or circumstances to which this Ordinance or part are inapplicable had been specifically exempted.

SECTION 13. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-378
(Council Bill 06-532)**

AN ORDINANCE CONCERNING

**Supplementary Mondawmin Mall Tax Increment Financing
Capital Appropriation – Department of Housing and
Community Development – \$15,000,000**

FOR the purpose of providing a Supplementary Mondawmin Mall Tax Increment Financing Capital Appropriation in the amount of \$15,000,000 to the Department of Housing and Community Development (Account #9910-600-359), to provide funds for financing or refinancing the development of infrastructure improvements relating to the redevelopment of the Mondawmin Mall in the City of Baltimore; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(1) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

This Ordinance provides for the supplementary appropriation of the proceeds (the "Bond Proceeds") of certain tax increment financing bonds (the "Bonds") to be issued for the purpose of financing or refinancing the development of infrastructure improvements relating to the redevelopment of the Mondawmin Mall (the "Mall") in the City of Baltimore. The Bonds shall be issued pursuant to a trust agreement (the "Indenture") by and between the City and a trustee for the Bonds (the "Trustee"), or a materially similar document. Pursuant

to Article VII, Section 21 of the Baltimore City Charter, the Board of Finance (the "Board") is authorized to "determine all matters pertaining to the issuance and sale of certificates of indebtedness," which includes the Bonds. As approved by the Board, the Indenture shall provide that the Bond Proceeds shall be used only for the purposes of financing or refinancing the development of infrastructure improvements relating to the redevelopment of the Mall.

As further approved by the Board, the Bond Proceeds shall be disbursed pursuant to a funding agreement (the "Funding Agreement"), by and between the owners of the Mall and the Mayor and City Council of Baltimore, acting by and through the Department of Finance. The Funding Agreement shall be approved by the Board of Estimates and shall evidence the agreement of the City to disburse the funds, subject to certain conditions as provided for in the agreement and in the documents relating to the Bonds (the "Bond Documents").

The Bond Proceeds are in excess of those relied upon by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007. The Indenture provides that upon the sale of the Bonds, the Bond Proceeds will be held by the Trustee in trust for the holders of the Bonds and subject to the above-referenced limitations of the Indenture and other Bond Documents. Therefore, the Bond Proceeds do not represent revenue that would ever be relied upon by the Board of Estimates to determine the tax levy required to balance the Ordinance of Estimates for Fiscal Year 2007 or for any other year in which the Bond proceeds might be disbursed.

Therefore, to the extent required by law, the Board of Estimates on October 25, 2006, has recommended that the City Council of Baltimore approve this Supplementary Mondawmin Mall Tax Increment Financing Capital Appropriation for the purpose of financing or refinancing the development of infrastructure improvements relating to the redevelopment of the Mall, and has authorized the execution of any documents necessary to effectuate the disbursement of Bond Proceeds to the extent that such documents are not otherwise related to the issuance and sale of the certificates of indebtedness.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That to the extent required by law, an amount not to exceed \$15,000,000 shall be made available to the Department of Housing and Community Development (Account #9910-600-359) as a Supplementary Mondawmin Mall Tax Increment Financing Capital Appropriation for Fiscal Year 2007, to provide for financing or refinancing the development of infrastructure improvements relating to the redevelopment of the Mondawmin Mall in the City of Baltimore. The source of revenue for this appropriation shall be the proceeds of certain tax increment financing bonds (the "Bond Proceeds"), and the source of revenue is in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007. The Bond Proceeds, subject to the Bond Documents as approved by the Board of Finance, are to be made available for disbursement through a funding agreement executed by the Mayor and City Council of Baltimore, acting by and through the Department of Finance and such other parties as may be necessary.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved December 8, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-379
(Council Bill 06-347)**

AN ORDINANCE CONCERNING

Sale of Property – 400/410 South Broadway

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain property located at 400/410 South Broadway and no longer needed for public use; and providing for a special effective date.

BY authority of

Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in the property located at 400/410 South Broadway, and more particularly described as follows:

The B-2-3 zoned site comprises .33+ acres and is located in the Fells Point Community.

This property being no longer needed for public use.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved December 13, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-380
(Council Bill 06-410)**

AN ORDINANCE CONCERNING

Franchise – Bridgeway over the 2600 Block of West North Avenue

FOR the purpose of granting a franchise to Coppin State University to construct, use, and maintain a private pedestrian bridgeway above and across the 2600 Block of West North Avenue, connecting a classroom and laboratory building to be constructed on the south side of West North Avenue, to a parking garage to be constructed on the north side of West North Avenue; subject to certain terms, conditions, and reservations; and providing for a special effective date.

BY authority of
Article VIII - Franchises
Baltimore City Charter
(1996 Edition)

Recitals

Coppin State University is constructing an approximately 150,000 square foot multi-story Health and Human Services building that will include classrooms and laboratories, on the south side of the 2600 block of West North Avenue, near the intersection of Whitmore Avenue. A multi-level parking garage will be built opposite of this new building, on the north side of West North Avenue.

Coppin State University proposes to construct a private enclosed pedestrian bridgeway over West North Avenue, providing a safe and convenient means for students, employees and visitors to travel between the new building and the parking garage. A temporary staircase will be built and used until the parking garage structure is completed.

Portions of the private bridgeway will be located above and across the public right-of-way.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That a franchise or right is granted to Coppin State University, its tenants, successors, and assigns (collectively, the “Grantee”) to construct, use, and maintain, at Grantee’s own cost and expense, and subject to the terms and conditions of this Ordinance, an enclosed pedestrian bridgeway, approximately 100 feet long by 16 feet wide by 14 feet high, that will connect the building being constructed by the Grantee on the south side of West North Avenue, to the north side of West North Avenue and an eventual parking garage structure, by crossing the West North Avenue right-of-way, located within an aerial easement area more particularly described as follows:

Beginning for the same at a point on the Southernmost right-of-way line of North Avenue, 100 feet wide, and also being distant North 87 degrees, 20 minutes 40 seconds East 90.43 feet from the beginning of the Sixth or North 89 degrees 00 minutes 47 seconds East 102.64 foot line of that parcel of land which by deed dated December 17, 2002, recorded among the land records in the City of Baltimore in Liber 3719, folio 438, was granted and conveyed by CSX Transportation, Inc. to Coppin State College, thence leaving the aforementioned point of beginning, with all bearing being referenced to the Baltimore City Topographical Survey Commission, (1) North 02 degrees 11 minutes 36 seconds West 100.00 feet to a point on the Northernmost right-of-way line of North Avenue, 100 feet wide, thence running with and binding on the Northernmost right-of-way line of North Avenue, 100 feet wide, (2) North 87 degrees 20 minutes 40 seconds East 16.00 feet to a point; thence leaving the Northernmost right-of-way line of North Avenue, 100 feet wide, (3) South 02 degrees 11 minutes 36 seconds East 100.00 feet to a point on the Southernmost right-of-way line of North Avenue, 100 feet wide; thence running with and binding on the Southernmost right-of-way line of North Avenue, 100 feet wide, (4) South 87 degrees 20 minutes 40 seconds West 16.00 feet to the point of beginning.

The easement shall be approximately 16 feet wide by 100 feet long by 14 feet high and shall be approximately 18 feet above the street bed at its lowest point.

Containing approximately 1,600 square feet in plane, or 0.0367 acres, more or less.

No signage or banners may be attached to the bridgeway as part of this agreement.

SECTION 2. AND BE IT FURTHER ORDAINED, That to become effective, the franchise or right granted by this Ordinance (the “Franchise”) must be executed and enjoyed by the Grantee within 6 months after the effective date of this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That as compensation for the Franchise, the Grantee shall pay to the Mayor and City Council of Baltimore a franchise charge of \$10,560 a year, subject to increase or decrease as provided in Section 5 of this Ordinance. The franchise charge must be paid annually, at least 30 days before the initial and each renewal term of the Franchise.

SECTION 4. AND BE IT FURTHER ORDAINED, That:

(a) The initial term of the Franchise is 1 year, commencing on the effective date of this Ordinance. Unless sooner terminated as provided in this Ordinance, the Franchise will automatically renew, without any action by either the Mayor and City Council of Baltimore or the Grantee, for 24 consecutive 1-year renewal terms. Except as otherwise provided in this Ordinance, each renewal term will be on the same terms and conditions as the initial term. The maximum duration for which the Franchise may operate, including the initial and all renewal terms, is 25 years.

(b) Either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the Grantee may cancel the Franchise as at the end of the initial or any renewal term by giving written notice of cancellation to the other at least 90 days before the end of that term.

SECTION 5. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the annual franchise charge by giving written notice of the increase or decrease to the Grantee at least 150 days before the end of the original or renewal term immediately preceding the renewal term to which the increase or decrease will first apply. The new franchise charge will apply to all subsequent annual renewal terms, unless again increased or decreased in accordance with this section.

SECTION 6. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore expressly reserves the right at all times to exercise, in the interest of the public, full municipal superintendence, regulation, and control over and in respect to all matters connected with the Franchise and not inconsistent with the terms of this Ordinance.

SECTION 7. AND BE IT FURTHER ORDAINED, That the Grantee, at its own cost and expense, shall maintain in good condition and in compliance with all applicable laws and regulations of Baltimore City, all structures for which the Franchise is granted. The maintenance of these structures shall be at all times subject to the regulation and control of the Commissioner of Housing and Community Development and the Director of Public Works. If any structure for which the Franchise is granted must be readjusted, relocated, protected, or supported to accommodate a public improvement, the Grantee shall pay all costs and expenses in connection with the readjustment, relocation, protection, or support.

SECTION 8. AND BE IT FURTHER ORDAINED, That at the option of the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, the Grantee's failure to comply with any term or condition of this Ordinance constitutes a forfeiture of the Franchise. Immediately on written notice to the Grantee of the exercise of this option, the Franchise terminates. Once so terminated, only an ordinance of the Mayor and City Council of Baltimore may waive the forfeiture or otherwise reinstate the Franchise.

SECTION 9. AND BE IT FURTHER ORDAINED, That at any time and without prior notice, the Mayor of Baltimore City may revoke the Franchise if, in the Mayor's judgment, the public interest, welfare, safety, or convenience so requires. Immediately on written notice to the Grantee of the exercise of this right, the Franchise terminates.

SECTION 10. AND BE IT FURTHER ORDAINED, That on cancellation, expiration, forfeiture, revocation, or other termination of the Franchise for any reason, the Grantee shall remove all structures for which the Franchise is granted. The removal of these structures shall be (i) undertaken at the cost and expense of the Grantee, without any compensation from the Mayor and City Council of Baltimore, (ii) made in a manner

satisfactory to the Commissioner of Housing and Community Development and the Director of Public Works, and (iii) completed within the time specified in writing by the Director of Public Works.

SECTION 11. AND BE IT FURTHER ORDAINED, That the Grantee is liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against all suits, losses, costs, claims, damages, or expenses to which the Mayor and City Council of Baltimore is at any time subjected on account of, or in any way resulting from, (i) the presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of any of the structures for which the Franchise is granted, or (ii) any failure of the Grantee, its officers, employees, or agents, to perform promptly and properly any duty or obligation imposed on the Grantee by this Ordinance.

SECTION 12. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved December 13, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 06-381
(Council Bill 06-530)**

AN ORDINANCE CONCERNING

**City Property – Renaming Fort Holabird Park
to Cimaglia Park at Fort Holabird**

FOR the purpose of changing the name of Fort Holabird Park, located at Ward 26, Section 1, Block 6923, Lots 1/3 and 11, to Cimaglia Park at Fort Holabird; and providing for a special effective date.

BY authority of

Article 5 - Finance, Property, and Procurement
Section 20-2
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the name of Fort Holabird Park, located at Ward 26, Section 1, Block 6923, Lots 1/3 and 11, is changed to Cimaglia Park at Fort Holabird.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on ~~the 30th day after the~~ date it is enacted.

Approved December 13, 2006

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-382
(Council Bill 05-229)**

AN ORDINANCE CONCERNING

Planned Unit Development – Designation – Chimes School

FOR the purpose of approving the application of The Chimes, owner of certain property located at 4810, 4814, and 4815 Seton Drive, to have that property designated an Industrial Planned Unit Development; and approving the Development Plan submitted by the applicant.

BY authority of

Article - Zoning
Title 9, Subtitles 1 and 5
Baltimore City Revised Code
(Edition 2000)

Recitals

The Chimes is the fee simple owner of property located at 4810, 4814, and 4815 Seton Drive, consisting of 3.868 acres, more or less.

The owner proposes to develop a new 30,000 square-foot school as part of The Chimes campus in the Seton Business Park.

On July 6, 2005, representatives of The Chimes met with the Department of Planning for a preliminary conference, to explain the scope and nature of existing and proposed development on the property and to institute proceedings to have the property designated an Industrial Planned Unit Development.

The representatives of The Chimes have now applied to the Baltimore City Council for designation of the property as an Industrial Planned Unit Development, and they have submitted a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 5 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the application of The Chimes, fee simple owner of the property located at 4810, 4814, and 4815 Seton Drive, consisting of 3.868 acres, more or less, as outlined on the accompanying Development Plan entitled “Chimes School”, consisting of Sheet 1, “Existing Conditions Plan”, dated ~~June 27, 2005~~ November 30, 2006, and Sheet 2, “Site Plan”, dated ~~June 27, 2005~~ November 30, 2006, and Sheet 3, “~~Architectural Elevations~~”, dated ~~June 27, 2005~~; to designate the property an Industrial Planned Unit Development under Title 9, Subtitles 1 and 5 of the Baltimore City Zoning Code.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Development Plan submitted by The Chimes is approved.

SECTION 3. AND BE IT FURTHER ORDAINED, That the following uses are allowed in the Industrial Planned Unit Development:

- (a) all uses as allowed in an M-1 Zoning District under the Zoning Code of Baltimore City and in the Reisterstown Plaza Transit Station Urban Renewal Area.

(b) the following uses are permitted uses: elementary, secondary schools: public or private; and trade schools.

SECTION 3 4. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the property are subject to final design approval by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance.

SECTION 4 5. AND BE IT FURTHER ORDAINED, That the Planning Commission may determine what constitutes minor or major modifications to the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

SECTION 5 6. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 6 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved February 6, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-383
(Council Bill 06-318)**

AN ORDINANCE CONCERNING

Weapons — Paintball, Pellet Guns

FOR the purpose of prohibiting the possession, sale or transfer, or discharge of paintball guns and similar devices; defining certain terms; imposing certain penalties; correcting, clarifying, and conforming certain related provisions governing gas- and air-pellet devices; and generally relating to guns and other devices that discharge pellets and other objects.

BY repealing and reordaining, with amendments

Article 19 - Police Ordinances
Section(s) 59-26
Baltimore City Code
(Edition 2000)

~~BY adding~~

~~Article 19 - Police Ordinances
Section(s) 59-26.1
Baltimore City Code
(Edition 2000)~~

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 19. Police Ordinances

Subtitle 59. Weapons

§ 59-26. Gas- or air-pellet guns.

(A) *DEFINITIONS.*

(1) *IN GENERAL.*

IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(2) *“GAS- OR AIR-PELLET GUN”.*

“GAS- OR AIR-PELLET GUN” ~~MEAN~~ MEANS ANY GUN OR OTHER DEVICE, BY WHATEVER NAME OR DESCRIPTION KNOWN, THAT DISCHARGES A PELLET OR OTHER OBJECT BY FORCE OF GAS OR AIR CYLINDER OR CARTRIDGE, BY ACTION OF AN EXPLOSIVE OR COMBUSTIBLE PROPELLANT, OR BY PUMP ACTION.

(3) *PAINTBALL GUN.*

“PAINTBALL” MEANS ANY GUN OR OTHER DEVICE, INCLUDING A GAS- OR AIR- PELLET GUN, THAT IS USED OR DESIGNED OR INTENDED TO BE USED TO DISCHARGE A PAINTBALL OR OTHER OBJECT DESIGNED OR INTENDED TO MARK A TARGET WITH PIGMENTATION.

(4) ~~(3)~~ *“PERSON”.*

“PERSON” MEANS ANY INDIVIDUAL, PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, LIMITED LIABILITY COMPANY, OR OTHER ENTITY OF ANY KIND.

(B) [(a)] *Giving, etc., to minor prohibited.*

[It shall be unlawful for any persons, firm, or corporation to] NO PERSON MAY sell, give away, [lend, rent,] or otherwise transfer A GAS- OR AIR-PELLET GUN OR PAINTBALL GUN to, or permit the use OF A GAS- OR AIR-PELLET GUN OR PAINTBALL GUN by, any individual whom [any such] THAT person[, firm, or corporation] knows or has reasonable cause to believe [to be] IS a minor[, under the age of 21 years, any gun or other device, by whatever name or description known, which discharges a pellet or other object by force of gas or air cylinder or cartridge].

(C) [(b)] *Discharge or use [prohibited].*

[It shall be unlawful for any] NO person [to] MAY discharge or use any [gun or other device, by whatever name or description known, which discharges a pellet or other object by force of a gas or air cartridge or cylinder,] GAS- OR AIR-PELLET GUN unless the [said] gun [shall be] IS kept within his OR HER own domicile or [shall be] IS used by him EXCLUSIVELY for the purpose of teaching the use and care of [weapons or] firearms at [an] A PROPERLY CONSTRUCTED indoor or outdoor range [which shall be under the supervision, guidance, and instruction of an adult].

(C) POSSESS, DISCHARGE, OR USE.

NO PERSON MAY POSSESS, DISCHARGE OR USE ANY GAS- OR AIR- PELLET GUN OR PAINTBALL GUN IN BALTIMORE CITY EXCEPT:

- (1) IF THE GUN IS KEPT WITHIN HIS OR HER DOMICILE OR IS USED BY HIM OR HER EXCLUSIVELY FOR THE PURPOSE OF TEACHING THE USE AND CARE OF FIREARMS AT A PROPERLY CONSTRUCTED INDOOR OR OUTDOOR RANGE;
- (2) ON A PROPERLY CONSTRUCTED TARGET RANGE OR RECREATIONAL PAINTBALL FACILITY;
- (3) ON PRIVATE GROUNDS OR RESIDENCE UNDER CIRCUMSTANCES IN WHICH THE GUN IS OPERATED SO AS TO NOT ENDANGER PERSON OR PROPERTY AND IN A MANNER THAT PREVENTS THE PROJECTILE FROM TRAVERSING ANY GROUNDS OR SPACE OUTSIDE OF THE PRIVATE GROUNDS OR RESIDENCE; OR
- (4) IF THE GUN IS BEING TRANSPORTED IN A MOTOR VEHICLE FOR ANY LAWFUL PURPOSE AND IS NOT BEING CARRIED ON A PERSON.

[(c) Same.

It shall be unlawful for any person to discharge any such gun or device from or across any street, sidewalk, alley, or public road within the limits of the City of Baltimore except on a properly constructed target range or except on private grounds or residence under circumstances where the said gun or device can be fired, discharged, or operated in such a manner as not to endanger persons or property and also in such a manner as to prevent the projectile from traversing any grounds or space outside the limits of such grounds or residence.]

(d) Penalties.

Any [violation of the provisions] PERSON WHO VIOLATES ANY PROVISION of this section [shall be deemed to be] IS GUILTY OF a misdemeanor AND, ON CONVICTION, IS subject [upon conviction] to a fine of not more than [\$500] \$1,000 or to imprisonment for not [longer] MORE than [60 days] 12 MONTHS or to both fine and imprisonment[, in the discretion of the Court] FOR EACH OFFENSE.

~~§ 59-26.1. PAINTBALL GUNS.~~~~(A) DEFINITIONS.~~~~(1) IN GENERAL.~~

~~IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED:~~

~~(2) "PAINTBALL GUN".~~

~~"PAINTBALL GUN" MEAN ANY GUN OR OTHER DEVICE, INCLUDING A GAS- OR AIR-PELLET GUN AS DEFINED IN § 59-26 OF THIS SUBTITLE, THAT IS USED OR DESIGNED OR INTENDED TO BE USED TO DISCHARGE A PAINTBALL OR OTHER OBJECT DESIGNED OR INTENDED TO MARK A TARGET WITH PIGMENTATION.~~

~~(3) "PERSON".~~

~~"PERSON" MEANS ANY INDIVIDUAL, PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, LIMITED LIABILITY COMPANY, OR OTHER ENTITY OF ANY KIND.~~

~~(B) DISCHARGE, POSSESSION, ETC., PROHIBITED.~~

~~NO PERSON MAY DISCHARGE, POSSESS, SELL, BUY, GIVE AWAY, OR OTHERWISE TRANSFER ANY PAINTBALL GUN IN BALTIMORE CITY.~~

~~(C) PENALTIES.~~

~~ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 OR TO IMPRISONMENT FOR NOT MORE THAN 12 MONTHS OR TO BOTH FINE AND IMPRISONMENT FOR EACH OFFENSE.~~

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved February 6, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-384
(Council Bill 06-470)**

AN ORDINANCE CONCERNING

Planned Unit Development – Amendment – Benhurst Park

FOR the purpose of approving certain amendments to the Development Plan of the Benhurst Park Planned Unit Development.

BY authority of

Article - Zoning
Title 9, Subtitles 1 and 2
Baltimore City Revised Code
(Edition 2000)

Recitals

By Ordinance 73-417, as amended by Ordinances 78-690 and 83-1127, the Mayor and City Council approved the original application of Carl M. Freeman Associates, Inc., and Ralph DeChiaro Enterprises, Inc., to have certain property located on the south side of Fallstaff Road, north and east of Bartol Avenue, north and south of Benhurst Road, and east of Clarks Lane, consisting of 50 acres, more or less, designated as a Residential Planned Unit Development and approved the Development Plan submitted by the applicant.

B.H.S., LLC, wishes to amend the Development Plan, as previously approved by the Mayor and City Council, to permit the development of 5 single-family detached dwellings and a reconfiguration of the storm water management pond, on Parcel B of the Plan.

On May 12, 2006, representatives of B.H.S., LLC, met with the Department of Planning for a preliminary conference to explain the scope and nature of the proposed amendments to the Development Plan.

The representatives of B.H.S., LLC, have now applied to the Baltimore City Council for approval of these amendments, and they have submitted amendments to the Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 2 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the amendments to the Development Plan submitted by the Developer, as attached to and made part of this Ordinance, including Sheet 1, "Cover Sheet", dated May 31, 2006; Sheet 2, "Existing Conditions", dated May 31, 2006; Sheet 3, "Development Plan", dated May 31, 2006; Sheet 4, "Landscape Plan", dated May 31, 2006; ~~and~~ Sheet 5, "Easement for Access", dated May 31, 2006; Sheet 6, "Building Elevation", dated October 5, 2006; and Sheet 7, "Floor Plan", dated October 5, 2006.

SECTION 2. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the property are subject to final design approval by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That the Planning Department may determine what constitutes minor or major modifications to the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying amended Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the amended Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the amended Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved February 6, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-385
(Council Bill 06-508)**

AN ORDINANCE CONCERNING

**Urban Renewal – Coldspring Neighborhood Development Program –
Amendment 10**

FOR the purpose of amending the Urban Renewal Plan for Coldspring Neighborhood Development Program to provide that the provisions of the Cylburn Hills Planned Unit Development ~~supercede~~ supersede the provisions of the Urban Renewal Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

BY authority of

Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

Recitals

The Urban Renewal Plan for Coldspring Neighborhood Development Program Urban Renewal Area was originally approved by the Mayor and City Council of Baltimore by Ordinance 73-242 and last amended by Ordinance 97-175.

An amendment to the Urban Renewal Plan for Coldspring Neighborhood Development Program Urban Renewal Area is necessary to provide that the provisions of the Cylburn Hills Planned Unit Development ~~supercede~~ supersede the provisions of the Urban Renewal Plan.

Under Article 13, § 2-6 of the Baltimore City Code, no substantial change may be made in any approved renewal plan unless the change is approved in the same manner as that required for the approval of a renewal plan.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following change in the Urban Renewal Plan for Coldspring Neighborhood Development Program Urban Renewal Area is approved:

In the Plan, after C.2., add a new paragraph to read as follows:

C. General Land Use Plan

2. Description of Predominant Land Uses

TO THE EXTENT THERE EXISTS ANY CONFLICT BETWEEN THE PROVISIONS OF THIS RENEWAL PLAN AND THE STANDARDS AND CONTROLS OF ANY PLANNED UNIT DEVELOPMENT LEGISLATION APPROVED BY THE MAYOR AND CITY COUNCIL FOR THE COLDSRING NEIGHBORHOOD DEVELOPMENT PROGRAM URBAN RENEWAL AREA, THE STANDARDS AND CONTROLS OF THE PLANNED UNIT DEVELOPMENT CONTROL.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Coldspring Neighborhood Development Program Urban Renewal Area, as amended by this Ordinance and identified as "Urban Renewal Plan, Coldspring Neighborhood Development Program Urban Renewal Area, revised to include Amendment 10, dated August 14, 2006", is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record, available for public inspection and information.

SECTION 3. AND BE IT FURTHER ORDAINED, That if the amended Urban Renewal Plan approved by this Ordinance in any way fails to meet the statutory requirements for the content of a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal plan, those requirements are waived and the amended Urban Renewal Plan approved by this Ordinance is exempted from them.

SECTION 4. AND BE IT FURTHER ORDAINED, That if any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid for any reason, the invalidity does not affect any other provision or any other application of this Ordinance, and for this purpose the provisions of this Ordinance are declared severable.

SECTION 5. AND BE IT FURTHER ORDAINED, That if a provision of this Ordinance concerns the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or safety law or regulation, the applicable provisions shall be construed to give effect to each. However, if the provisions are found to be in irreconcilable conflict, the one that establishes the higher standard for the protection of the public health and safety prevails. If a provision of this Ordinance is found to be in conflict with an existing provision of any other law or regulation that establishes a lower standard for the protection of the public health and safety, the provision of this Ordinance prevails and the other conflicting provision is repealed to the extent of the conflict.

SECTION 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved February 6, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-386
(Council Bill 06-513)**

AN ORDINANCE CONCERNING

**Zoning – Conditional Use Convalescent, Nursing, and Rest Home
(Assisted Living) – 3702 Gwynn Oak Avenue**

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a convalescent, nursing, and rest home (assisted living) on the property known as 3702 Gwynn Oak Avenue, as outlined in red on the accompanying plat.

BY authority of

Article - Zoning
Section(s) 4-704 and 14-102
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of a convalescent, nursing, and rest home (assisted living) on the property known as 3702 Gwynn Oak Avenue, as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 4-704 and 14-102, subject to the ~~condition that~~ the following conditions:

1. The maximum number of residents is 12.
2. There may be no more than 2 persons per sleeping room.
3. Sleeping rooms for clients may not be in the basement.
4. 24-hour supervision must be provided.

5. There may be no exterior sign on the facility other than a nameplate that does not exceed an area of 1 square foot.
6. The convalescent, nursing, and rest home (assisted living) ~~complies~~ must comply with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved February 6, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-387
(Council Bill 06-533)**

AN ORDINANCE CONCERNING

**City Streets – Opening – Certain Streets and Alleys Lying
Within the Area Bounded by Biddle Street,
Collington Avenue, Preston Street, and Patterson Park Avenue and
Lying Within the Broadway East Urban Renewal Project**

FOR the purpose of condemning and opening certain streets and alleys lying within the area bounded by Biddle Street, Collington Avenue, Preston Street, and Patterson Park Avenue and lying within the Broadway East Urban Renewal Project, as shown on Plat 346-A-57 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions

Section 4

and

Article II - General Powers

Sections 2, 34, and 35

Baltimore City Charter

(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and open certain streets and alleys lying within the area bounded by Biddle Street, Collington Avenue, Preston Street, and Patterson Park Avenue and lying within the Broadway East Urban Renewal Project, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the south side of Mura Street, 40 feet wide, and the east side of Collington Avenue, 70 feet wide, and running thence binding on the east side of said Collington Avenue, Northerly 40.0 feet to intersect the north side of said Mura Street; thence binding on the north side of said Mura Street, Easterly 363.1 feet, more or less, to intersect the west side of Patterson Park Avenue, 70 feet wide; thence binding on the west side of said Patterson Park Avenue, Southerly 40.0 feet, to intersect the south side of said Mura Street, and thence binding on the south side of said Mura Street, Westerly 363.1 feet, more or less, to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 2200/2202 through 2238 E. Biddle Street, and the east side of Collington Avenue, 70 feet wide, said point of beginning being distant northerly 71.5 feet, more or less, measured along the east side of said Collington Avenue from the north side of Biddle Street, 66 feet wide; thence binding on the east side of said Collington Avenue, Northerly 10.0 feet to intersect the north side of said 10-foot alley; thence binding on the north side of said 10-foot alley, Easterly 285.1 feet, more or less, to the easternmost extremity of said 10-foot alley; thence binding on the easternmost extremity of said 10-foot alley, Southerly 10.0 feet to intersect the south side of said 10-foot alley, and thence binding on the south side of said 10-foot alley, Westerly 285.1 feet, more or less, to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the south side of Mura Street, 40 feet wide, and the east side of a 12-foot alley, laid out in the rear of the properties known as Nos. 1210 through 1218 N. Patterson Park Avenue, said point of beginning being distant westerly 78.0 feet measured along the south side of said Mura Street from the west side of Patterson Park Avenue, 70 feet wide, and running thence binding on the east side of said 12-foot alley, Southerly 60.0 feet, more or less, to intersect the north side of a 10-foot alley, laid out in the rear of the properties known as Nos. 2200/2202 through 2238 E. Biddle Street; thence binding on the north side of said 10-foot alley, Westerly 12.0 feet to intersect the west side of said 12-foot alley; thence binding on the west side of said 12-foot alley, Northerly 60.0 feet, more or less, to intersect the south side of said Mura Street, and thence binding on the south side of said Mura Street, Easterly 12.0 feet to the place of beginning.

Beginning for Parcel No. 4 at the point formed by the east side of a 10-foot alley, laid out in the rear of the properties known as Nos. 1220 through 1226 N. Patterson Park Avenue, and the north side of Mura Street, 40 feet wide, said point of beginning being distant westerly 70.0 feet, measured along the north side of said Mura Street from the west side of Patterson Park Avenue, 70 feet wide, and running thence binding on the north side of said Mura Street, Westerly 10.0 feet to intersect the west side of said 10-foot alley; thence binding on the west side of said 10-foot alley, Northerly 60.0 feet, more or less, to intersect the south side of a 10-foot alley, laid out in the rear of the properties known as Nos. 2201 through 2251 E. Preston Street; thence binding on the south side of last said 10-foot alley, Easterly 10.0 feet to intersect the east side of said 10-foot alley, mentioned firstly herein, and thence binding on the east side of said 10-foot alley, mentioned firstly herein, Southerly 60.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 5 at the point formed by the intersection of the east side of a 4-foot alley, laid out in the rear of the properties known as Nos. 1200 through 1208 N. Patterson Park Avenue, and the north side of E. Biddle Street, 66 feet wide, said point of beginning being distant westerly 78.0 feet, measured along the north side of said Biddle Street from the west side of Patterson Park Avenue, 70 feet wide, and running thence binding on the north side of said Biddle Street, Westerly 4.0 feet to intersect the west side of said 4-foot alley; thence binding on the west side of said 4-foot alley, Northerly 71.5 feet, more or less, to intersect the south side of a 10-foot alley, laid out in the rear of the properties known as Nos. 2200/2202 through 2238 E. Biddle Street; thence binding on the south side of said 10-foot alley, Easterly 4.0 feet to intersect the east side of said 4-foot alley, and thence binding on the east side of said 4-foot alley, Southerly 71.5 feet, more or less, to the place of beginning.

As delineated on Plat 346-A-57, prepared by the Survey Control Section and filed on October 11, 2006, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and opening of the streets and alleys and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved February 6, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-388
(Council Bill 06-534)**

AN ORDINANCE CONCERNING

**City Streets – Closing – Certain Streets and Alleys Lying
Within the Area Bounded by Biddle Street,
Collington Avenue, Preston Street, and Patterson Park Avenue and
Lying Within the Broadway East Urban Renewal Project**

FOR the purpose of condemning and closing certain streets and alleys lying within the area bounded by Biddle Street, Collington Avenue, Preston Street, and Patterson Park Avenue and lying within the Broadway East Urban Renewal Project, as shown on Plat 346-A-57A in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close certain streets and alleys lying within the area bounded by Biddle Street, Collington Avenue, Preston Street, and Patterson Park Avenue and lying within the Broadway East Urban Renewal Project, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the south side of Mura Street, 40 feet wide, and the east side of Collington Avenue, 70 feet wide, and running thence binding on the east side of said Collington Avenue, Northerly 40.0 feet to intersect the north side of said Mura Street; thence binding on the north side of said Mura Street, Easterly 363.1 feet, more or less, to intersect the west side of Patterson Park Avenue, 70 feet wide; thence binding on the west side of said Patterson Park Avenue, Southerly 40.0 feet, to intersect the south side of said Mura Street, and thence binding on the south side of said Mura Street, Westerly 363.1 feet, more or less, to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the south side of a 10-foot alley laid out in the rear of the properties known as Nos. 2200/2202 through 2238 E. Biddle Street, and the east side

of Collington Avenue, 70 feet wide, said point of beginning being distant northerly 71.5 feet, more or less, measured along the east side of said Collington Avenue from the north side of Biddle Street, 66 feet wide; thence binding on the east side of said Collington Avenue, Northerly 10.0 feet to intersect the north side of said 10-foot alley; thence binding on the north side of said 10-foot alley, Easterly 285.1 feet, more or less, to the easternmost extremity of said 10-foot alley; thence binding on the easternmost extremity of said 10-foot alley, Southerly 10.0 feet to intersect the south side of said 10-foot alley, and thence binding on the south side of said 10-foot alley, Westerly 285.1 feet, more or less, to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the south side of Mura Street, 40 feet wide, and the east side of a 12-foot alley, laid out in the rear of the properties known as Nos. 1210 through 1218 N. Patterson Park Avenue, said point of beginning being distant westerly 78.0 feet, measured along the south side of said Mura Street from the west side of Patterson Park Avenue, 70 feet wide, and running thence binding on the east side of said 12-foot alley, Southerly 60.0 feet, more or less, to intersect the north side of a 10-foot alley, laid out in the rear of the properties known as Nos. 2200/2202 through 2238 E. Biddle Street; thence binding on the north side of said 10-foot alley, Westerly 12.0 feet to intersect the west side of said 12-foot alley; thence binding on the west side of said 12-foot alley, Northerly 60.0 feet, more or less, to intersect the south side of said Mura Street, and thence binding on the south side of said Mura Street, Easterly 12.0 feet to the place of beginning.

Beginning for Parcel No. 4 at the point formed by the east side of a 10-foot alley, laid out in the rear of the properties known as Nos. 1220 through 1226 N. Patterson Park Avenue, and the north side of Mura Street, 40 feet wide, said point of beginning being distant westerly 70.0 feet, measured along the north side of said Mura Street from the west side of Patterson Park Avenue, 70 feet wide, and running thence binding on the north side of said Mura Street, Westerly 10.0 feet to intersect the west side of said 10-foot alley; thence binding on the west side of said 10-foot alley, Northerly 60.0 feet, more or less, to intersect the south side of a 10-foot alley, laid out in the rear of the properties known as Nos. 2201 through 2251 E. Preston Street; thence binding on the south side of last said 10-foot alley, Easterly 10.0 feet to intersect the east side of said 10-foot alley, mentioned firstly herein, and thence binding on the east side of said 10-foot alley, mentioned firstly herein, Southerly 60.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 5 at the point formed by the intersection of the east side of a 4-foot alley, laid out in the rear of the properties known as Nos. 1200 through 1208 N. Patterson Park Avenue, and the north side of E. Biddle Street, 66 feet wide, said point of beginning being distant westerly 78.0 feet, more or less, measured along the north side of said Biddle Street from the west side of Patterson Park Avenue, 70 feet wide, and running thence binding on the north side of said Biddle Street, Westerly 4.0 feet to intersect the west side of said 4-foot alley; thence binding on the west side of said 4-foot alley, Northerly 71.5 feet, more or less, to intersect the south side of a 10-foot alley, laid out in the rear of the properties known as Nos. 2200/2202 through 2238 E. Biddle Street; thence binding on the south side of said 10-foot alley, Easterly 4.0 feet to intersect the east side of said 4-foot alley, and thence binding on the east side of said 4-foot alley, Southerly 71.5 feet, more or less, to the place of beginning.

As delineated on Plat 346-A-57A, prepared by the Survey Control Section and filed on October 11, 2006 in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of the streets and alleys and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain

permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved February 6, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-389
(Council Bill 06-415)**

AN ORDINANCE CONCERNING

**Building Code – Visitability Requirements for
Publicly Assisted Dwellings**

FOR the purpose of requiring certain visitability features for certain dwellings newly constructed with public assistance; setting certain standards for accessible entries and interior features; authorizing waivers under certain circumstances; defining certain terms; providing for a special effective date; and generally relating to visitability requirements for publicly assisted dwellings.

~~BY repealing and reordaining, without amendment~~

~~Article – Zoning~~

~~Section(s) 1-136(c)~~

~~Baltimore City Revised Code~~

~~(Edition 2000)~~

BY repealing and reordaining, without amendment

Article - Building, Fire, and Related Codes
 Section(s) 2-103 (IBC § ~~202.2.16.4~~ and ~~.5~~ § 202.2.16.3 - .5)
 Baltimore City Revised Code
 (Edition 2000)

BY adding

Article - Building, Fire, and Related Codes
 Section(s) 2-103 (IBC Chapter 34A)
 Baltimore City Revised Code
 (Edition 2000)

Recitals

No local laws currently require that new single-family dwellings be constructed to be visitable by persons with disabilities.

Persons with disabilities and their families are often isolated in their own homes because their homes and the homes of others contain insurmountable barriers. Making houses visitable would make it easier for families with disabilities to visit, rent, or buy a home.

Certain features in construction make new houses visitable and, in many cases, livable for persons with disabilities.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Revised Code

~~Article - Zoning~~

~~§ 1-136. Dwelling.~~

~~(c) Types of dwellings.~~

~~The following are the types of dwellings:~~

- ~~(1) Attached dwelling: a dwelling that is joined to another dwelling at 1 or more sides by an approved party wall or walls.~~
- ~~(2) Detached dwelling: a dwelling that is surrounded on all sides by yards on the same lot.~~
- ~~(3) Multiple-family dwelling: a dwelling that contains 2 or more dwelling units.~~
- ~~(4) Semi-detached dwelling: a dwelling that is:~~
 - ~~(i) joined to another dwelling at only 1 side by an approved party wall; and~~
 - ~~(ii) otherwise surrounded by yards on the same lot.~~
- ~~(5) Single-family dwelling: a dwelling that contains only 1 dwelling unit.~~

Article – Building, Fire, and Related Codes

Part II. International Building Code

§ 2-103. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 2 Definitions

Section 202 Definitions

202.2 . Notwithstanding any different definition in the International Building Code, the following terms have the meanings given in this § 202.2.

202.2.16 Dwelling. “Dwelling” includes, but is not limited to, any one or more of the following:

202.2.16.3 Multiple-family dwelling. “Multiple-family dwelling” means a building or part of a building that contains more than 2 dwelling units.

202.2.16.4 1-family dwelling; single-family dwelling unit. “1-family dwelling” or “single-family dwelling unit” means a building that contains only 1 dwelling unit and is used only for that purpose.

202.2.16.5 2-family dwelling. “2-family dwelling” means a building that contains 2 dwelling units and is used only for that purpose.

CHAPTER 34A VISITABILITY REQUIREMENTS FOR PUBLICLY ASSISTED DWELLINGS

SECTION 34A01 SCOPE

34A01.1 GENERAL. THIS CHAPTER APPLIES TO EVERY SINGLE-FAMILY DWELLING, WHETHER DETACHED, SEMI-DETACHED, OR ATTACHED, AND TO ALL GROUND-FLOOR DWELLING UNITS OF ANY 2-FAMILY DWELLING OR OF ANY MULTIPLE-FAMILY DWELLING THAT CONTAINS 4 OR FEWER DWELLING UNITS ~~(AS THOSE TERMS ARE DEFINED IN CITY ZONING CODE § 1-136(C)), THAT:~~

- A. IS NEWLY CONSTRUCTED ON A VACANT LOT, AND
- B. RECEIVES FUNDING OR OTHER ASSISTANCE FROM THE CITY OR ANY CITY AGENCY (INCLUDING THE HOUSING AUTHORITY OF BALTIMORE CITY) BY ANY ONE OF THE FOLLOWING METHODS:
 1. A BUILDING CONTRACT OR SIMILAR AGREEMENT THAT INVOLVES ANY FEDERAL, STATE, OR CITY FUNDS,
 2. ACQUISITION, BY GIFT, PURCHASE, LEASE, OR OTHERWISE, OF ANY REAL PROPERTY FOR LESS THAN ITS APPRAISED VALUE, AS DETERMINED BY A CERTIFIED APPRAISER,
 3. PREFERENTIAL TAX TREATMENT, SUCH AS PAYMENTS IN LIEU OF TAXES, TAX INCREMENT FINANCING, OR SIMILAR BENEFIT,

4. BOND PROCEEDS OR ISSUANCE ASSISTANCE, A LOAN, OR SIMILAR FINANCIAL BENEFIT,
5. RECEIPT UNDER CITY AUTHORITY OF FEDERAL OR STATE CONSTRUCTION FUNDS, INCLUDING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, AND
6. EXCEPT AS OTHERWISE SPECIFIED IN THIS SECTION, RECEIPT OF ANY OTHER FORM OF FUNDING OR FINANCIAL BENEFIT FROM THE CITY OR A CITY AGENCY.

34A01.2 EXCLUSIONS. THIS CHAPTER DOES NOT APPLY TO:

- A. ADDITIONS TO OR REMODELINGS OF EXISTING BUILDINGS, OR
- B. NEW CONSTRUCTION FOR WHICH CITY FUNDING OR ASSISTANCE IS LIMITED TO EITHER OR BOTH:
 1. A PROPERTY TAX CREDIT UNDER CITY CODE ARTICLE 28, § 10-5 {"NEWLY CONSTRUCTED BUILDINGS"}, AND
 2. WAIVER OF A CITY LIEN ON PROPERTY WHERE THE LIEN EXCEEDS THE VALUE OF THE PROPERTY.

SECTION 34A02 ACCESSIBLE ENTRY

34A02.1 REQUIREMENTS. EVERY DWELLING THAT IS SUBJECT TO THIS CHAPTER MUST PROVIDE AT LEAST 1 ENTRANCE THAT:

- A. IS ACCESSIBLE TO, AND USABLE BY, A PERSON WITH A MOBILITY DISABILITY,
- B. DOES NOT INCLUDE STEPS,
- C. HAS A LEVEL CHANGE (INCLUDING ANY LEVEL CHANGE AT THRESHOLD) THAT DOES NOT EXCEED ½ INCH AND, IF THE LEVEL CHANGE EXCEEDS ¼ INCH, IS BEVELED, AND
- D. IS LOCATED ON A CONTINUOUS UNOBSTRUCTED PATH THAT, THROUGH THE USE AS NECESSARY OR APPROPRIATE OF CURB RAMPS, PARKING ACCESS AISLES, WALKS, RAMPS, ELEVATORS, LIFTS, AND THE LIKE:
 1. CONNECTS THE LOT ENTRANCE TO THE DWELLING ENTRANCE, AND
 2. CAN BE NEGOTIATED BY A PERSON WITH A DISABILITY WHO USES A WHEELCHAIR, BY A PERSON WITH A DISABILITY WHO DOES NOT REQUIRE USE OF A WHEELCHAIR, AND BY A PERSON WITHOUT A DISABILITY.

SECTION 34A03 ACCESSIBLE INTERIOR

34A03.1 "ENTRY LEVEL" DEFINED. IN THIS § 34A03, "ENTRY LEVEL" MEANS ~~EVERY~~ THE LEVEL AT WHICH AN ACCESSIBLE ENTRANCE IS PROVIDED UNDER § 34A02.1.

34A03.2 INTERIOR DOORS. ON ~~EVERY~~ THE ENTRY LEVEL OF THE DWELLING, EACH DOOR DESIGNED TO ALLOW PASSAGE MUST HAVE AN UNOBSTRUCTED OPENING OF AT LEAST 32 INCHES WHEN THE DOOR IS OPEN AT A 90-DEGREE ANGLE.

34A03.3 ENVIRONMENTAL CONTROLS.

34A03.3.1 "ENVIRONMENTAL CONTROL" DEFINED. IN THIS § 34A03.3, "ENVIRONMENTAL CONTROL" MEANS ANY SWITCH OR DEVICE THAT CONTROLS OR REGULATES LIGHTS, TEMPERATURE, FUSES, FANS, DOORS, SECURITY SYSTEMS, OR SIMILAR ~~FEATURE~~ FEATURES INCLUDED IN THE CONSTRUCTION OF THE DWELLING UNIT.

34A03.3.2 REQUIREMENTS. ON ~~EVERY~~ THE ENTRY LEVEL OF THE DWELLING, EACH ENVIRONMENTAL CONTROL MUST BE LOCATED:

- A. NO HIGHER THAN 48 INCHES ABOVE THE FLOOR AND NO LOWER THAN 15 INCHES ABOVE THE FLOOR, AND
- B. IF AN ENVIRONMENTAL CONTROL IS LOCATED DIRECTLY ABOVE A COUNTER, SINK, OR APPLIANCE, NO HIGHER THAN 3 INCHES ABOVE THE COUNTER, SINK, OR APPLIANCE.

34A03.4 HABITABLE SPACE. ~~EVERY~~ THE ENTRY LEVEL OF THE DWELLING MUST CONTAIN AT LEAST 1 INTERIOR ROOM THAT:

- A. HAS AN AREA OF NOT LESS THAN ~~70~~ 108 SQ. FT., AND
- B. CONTAINS NO SIDE OR DIMENSION NARROWER THAN ~~7~~ 9 FEET.

34A03.5 BATHROOM. ~~EVERY~~ THE ENTRY LEVEL OF THE DWELLING MUST CONTAIN AT LEAST 1 BATHROOM THAT CONTAINS:

- A. A TOILET,
- B. A SINK,
- C. REINFORCED WALLS AT THE TOILET, TO ALLOW FOR FUTURE INSTALLATION OF GRAB BARS, AND
- ~~D. AT LEAST 30"-BY-48" INCHES OF CLEAR FLOOR SPACE UNOBSTRUCTED BY THE DOOR SWING, SO THAT A PERSON IN A WHEELCHAIR CAN ENTER THE ROOM, CLOSE THE DOOR, USE THE FIXTURES, AND EXIT.~~

D. THE FOLLOWING MINIMUM DIMENSIONS:

- 1. 30"-BY-48" OF CLEAR FLOOR SPACE OUTSIDE OF THE DOOR SWING,
- 2. 30"-BY-48" OF CLEAR FLOOR SPACE PARALLEL TO AND CENTERED ON THE SINK, AND
- 3. 48"-BY-56" OF CLEAR FLOOR SPACE AT THE TOILET FOR A SIDE APPROACH.

SECTION 34A04 WAIVERS

34A04.1 GENERAL. THE BUILDING OFFICIAL MAY GRANT A WAIVER FROM ONE OR MORE OF THE REQUIREMENTS OF THIS CHAPTER IF:

- A. THE COST OF GRADING THE TERRAIN TO MEET THE REQUIREMENT IS DISPROPORTIONATELY EXPENSIVE IN RELATION TO THE VALUE OF THE DWELLING,
- B. THE WIDTH OF THE LOT IS LESS THAN 16 FEET, OR

- C. COMPLIANCE WITH THE REQUIREMENT IS PRECLUDED OR LIMITED BECAUSE OF THE LOT'S LOCATION IN A FEDERAL, STATE, OR CITY HISTORIC DISTRICT.

34A04.1.1 "DISPROPORTIONATELY EXPENSIVE" DEFINED. FOR PURPOSES OF THIS SECTION, "DISPROPORTIONATELY EXPENSIVE" MEANS THAT THE COST OF GRADING THE TERRAIN TO MEET THE REQUIREMENT EXCEEDS 5% OF THE FAIR MARKET VALUE OF THE UNIMPROVED PROPERTY.

SECTION 34A05 RELATIONSHIP TO OTHER LAWS.

34A05.1 FEDERAL AND STATE LAWS. FEDERAL AND STATE LAWS ALSO GOVERN MULTIPLE-FAMILY DWELLINGS AND PUBLIC ACCOMMODATIONS. NEWLY CONSTRUCTED MULTIPLE-FAMILY MAY ALSO BE SUBJECT TO THE FEDERAL AMERICANS WITH DISABILITIES ACT AND THE FEDERAL FAIR HOUSING ACT AND THEIR RESPECTIVE GUIDELINES.

34A05.2 CITY LAW. THIS CHAPTER APPLIES TO SOME DWELLINGS THAT ARE NOT COVERED BY FEDERAL OR STATE LAW, SUCH AS NEWLY-CONSTRUCTED SINGLE-FAMILY DWELLINGS.

34A05.3 MORE RESTRICTIVE LAW CONTROLS. TO THE EXTENT THAT THE PROVISIONS OF THIS CHAPTER ARE NOT IDENTICAL TO FEDERAL OR STATE LAWS, THE MORE RESTRICTIVE LAW CONTROLS.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance does not apply to any dwelling for which an Occupancy Permit is issued within 1 year after the enactment of this Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved February 7, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-390
(Council Bill 06-371)**

AN ORDINANCE CONCERNING

Urban Renewal – Canton Industrial Area – Amendment 3

FOR the purpose of amending the Urban Renewal Plan for Canton Industrial Area to revise the boundary of the existing Urban Renewal Plan and revising exhibits to reflect the changes in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

BY authority of

Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

Recitals

The Urban Renewal Plan for Canton Industrial Urban Renewal Area was originally approved by the Mayor and City Council of Baltimore by Ordinance 90-528 and last amended by Ordinance 01-234.

An amendment to the Urban Renewal Plan for Canton Industrial Area is necessary to revise the boundary of the existing Urban Renewal Plan and revise the exhibits to reflect the changes in the Plan.

Under Article 13, § 2-6 of the Baltimore City Code, no substantial change may be made in any approved renewal plan unless the change is approved in the same manner as that required for the approval of a renewal plan.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following changes in the Urban Renewal Plan for Canton Industrial Area are approved:

(1) In the Plan, amend A.1. to read as follows:

1. Boundary Description

Beginning at a point [formed by the intersection of the eastern right-of-way line of S. Highland Street and the northern property line of Lot 13/16, Ward 26, Section 2, Block 6492; thence from said point of beginning and binding on the extended northern property line of said Lot 13/16 westerly to intersect the western right-of-way line of S. Highland Street; thence binding on the western right-of-way line of S. Highland Street southerly, crossing Boston Street and continuing to intersect the northeast corner of Lot 1, Ward 26, Section 2, Block 6499; thence binding on the extended northern property line of said Lot 1 westerly to intersect the western right-of-way line of S. Clinton Street; thence binding] on the western right-of-way line of S. Clinton Street [southerly, to intersect the division line between Lot 1, Ward 1, Section 10, Block 1902-F and] AT THE INTERSECTION OF THE NORTHERN PROPERTY LINE OF Lot 1/3, Ward 1, Section 10, Block 1903; thence binding on said division line westerly, southwesterly, then southerly, and continuing westerly on an extended straight line approximately 1100 feet; thence binding on a straight line southerly, approximately 7500 feet; thence binding on a straight line easterly, approximately 5280 feet to intersect the extended eastern right-of-way line of S. Newkirk Street; thence binding on the eastern right-of-way line of [south] S. Newkirk Street northerly to intersect the southern right-of-way line of Holabird Avenue; thence binding on the southern right-of-way line of Holabird Avenue easterly to intersect THE eastern right-of-way line of S. Ponca Street; thence binding on the eastern right-of-way line of S. Ponca Street northerly to intersect the southern right-of-way line of Boston Street; thence binding on the southern right-of-way line of Boston Street easterly to intersect the western right-of-way line of the Baltimore Harbor Tunnel Thruway; thence binding on the western right-of-way line of the Baltimore Harbor Tunnel Thruway northerly to intersect the [northern right-of-way line] CENTERLINE of O'Donnell Street; thence binding on the [northern right-of-way line] CENTERLINE of O'Donnell Street westerly to A POINT FORMED BY THE INTERSECTION OF THE CENTERLINE OF O'DONNELL STREET AND THE SOUTHEASTERN PROPERTY LINE OF LOT 065, BLOCK PSCO; THENCE BINDING ON THE SOUTHEASTERN PROPERTY LINE OF LOT 065, BLOCK PSCO SOUTHWESTERLY TO THE INTERSECTION OF THE SOUTHEASTERN PROPERTY LINE OF LOT 065, BLOCK PSCO AND THE

EASTERN RIGHT-OF-WAY LINE OF S. CONKLING STREET; THENCE WESTERLY TO A POINT FORMED BY THE INTERSECTION OF THE CENTERLINE OF S. CONKLING STREET AND THE WESTERN EXTENSION OF THE SOUTHEASTERN PROPERTY LINE OF LOT 065, BLOCK PSCO; THENCE BINDING ON THE CENTERLINE OF S. CONKLING STREET SOUTHERLY TO THE INTERSECTION OF THE CENTERLINE OF S. CONKLING STREET AND THE CENTERLINE OF BOSTON STREET; THENCE BINDING ON THE CENTERLINE OF BOSTON STREET WESTERLY TO THE INTERSECTION OF THE CENTERLINE OF BOSTON STREET AND THE CENTERLINE OF S. CLINTON STREET; THENCE BINDING ON THE CENTERLINE OF S. CLINTON STREET SOUTHERLY TO A POINT FORMED BY THE INTERSECTION OF THE CENTERLINE OF S. CLINTON STREET AND THE EXTENSION OF THE NORTHERN PROPERTY LINE OF LOT 1/3, WARD 1, SECTION 10, BLOCK 1903; THENCE WESTERLY [intersect the western right-of-way line of S. Conkling Street; thence binding on the western right-of-way line of S. Conkling Street southerly to intersect the northern right-of-way line of Elliot Street; thence binding on the northern right-of-way line of Elliot Street westerly to intersect the western right-of-way line of Baylis Street; thence binding on the western right-of-way line of Baylis Street southerly to intersect the northern property line of Lot 13/16, Ward 26, Section 2, Block 6492; thence binding on the northern property line of said Lot 13/16 westerly, then northerly, then westerly] to the point of beginning.

- (2) Amend Exhibit 1, "Land Use Plan" and Exhibit 4, "Zoning Districts" to reflect the changes in the Plan.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Canton Industrial Area, as amended by this Ordinance and identified as "Urban Renewal Plan, Canton Industrial Area, revised to include Amendment 3, dated April 4, 2006", is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record, available for public inspection and information.

SECTION 3. AND BE IT FURTHER ORDAINED, That if the amended Urban Renewal Plan approved by this Ordinance in any way fails to meet the statutory requirements for the content of a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal plan, those requirements are waived and the amended Urban Renewal Plan approved by this Ordinance is exempted from them.

SECTION 4. AND BE IT FURTHER ORDAINED, That if any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid for any reason, the invalidity does not affect any other provision or any other application of this Ordinance, and for this purpose the provisions of this Ordinance are declared severable.

SECTION 5. AND BE IT FURTHER ORDAINED, That if a provision of this Ordinance concerns the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or safety law or regulation, the applicable provisions shall be construed to give effect to each. However, if the provisions are found to be in irreconcilable conflict, the one that establishes the higher standard for the protection of the public health and safety prevails. If a provision of this Ordinance is found to be in conflict with an existing provision of any other law or regulation that establishes a lower standard for the protection of the public health and safety, the provision of this Ordinance prevails and the other conflicting provision is repealed to the extent of the conflict.

SECTION 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved February 15, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-391
(Council Bill 06-509)**

AN ORDINANCE CONCERNING

Planned Unit Development – Amendment – Cylburn Hills

FOR the purpose of approving certain amendments to the Development Plan of the Cylburn Hills Planned Unit Development.

BY authority of

Article - Zoning
Title 9, Subtitles 1 and 2
Baltimore City Revised Code
(Edition 2000)

Recitals

By Ordinance 93-266, the Mayor and City Council approved the application of Cylburn Hills Limited Partnership to have certain property bounded generally by Cylburn Park to the north and east, Greenspring Avenue to the west and Springarden Drive to the south, consisting of 18.7 acres, more or less, designated as a Residential Planned Unit Development and approved the Development Plan submitted by the applicant.

Stone Mansion, LLC, contract purchaser and developer of 4901 Springarden Drive, that property being owned by the City and last used as a private, educational institution, wishes to amend the Development Plan, as previously approved by the Mayor and City Council, to permit the property to be used for offices and a coffee shop, as requested by the local community associations.

On July 11, 2006, representatives of Stone Mansion, LLC, met with the Department of Planning for a preliminary conference to explain the scope and nature of the proposed amendments to the Development Plan.

The representatives of Stone Mansion, LLC, have now applied to the Baltimore City Council for approval of these amendments, and they have submitted amendments to the Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 2 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the amendments to the Development Plan.

SECTION 2. AND BE IT FURTHER ORDAINED, That on the property known as 4901 Springarden Drive, in the Cylburn Hills Planned Unit Development, the following uses are allowed:

- (a) all permitted, accessory, and conditional uses as allowed in the R-5 Zoning District.
- (b) additional uses allowed shall include:

- antique shop
- beauty shop
- candy and ice cream store
- florist shop
- library and art gallery
- multipurpose neighborhood center

offices, including medical offices
 orthopedic and medical appliance store
outdoor table service as an accessory use to a restaurant
 restaurant - no live entertainment or dancing
 travel bureau
~~wine storage cellar~~
warehouse/storage area not to exceed more than 2,500 square feet.

SECTION 3. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the property are subject to final design approval by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED, That the Planning Commission may determine what constitutes minor or major modifications to the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

SECTION 5. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying amended Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the amended Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the amended Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved February 15, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
 ORDINANCE 07-392
 (Council Bill 05-073)**

AN ORDINANCE CONCERNING

Health – Indoor Smoking

FOR the purpose of prohibiting smoking in certain enclosed areas; defining certain terms; providing for certain exceptions and waivers; imposing certain penalties; providing for a special effective date; and generally relating to smoking in enclosed areas.

BY repealing

Article - Health

Section(s) 12-101 through 12-111, inclusive, and the subtitle designation

“Subtitle 1. Smoking in City Buildings and Vehicles”

Baltimore City Revised Code

(Edition 2000)

BY repealing
Article 19 - Police Ordinances
Section(s) 29-2
Baltimore City Code
(Edition 2000)

BY adding
Article - Health
Section(s) 12-101 through 12-112, inclusive, to be under the new subtitle
designation "Subtitle 1. Indoor Smoking"
Baltimore City Revised Code
(Edition 2000)

BY repealing and reordaining, with amendments
Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 40-14(e)(7)(Title 12) and 41-14(6)(Title 12)
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following provisions of the City Code are repealed:

Article - Health
Section(s) 12-101 through 12-111, inclusive, and the subtitle designation
"Smoking in City Buildings and Vehicles"
Baltimore City Revised Code
(Edition 2000)

Article 19 - Police Ordinances
Section(s) 29-2
Baltimore City Code
(Edition 2000)

SECTION 2. AND BE IT FURTHER ORDAINED, That the Laws of Baltimore City read as follows:

Baltimore City Revised Code

Article – Health

Title 12. Tobacco Products

SUBTITLE 1. INDOOR SMOKING

§ 12-101. DEFINITIONS.

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) *ENCLOSED AREA.*

- (1) "ENCLOSED AREA" MEANS AN AREA THAT IS BOUNDED ON ALL SIDES BY WALLS THAT EXTEND, WITH OR WITHOUT DOORS, WINDOWS, VENTS, OR LIKE OPENINGS, FROM FLOOR TO CEILING.
- (2) "ENCLOSED AREA" INCLUDES THE INTERIOR OF A VEHICLE.

(C) *PERSON IN CHARGE.*

"PERSON IN CHARGE" MEANS THE PERSON WHO OWNS, OPERATES, OR MANAGES A PLACE SUBJECT TO THIS SUBTITLE.

(D) *SMOKE.*

"SMOKE" MEANS TO INHALE, BURN, OR CARRY ANY LIGHTED CIGARETTE, CIGAR, PIPE TOBACCO, OR OTHER TOBACCO, WEED, OR PLANT PRODUCT OF ANY KIND.

§ 12-102. SCOPE.

NOTHING IN THIS SUBTITLE PRECLUDES AN EMPLOYER OR OTHER PERSON IN CHARGE FROM PROHIBITING SMOKING IN OPEN OR ENCLOSED AREAS NOT COVERED BY THIS SUBTITLE.

§§ 12-103 TO 12-104. {RESERVED}**§ 12-105. WHERE SMOKING PROHIBITED.**~~(A) IN GENERAL.~~

EXCEPT AS OTHERWISE SPECIFIED IN THIS SUBTITLE, SMOKING IS PROHIBITED IN:

- (1) ANY ENCLOSED AREA TO OR IN WHICH THE PUBLIC IS INVITED OR PERMITTED; OR
- (2) ANY ENCLOSED AREA THAT IS PART OF A PLACE OF EMPLOYMENT.

~~(B) ILLUSTRATIONS:~~

~~PLACES TO WHICH THIS SECTION APPLIES INCLUDE, FOR EXAMPLE, ANY OF THE FOLLOWING:~~

- ~~(1) AQUARIUM, GALLERY, LIBRARY, OR MUSEUM.~~
- ~~(2) BANK, SAVINGS AND LOAN COMPANY, CREDIT UNION, OR OTHER FINANCIAL INSTITUTION.~~
- ~~(3) BAR OR TAVERN.~~
- ~~(4) BOWLING ALLEY OR POOL HALL.~~
- ~~(5) CHILD OR ADULT CARE FACILITY.~~
- ~~(6) CITY BUILDING, INCLUDING ANY BUILDING OR PART OF A BUILDING THAT IS OWNED OR LEASED BY THE CITY OR A CITY AGENCY OR THAT IS OCCUPIED BY A CITY AGENCY.~~

- ~~(7) COMMON AREA OF AN APARTMENT BUILDING, CONDOMINIUM, RETIREMENT FACILITY, OR OTHER MULTI-UNIT RESIDENTIAL FACILITY, INCLUDING LOBBIES, HALLWAYS, LAUNDRY FACILITIES, STORAGE FACILITIES, AND GARAGES.~~
- ~~(8) CONVENTION OR CONFERENCE FACILITY.~~
- ~~(9) EDUCATIONAL FACILITY, PUBLIC OR PRIVATE.~~
- ~~(10) GAMING FACILITY.~~
- ~~(11) HOMELESS SHELTER.~~
- ~~(12) HOSPITAL, CLINIC, NURSING HOME, OR OTHER HEALTH CARE FACILITY.~~
- ~~(13) HOTEL OR MOTEL.~~
- ~~(14) PRIVATE OFFICES.~~
- ~~(15) RESTAURANT, CAFETERIA, CARRY-OUT SHOP, CATERING ESTABLISHMENT, OR OTHER FOOD SERVICE FACILITY.~~
- ~~(16) RETAIL STORE OR SERVICE CENTER.~~
- ~~(17) SHOPPING MALL.~~
- ~~(18) SPORTS ARENA.~~
- ~~(19) TAXICAB, BUS, VAN, OR OTHER VEHICLE USED FOR PUBLIC TRANSPORTATION OR TRANSPORTATION FOR HIRE.~~
- ~~(20) THEATER, MUSIC HALL, OR LECTURE HALL.~~
- ~~(21) VEHICLE OWNED OR OPERATED BY THE CITY.~~
- ~~(22) VEHICLE OWNED OR OPERATED BY AN EMPLOYER FOR THE USE OF ITS EMPLOYEES.~~
- ~~(23) AREA OR FACILITY SERVING OR ACCESSORY TO ANY OF THE PLACES TO WHICH THIS SECTION APPLIES, INCLUDING ANY OF THE FOLLOWING:~~
 - ~~(i) RESTROOM.~~
 - ~~(ii) LOBBY.~~
 - ~~(iii) ELEVATOR.~~
 - ~~(iv) HALLWAY.~~
 - ~~(v) RECEPTION AREA.~~
 - ~~(vi) GARAGE OR LOADING DOCK, EVEN IF ENTRY DOOR IS OPEN.~~

§ 12-106. EXCEPTIONS – GENERAL.

THIS SUBTITLE DOES NOT APPLY TO THE FOLLOWING:

- ~~(1) A PRIVATE RESIDENCE, EXCEPT IN OR IMMEDIATELY ADJACENT TO AN AREA THAT IS BEING USED AS A CHILD-OR ADULT-CARE FACILITY OR THAT IS OPEN TO THE PUBLIC FOR BUSINESS PURPOSES.~~
- (1) ANY PART OF A PRIVATE RESIDENCE THAT IS NOT OPEN TO THE PUBLIC FOR BUSINESS PURPOSES, EXCEPT AS REQUIRED BY COMAR 13A.14.01.
- (2) A PRIVATE VEHICLE.
- (3) A SLEEPING ROOM IN A HOTEL OR MOTEL, AS LONG AS THAT HOTEL OR MOTEL MAINTAINS AT LEAST 75% OF ALL ITS SLEEPING ROOMS AS SMOKE-FREE.
- (4) SMOKING AS AN INTEGRAL PART OF A THEATRICAL PERFORMANCE HELD IN A FACILITY PRIMARILY USED FOR THEATRICAL PERFORMANCES.
- (5) SMOKING AS AN INTEGRAL PART OF A RELIGIOUS CEREMONY.
- (6) SMOKING AT AN ANALYTICAL OR EDUCATIONAL LABORATORY AS AN INTEGRAL PART OF SCIENTIFIC RESEARCH INTO THE HEALTH EFFECTS OF SMOKE.
- (7) SMOKING THAT IS PERMITTED IN A HOSPITAL, NURSING HOME, OR OTHER HEALTH CARE FACILITY UNDER STATE HEALTH-GENERAL ARTICLE, § 24-205.

§ 12-107. EXCEPTIONS – PRIVATE CLUBS, SMOKING BARS, TOBACCONISTS.**(A) *IN GENERAL.***

THIS SUBTITLE DOES NOT APPLY TO A PRIVATE CLUB OR LODGE, A SMOKING BAR, OR A RETAIL TOBACCO ESTABLISHMENT THAT QUALIFIES ~~AND REGISTERS~~ FOR AN EXEMPTION UNDER THIS SECTION.

(B) *QUALIFICATIONS.*

- (1) A PRIVATE CLUB OR LODGE QUALIFIES ~~TO REGISTER~~ UNDER THIS SECTION ONLY IF IT:
 - (I) HAS A LIMITED MEMBERSHIP ELECTED PURSUANT TO ITS CHARTER OR BYLAWS;
 - (II) EXCLUDES THE GENERAL PUBLIC FROM ITS PREMISES OR PLACE OF MEETING;
 - (III) IS ORGANIZED WITH OFFICERS AND DIRECTORS;
 - (IV) HOLDS ALL PROPERTY FOR THE COMMON BENEFIT OF ITS MEMBERS; AND
 - (V) DOES NOT PERMIT NONMEMBERS TO PAY A TEMPORARY FEE TO USE ITS PREMISES OR ATTEND ITS MEETINGS.
- (2) A SMOKING BAR QUALIFIES ~~TO REGISTER~~ UNDER THIS SECTION ONLY IF IT:
 - (I) IS LICENSED UNDER STATE CODE ARTICLE 2B TO SERVE ALCOHOLIC BEVERAGES;

- (II) DERIVES AT LEAST 50% OF ITS REVENUES, MEASURED BY AVERAGE DAILY RECEIPTS, FROM THE SALE OF NON-CIGARETTE TOBACCO PRODUCTS;
 - (III) HAS A VENTILATION SYSTEM THAT PREVENTS SMOKE FROM INFILTRATING INTO ANY AREA WHERE SMOKING IS PROHIBITED UNDER THIS SUBTITLE; AND
 - (IV) PROHIBITS THE ENTRY OF MINORS AT ALL TIMES.
- (3) A RETAIL TOBACCO ESTABLISHMENT QUALIFIES ~~TO REGISTER~~ UNDER THIS SECTION ONLY IF IT:
- (I) DERIVES AT LEAST 75% OF ITS REVENUES, MEASURED BY AVERAGE DAILY RECEIPTS, FROM THE SALE OF NON-CIGARETTE TOBACCO PRODUCTS;
 - (II) HAS A VENTILATION SYSTEM THAT PREVENTS SMOKE FROM INFILTRATING INTO ANY AREA WHERE SMOKING IS PROHIBITED UNDER THIS SUBTITLE; AND
 - (III) PROHIBITS THE ENTRY OF MINORS AT ALL TIMES.

~~(C) ANNUAL REGISTRATION:~~

- ~~(1) FOR EXEMPTION UNDER THIS SECTION, A PRIVATE CLUB OR LODGE, SMOKING BAR, OR RETAIL TOBACCO ESTABLISHMENT MUST FIRST:~~
 - ~~(i) FILE A REGISTRATION STATEMENT WITH THE HEALTH COMMISSIONER; AND~~
 - ~~(ii) PAY AN INITIAL REGISTRATION FEE OF \$1,000.~~
- ~~(2) THE REGISTRATION STATEMENT MUST BE IN THE FORM AND CONTAIN THE INFORMATION, INCLUDING EVIDENCE OF THE ENTITY'S QUALIFICATIONS, THAT THE COMMISSIONER REQUIRES.~~
- ~~(3) EACH EXEMPTION EXPIRES 1 YEAR FROM THE DATE THE REGISTRATION STATEMENT WAS FILED.~~
- ~~(4) AN EXEMPTION MAY BE RENEWED ANNUALLY BY SUBMITTING, AT LEAST 10 DAYS BUT NO MORE THAN 60 DAYS BEFORE EXPIRATION:~~
 - ~~(i) A NEW REGISTRATION STATEMENT; AND~~
 - ~~(ii) A RENEWAL REGISTRATION FEE OF \$500.~~

§ 12-108. WAIVERS.

(A) *AUTHORITY TO GRANT.*

~~ON WRITTEN APPLICATION, THE COMMISSIONER MAY GRANT A WAIVER FROM ALL OR PART OF THIS SUBTITLE IF THE COMMISSIONER DETERMINES THAT:~~

- ~~(1) COMPELLING REASONS EXIST FOR THE WAIVER; AND~~
- ~~(2) THE WAIVER WILL NOT SIGNIFICANTLY AFFECT THE HEALTH OR COMFORT OF NONSMOKERS.~~

ON WRITTEN APPLICATION, THE COMMISSIONER MAY GRANT A WAIVER FROM THE APPLICATION OF A SPECIFIC PROVISION OF THIS SUBTITLE, IF THE APPLICANT FOR THE WAIVER ESTABLISHES THAT:

(1) COMPLIANCE WITH THAT PROVISION WOULD CAUSE UNDUE FINANCIAL HARDSHIP; OR

(2) OTHER FACTORS EXIST THAT WOULD RENDER COMPLIANCE UNREASONABLE.

(B) *CONDITIONS AND ~~LIMITATIONS~~ RESTRICTIONS.*

~~THE COMMISSIONER MAY IMPOSE CONDITIONS ON THE WAIVER, INCLUDING LIMITATIONS ON TIME, PLACE, OR MANNER OF ITS EXERCISE, AS THE CIRCUMSTANCES WARRANT.~~

THE COMMISSIONER MAY IMPOSE CONDITIONS OR RESTRICTIONS ON THE WAIVER AS NECESSARY OR APPROPRIATE TO:

(1) MINIMIZE THE ADVERSE EFFECTS OF THE WAIVER ON INDIVIDUALS INVOLUNTARILY EXPOSED TO SECOND-HAND SMOKE; AND

(2) ENSURE THAT THE WAIVER IS CONSISTENT WITH THE PURPOSES OF THIS SUBTITLE.

§§ 12-109 TO 12-110. {RESERVED}

§ 12-111. ENFORCEMENT BY CITATION.

(A) *IN GENERAL.*

IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT PROCEDURE, THIS SUBTITLE MAY BE ENFORCED BY ISSUANCE OF:

(1) AN ENVIRONMENTAL CITATION AS AUTHORIZED BY CITY CODE ARTICLE 1, SUBTITLE 40 {"ENVIRONMENTAL CONTROL BOARD"}; OR

(2) A CIVIL CITATION AS AUTHORIZED BY CITY CODE ARTICLE 1, SUBTITLE 41 {"CIVIL CITATIONS"}

(B) *PROCESS NOT EXCLUSIVE.*

THE ISSUANCE OF A CITATION TO ENFORCE THIS SUBTITLE DOES NOT PRECLUDE PURSUING ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION AUTHORIZED BY LAW.

§ 12-112. PENALTIES

(A) *SMOKER.*

ANY PERSON WHO SMOKES IN VIOLATION OF THIS SUBTITLE IS ~~GUilty OF A MISDEMEANOR AND, ON CONVICTION, IS~~ SUBJECT TO A CIVIL FINE OF NOT MORE THAN ~~\$500~~ \$250 FOR EACH OFFENSE.

(B) *EMPLOYER OR PERSON IN CHARGE.*

~~(1) AN EMPLOYER OR OTHER PERSON IN CHARGE WHO FAILS TO PREVENT A VIOLATION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000.~~

~~(2) IT IS AN AFFIRMATIVE DEFENSE THAT THE EMPLOYER, OTHER PERSON IN CHARGE, OR AN AGENT OF THE EMPLOYER OR OTHER PERSON IN CHARGE:~~

- ~~(i) ASKED THE SMOKER TO EXTINGUISH THE LIGHTED ITEM OR LEAVE THE PREMISES; AND~~
- ~~(ii) ON THE SMOKER'S FAILURE TO COMPLY WITH THAT REQUEST, SUMMONED A LAW ENFORCEMENT OR OTHER OFFICER TO COMPEL COMPLIANCE.~~
- (1) ANY EMPLOYER OR OTHER PERSON IN CHARGE WHO VIOLATES A PROVISION OF THIS SUBTITLE OR WHO KNOWINGLY ALLOWS A VIOLATION IS SUBJECT TO A CIVIL FINE OF NOT MORE THAN \$500 FOR EACH OFFENSE.
- (2) IT IS AN AFFIRMATIVE DEFENSE THAT THE EMPLOYER, OTHER PERSON IN CHARGE, OR AN AGENT OF THE EMPLOYER OR OTHER PERSON IN CHARGE:
- (I) POSTED A "NO SMOKING" SIGN AT EACH ENTRANCE USED BY THE PUBLIC; AND
- (II) REMOVED ALL ASHTRAYS AND OTHER SMOKING PARAPHERNALIA FROM ALL AREAS WHERE SMOKING IS PROHIBITED; AND
- (III) IN A BAR OR RESTAURANT:
- (A) REFUSED TO SEAT OR SERVE ANY PERSON WHO SMOKED WHERE SMOKING IS PROHIBITED; AND
- (B) IF THE PERSON CONTINUED TO SMOKE AFTER AN INITIAL WARNING, ASKED THE PERSON TO LEAVE THE ESTABLISHMENT.
- (3) EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 40-14. Violations to which subtitle applies.

(e) *Provisions and penalties enumerated.*

(7) ***Health Code***

Title 12: Tobacco Products

[Subtitle 1: Smoking in City Buildings and Vehicles	\$ 25]
SUBTITLE 1: INDOOR SMOKING	
PERSON SMOKING	\$250
EMPLOYER, OTHER PERSON IN CHARGE	\$500
Subtitle 2: Sale of Unpackaged Cigarettes	\$150
Subtitle 4: Placement of Tobacco Products	\$500

Subtitle 5: Distribution to Minors \$500

Subtitle 41. Civil Citations

§ 41-14. Offenses to which subtitle applies – Listing.

(6) *Health Code*

Title 12: Tobacco Products

SUBTITLE 1: INDOOR SMOKING

PERSON SMOKING \$250

EMPLOYER, OTHER PERSON IN CHARGE \$500

Subtitle 2: Sale of Unpackaged Cigarettes \$150

Subtitle 4: Placement of Tobacco Products \$500

Subtitle 5: Distribution to Minors \$500

SECTION 3. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on ~~July 1, 2006~~ January 1, 2008.

Approved February 28, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-393
(Council Bill 06-563)**

AN ORDINANCE CONCERNING

Zoning – Conditional Use – Amending Ordinance 06-343

FOR the purpose of amending Ordinance 06-343 to revise the Exhibit date.

BY repealing and reordaining, with amendments

Ordinance 06-343

Section(s) 1

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Ordinance 06-343

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of a parking, open-off street area on the property known as 5809-5817 Park Heights Avenue, as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 4-904(1) and 14-102, subject to the following conditions:

1. The Site Plan for this open off-street parking lot, entitled "Jewish Community Center Off Site Parking Lots (EXHIBIT A)" and dated "[January 17, 2006] JULY 24, 2006", is made a part of this Ordinance. No change may be made to the Site Plan without the prior approval of the Planning Department.
2. The parking, open off-street area must comply with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved March 5, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-394
(Council Bill 06-372)**

AN ORDINANCE CONCERNING

Razoring – Certain Properties in the Brewer's Hill Area

FOR the purpose of changing the zoning for certain properties in the Brewer's Hill Area, as outlined in yellow on the accompanying plat, from the M-3 Zoning District to the R-8 Zoning District; as outlined in red on the accompanying plat, from the M-3 Zoning District to the B-2-2 Zoning District; as outlined in blue on the accompanying plat from the M-2-2 Zoning District to the R-8 Zoning District; and as outlined in orange on the accompanying plat, from the M-2-2 Zoning District to the B-2-2 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 68
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet 68 of the Zoning District Maps is amended by changing the zoning for the following properties, all as outlined on the plat accompanying this Ordinance:

Properties to be rezoned from the M-3 Zoning District to the R-8 Zoning District, as outlined in yellow:

3720 Dillon Street
3800 Dillon Street
3900 Dillon Street
910 Grundy Street
Block 6467, Lot 027

Properties to be rezoned from the M-3 Zoning District to the B-2-2 Zoning District, as outlined in red:

3601 Dillon Street
3701 Dillon Street
3901 Dillon Street
1211 S. Conkling Street
3701 O'Donnell Street
Block 6486, Lot 003
3601 O'Donnell Street
Block 6498A, Lot 004
3600 Boston Street

Properties to be rezoned from the M-2-2 Zoning District to the R-8 Zoning District, as outlined in blue:

1200 S. Conkling Street

Properties to be rezoned from the M-2-2 Zoning District to the B-2-2 Zoning District, as outlined in orange:

3400 Boston Street
Block 6492, Lot 017
3500 Boston Street

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved March 14, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-395
(Council Bill 07-574)**

AN ORDINANCE CONCERNING

**City Property – Naming the Baltimore City Police Department Headquarters
to be the Bishop L. Robinson, Sr. Headquarters Police Administration Building**

FOR the purpose of naming the Baltimore City Police Department Headquarters, located at 601 East Fayette Street, to be the Bishop L. Robinson, Sr. Headquarters Police Administration Building; and providing for a special effective date.

BY authority of

Article 5 - Finance, Property, and Procurement
Section 20-2
Baltimore City Code
(Edition 2000)

Recitals

Bishop L. Robinson, the first African American to serve as Police Commissioner of Baltimore City, has had a distinguished career of more than 50 years of service to the citizens of Baltimore and to the citizens of Maryland.

In 1951, he began his law enforcement career as a park police patrolman, and, in 1953, he left the Police Department to work with the federal Bureau of Narcotics and Dangerous Drugs. After a year, he returned to become a detective on the fledgling narcotics squad. In 1967, he took a position with the training division and began a decade-long rise through the ranks that included command of the Eastern District, the patrol division, and the operations bureau, the Number 2 position in the Police Department at that time. In 1984, he was appointed Police Commissioner, and, in 1987, he was appointed Secretary of Public Safety and Correctional Services for the State of Maryland, a position that he held for 10 years. He also served as the Interim Secretary of Juvenile Justice from December 15, 1999 to April 6, 2000, and then he served as the Secretary of Juvenile Justice from April 6, 2000, to January 15, 2003.

At the time he was appointed Police Commissioner, he recalled that he always tried to keep to four guiding principles in his life: prudence, integrity, morality, and God. And referring to a subject that became an issue years before his appointment, he said that it was those principles, coupled with his experience and education, that brought him to the command of the police force — not color. He also said that Baltimore was “one city, one people” and that he would serve as Police Commissioner “to all the people”. And his actions as Police Commissioner show that he did just that. Baltimore and the State of Maryland are better places today because of Bishop L. Robinson’s contributions of service.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Baltimore City Police Department Headquarters, located at 601 East Fayette Street, is named the Bishop L. Robinson, Sr. Headquarters Police Administration Building.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on ~~the 30th day after~~ the date it is enacted.

Approved March 14, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-396
(Council Bill 06-375)**

AN ORDINANCE CONCERNING

Razoring – 2/40 East Wells Street

FOR the purpose of changing the zoning for the property known as 2/40 East Wells Street, as outlined in red on the accompanying plat, from the M-2-2 Zoning District to the R-8 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 66
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet 66 of the Zoning District Maps is amended by changing from the M-2-2 Zoning District to the R-8 Zoning District the property known as 2/40 East Wells Street, as outlined in red on the plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved March 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-397
(Council Bill 06-436)**

AN ORDINANCE CONCERNING

Sale of Property – 251-253 South Ann Street (Block 1754, Lot 26)

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain property known as 251-253 South Ann Street (Block 1754, Lot 26) and no longer needed for public use; and providing for a special effective date.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in the property known as 251-253 South Ann Street (Block 1754, Lot 26), and more particularly described as follows:

The subject parcel (Block 1754, Lot 26) is an improved property, containing 0.106 acres.

This property being no longer needed for public use.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved March 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-398
(Council Bill 06-438)**

AN ORDINANCE CONCERNING

Mopeds and Motor Scooters — Registration and Operation

FOR the purpose of reauthorizing the use of certain mopeds and motor scooters, subject to certain conditions; ~~reinstating registration requirements for these vehicles;~~ prohibiting certain uses of these and other vehicles; defining certain terms; imposing certain penalties; clarifying certain language; authorizing enforcement and administration by the Department of Transportation; and generally relating to mopeds, motor scooters, dirt bikes, and unregistered motorcycles and similar vehicles.

BY repealing and reordaining, with amendments

Article 19 - Police Ordinances
Section(s) 40-1 through 40-21, inclusive, to be under the renamed
“Subtitle 40. Unregistered Motorcycles and Similar Vehicles”
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code**Article 19. Police Ordinances****Subtitle 40. [Dirt Bikes,] Unregistered Motorcycles[,]
and Similar Vehicles*****PART 1. DEFINITIONS; GENERAL PROVISIONS*****§ 40-1. Definitions.****(a) *In general.***

In this subtitle, the following words have the meaning indicated.

(B) *DEPARTMENT.*

“DEPARTMENT” MEANS THE MAYOR’S DEPARTMENT OF TRANSPORTATION.

(C) [(b)] *Dirt bike.*

(1) “Dirt bike” means any motorcycle or similar vehicle that is not registered under the Maryland Vehicle Law ~~OR THIS SUBTITLE~~.

(2) “Dirt bike” includes:

(i) a minibike;

(ii) an all-terrain vehicle of either the 3- or 4-wheel variety; and

(iii) any other motorcycle or similar vehicle that is not eligible for registration under the Maryland Vehicle Law ~~OR THIS SUBTITLE~~.

(D) [(c)] *Minibike.*

“Minibike” means a motor vehicle that:

(1) has a saddle for the use of the rider;

(2) is designed to travel on not more than 3 wheels in contact with the ground;

(3) is not eligible for registration under the Maryland Vehicle Law ~~OR THIS SUBTITLE~~; and

(4) has:

(i) a 10-inch (254 mm) or less nominal wheel-rim diameter;

(ii) 40 inches or less wheel base;

(iii) 25 inches or less seat height, measured at the lowest point on the top of the seat cushion without rider; or

(iv) a propelling engine with piston displacement of 50 cc or less.

~~(E) MOPED.~~

~~"MOPED" HAS THE MEANING STATED IN STATE TRANSPORTATION ARTICLE § 11-134.1.~~

(E) ~~(F)~~ [(d)] *Motorcycle or similar vehicle.*

(1) "Motorcycle or similar vehicle" means [a] ANY motor vehicle that is designed to travel on not more than 3 wheels in contact with ground.

(2) "Motorcycle or similar vehicle" includes:

~~(i) a minibike;~~

~~(ii) A MOPED; AND~~

~~(iii) [(ii)] a motor scooter[, and~~

~~(iii) a bicycle with motor attached].~~

(F) ~~(G)~~ *MOTOR SCOOTER.*

"MOTOR SCOOTER" HAS THE MEANING STATED IN STATE TRANSPORTATION ARTICLE § 11-134.4.

(G) ~~(H)~~ [(e)] *Unregistered motorcycle or similar vehicle.*

"Unregistered motorcycle or similar vehicle" means a motorcycle or similar vehicle that:

(1) is eligible for registration under the Maryland Vehicle Law ~~OR THIS SUBTITLE~~; but

(2) is not in fact registered.

§ 40-2. Exclusions from subtitle.

(a) *In general.*

This subtitle does not apply to any of the following while being used for their designed purposes:

(1) tractors;

(2) snowblowers;

(3) lawn mowers;

(4) wheel chairs; or

(5) golf carts.

(b) *Government vehicles.*

This subtitle does not apply to any vehicle owned and operated by an agency or instrumentality of Federal, State, City, or other local government.

§ 40-3. Rules and regulations.

- (a) *[Commissioner] DEPARTMENT may adopt.*

The [Police Commissioner] DEPARTMENT OF TRANSPORTATION may adopt rules and regulations to carry out this subtitle.

- (b) *Filing with Legislative Reference.*

A copy of all rules and regulations must be filed with the Department of Legislative Reference before they take effect.

§§ 40-4 to 40-5. {Reserved}***PART 2. PROHIBITED OPERATIONS*****§ 40-6. [Prohibited conduct – riding or driving] ~~UNREGISTERED VEHICLES~~ DRIVING OR RIDING.**

- ~~(A) DRIVING OR RIDING.~~

No person may drive or ride any dirt bike or any unregistered motorcycle or similar vehicle on any public or private property that is located in Baltimore City or, wherever located, that is owned or regulated by the City.

[§ 40-7. Prohibited conduct – permitting another to ride or drive.]

- ~~(B) PERMITTING ANOTHER TO DRIVE OR RIDE.~~

§ 40-7. PERMITTING OTHER TO DRIVE OR RIDE.

No owner or other person in control or custody of a dirt bike or an unregistered motorcycle or similar vehicle may permit it to be driven or ridden by any other person on any public or private property that is located in Baltimore City or, wherever located, that is owned or regulated by the City.

~~§ 40-7. REGISTERED MOPEDS AND SCOOTERS – REGISTRATION PLATE OR STICKER.~~

- ~~(A) DRIVING OR RIDING WITHOUT PLATE OR TAG.~~

~~NO PERSON MAY DRIVE OR RIDE ANY MOPED OR MOTOR SCOOTER ON ANY PUBLIC OR PRIVATE PROPERTY UNLESS THE VEHICLE DISPLAYS A REGISTRATION PLATE WITH VALIDATION STICKER, AS REQUIRED BY THIS SUBTITLE.~~

- ~~(B) PERMITTING ANOTHER TO DRIVE OR RIDE.~~

~~NO OWNER OR OTHER PERSON IN CONTROL OR CUSTODY OF A MOPED OR MOTOR SCOOTER MAY PERMIT IT TO BE DRIVEN OR RIDDEN BY ANY OTHER PERSON ON ANY PUBLIC OR PRIVATE PROPERTY UNLESS THE VEHICLE DISPLAYS A REGISTRATION PLATE WITH VALIDATION STICKER, AS REQUIRED BY THIS SUBTITLE.~~

~~§ 40-8. REGISTERED MOPEDS AND SCOOTERS – PRIVATE PROPERTY.~~

~~NO PERSON MAY DRIVE OR RIDE ANY MOPED OR MOTOR SCOOTER ON ANY PRIVATE PROPERTY WITHOUT THE EXPRESS PERMISSION OF A PERSON WITH AN INTEREST IN THAT PROPERTY.~~

~~§ 40-9~~ § 40-8. [40-8.] [Prohibited conduct – parents] PARENTS and guardians.

No parent or guardian of a minor may knowingly permit the minor to violate any provision of § 40-6, ~~for~~ § 40-7, ~~or~~ § 4-8 of this subtitle.

~~§ 40-10~~ § 40-9. [40-9.] Prohibited conduct – motor fuel sales.

(a) *In general.*

No service station nor any other person may sell, transfer, or dispense motor fuel for delivery into any dirt bike or into any unregistered motorcycle or similar vehicle.

(b) *Enforcement by citation.*

- (1) In addition to any other civil or criminal remedy or enforcement procedure, this section may be enforced by issuance of a civil citation under City Code Article 1, Subtitle 41 {“Civil Citations”}.
- (2) The issuance of a civil citation to enforce this section does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

~~§ 40-11~~ § 40-10. [40-10.] *{Reserved}****PART 3. REGISTRATION OF MOPED AND SCOOTERS*****~~§ 40-12. ANNUAL REGISTRATION REQUIRED.~~**

~~(A) IN GENERAL.~~

~~A MOPED OR MOTOR SCOOTER MUST BE REGISTERED ANNUALLY AS PROVIDED IN THIS SUBTITLE.~~

~~(B) EXCEPTION FOR CERTAIN NONRESIDENTS.~~

~~REGISTRATION OF A MOPED OR MOTOR SCOOTER OWNED BY A NONRESIDENT OF THE CITY IS NOT REQUIRED WHEN THE VEHICLE IS DRIVEN IN A COMPETITION OR EVENT SANCTIONED BY THE AMERICAN MOTORCYCLE ASSOCIATION OR SIMILAR ORGANIZATION.~~

~~§ 40-13. APPLICATION FOR REGISTRATION.~~

~~(A) WHO MUST REGISTER.~~

~~THE ADULT OWNER OF A MOPED OR MOTOR SCOOTER, OR A PARENT OR LEGAL GUARDIAN OF A MINOR OWNER, MUST APPLY TO THE DEPARTMENT OF TRANSPORTATION FOR REGISTRATION OF THE VEHICLE.~~

~~(B) REQUIRED INFORMATION.~~

- ~~(1) THE APPLICATION MUST CONTAIN THE INFORMATION THAT THE DEPARTMENT REASONABLY REQUIRES TO DETERMINE IF THE VEHICLE IS ENTITLED TO REGISTRATION.~~

~~(2) THE APPLICATION MUST BE ACCOMPANIED BY:~~

~~(i) THE CURRENT CERTIFICATE OF TITLE FOR THE VEHICLE;~~

~~(ii) A CERTIFICATE OF ORIGIN; OR~~

~~(iii) A GENUINE BILL OF SALE.~~

~~§ 40-14. DENIAL OF REGISTRATION:~~

~~THE DEPARTMENT OF TRANSPORTATION MAY REFUSE REGISTRATION OF ANY VEHICLE IF:~~

~~(1) THE APPLICATION CONTAINS ANY FALSE OR FRAUDULENT STATEMENT;~~

~~(2) THE APPLICANT HAS FAILED TO FURNISH INFORMATION OR DOCUMENTS REQUIRED BY THE DEPARTMENT;~~

~~(3) ANY REQUIRED FEE HAS NOT BEEN PAID;~~

~~(4) THE APPLICANT IS BY LAW NOT ENTITLED TO REGISTER A MOPED OR MOTOR SCOOTER;~~

~~(5) THE REGISTRATION OF THE MOPED OR MOTOR SCOOTER HAS BEEN SUSPENDED OR REVOKED;~~

~~(6) DURING THE PRECEDING 3-YEAR PERIOD, ANY MOPED OR MOTOR SCOOTER REGISTERED TO THE APPLICANT (OR, ON THE APPLICANT'S BEHALF, TO THE APPLICANT'S PARENT OR LEGAL GUARDIAN) HAS BEEN FORFEITED; OR~~

~~(7) THE DEPARTMENT HAS REASONABLE GROUNDS TO BELIEVE THAT:~~

~~(i) THE VEHICLE IS STOLEN;~~

~~(ii) THE OPERATOR HAS VIOLATED THE PROVISIONS OF THIS SUBTITLE; OR~~

~~(iii) THE GRANT OF REGISTRATION WOULD BE FRAUD AGAINST ANOTHER PERSON.~~

~~§ 40-15. APPROVAL OF REGISTRATION; FEE:~~

~~(A) APPROVAL:~~

~~THE DEPARTMENT OF TRANSPORTATION MUST:~~

~~(1) REGISTER THE MOPED OR MOTOR SCOOTER IF IT FINDS THAT THE APPLICANT IS ENTITLED TO THE REGISTRATION; AND~~

~~(2) KEEP A RECORD OF THE REGISTRATION IN A MANNER THAT PERMITS IDENTIFICATION OF THE VEHICLE AND ITS OWNER.~~

~~(B) FEE:~~

~~THE FEES FOR REGISTRATION, RENEWALS, AND REPLACEMENTS ARE AS SET BY THE BOARD OF ESTIMATES FROM TIME TO TIME.~~

~~§ 40-16. REGISTRATION CERTIFICATE.~~**~~(A) ISSUANCE.~~**

~~WHEN IT REGISTERS A MOPED OR MOTOR SCOOTER, THE DEPARTMENT OF TRANSPORTATION MUST ISSUE TO THE REGISTRANT A CERTIFICATE THAT STATES:~~

- ~~(1) THE DATE ISSUED AND DATE OF EXPIRATION;~~
- ~~(2) THE NAME AND ADDRESS OF THE OWNER AND, IF THE OWNER IS A MINOR, OF THE PARENT OR GUARDIAN;~~
- ~~(3) THE REGISTRATION NUMBER ASSIGNED BY THE DEPARTMENT TO THE VEHICLE;~~
- ~~(4) THE SERIAL NUMBER (OR NUMBERS IF MORE THAN 1) ASSIGNED TO THE ENGINE AND FRAME BY THE MANUFACTURER; AND~~
- ~~(5) A DESCRIPTION OF THE VEHICLE AS REQUIRED BY THE DEPARTMENT.~~

~~(B) FORM OF REGISTRATION NUMBER.~~

~~THE REGISTRATION MAY CONSIST OF LETTERS, NUMERALS, OR BOTH.~~

~~(C) POSSESSION AND DISPLAY.~~

~~THE REGISTRATION CERTIFICATE MUST BE CARRIED AT ALL TIMES BY THE PERSON OPERATING THE VEHICLE, WHO MUST DISPLAY IT, ON DEMAND, TO ANY POLICE OFFICER WHO IS IDENTIFIED AS A POLICE OFFICER.~~

~~§ 40-17. REGISTRATION PLATE.~~**~~(A) ISSUANCE.~~**

~~WHEN IT REGISTERS A MOPED OR MOTOR SCOOTER, THE DEPARTMENT OF TRANSPORTATION MUST ISSUE TO THE OWNER 1 REGISTRATION PLATE.~~

~~(B) FORM AND CONTENT.~~

- ~~(1) REGISTRATION PLATES MUST BE MANUFACTURED OF A MATERIAL WARRANTED TO HAVE DURABILITY OF AT LEAST 5 YEARS. THE PHYSICAL CHARACTERISTICS OF THE REGISTRATION PLATE MUST MEET THE STANDARDS ESTABLISHED BY THE STATE MOTOR VEHICLE ADMINISTRATION.~~
- ~~(2) THE REGISTRATION PLATE MUST DISPLAY:~~
 - ~~(i) THE REGISTRATION NUMBER ASSIGNED TO THE VEHICLE FOR WHICH IT IS ISSUED; AND~~
 - ~~(ii) THE NAME OF THE CITY, WHICH MAY BE ABBREVIATED.~~

~~(C) DISPLAY ON VEHICLE.~~

- ~~(1) THE REGISTRATION PLATE MUST BE ATTACHED TO THE REAR OF THE VEHICLE.~~

~~(2) AT ALL TIMES, THE REGISTRATION PLATE MUST BE SECURELY FASTENED TO THE VEHICLE FOR WHICH IT IS ISSUED:~~

~~(i) IN A HORIZONTAL POSITION;~~

~~(ii) IN A MANNER THAT PREVENTS THE PLATE FROM SWINGING;~~

~~(iii) IN A PLACE AND POSITION TO BE CLEARLY VISIBLE; AND~~

~~(iv) WITH ADEQUATE LIGHTING TO ALLOW IT TO BE CLEARLY VISIBLE DURING NON-DAYLIGHT HOURS.~~

~~(3) AT ALL TIMES, THE REGISTRATION PLATE MUST BE:~~

~~(i) MAINTAINED FREE FROM FOREIGN MATERIALS; AND~~

~~(ii) CLEARLY LEGIBLE.~~

~~§ 40-18. RENEWAL OF REGISTRATION.~~

~~(A) DEPARTMENT PREROGATIVES.~~

~~FOR SUBSEQUENT REGISTRATION YEARS, THE DEPARTMENT OF TRANSPORTATION MAY:~~

~~(1) ISSUE A VALIDATION STICKER TO EVIDENCE PAYMENT OF THE ANNUAL REGISTRATION FEE, OR~~

~~(2) ISSUE A NEW REGISTRATION PLATE.~~

~~(B) DISPLAY OF STICKER.~~

~~A VALIDATION STICKER MUST BE DISPLAYED ON THE REGISTRATION PLATE IN THE MANNER THAT THE DEPARTMENT REQUIRES.~~

~~(C) EXPIRATION OF REGISTRATION.~~

~~UNLESS ANNUAL VALIDATION STICKERS HAVE BEEN ISSUED BY THE DEPARTMENT AND ARE DISPLAYED ON THE PLATE AS PROVIDED IN THIS SUBTITLE, THE REGISTRATION OF THE MOPED OR MOTOR SCOOTER EXPIRES ON A DATE DETERMINED BY THE DEPARTMENT.~~

~~§ 40-19. CHANGE OF ADDRESS OR NAME.~~

~~(A) CHANGE OF ADDRESS.~~

~~IF THE PERSON WHO HAS APPLIED FOR OR OBTAINED THE REGISTRATION OF A MOPED OR MOTOR SCOOTER MOVES FROM THE ADDRESS GIVEN IN THE APPLICATION OR SHOWN ON THE REGISTRATION CERTIFICATE, THE PERSON MUST, WITHIN 30 DAYS OF THE CHANGE, NOTIFY THE DEPARTMENT IN WRITING OF THE PERSON'S FORMER AND NEW ADDRESSES AND APPLY FOR A CORRECTED REGISTRATION CERTIFICATE.~~

~~(B) CHANGE OF NAME.~~

~~IF THE NAME OF ANY PERSON WHO HAS APPLIED FOR OR OBTAINED THE REGISTRATION OF A MOPED OR MOTOR SCOOTER IS LATER CHANGED, THE PERSON MUST, WITHIN 30 DAYS OF THE CHANGE, NOTIFY THE~~

DEPARTMENT OF THE FORMER AND NEW NAMES AND APPLY FOR A CORRECTED REGISTRATION CERTIFICATE.

~~§ 40-20. LOST, MUTILATED, ETC., CERTIFICATES, PLATES, ETC.~~

~~(A) OPERATION PROHIBITED PENDING REPLACEMENT:~~

~~IF A REGISTRATION CERTIFICATE, REGISTRATION PLATE, OR VALIDATION STICKER IS LOST, STOLEN, MUTILATED, DESTROYED, OR BECOMES ILLEGIBLE, THE VEHICLE FOR WHICH IT WAS ISSUED MAY NOT BE OPERATED UNTIL A REPLACEMENT IS OBTAINED.~~

~~(B) NOTICE AND APPLICATION:~~

~~WITHIN 48 HOURS AFTER THE LOSS, THEFT, MUTILATION, DESTRUCTION, OR ILLEGIBILITY IS DISCOVERED, THE ADULT OWNER OR A PARENT OR LEGAL GUARDIAN OF A MINOR OWNER OF THE VEHICLE MUST NOTIFY THE DEPARTMENT AND APPLY FOR A REPLACEMENT.~~

~~(C) REPLACEMENTS:~~

~~THE DEPARTMENT MUST ISSUE A REPLACEMENT ON RECEIVING:~~

- ~~(1) EVIDENCE SATISFACTORY TO THE DEPARTMENT OF THE LOSS, THEFT, MUTILATION, DESTRUCTION, OR ILLEGIBILITY;~~
- ~~(2) PAYMENT OF THE APPLICABLE FEE; AND~~
- ~~(3) WHEN APPROPRIATE, RETURN OF THE ORIGINAL CERTIFICATE, PLATE, OR STICKER.~~

~~§ 40-21. SALE OR OTHER TRANSFER OF VEHICLE.~~

~~(A) REGISTRATION EXPIRES AUTOMATICALLY:~~

- ~~(1) IF THE OWNER OF A REGISTERED MOPED OR MOTOR SCOOTER ASSIGNS OR OTHERWISE TRANSFERS TITLE OR INTEREST IN THE VEHICLE, THE REGISTRATION OF THE VEHICLE EXPIRES:~~
- ~~(2) THE FORMER OWNER MUST REMOVE THE REGISTRATION PLATE FROM THE VEHICLE AND SURRENDER IT, TOGETHER WITH ALL OTHER EVIDENCE OF REGISTRATION, INCLUDING THE REGISTRATION CERTIFICATE, TO THE DEPARTMENT OF TRANSPORTATION FOR CANCELLATION:~~

~~(B) NEW OWNER TO REGISTER VEHICLE:~~

~~BEFORE THE TRANSFEREE MAY OPERATE THE VEHICLE OR PERMIT IT TO BE OPERATED, THE TRANSFEREE MUST APPLY FOR AND OBTAIN A NEW REGISTRATION OF THE VEHICLE.~~

~~(C) SELLER TO INFORM BUYER OF REGISTRATION REQUIREMENTS:~~

~~ANY PERSON WHO SELLS A MOPED OR MOTOR SCOOTER MUST INFORM THE BUYER THAT REGISTRATION IS REQUIRED BEFORE THE VEHICLE MAY BE OPERATED.~~

~~§§ 40-22 TO 40-25. {RESERVED}~~

~~PART 4. SUSPENSION OR REVOCATION OF REGISTRATION~~

~~§ 40-26. GROUNDS FOR SANCTIONS.~~

~~(A) IN GENERAL.~~

~~THE DEPARTMENT OF TRANSPORTATION MAY SUSPEND OR REVOKE THE REGISTRATION OF ANY MOPED OR MOTOR SCOOTER IF THE DEPARTMENT DETERMINES THAT:~~

- ~~(1) THE REGISTRATION WAS FRAUDULENTLY OBTAINED OR ERRONEOUSLY ISSUED;~~
- ~~(2) THE REQUIRED FEE HAS NOT BEEN PAID AFTER REASONABLE NOTICE AND DEMAND;~~
- ~~(3) THE VEHICLE HAS BEEN DISMANTLED OR WRECKED;~~
- ~~(4) A REGISTRATION CERTIFICATE, REGISTRATION PLATE, OR VALIDATION STICKER NOT ISSUED FOR THAT VEHICLE IS DISPLAYED ON OR FOR THAT VEHICLE; OR~~
- ~~(5) THE VEHICLE HAS BEEN OPERATED BY ANY PERSON IN VIOLATION OF ANY OF THE PROVISIONS OF THIS SUBTITLE.~~

~~(B) DEFENSE.~~

~~THE DEPARTMENT MAY NOT SUSPEND OR REVOKE THE REGISTRATION OF A VEHICLE SOLELY BECAUSE OF AN ACT OR OMISSION BY A PERSON OTHER THAN THE VEHICLE'S OWNER COMMITTED OR OMITTED WHILE THE VEHICLE WAS UNLAWFULLY IN THAT OTHER PERSON'S POSSESSION.~~

~~§ 40-27. AVAILABLE SANCTIONS.~~

~~(A) OPERATION IN VIOLATION OF SUBTITLE.~~

~~FOR VIOLATIONS DESCRIBED IN § 40-26(A)(5) OF THIS SUBTITLE, THE DEPARTMENT OF TRANSPORTATION MAY TAKE THE FOLLOWING ACTION:~~

- ~~(1) FOR THE 1ST VIOLATION, SUSPEND THE REGISTRATION FOR 30 DAYS;~~
- ~~(2) FOR THE 2ND VIOLATION, SUSPEND THE REGISTRATION FOR 90 DAYS; AND~~
- ~~(3) FOR THE 3RD VIOLATION, REVOKE THE REGISTRATION.~~

~~(B) OTHER VIOLATIONS.~~

~~FOR VIOLATIONS DESCRIBED IN § 40-26(A)(1) THROUGH (4) OF THIS SUBTITLE, THE DEPARTMENT OF TRANSPORTATION MAY SUSPEND OR REVOKE THE REGISTRATION OF THE VEHICLE AS IT CONSIDERS APPROPRIATE.~~

~~(C) MINIMUM REVOCATION PERIOD.~~

~~ONCE REVOKED, THE REGISTRATION OF A VEHICLE MAY NOT BE REINSTATED FOR 3 YEARS.~~

~~§ 40-28. PROCEDURES.~~**~~(A) NOTICE AND HEARING.~~**

~~(1) BEFORE THE REGISTRATION OF ANY MOPED OR MOTOR SCOOTER IS SUSPENDED OR REVOKED, THE DEPARTMENT OF TRANSPORTATION MUST NOTIFY THE REGISTERED OWNER OF THE ALLEGED VIOLATION AND PROVIDE THE OWNER AN OPPORTUNITY TO BE HEARD.~~

~~(2) EXCEPT AS OTHERWISE PROVIDED BY LAW OR BY RULE OR REGULATION OF THE DEPARTMENT, ALL HEARINGS MUST BE:~~

~~(i) OPEN TO THE PUBLIC; AND~~

~~(ii) CONDUCTED IN AN ORDERLY BUT INFORMAL MANNER.~~

~~(B) JUDICIAL REVIEW.~~

~~A PARTY AGGRIEVED BY A FINAL DECISION UNDER THIS SUBTITLE MAY APPEAL THAT DECISION TO THE CIRCUIT COURT FOR BALTIMORE CITY IN ACCORDANCE WITH THE MARYLAND RULES OF CIVIL PROCEDURE.~~

~~§§ 40-29 TO 40-30. {RESERVED}~~***PART 5 3. SEIZURE AND FORFEITURE*****~~§ 40-31~~ § 40-11. [40-11. Seizure and forfeiture] WHEN authorized.****(a) *Grounds for seizure.***

Except as provided in subsection (b) of this section, a ~~MOPED, MOTOR SCOOTER,~~ dirt bike, or [an] unregistered motorcycle or similar vehicle is subject to seizure and forfeiture if it is used in violation of this subtitle.

(b) *Defense.*

A [dirt bike or an unregistered motorcycle or similar] vehicle may not be forfeited under this subtitle solely because of an act or omission [committed or omitted] by a person other than the vehicle's owner COMMITTED OR OMITTED while [that] THE vehicle was unlawfully in that other person's possession[, in violation of the criminal laws of the United States, this State, or this City].

~~§ 40-32~~ § 40-12. [40-12.] Seizure by police.**(a) *When warrant not needed.***

A police officer need not have a warrant to seize a [dirt bike or an unregistered motorcycle or similar] vehicle if:

(1) the police officer has probable cause to believe the vehicle has been used in violation of this subtitle; and

(2) a warrant is not constitutionally required under the circumstances.

(b) *Removal of vehicle.*

Whenever a police officer seizes a vehicle under this subtitle, the police officer may cause it to be moved to a place designated by the Police Commissioner.

(c) *Vehicle not repleviable.*

A vehicle seized under this subtitle is not repleviable and remains in the custody of the Police Department, subject only to the orders and decrees of the court or official with jurisdiction over it.

~~§ 40-33~~ § 40-13. [40-13.] Referral to Solicitor.

(a) *Police to refer case.*

Promptly after seizure, the Police Department shall notify the City Solicitor in writing of the facts and circumstances supporting the seizure.

(b) *Solicitor's review.*

- (1) On receiving the report, the Solicitor shall conduct an independent review of the facts and circumstances surrounding the seizure.
- (2) If the Solicitor finds sufficient evidence that the vehicle was used in violation of this subtitle, the Solicitor shall notify the vehicle's owner, by registered or certified mail, of the seizure and of the City's intent to institute forfeiture proceedings.
- (3) If, on the other hand, the Solicitor finds that there is insufficient evidence to prove violation, the Solicitor shall surrender the vehicle to the owner on the owner's request.

~~§ 40-34~~ § 40-14. [40-14.] Forfeiture petition; notice.

(a) *Filing; copies to parties in interest.*

If the Solicitor determines that the vehicle should be forfeited, the Solicitor shall, within 90 days after the seizure of the vehicle:

- (1) petition the Circuit Court for Baltimore City in the name of the City against the vehicle, as designated by make, model, year, and motor or serial number; and
- (2) at the same time, send copies of the petition by registered or certified mail to the owner and any known secured party.

(b) *Contents.*

The petition for forfeiture shall contain:

- (1) the name of the registered owners of the vehicle;
- (2) the name of any secured party whose interest appears among the records maintained by the Clerk of the Circuit Court for Baltimore City;
- (3) a statement of the facts and circumstances surrounding the seizure of the vehicle;

- (4) a statement of the specific grounds for forfeiture; and
- (5) a request that the vehicle be forfeited to the City.

(c) *Publication of notice.*

- (1) Within 7 days of the petition's filing, the Solicitor shall publish notice of the seizure and forfeiture proceeding in 1 or more newspapers published in the City.
- (2) The notice shall:
 - (i) state the substance and object of the forfeiture petition; and
 - (ii) state that any person claiming an interest in the seized vehicle must file a defense to the petition within 15 days of the date of the notice.

~~§ 40-35~~ § 40-15. [40-15.] Answer to petition.

(a) *When to be made.*

Any defense to the petition must be filed within 15 days after publication of the notice.

(b) *How to be made.*

- (1) All defenses to a petition for forfeiture must be made by answer.
- (2) The answer must:
 - (i) comply with the Maryland Rules of Procedure as to form and contents;
 - (ii) be divided into numbered paragraphs, each containing a separate and distinctive averment; and
 - (iii) respond to each material allegation contained in the petition, specifically admitting, denying, or explaining the facts alleged, unless the respondent is without knowledge or an admission or explanation would tend to incriminate the respondent, in either of which events the respondent must so state and that statement will operate as a denial.

(c) *Effect.*

- (1) Every allegation in the petition that is not denied in the answer is considered admitted, except as to persons unknown.
- (2) New or affirmative matter alleged in the answer is considered denied or avoided by the petitioner without the need of any replication, unless the court orders otherwise.

~~§ 40-36~~ § 40-16. [40-16.] Early retrieval by owner.

(a) *Appraisal of vehicle.*

- (1) If the owner of the seized vehicle wants to repossess it before the petition is decided, the Clerk of the Circuit Court shall have an appraisal made.

(2) The appraisal shall be in writing, under oath, to the Clerk of the Circuit Court.

(b) *Owner to submit bond.*

(1) When the appraisal is filed, the owner may post a bond, payable to the City, in an amount equal to:

(i) all court costs that may accrue; plus

(ii) the greater of:

(A) the appraised value of the vehicle; or

(B) \$500.

(2) The bond shall have security approved by the Clerk and be conditioned for performance on the final judgment of the Circuit Court.

(c) *Judgment on bond.*

If the court directs that the vehicle be forfeited, judgment may be entered against the obligors on the bond, without further or other proceeding, to be discharged by the payment of the appraised value of the vehicle and court costs, on which judgment execution may be issued.

~~§ 40-37~~ § 40-17. [40-17.] Order of forfeiture.

(a) *In general.*

(1) If the court determines that the vehicle should be forfeited, the court shall order the vehicle forfeited to the City.

(2) If, however, the court determines that the vehicle is subject to a bona fide recorded security interest created without the knowledge that the vehicle was being or was to be used in violation of this subtitle, the court shall order that the vehicle be released within 5 days to the secured party of record.

(b) *Disposition of vehicle subject to security interest.*

(1) The secured party shall sell the vehicle in a commercially reasonable manner.

(2) Any sale ordered under this section must be made for cash and must vest in the purchaser a clear and absolute title to the vehicle.

(3) The proceeds of the sale shall be applied as follows:

(i) to the court costs of the forfeiture proceedings;

(ii) to the balance due to the secured party, including all reasonable costs incident to the sale;

(iii) to payment of all other expenses of the proceedings for forfeiture, including expenses of seizure, maintenance, or custody; and

(iv) to the general funds of the City.

(c) *Disposition of forfeited vehicle.*

Any vehicle that has been ordered forfeited to the City may be:

- (1) sold as provided in City Code Article 31, Subtitle 31, Part 5;
- (2) transferred to a charitable organization for export abroad, as provided in City Code Article 31, § 31-58(c); or
- (3) destroyed.

(d) *Proceeds of bond.*

The proceeds of any bond posted to regain possession of the vehicle shall be applied as provided for proceeds of sale under subsection (b)(3)(iv) of this section.

§ ~~40-38~~ § 40-18. [40-18.] Order of release.

If, after a full hearing, the court determines that the vehicle should not be forfeited, the court shall order the vehicle released.

§§ ~~40-39~~ 40-19 [40-19] to [40-20] ~~40-40~~ 40-20. {Reserved}

PART 6 4. PENALTIES

§ ~~40-41~~ § 40-21. [40-21.] Penalties.

Any person who violates any provision of [§§ 40-6 through 40-10 of] this subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$1,000 OR TO IMPRISONMENT FOR NOT MORE THAN 90 DAYS, or both fine and imprisonment, for each offense.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved March 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-399
(Council Bill 06-478)**

AN ORDINANCE CONCERNING

Special Enforcement Officers – Transportation Department

FOR the purpose of authorizing the appointment of Special Enforcement Officers from among employees of the Department of Transportation; and generally relating to Special Enforcement Officers.

BY repealing and reordaining, with amendments

Article 19 - Police Ordinances
Section(s) 71-1(a)
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 19. Police Ordinances

Subtitle 71. Special Enforcement Officers

§ 71-1. Appointment; duties.

(a) *Agency certification; appointment.*

The following officials shall from time to time certify to the Police Commissioner the names of employees of their respective departments for appointment by the Police Commissioner as Special Enforcement Officers:

- (1) Commissioner of Health.
- (2) Chief of the Fire Department.
- (3) Director of Public Works.
- (4) Commissioner of Housing and Community Development.
- (5) Director of Recreation and Parks.
- (6) DIRECTOR OF TRANSPORTATION.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date this Ordinance is enacted.

Approved March 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-400
(Council Bill 06-504)**

AN ORDINANCE CONCERNING

Building Code – Design Professionals – Permits – Violations

FOR the purpose of authorizing the Building Official to require the use of a registered or licensed design professional or other specialist or expert for certain work; modifying the circumstances under which a permit may be revoked and future permits withheld for certain violations; correcting, clarifying, and conforming certain language; and generally relating to building permits and sanctions for violations by owners, contractors, and design professionals.

BY adding

Article - Building, Fire, and Related Codes
Section(s) 2-103 (IBC § 105.1.5)
Baltimore City Revised Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article - Building, Fire, and Related Codes
Section(s) 2-103 (IBC § 113.11)
Baltimore City Revised Code
(Edition 2000)

BY repealing

Article - Building, Fire, and Related Codes
Section(s) 2-103 (IBC § 113.12)
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Revised Code

Article – Building, Fire, and Related Codes

Part II. International Building Code

§ 2-103. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 1. Administration

Section 105 Permits

105.1.5 SPECIAL PROFESSIONAL SERVICES. IN ADDITION TO AND WITHOUT LIMITING ANY OTHER REQUIREMENTS OF OR AUTHORITY GRANTED BY THIS CODE, THE BUILDING OFFICIAL MAY REQUIRE, AS A TERM OR CONDITION OF A PERMIT, THAT A REGISTERED DESIGN PROFESSIONAL OR OTHER LICENSED

SPECIALIST OR EXPERT PERFORM SPECIFIC WORK OR SIGN AND SEAL SPECIFIC PLANS, COMPUTATIONS, SPECIFICATIONS, OR STATEMENTS.

Section 113 Violations

113.11 Revoking or withholding violator's permits.

113.11.1 SCOPE. [Whenever] THIS § 113.11 APPLIES WHENEVER the Building Official finds that [any contractor or] AN owner, CONTRACTOR, OR ARCHITECT, ENGINEER, OR OTHER DESIGN PROFESSIONAL [is in violation of any] HAS VIOLATED A provision of this Code, of a permit, or of the rules and regulations of any department or agency of the City in connection with the construction, alteration, addition, repair, rehabilitation, demolition, moving, location, use, occupancy, or maintenance of any structure, premises, land, or equipment[.,].

113.11.2 ACTIONS AUTHORIZED. IN ANY SITUATION DESCRIBED IN § 113.11.1, the Building Official may:

- A. revoke, without prior notice, any existing permit THAT HAS BEEN GRANTED:
 - 1. TO THE OWNER, ~~OR~~ CONTRACTOR, ARCHITECT, ENGINEER, OR OTHER DESIGN PROFESSIONAL; OR
 - 2. FOR WORK IN CONNECTION WITH WHICH THE DESIGN PROFESSIONAL IS EMPLOYED; and
- B. refuse to grant, FOR A PERIOD OF UP TO 5 YEARS, any further permits:
 - 1. to the [contractor or] owner, ~~OR~~ CONTRACTOR, ARCHITECT, ENGINEER, OR OTHER DESIGN PROFESSIONAL; OR
 - 2. FOR WORK IN CONNECTION WITH WHICH THE DESIGN PROFESSIONAL IS EMPLOYED [until all violations have been corrected and all fees and penalties have been paid].

[113.12 Withholding permit from repeat offender. The Building Official may refuse to grant permits for a period of up to 5 years to any contractor or owner who has been found to have done work without a required permit more than once within the preceding 5 years.]

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved March 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-401
(Council Bill 06-514)**

AN ORDINANCE CONCERNING

Vacant Building Receivers – Scope

FOR the purpose of extending the provisions authorizing vacant building receivers to apply to all vacant buildings, as defined; and generally relating the appointment of and procedures applicable to vacant building receivers.

BY repealing and reordaining, with amendments

Article - Building, Fire, and Related Codes

Section(s) 2-103 (BC § 121.1)

Baltimore City Revised Code

(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Revised Code

Article – Building, Fire, and Related Codes

Part II. International Building Code

§ 2-103. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 1. Administration

Section 121 Vacant Building Receiver

121.1 Scope. This § 121 applies to a vacant building, as defined in § 115.4, [that contains 1 or more dwelling units and] for which the owner has failed to comply with a notice or order to rehabilitate.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved March 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-402
(Council Bill 06-521)**

AN ORDINANCE CONCERNING

Sale of Property – An 85-Foot Wide Portion of East Fort Avenue

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in a certain parcel of land known as the former bed of an 85-foot wide portion of East Fort Avenue, extending from Fort McHenry National Monument, Northwesterly 130.3 feet, and no longer needed for public use; and providing for a special effective date.

BY authority of

Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in a certain parcel of land known as the former bed of an 85-foot wide portion of East Fort Avenue, extending from Fort McHenry National Monument, Northwesterly 130.3 feet, and more particularly described as follows:

Beginning for the same at the point formed by the intersection of the southwest side of East Fort Avenue, 82.5 feet wide, and the former bed of the southeast side of East Fort Avenue, as realigned and widened to a width of 167.5 feet, said point of beginning being distant 58.58 feet northwesterly measured along the southwest side of said East Fort Avenue, 82.5 feet wide from the southeasternmost extremity thereof, and running thence binding on the southeast side of the former bed of said East Fort Avenue, 167.5 feet wide, Southwesterly 85.0 feet to intersect the southwest side of the former bed of last said East Fort Avenue; thence binding on the southwest side of the former bed of last said East Fort Avenue, Northwesterly 130.3 feet to intersect the northwest side of the former bed of last said East Fort Avenue; thence binding on the northwest side of the former bed of last said East Fort Avenue, Northeasterly 85.0 feet to intersect the southwest side of East Fort Avenue, as originally laid out 82.5 feet wide, and thence binding on the southwest side of last said East Fort Avenue, Southeasterly 130.3 feet to the place of beginning.

Subject to a full width Perpetual Easement for all Municipal Utilities and Services, not to be abandoned, over the entire herein above described parcel of land.

This property being no longer needed for public use.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved March 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-403
(Council Bill 06-527)**

AN ORDINANCE CONCERNING

**Baltimore City Landmark List – Saint Matthew
United Church of Christ**

FOR the purpose of designating Saint Matthew United Church of Christ, 2320 Mayfield Avenue, as a historical landmark.

BY adding

Article 6 - Historical and Architectural Preservation
Section(s) 12-18
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 6. Historical and Architectural Preservation

Subtitle 12. Landmark List - 2000s

§ 12-18. SAINT MATTHEW UNITED CHURCH OF CHRIST.

SAINT MATTHEW UNITED CHURCH OF CHRIST, 2320 MAYFIELD AVENUE.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved March 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-404
(Council Bill 06-528)**

AN ORDINANCE CONCERNING

Baltimore City Landmark List – Baltimore City College

FOR the purpose of designating Baltimore City College, 3320 The Alameda, as a historical landmark.

BY adding

Article 6 - Historical and Architectural Preservation
Section(s) 12-18
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 6. Historical and Architectural Preservation

Subtitle 12. Landmark List - 2000s

§ 12-18. BALTIMORE CITY COLLEGE.

BALTIMORE CITY COLLEGE, 3320 THE ALAMEDA.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved March 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-405
(Council Bill 06-538)**

AN ORDINANCE CONCERNING

Razoring – 1001 South Lakewood Avenue

FOR the purpose of changing the zoning for the property known as 1001 South Lakewood Avenue, as outlined in red on the accompanying plat, from the M-2-2 Zoning District to the B-3-2 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 68
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet 68 of the Zoning District Maps is amended by changing from the M-2-2 Zoning District to the B-3-2 Zoning District the property known as 1001 South Lakewood Avenue, as outlined in red on the plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved March 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-406
(Council Bill 06-548)**

AN ORDINANCE CONCERNING

**Supplementary MVR Capital Appropriation and Special Fund
Appropriation – CBD Sidewalk Reconstruction Project – \$1,029,000**

FOR the purpose of providing a Supplementary MVR Fund Appropriation in the amount of \$503,000 and Special Fund Appropriation in the amount of \$526,000 to provide funding for the Sidewalk Reconstruction Project in the Central Business District; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2006 MVR Fund Balance and the Special Fund Account of the General Construction Reserve for Footway Construction in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On November 15, 2006, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$503,000 shall be made available to the Department of Transportation as a Supplementary MVR Fund Appropriation, and \$526,000 shall be made available as a Supplementary Special Fund Appropriation for Fiscal Year 2007, to provide funding for the Sidewalk Reconstruction Project in the Central Business District. The source of revenue for this appropriation is from the FY 2006 MVR Fund Balance and the Special Fund Account of the General Construction Reserve for Footway Construction in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved March 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-407
(Council Bill 07-579)**

AN ORDINANCE CONCERNING

**Supplementary State Fund Capital Appropriation –
Fire Department – \$815,000**

FOR the purpose of providing a Supplementary State Fund Capital Appropriation in the amount of \$815,000 to the Fire Department (Account #9920-209-031), to provide funding for improvements to the 800 Megahertz Emergency Response System; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Maryland Emergency Management Agency's reimbursement for City expenses occurred from Hurricane Katrina operations in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On February 7, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$815,000 shall be made available to the Fire Department (Account #9920-209-031) as a Supplementary State Fund Capital Appropriation for Fiscal Year 2007, to provide funding for improvements to the 800 Megahertz Emergency Response System. The source of revenue for this appropriation is from the Maryland Emergency Management Agency's reimbursement for City expenses incurred from Hurricane Katrina operations, in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved March 23, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-408
(Council Bill 07-580)**

AN ORDINANCE CONCERNING

**Supplementary Loan Fund Capital Appropriation –
Department of Transportation – \$30,000,000**

FOR the purpose of providing a Supplementary Loan Fund Capital Appropriation in the amount of \$30,000,000 to the Department of Transportation (Account #9950-514-800), to provide capital appropriations for resurfacing various roadways within the City; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Maryland County Transportation Bonds in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On February 7, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$30,000,000 shall be made available to the Department of Transportation (Account #9950-514-800) as a Supplementary Loan Fund Capital Appropriation for Fiscal Year 2007, to provide capital appropriations for resurfacing

various roadways within the City. The source of revenue for this appropriation is funds from the Maryland County Transportation Bonds in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved March 23, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-409
(Council Bill 05-034)**

AN ORDINANCE CONCERNING

Gating and Greening Alleys

FOR the purpose of establishing standards and procedures for the gating and greening of alleys; requiring certain petitions, consents, reviews, notices, and hearings; specifying certain minimum requirements for a lease of a gated or greened area; authorizing ~~administrative~~ and judicial and appellate reviews of certain decisions; defining certain terms; and generally relating to the gating, greening, and leasing of alleys under the authority of City Charter Article II, § 35(e) and (f).

By adding

Article 26 - Surveys, Streets, and Highways

Section(s) 8A-1 through ~~8A-10~~ 8A-14, to be under the new subtitle,

“Subtitle 8A. Gating and Greening Alleys”

Baltimore City Code

(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 26. Surveys, Streets, and Highways

SUBTITLE 8A. GATING AND GREENING ALLEYS

§ 8A-1. DEFINITIONS.

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) ABANDONED PROPERTY.

“ABANDONED PROPERTY” MEANS:

(1) AN UNOCCUPIED STRUCTURE OR VACANT LOT ON WHICH TAXES ARE IN ARREARS FOR AT LEAST 2 YEARS; OR

(2) A BUILDING THAT:

(I) IS UNOCCUPIED BY AN OWNER OR TENANT;

(II) IS UNFIT FOR HABITATION;

(III) HAS DETERIORATED TO THE POINT AT WHICH:

A. IT IS STRUCTURALLY UNSOUND; OR

B. THE COST OF REHABILITATING THE BUILDING WOULD SIGNIFICANTLY EXCEED THE BUILDING'S POST-REHABILITATION MARKET VALUE; AND

(IV) HAS BEEN THE SUBJECT OF A VIOLATION NOTICE OR ORDER FROM THE CITY THAT REQUIRES THE OWNER TO:

A. REHABILITATE THE BUILDING TO CONFORM TO MINIMUM CODE HABITABILITY REQUIREMENTS; OR

B. DEMOLISH THE BUILDING FOR HEALTH AND SAFETY REASONS.

(C) ~~(B)~~ DIRECTOR.

"DIRECTOR" OR "DIRECTOR OF PUBLIC WORKS" MEANS THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS OR THE DIRECTOR'S DESIGNEE.

(D) GREENING.

(1) "GREENING" MEANS ANY ALTERATION TO AN ALLEY, BEYOND MERE GATING, THAT NEWLY RESTRICTS VEHICULAR ACCESS TO OR IN THE ALLEY.

(2) "GREENING" INCLUDES, BUT IS NOT LIMITED TO, THE INSTALLATION OF A FIXED OBJECT, PLANT, OR TREE THAT NEWLY RESTRICTS VEHICULAR ACCESS TO OR IN THE ALLEY.

(3) "GREENING" DOES NOT INCLUDE ANY SODDING, SEEDING, OR PAVEMENT REMOVAL THAT DOES NOT RESTRICT VEHICULAR ACCESS TO OR IN THE ALLEY.

§ 8A-2. IN GENERAL.

(A) *SCOPE.*

THIS SUBTITLE GOVERNS THE PROCEDURES FOR GATING, GREENING, AND LEASING ALLEYS UNDER THE AUTHORITY OF CITY CHARTER ARTICLE II, § 35(E) AND (F).

(B) *STANDARD.*

THE DIRECTOR OF PUBLIC WORKS MAY AUTHORIZE THE GATING AND, IF APPLICABLE, THE GREENING OF AN ALLEY IF, ON PETITION, PUBLIC NOTICE, AND HEARING AS PROVIDED IN THIS SUBTITLE, THE DIRECTOR DETERMINES THAT:

- (1) THE STRUCTURES ABUTTING THE ALLEY ARE PREDOMINANTLY RESIDENTIAL;
- (2) ~~(1)~~ THE ALLEY IS NO LONGER NEEDED FOR THROUGH PEDESTRIAN OR VEHICULAR TRAFFIC;
AND
- (3) ~~(2)~~ THE GATING AND, IF APPLICABLE, THE GREENING WILL PROMOTE THE PUBLIC HEALTH, SAFETY, OR WELFARE.

(C) *RULES AND REGULATIONS.*

- (1) THE DIRECTOR OF PUBLIC WORKS SHALL ADOPT RULES AND REGULATIONS TO CARRY OUT THIS SUBTITLE.
- (2) THESE RULES AND REGULATIONS MAY SET REASONABLE FEES TO COVER THE COSTS INCURRED BY THE DEPARTMENT OF PUBLIC WORKS IN PROCESSING A ~~GATING PETITION~~ PETITION UNDER THIS SUBTITLE.
- (3) A COPY OF THESE RULES AND REGULATIONS MUST BE FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY TAKE EFFECT.

§ 8A-3. RECORD OF ABUTTING OWNERS.

AT THE REQUEST OF ANY PERSON INTERESTED IN THE GATING OR GREENING OF AN ALLEY, THE DEPARTMENT OF PUBLIC WORKS SHALL PROVIDE THAT PERSON WITH A LIST OF THE NAMES AND ADDRESSES, AS THEN SHOWN ON THE DEPARTMENT'S RECORDS, OF THE OWNERS OF ALL PROPERTIES ABUTTING THAT ALLEY.

§ 8A-4. PETITION BY ABUTTING OWNERS – GENERAL.

(A) *IN GENERAL.*

TO INITIATE A PROCEEDING UNDER THIS SUBTITLE, A ~~GATING PETITION~~ PETITION MUST BE SUBMITTED TO THE DIRECTOR OF PUBLIC WORKS.

(B) *FORM.*

THE ~~GATING PETITION~~ PETITION MUST BE IN THE FORM AND CONTAIN THE INFORMATION THAT THE DIRECTOR REQUIRES.

§ 8A-5. PETITION BY ABUTTING OWNERS – CONSENTS FOR GATING.

(A) ~~IN GENERAL~~ REQUIRED CONSENTS.

- (1) ~~EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE GATING PETITION~~ A PETITION TO GATE, BUT NOT TO GREEN AN ALLEY MUST BE ACCOMPANIED BY THE SIGNED CONSENTS OF ~~ALL~~ AT LEAST 80% OF THE OWNERS OF ALL ABUTTING PROPERTIES, AS IDENTIFIED ON THE LIST PROVIDED UNDER § 8A-3 OF THIS SUBTITLE NOT INCLUDING ABANDONED PROPERTIES.
- (2) THESE CONSENTS MUST BE IN THE FORM AND TENOR THAT THE DIRECTOR REQUIRES.

(B) UNOCCUPIED PROPERTIES STATEMENT OF DILIGENT ATTEMPTS.

~~IF 1 OR MORE ABUTTING PROPERTIES ARE UNOCCUPIED AND, NOTWITHSTANDING DUE DILIGENCE, THEIR OWNERS HAVE NOT BEEN FOUND, THE GATING PETITION MAY STILL BE FILED AND CONSIDERED IF:~~

- ~~(1) THE PETITION IS ACCOMPANIED BY THE SIGNED CONSENTS OF ALL OF THE OWNERS OF ALL OCCUPIED PROPERTIES;~~
- ~~(2) THE PROPERTIES FOR WHICH SIGNED CONSENTS HAVE BEEN OBTAINED CONSTITUTE AT LEAST 80% OF ALL OF THE PROPERTIES ABUTTING THE ALLEY; AND~~
- ~~(3) THE PETITION IS IF 1 OR MORE ABUTTING OWNERS HAS NOT CONSENTED IN WRITING TO THE PROPOSED GATING, THE PETITION MUST BE ACCOMPANIED BY AN AFFIDAVIT, MADE UNDER THE PENALTIES OF PERJURY, THAT: (I) DESCRIBES AND SUBSTANTIATES DILIGENT ATTEMPTS MADE BY THE PETITIONERS TO FIND AND OBTAIN THE CONSENT CONSENTS OF ALL 100% OF THE OWNERS OF UNOCCUPIED ALL ABUTTING PROPERTIES; AND (II) AFFIRMS THAT NO OWNER OF ANY ABUTTING PROPERTY HAS REFUSED TO SIGN A CONSENT OR OTHERWISE IS KNOWN TO OBJECT TO THE PETITION.~~

§ 8A-6. PETITION BY ABUTTING OWNERS – CONSENTS FOR GREENING.(A) IN GENERAL.

- (1) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A PETITION TO GATE AND GREEN AN ALLEY, OR A PETITION TO GREEN AN ALLEY FOR WHICH GATING ALREADY HAS BEEN APPROVED, MUST BE ACCOMPANIED BY THE SIGNED CONSENTS OF 100% OF THE OWNERS OF ALL ABUTTING PROPERTIES.
- (2) THESE CONSENTS MUST BE IN THE FORM AND TENOR THAT THE DIRECTOR REQUIRES.

(B) EXCEPTED PROPERTIES.

IF 1 OR MORE ABUTTING PROPERTIES ARE UNOCCUPIED OR ABANDONED AND, NOTWITHSTANDING DUE DILIGENCE, THEIR OWNERS HAVE NOT BEEN FOUND, THE PETITION MAY STILL BE FILED AND CONSIDERED IF:

- (1) THE PETITION IS ACCOMPANIED BY THE SIGNED CONSENTS OF 100% OF THE OWNERS OF ALL OCCUPIED PROPERTIES ABUTTING THE ALLEY;
- (2) THE PROPERTIES FOR WHICH SIGNED CONSENTS HAVE BEEN OBTAINED CONSTITUTE AT LEAST 80% OF ALL OF THE PROPERTIES, NOT INCLUDING ANY ABANDONED PROPERTIES, ABUTTING THE ALLEY; AND
- (3) THE PETITION IS ACCOMPANIED BY AN AFFIDAVIT, MADE UNDER THE PENALTIES OF PERJURY, THAT:
 - (I) DESCRIBES AND SUBSTANTIATES DILIGENT ATTEMPTS MADE BY THE PETITIONERS TO OBTAIN THE CONSENTS OF 100% OF THE OWNERS OF ALL UNOCCUPIED PROPERTIES AND ABANDONED PROPERTIES ABUTTING THE ALLEY; AND
 - (II) AFFIRMS THAT NO OWNER OF ANY ABUTTING PROPERTY HAS REFUSED TO SIGN A CONSENT OR OTHERWISE IS KNOWN TO OBJECT TO THE PETITION.

§ 8A-7. PETITION BY ABUTTING OWNERS – SHOWING OF PUBLIC HEALTH, SAFETY, OR WELFARE.**(A) GATING PETITION.**

A PETITION TO GATE, BUT NOT GREEN, AN ALLEY MUST BE ACCOMPANIED BY:

- (1) A STATEMENT THAT SPECIFIES HOW THE GATING WOULD PROMOTE THE PUBLIC HEALTH, SAFETY, OR WELFARE; AND
- (2) IF THE PETITIONERS ANTICIPATE THAT THEY WILL SEEK TO GREEN THE ALLEY IN THE FUTURE, A STATEMENT THAT SPECIFIES HOW THE GREENING WOULD PROMOTE THE PUBLIC HEALTH, SAFETY, OR WELFARE.

(B) GREENING PETITION.

A PETITION TO GATE AND GREEN AN ALLEY, OR A PETITION TO GREEN AN ALLEY FOR WHICH GATING ALREADY HAS BEEN APPROVED, MUST BE ACCOMPANIED BY A STATEMENT THAT SPECIFIES HOW GRANTING THE PETITION WOULD PROMOTE THE PUBLIC HEALTH, SAFETY, OR WELFARE.

§ 8A-8. ~~§ 8A-6.~~ PETITION BY ABUTTING OWNERS – POLICE AND FIRE REVIEWS.

THE ~~GATING PETITION~~ PETITION MUST ALSO BE ACCOMPANIED BY A LETTER FROM THE ~~LOCAL POLICE DISTRICT AND LOCAL FIRE STATION~~ POLICE COMMISSIONER AND THE FIRE MARSHALL INDICATING THAT EACH HAS REVIEWED THE PROPOSED ~~GATING~~ PETITION AND HAS NO OBJECTION TO IT.

§ 8A-9. ~~§ 8A-7.~~ PUBLIC HEARING.**(A) DIRECTOR TO CONDUCT.**

THE DIRECTOR OF PUBLIC WORKS SHALL CONDUCT A PUBLIC HEARING ON THE ~~GATING PETITION~~ PETITION.

(B) POSTING NOTICE.

- (1) AT LEAST 10 DAYS BEFORE THE DATE FOR WHICH THE HEARING IS SCHEDULED, THE PETITIONERS SHALL POST A NOTICE OF THE HEARING AT EACH END OF THE ALLEY.
- (2) THE NOTICE MUST BE OF THE SIZE AND CONTAIN THE INFORMATION THAT THE DIRECTOR REQUIRES.

(C) MAILED NOTICE.

AT LEAST ~~14~~ 10 DAYS BEFORE THE HEARING, THE ~~DIRECTOR OF PUBLIC WORKS~~ PETITIONERS SHALL MAIL NOTICE OF THE HEARING TO THE OWNERS OF ALL PROPERTIES ABUTTING THE ALLEY, AS THEN SHOWN ON THE DEPARTMENT'S RECORDS.

§ 8A-10. ~~§ 8A-8.~~ DECISION.**(A) IN GENERAL.**

- (1) THE DIRECTOR OF PUBLIC WORKS SHALL ISSUE A WRITTEN DECISION ON THE PETITION WITHIN 30 DAYS OF THE HEARING.

(2) A COPY OF THE WRITTEN DECISION SHALL BE SENT TO A PERSON DESIGNATED BY THE PETITIONERS.

(B) ADDITIONAL FINDING FOR GATING PETITIONS.

(1) IF THE PETITIONERS REQUEST TO GATE, NOT GREEN, THE ALLEY, BUT INDICATE THAT THEY MIGHT SEEK TO GREEN THE ALLEY IN THE FUTURE, THE DIRECTOR SHALL MAKE A WRITTEN FINDING THAT:

(I) THE POTENTIAL GREENING WOULD PROMISE THE PUBLIC HEALTH, SAFETY, OR WELFARE;

(II) THE POTENTIAL GREENING WOULD NOT PROMOTE THE PUBLIC HEALTH, SAFETY, OR WELFARE; OR

(III) MORE INFORMATION WOULD BE NEEDED IN ORDER TO DETERMINE WHETHER THE POTENTIAL GREENING WOULD PROMOTE THE PUBLIC HEALTH, SAFETY, OR WELFARE.

(2) IF, SUBSEQUENT TO THE ISSUANCE OF THE DIRECTOR'S DECISION ON GATING, THE PETITIONERS SUBMIT A PETITION TO GREEN THE ALLEY, THE DIRECTOR MAY RELY ON HIS OR HER EARLIER FINDING OF WHETHER THE GREENING WOULD PROMOTE THE PUBLIC HEALTH, SAFETY, OR WELFARE.

§ 8A-11. ~~§ 8A-9.~~ REQUIRED LEASE – GATING.

(A) IN GENERAL.

THE APPROVAL OF ANY ~~GATING PETITION~~ PETITION TO GATE, BUT NOT TO GREEN, AN ALLEY IS SUBJECT TO THE ENTRY INTO A LEASE, IN THE FORM AND ON THE TERMS APPROVED BY THE BOARD OF ESTIMATES, BETWEEN THE CITY, AS LESSOR, AND A ~~NEIGHBORHOOD OR COMMUNITY ASSOCIATION LISTED WITH THE DEPARTMENT OF PLANNING~~ AN ENTITY THAT CONSISTS OF PROPERTY OWNERS WHOSE LOTS ABUT THE ALLEY, AS LESSEE.

(B) TERMS.

THE LEASE SHALL INCLUDE, AT A MINIMUM, PROVISIONS TO THE FOLLOWING EFFECT:

- (1) ALL PLANS FOR THE DESIGN AND CONSTRUCTION OF GATES AND FOR ANY SODDING, ~~GREENING~~ REMOVAL OF PAVEMENT, OR OTHER LANDSCAPING OF THE ALLEY MUST BE REVIEWED AND APPROVED BY THE DEPARTMENT OF PUBLIC WORKS.
- (2) ALL COSTS RELATED TO THE PREPARATION OF THESE PLANS, TO THE PURCHASE, INSTALLATION, AND MAINTENANCE OF GATES, TO LANDSCAPING, INCLUDING THE REMOVAL OF PAVEMENT, AND TO GENERAL MAINTENANCE OF THE ALLEY, INCLUDING ALL FEES FOR BUILDING, FIRE, OR RELATED PERMITS, ARE AT THE LESSEE'S EXPENSE.
- (3) THE LESSEE MAY NOT CAUSE OR PERMIT THE "GREENING" OF THE ALLEY. THAT IS, THE LESSEE MAY NOT MAKE OR PERMIT ANY ALTERATION TO THE ALLEY, BEYOND MERE GATING, THAT WOULD NEWLY RESTRICT VEHICULAR ACCESS TO OR IN THE ALLEY.
- (4) ~~(3)~~ ACCESS TO THE ALLEY MUST BE AVAILABLE TO FIRE, POLICE, PUBLIC WORKS, AND OTHER APPROPRIATE AGENCIES OF THE CITY AND TO ALL COMPANIES THAT HAVE UTILITIES LAWFULLY LOCATED IN THE ALLEY.
- (5) ~~(4)~~ A KNOX BOX MUST BE PLACED ON EACH GATE FOR ACCESS BY AUTHORIZED VEHICLES AND PEDESTRIANS.

- (6) ~~(5)~~ NO UTILITIES IN THE ALLEY MAY BE DISTURBED OR BUILT UPON, AND ALL ~~CITY~~ EASEMENTS FOR UTILITIES MUST BE PRESERVED.
- (7) ~~(6)~~ IF THE DEPARTMENT OF PUBLIC WORKS, ITS EMPLOYEES, AGENTS, OR CONTRACTORS ENTER THE ALLEY FOR MAINTENANCE, REPAIR, OR REPLACEMENT OF CITY UTILITIES, THE DEPARTMENT:
- (I) IS RESPONSIBLE, ON COMPLETION OF ITS WORK, FOR RESTORING THE ALLEY TO GRADE; BUT
 - (II) IS NOT RESPONSIBLE FOR ANY OTHER WORK IN THE ALLEY OR FOR ANY OTHER COSTS INCURRED IN RESTORING THE ALLEY.
- (8) ~~(7)~~ NOTHING IN THE LEASE IS TO BE CONSTRUED TO AFFECT ANY PERSON'S PRIVATE RIGHTS IN THE ALLEY.
- (9) ~~(8)~~ THE DIRECTOR OF PUBLIC WORKS MAY TERMINATE THE LEASE AND MAY ORDER OR CAUSE, AT THE LESSEE'S EXPENSE, THE REMOVAL OF ALL GATES AND OTHER OBSTRUCTIONS AND THE ALLEY'S RESTORATION IF, ~~AT ANY TIME~~:
- ~~(I) THE LESSEE IS IN DEFAULT OF ANY TERM OF THE LEASE; OR~~
 - ~~(II) THE DIRECTOR DETERMINES, IN HER OR HIS OWN DISCRETION, THAT THE GATING NO LONGER PROMOTES THE PUBLIC HEALTH, SAFETY, OR WELFARE.~~
 - (I) AT ANY TIME, THE LESSEE IS IN DEFAULT OF ANY TERM OF THE LEASE AND HAS FAILED TO CURE THAT DEFAULT IN ACCORDANCE WITH THE TERMS OF THE LEASE; OR
 - (II) AFTER A PUBLIC HEARING, WITH PRIOR NOTICE AS PROVIDED IN THE LEASE, THE DIRECTOR DETERMINES THAT:
 - A. THE ALLEY IS NEEDED FOR THROUGH PEDESTRIAN OR VEHICULAR TRAFFIC; OR
 - B. THE GATING NO LONGER PROMOTES THE PUBLIC HEALTH, SAFETY, OR WELFARE.
- (10) ~~(9)~~ THE DIRECTOR OF PUBLIC WORKS MUST AFTER A PUBLIC HEARING, WITH PRIOR NOTICE AS PROVIDED IN THE LEASE, TERMINATE THE LEASE AND ORDER OR CAUSE, AT THE LESSEE'S SOLE EXPENSE, THE REMOVAL OF ALL GATES AND OTHER OBSTRUCTIONS AND THE ALLEY'S RESTORATION IF, AT ANY TIME, THE OWNERS OF A MAJORITY OF THE ABUTTING PROPERTIES, NOT INCLUDING ANY ABANDONED PROPERTIES, SO REQUEST IN WRITING.

§ 8A-12. REQUIRED LEASE – GREENING.

(A) IN GENERAL.

THE APPROVAL OF ANY PETITION TO GATE AND GREEN AN ALLEY, OR TO GREEN AN ALLEY FOR WHICH GATING ALREADY HAS BEEN APPROVED, IS SUBJECT TO THE ENTRY INTO A LEASE, IN THE FORM AND ON THE TERMS APPROVED BY THE BOARD OF ESTIMATES, BETWEEN THE CITY, AS LESSOR, AND AN ENTITY THAT CONSISTS OF PROPERTY OWNERS WHOSE LOTS ABUT THE ALLEY, AS LESSEE.

(B) TERMS.

THE LEASE SHALL INCLUDE, AT A MINIMUM, PROVISIONS TO THE FOLLOWING EFFECT:

- (1) ALL PLANS FOR THE DESIGN AND CONSTRUCTION OF GATES, FOR THE GREENING OF THE ALLEY, AND FOR ANY SODDING, REMOVAL OF PAVEMENT, OR OTHER LANDSCAPING OF THE ALLEY MUST BE REVIEWED AND APPROVED BY THE DEPARTMENT OF PUBLIC WORKS.
- (2) ALL COSTS RELATED TO THE PREPARATION OF THESE PLANS, TO THE PURCHASE, INSTALLATION, AND MAINTENANCE OF GATES, TO GREENING, TO LANDSCAPING, INCLUDING THE REMOVAL OF PAVEMENT, AND TO GENERAL MAINTENANCE OF THE ALLEY, INCLUDING ALL FEES FOR BUILDING, FIRE, OR RELATED PERMITS, ARE AT THE LESSEE'S EXPENSE.
- (3) ACCESS TO THE ALLEY MUST BE AVAILABLE TO FIRE, POLICE, PUBLIC WORKS, AND OTHER APPROPRIATE AGENCIES OF THE CITY AND TO ALL COMPANIES THAT HAVE UTILITIES LAWFULLY LOCATED IN THE ALLEY.
- (4) A KNOX BOX MUST BE PLACED ON EACH GATE FOR ACCESS BY AUTHORIZED VEHICLES AND PEDESTRIANS.
- (5) NO UTILITIES IN THE ALLEY MAY BE DISTURBED OR BUILT UPON, AND ALL EASEMENTS FOR UTILITIES MUST BE PRESERVED.
- (6) IF THE DEPARTMENT OF PUBLIC WORKS, ITS EMPLOYEES, AGENTS, OR CONTRACTORS ENTER THE ALLEY FOR MAINTENANCE, REPAIR, OR REPLACEMENT OF CITY UTILITIES, THE DEPARTMENT:
 - (I) IS RESPONSIBLE, ON COMPLETION OF ITS WORK, FOR RESTORING THE ALLEY TO GRADE; BUT
 - (II) IS NOT RESPONSIBLE FOR ANY OTHER WORK IN THE ALLEY OR FOR ANY OTHER COSTS INCURRED IN RESTORING THE ALLEY.
- (7) NOTHING IN THE LEASE IS TO BE CONSTRUED TO AFFECT ANY PERSON'S PRIVATE RIGHTS IN THE ALLEY.
- (8) THE DIRECTOR OF PUBLIC WORKS MAY TERMINATE THE LEASE AND MAY ORDER OR CAUSE, AT THE LESSEE'S EXPENSE, THE REMOVAL OF ALL GATES AND OTHER OBSTRUCTIONS AND THE ALLEY'S RESTORATION IF:
 - (I) AT ANY TIME, THE LESSEE IS IN DEFAULT OF ANY TERM OF THE LEASE AND HAS FAILED TO CURE THAT DEFAULT IN ACCORDANCE WITH THE TERMS OF THE LEASE; OR
 - (II) AFTER A PUBLIC HEARING, WITH PRIOR NOTICE AS PROVIDED IN THE LEASE, THE DIRECTOR DETERMINES THAT:
 - A. THE ALLEY IS NEEDED FOR THROUGH PEDESTRIAN OR VEHICULAR TRAFFIC; OR
 - B. THE GATING OR GREENING NO LONGER PROMOTES THE PUBLIC HEALTH, SAFETY, OR WELFARE.

- (9) THE DIRECTOR OF PUBLIC WORKS MUST, AFTER A PUBLIC HEARING, WITH PRIOR NOTICE AS PROVIDED IN THE LEASE, TERMINATE THE LEASE AND ORDER OR CAUSE, AT THE LESSEE'S SOLE EXPENSE, THE REMOVAL OF ALL GATES AND OTHER OBSTRUCTIONS AND THE ALLEY'S RESTORATION IF, AT ANY TIME, THE OWNERS OF A MAJORITY OF THE ABUTTING PROPERTIES, NOT INCLUDING ANY ABANDONED PROPERTIES, SO REQUEST IN WRITING.

§ 8A-13. RESTORATION OF ALLEY BY UTILITY COMPANIES.

IF A COMPANY THAT HAS UTILITIES LAWFULLY LOCATED IN A LEASED ALLEY ENTERS THE ALLEY FOR MAINTENANCE, REPAIR, OR REPLACEMENT OF THE UTILITIES, THE COMPANY:

- (1) IS RESPONSIBLE, ON COMPLETION OF ITS WORK, FOR RESTORING THE ALLEY TO GRADE; BUT
- (2) IS NOT RESPONSIBLE TO THE LESSEE FOR ANY OTHER WORK IN THE ALLEY OR FOR ANY OTHER COSTS INCURRED IN RESTORING THE ALLEY.

§ 8A-14. ~~§ 8A-10. ADMINISTRATIVE AND JUDICIAL~~ JUDICIAL AND APPELLATE REVIEW.

(A) ~~ADMINISTRATIVE APPEAL.~~

- (1) ANY PERSON AGGRIEVED BY A DECISION OF THE DIRECTOR OF PUBLIC WORKS UNDER § 8A-8 OF THIS SUBTITLE MAY APPEAL THAT DECISION TO THE ~~BOARD OF MUNICIPAL AND ZONING APPEALS.~~
- (2) THE APPEAL MUST BE TAKEN WITHIN 30 DAYS OF THE DATE ON WHICH THE DECISION WAS MADE.

(A) ~~(B)~~ JUDICIAL AND APPELLATE REVIEW.

(1) A PERSON AGGRIEVED BY THE A FINAL DECISION OF THE ~~BOARD~~ DIRECTOR OF PUBLIC WORKS UNDER THIS SUBTITLE MAY SEEK JUDICIAL REVIEW OF THAT DECISION BY PETITION TO THE CIRCUIT COURT FOR BALTIMORE CITY IN ACCORDANCE WITH THE MARYLAND RULES OF PROCEDURE.

(B) APPELLATE REVIEW.

(2) A PARTY TO THE JUDICIAL REVIEW MAY APPEAL THE COURT'S FINAL JUDGMENT TO THE COURT OF SPECIAL APPEALS IN ACCORDANCE WITH THE MARYLAND RULES OF PROCEDURE.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance does not affect any right of entry that the City granted before enactment of this Ordinance to provide for the temporary gating of an alley.

SECTION 3. AND BE IT FURTHER ORDAINED, That where, before enactment of this Ordinance, the City granted a right of entry for the temporary gating of an alley in response to a petition of the owners of properties abutting the alley and the signed consent of at least 80% of the owners of property abutting the alley, that petition and those consents shall be deemed to satisfy the requirements of Article 26, § 8A-5 {"Petition by Abutting Owners – Consents for Gating"} and § 8A-8 {"Petition by Abutting Owners – Police and Fire Reviews"}, as enacted by this Ordinance.

SECTION 2-4. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3-5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved April 9, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-410
(Council Bill 06-376)**

AN ORDINANCE CONCERNING

Razoring – 1800 South Hanover Street

FOR the purpose of changing the zoning for the property known as 1800 South Hanover Street, as outlined in red on the accompanying plat, from the M-2-2 Zoning District to the ~~B-2-4~~ B-2-3 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 66
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet 66 of the Zoning District Maps is amended by changing from the M-2-2 Zoning District to the ~~B-2-4~~ B-2-3 Zoning District the property known as 1800 South Hanover Street, as outlined in red on the plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved April 9, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-411
(Council Bill 06-377)**

AN ORDINANCE CONCERNING

Razoring – 1834 South Charles Street

FOR the purpose of changing the zoning for the property known as 1834 South Charles Street, as outlined in red on the accompanying plat, from the M-2-2 Zoning District to the B-2-3 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 66
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet 66 of the Zoning District Maps is amended by changing from the M-2-2 Zoning District to the B-2-3 Zoning District the property known as 1834 South Charles Street, as outlined in red on the plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved April 9, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-412
(Council Bill 06-469)**

AN ORDINANCE CONCERNING

Planned Unit Development – Amendment – Wyndholme Village

FOR the purpose of approving certain amendments to the Development Plan of the Wyndholme Village Planned Unit Development.

BY authority of

Article - Zoning
Title 9, Subtitles 1 and 2
Baltimore City Revised Code
(Edition 2000)

Recitals

By Ordinance 96-092, the Mayor and City Council approved the application of Lancelotta and Associates, Inc., to have certain property located at 5205 Frederick Avenue, consisting of 25.87 acres, more or less, designated as a Residential Planned Unit Development and approved the Development Plan submitted by the applicant.

5205-5241, LLC, wishes to amend the Development Plan, as previously approved by the Mayor and City Council, to permit the development of ~~213~~ a maximum of 285 dwelling units.

On May 11, 2006, representatives of 5205-5241, LLC, met with the Department of Planning for a preliminary conference to explain the scope and nature of the proposed amendments to the Development Plan.

The representatives of 5205-5241, LLC, have now applied to the Baltimore City Council for approval of these amendments, and they have submitted amendments to the Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 2 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the amendments to the Development Plan submitted by the Developer, as attached to and made part of this Ordinance, including Sheet 1, "Existing Conditions", dated June 30, 2006, Sheet 2, "Site Plan", dated June 30, 2006, Sheet 3, "Landscape Schematic", dated June 30, 2006, and Sheet 4, "Site Sections/Prototypical Architectural Elevations", dated June 30, 2006 Sheet 1, "Cover Sheet", dated November 2, 2006, Sheet 2, "Existing Conditions", dated June 30, 2006, Sheet 3, "Proposed Development Plan", dated November 2, 2006, Sheet 4, "Dimensioned Site Plan", dated November 2, 2006, Sheet 5, "Proposed Site Circulation & Slope Plan", dated October 31, 2006, Sheet 6, "Site Sections", dated November 2, 2006, Sheet 7, "Site Amenities Plan", dated October 31, 2006, Sheet 8, "Landscape Plan", dated October 31, 2006, Sheet 9, "Forest Conservation Plan", dated November 2, 2006, and Sheet 10, "Schematic Architecture Plan", dated November 2, 2006.

SECTION 2. AND BE IT FURTHER ORDAINED, That the applicant must provide an approved secondary emergency access route to and through the project site.

- (a) When providing paving and grading for the emergency access road, the applicant must take special care not to impact specimen trees. If the trees are damaged, they must be replaced.
- (b) The paving of the emergency access road must be done in a manner that is environmentally compatible with the surrounding conservation easement property.
- (c) The emergency access road must be gated and locked and only used for emergency purposes.
- (d) All improvements to the emergency access road will be paid for by the developer.

SECTION 2 3. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the property are subject to final design approval by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance.

SECTION 3 4. AND BE IT FURTHER ORDAINED, That the Planning Department may determine what constitutes minor or major modifications to the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

SECTION 4 5. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying amended Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the amended Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the amended Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 5 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved April 9, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-413
(Council Bill 06-545)**

AN ORDINANCE CONCERNING

Razoring – 1043 South Hanover Street

FOR the purpose of changing the zoning for the property known as 1043 South Hanover Street, as outlined in red on the accompanying plat, from the R-8 Zoning District to the B-2-3 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 66
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet 66 of the Zoning District Maps is amended by changing from the R-8 Zoning District to the B-2-3 Zoning District the property known as 1043 South Hanover Street, as outlined in red on the plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved April 9, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-414
(Council Bill 06-546)**

AN ORDINANCE CONCERNING

City Streets – Naming an Unnamed Alley Gunther Way

FOR the purpose of naming an unnamed alley, located between the 1000 block of South Highland Avenue and the 1000 block of South Conkling Street, Gunther Way; and providing for a special effective date.

BY authority of

Article 26 - Surveys, Streets, and Highways
Section 7-3
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the unnamed alley, located between the 1000 block of South Highland Avenue and the 1000 block of South Conkling Street, is named Gunther Way.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on ~~the 30th day after~~ the date it is enacted.

Approved April 9, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-415
(Council Bill 06-557)**

AN ORDINANCE CONCERNING

**Zoning – Conditional Use – Amending Ordinance 03-488 –
Adding 1928 West North Avenue**

FOR the purpose of amending Ordinance 03-488 to expand the boundaries of the home for homeless persons at 1930 and 1932 West North Avenue to add 1928 West North Avenue, as outlined in red on the accompanying plat.

BY repealing and reordaining, with amendments

Ordinance 03-488
Section(s) 1

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Ordinance 03-488

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of a home for homeless persons on the properties known as 1928, 1930, and 1932 West North Avenue, as outlined in red on the plat accompanying this Ordinance, in accordance with Zoning Code §§ 6-309(7) and 14-102 of the Baltimore City Code, subject to the following conditions:

1. The maximum number of residents is ~~13~~ 27.
2. 24-hour supervision must be provided.
3. Sleeping rooms or beds for clients may not be in the basement.
4. Consolidation of the lots will not constitute a change in conditional use.
5. The home for homeless persons must comply with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved April 9, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-416
(Council Bill 06-559)**

AN ORDINANCE CONCERNING

**Urban Renewal – Poppleton –
Amendment 11**

FOR the purpose of amending the Urban Renewal Plan for Poppleton to allow for certain land use changes in the Plan and to revise certain exhibits to reflect the changes in the Plan, to authorize the acquisition by purchase or by condemnation of certain properties for urban renewal purposes and to create new disposition lots, to amend certain objectives of the Plan, to amend the duration of the Plan, to clarify and conform certain references, to amend certain Appendices, and to clarify the relationships between the provisions of the Renewal Plan and any final development plans approved by the Planning Commission; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

BY authority of

Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

Recitals

The Urban Renewal Plan for Poppleton was originally approved by the Mayor and City Council of Baltimore by Ordinance 75-837 and last amended by Ordinance 04-864.

An amendment to the Urban Renewal Plan for Poppleton is necessary to allow for certain land use changes in the Plan and to revise certain exhibits to reflect the changes in the Plan, to amend certain objectives of the Plan, to amend the duration of the Plan, to clarify and conform certain references, and to clarify the relationships between the provisions of the Renewal Plan and any final development plans approved by the Planning Commission.

Under Article 13, § 2-6 of the Baltimore City Code, no substantial change may be made in any approved renewal plan unless the change is approved in the same manner as that required for the approval of a renewal plan.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following changes in the Urban Renewal Plan for Poppleton are approved:

(1) In the Plan, amend A.2.l. to read as follows:

1. To provide, through acquisition of properties for clearance and redevelopment and for rehabilitation, a [substantial] SIGNIFICANT number of units for low- and moderate-income families.

(2) In the Plan, amend A.2.r. to read as follows:

- r. On project land to be disposed of for residential uses, a [predominant] SIGNIFICANT amount of all dwelling units permitted by this Plan shall be for low- and moderate-income families. The Department of Housing and Community Development, in overseeing the development of this low- and moderate-income housing, shall utilize all applicable Federal programs for assisting in its construction.

(3) In the Plan, amend B.1.a. to read as follows:

- a. Residential

In the area designated as Residential on the Land Use Map Plan, the following uses shall be permitted: single-family detached dwellings, semi-detached dwellings, single-family attached dwellings, [and] multiple-family detached and/or attached dwellings, AND RETAIL AS ALLOWED IN THE R-8 AND R-9 ZONING DISTRICTS AND/OR AS ALLOWED BY A PLANNED UNIT DEVELOPMENT. [The following minimum lot areas, expressed in square feet per dwelling unit, maximum lot coverage, and floor area ration (FAR) shall apply.

<u>Zoning District</u>	<u>Single-family detached</u>		<u>Semi-detached</u>	
	<u>Minimum Lot Area</u>	<u>Maximum Lot Coverage</u>	<u>Minimum Lot Area</u>	<u>Maximum Lot Coverage</u>
R-8,	5000	40%	2000	40%
R-9	5000	50%	2000	60%

<u>Zoning District</u>	<u>Single-family attached</u>		<u>Multiple-family</u>	
	<u>Minimum Lot Area</u>	<u>Maximum Lot Coverage</u>	<u>Minimum Lot Area</u>	<u>FAR</u>
R-8,	750	60%	750	2.0
R-9	750	70%	550	3.0

Attached dwellings shall not exceed twelve in a row or group. Single-family dwellings shall be limited to a maximum building height of 35 feet.]

- (4) In the Plan, amend B.1.c. and B.1.d. to read as follows:

c. Neighborhood Business

In the area designated as Neighborhood Business on the Land Use Plan Map, the following uses shall be permitted: those uses permitted under the B-1 category of the Zoning [Ordinance] CODE of Baltimore City including residential uses. [Business establishments are restricted to a maximum gross floor area of 2000 square feet each, except that food stores are restricted to a maximum gross floor area of 15,000 square feet each. A maximum floor area ratio of 2.5 and a minimum lot area of 100 square feet will be permitted.]

Landscaping, off-street parking, and off-street loading related to the above uses shall be permitted as accessory uses.

d. Community Business

In the area designated as Community Business on the Land Use Plan Map, the following uses shall be permitted: those uses permitted under the B-2 category of the Zoning [Ordinance] CODE of Baltimore City including residential uses. [A maximum floor area ratio of 5.0 and a minimum lot area of 550 square feet will be permitted.]

- (5) In the Plan, delete B.1.e. in its entirety and amend B.1.f. to read as follows:

E [f]. Public

In the area designated as Public on the Land Use Plan Map, uses shall be limited to parks, playgrounds, plazas, and PEDESTRIAN malls for active and passive recreation; schools and related educational facilities; neighborhood centers; public offices; libraries; fire houses; parking; AND other public facilities.

- (6) In the Plan, renumber “B.1.g.”, “B.1.h.”, and “B.1.i.”, respectively, to be “B.1.F.”, “B.1.G.”, and “B.1.H.”, respectively.
- (7) In the Plan, amend C.1.b.(2)(a) to read as follows:

- (a) it is necessary to make residential structures available for use for low- and moderate-income families AND/OR TO PROVIDE MARKET RATE RESIDENTIAL STRUCTURES; or

(8) In the Plan, amend C.7 to read as follows:

7. PUD Standards and Controls

To the extent there exists any conflict between the provisions of the Renewal Plan and the standards and controls of any Planned Unit Development legislation approved by the Mayor and City Council, the standards and controls of the Planned Unit Development, including without limitation, those affecting use, parking, access, aesthetic controls, setbacks, specific lot controls, [and] building heights, AND DESIGN GUIDELINES, control. TO THE EXTENT THERE EXISTS ANY CONFLICT BETWEEN THE PROVISIONS OF THE RENEWAL PLAN AND ANY FINAL DEVELOPMENT PLANS APPROVED BY THE PLANNING COMMISSION, THE FINAL DEVELOPMENT PLANS CONTROL.

(9) In the Plan, amend D. to read as follows:

D. Duration of Provisions and Requirements

The Poppleton Renewal Plan, as it may be amended from time to time, shall remain in full force and effect for a period of [forty (40)] 50 years from the date of original adoption of this Renewal Plan by ordinance of the Mayor and City Council of Baltimore.

(10) Amend Exhibit 1, "Existing Land Use", dated as revised April 21, 2006, Exhibit 2, "Acquisition", dated as revised April 21, 2006, Exhibit 3, "Disposition", dated as revised April 21, 2006, Exhibit 4A, "Existing Zoning Districts", dated as revised April 21, 2006, and Exhibit 4B, "Existing Urban Renewal Plan Recommended Zoning Changes, dated as revised April 21, 2006, to reflect the changes in the Plan.

(11) Amend Appendix A to read as follows:

Appendix A

Properties for Acquisition and Disposition for Rehabilitation

In addition to those groups of properties to be acquired and disposed of for rehabilitation (designated with disposition lot numbers on Exhibit 3), the following properties are also being acquired and disposed of for rehabilitation. Certain of these properties may be consolidated with abutting footway alleys or used in whole or in part as rear or side yard space for adjacent properties.

(Note: This Appendix does not necessarily reflect current conditions as structures could have been destroyed by fire, etc.)

103 N. Amity Street
[106 N. Amity Street
128N. Amity Street
206 N. Amity Street]

[306 N. Arlington Street]

27 S. Arlington Avenue
31 S. Arlington Avenue
49 S. Arlington Avenue

901 W. Baltimore Street
903 W. Baltimore Street
905 W. Baltimore Street
1001 W. Baltimore Street
1003 W. Baltimore Street
1005 W. Baltimore Street
1007 W. Baltimore Street
1009 W. Baltimore Street
1015 W. Baltimore Street
1021 W. Baltimore Street

1025 Booth Street
1026 Booth Street
1027 Booth Street
1029 Booth Street

1009 Boyd Street
1022 Boyd Street
1023 Boyd Street

7 N. Carey Street
209 N. Carey Street
235 N. Carey Street
325 N. Carey Street
329 N. Carey Street

23 S. Carey Street

[3 S. Carlton Street
5 S. Carlton Street
7 S. Carlton Street]

[121 N. Carrollton Avenue]

9/11 S. Carrollton Avenue
52 S. Carrollton Avenue

[800/02 W. Fayette Street
804 W. Fayette Street
810 W. Fayette Street
814 W. Fayette Street
934 W. Fayette Street
935 W. Fayette Street
943 W. Fayette Street]
1004 W. Fayette Street
1012 W. Fayette Street
1014 W. Fayette Street
1022 W. Fayette Street
1026 W. Fayette Street
1034 W. Fayette Street
1054 W. Fayette Street
1066 W. Fayette Street
1070 W. Fayette Street

1072 W. Fayette Street
 [1083 W. Fayette Street
 1102 W. Fayette Street]

14 S. Fremont Avenue

914 Hollins Street
 1024 Hollins Street
 1036 Hollins Street
 1109/11 Hollins Street
 1123 Hollins Street

813 W. Lexington Street
 821 W. Lexington Street
 837 W. Lexington Street
 839 W. Lexington Street
 [903 W. Lexington Street
 919 W. Lexington Street
 1105 W. Lexington Street
 1107 W. Lexington Street
 1109 W. Lexington Street
 1111 W. Lexington Street
 1113 W. Lexington Street
 1115 W. Lexington Street
 1117 W. Lexington Street]
 1212 W. Lexington Street
 1218 W. Lexington Street

816 W. Lombard Street
 816½ W. Lombard Street
 842 W. Lombard Street
 908 W. Lombard Street
 922 W. Lombard Street
 1026 W. Lombard Street
 1028 W. Lombard Street
 1030 W. Lombard Street
 1032 W. Lombard Street
 1034 W. Lombard Street
 1040 W. Lombard Street
 1116 W. Lombard Street

[1005 W. Mulberry Street
 1007 W. Mulberry Street
 1011 W. Mulberry Street]

40 S. Poppleton Street
 43 S. Poppleton Street

1102 ~~SARAN~~ SARAH ANN STREET
 1104 ~~SARAN~~ SARAH ANN STREET
 1106 ~~SARAN~~ SARAH ANN STREET
 1108 ~~SARAN~~ SARAH ANN STREET
 1110 ~~SARAN~~ SARAH ANN STREET

~~1112 SARAN SARAH ANN STREET~~
~~1114 SARAH ANN STREET~~
~~1116 SARAH ANN STREET~~
~~1118 SARAH ANN STREET~~
~~1120 SARAH ANN STREET~~
~~1122 SARAN SARAH ANN STREET~~
~~1124 SARAN ANN STREET~~
~~1128 SARAN ANN STREET~~

902/904 W. SARATOGA STREET
 [937 W. Saratoga Street
 1054 W. Saratoga Street]
 1106 W. SARATOGA STREET
 [1118 W. Saratoga Street
 1120 W. Saratoga Street
 1123 W. Saratoga Street
 1128 W. Saratoga Street
 1132 W. Saratoga Street
 1134 W. Saratoga Street]

[115 N. Schroeder Street
 117 N. Schroeder Street
 247 N. Schroeder Street
 259 N. Schroeder Street]

6/8 S. Schroeder Street
 34 S. Schroeder Street

42 S. Stockton Street

(12) Amend Appendix C to read as follows:

Appendix C

Properties for Acquisition and Disposition for Clearance and Redevelopment

In addition to those groups of properties to be acquired and disposed [on] OF FOR clearance (designated with disposition lot numbers on Exhibit 3), the following properties are also being acquired and disposed of for clearance and redevelopment.

1. 15 N. Amity Street
2. 15½ N. Amity Street
3. 17 N. Amity Street
4. 18 N. Amity Street
5. 19 N. Amity Street
6. 20 N. Amity Street
7. 21 N. Amity Street
8. 22 N. Amity Street
9. 23 N. Amity Street
10. 24 N. Amity Street
11. 25 N. Amity Street
12. 26 N. Amity Street

13. 27 N. Amity Street
14. 28 N. Amity Street
15. 103 N. Amity Street
16. 104 N. Amity Street
17. 105 N. Amity Street
18. 106 N. Amity Street
19. 107 N. Amity Street
20. 108 N. Amity Street
21. 110 N. Amity Street
22. 116 N. Amity Street
23. 118 N. Amity Street
24. 120 N. Amity Street
25. 122 N. Amity Street
26. 124 N. Amity Street
27. 125 N. Amity Street
28. 126 N. Amity Street
29. 127 N. Amity Street
30. 128 N. Amity Street
31. 129 N. Amity Street
32. 130 N. Amity Street
33. 202 N. Amity Street
34. 204 N. Amity Street
35. 206 N. Amity Street
36. 208 N. Amity Street
37. 210 N. Amity Street
38. 212 N. Amity Street
39. 214 N. Amity Street
40. 216 N. Amity Street
41. 218 N. Amity Street
42. 220 N. Amity Street
43. 222 N. Amity Street
44. 224 N. Amity Street
45. 226 N. Amity Street
46. 228 N. Amity Street
47. 230 N. Amity Street
48. 232 N. Amity Street
49. 234 N. Amity Street
50. 236 N. Amity Street
51. 238 N. Amity Street
52. 240 N. Amity Street
53. 242 N. Amity Street
54. 244 N. Amity Street
55. 246 N. Amity Street
56. 112/114 N. Amity [Street] AVENUE
58. 303 N. Arlington [Street] AVENUE
59. 304 N. Arlington [Street] AVENUE
60. 305 N. Arlington [Street] AVENUE
61. 306 N. Arlington [Street] AVENUE
62. 307 N. Arlington [Street] AVENUE
63. 309 N. Arlington [Street] AVENUE
64. 310 N. Arlington [Street] AVENUE
65. 311 N. Arlington [Street] AVENUE
66. 312 N. Arlington [Street] AVENUE

- 67. 313 N. Arlington [Street] AVENUE
- 68. 314 N. Arlington [Street] AVENUE
- 69. 315 N. Arlington [Street] AVENUE
- 70. 316 N. Arlington [Street] AVENUE
- 71. 317 N. Arlington [Street] AVENUE
- 72. 319 N. Arlington [Street] AVENUE
- 73. 321 N. Arlington [Street] AVENUE
- 82. 102 N. Carlton Street
- 83. 104 N. Carlton Street
- 84. 106 N. Carlton Street
- 85. 108 N. Carlton Street
- 86. 110 N. Carlton Street
- 87. 112 N. Carlton Street
- 88. 114 N. Carlton Street
- 89. 116 N. Carlton Street
- 90. 118 N. Carlton Street
- 91. 120 N. Carlton Street
- 92. 122 N. Carlton Street
- 93. 124 N. Carlton Street
- 94. 126 N. Carlton Street
- 95. 128 N. Carlton Street
- 96. 132 N. Carlton Street
- 97. 218 N. Carlton Street
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- 166. 329 N. Carrollton Avenue
- 167. 331 N. Carrollton Avenue
- 168. Block 0170, Lot 093
- 169. Block 0170, Lot 094
- 170. Block 0170, Lot 095
- 171. Block 0170, Lot 096
- 172. 1064 W. Fairmount Avenue
- 173. 1066 W. Fairmount Avenue
- 174. 1068 W. Fairmount Avenue
- 175. 1070 W. Fairmount Avenue
- 176. 1072 W. Fairmount Avenue
- 177. 1074 W. Fairmount Avenue
- 178. 1076 W. Fairmount Avenue
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181. 1082 W. Fairmount Avenue
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183. 1210 W. Fairmount Avenue
184. 808 W. Fayette Street
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187. 925 W. Fayette Street
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- 242. 1211 W. Fayette Street
- 243. 1213/1215 W. Fayette Street
- 246. 938 Kierle Court
- 247. 939 Kierle Court
- 248. 901 W. Lexington Street
- 249. 903 W. Lexington Street
- 250. 905 W. Lexington Street
- 251. 907 W. Lexington Street
- 252. 909 W. Lexington Street
- 253. 911 W. Lexington Street
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- 304. 925/927 W. Lexington Street
- 305. 1005 W. Mulberry Street
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- 331. 1123 W. Mulberry Street
- 332. 1125 W. Mulberry Street
- 333. 1127 W. Mulberry Street
- 334. 1129 W. Mulberry Street
- 335. 1131 W. Mulberry Street
- 336. 211 Osing Court
- 337. 213 Osing Court
- 338. 931 Page Court
- 339. 933 Page Court
- 340. 935 Page Court
- 341. 937 Page Court

344. 939 Sarah Ann Street
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- 398. 1133 Sarah Ann Street
- 399. 1135 Sarah Ann Street
- 400. 1009/1011 Sarah Ann Street
- 401. 951/953 Sarah Ann Street
- 402. 900 W. Saratoga Street
- 403. 929 W. Saratoga Street
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- 473. 1145 W. Saratoga Street
- 474. 1212 W. Saratoga Street
- 475. 1215 W. Saratoga Street
- 476. 1124/26 W. Saratoga Street
- [477. 902/904 W. Saratoga Street]
- 478. 906/912 W. Saratoga Street
- 479. 914-934 W. Saratoga Street
- 481. 13 N. Schroeder Street
- 482. 15 N. Schroeder Street
- 483. 17 N. Schroeder Street
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547. 328 N. Schroeder Street
548. 913 Vine Street
549. 920 Vine Street
550. 921 Vine Street
551. 1101 Vine Street
552. 1103 Vine Street
553. 1105 Vine Street
554. 1107 Vine Street
555. Block 0172, Lot 148a

SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Poppleton, as amended by this Ordinance and identified as "Urban Renewal Plan, Poppleton, revised to include Amendment 11, dated December 7, 2006", is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record, available for public inspection and information.

SECTION 3. AND BE IT FURTHER ORDAINED, That if the amended Urban Renewal Plan approved by this Ordinance in any way fails to meet the statutory requirements for the content of a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal plan, those requirements are waived and the amended Urban Renewal Plan approved by this Ordinance is exempted from them.

SECTION 4. AND BE IT FURTHER ORDAINED, That if any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid for any reason, the invalidity does not affect any other provision or any other application of this Ordinance, and for this purpose the provisions of this Ordinance are declared severable.

SECTION 5. AND BE IT FURTHER ORDAINED, That if a provision of this Ordinance concerns the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or safety law or regulation, the applicable provisions shall be construed to give effect to each. However, if the provisions are found to be in irreconcilable conflict, the one that establishes the higher standard for the protection of the public health and safety prevails. If a provision of this Ordinance is found to be in conflict with an existing provision of any other law or regulation that establishes a lower standard for the protection of the public health and safety, the provision of this Ordinance prevails and the other conflicting provision is repealed to the extent of the conflict.

SECTION 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved April 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-417
(Council Bill 07-581)**

AN ORDINANCE CONCERNING

Waterfront Management District – Establishment

FOR the purpose of creating a community benefits district, to be known as the Waterfront Management District; specifying the boundaries of the District; creating an Authority and providing for its rights, duties, and powers; designating the initial interim board of the Authority and providing for the selection and approval of a full board; providing for an Administrator for the Authority; mandating the financial responsibilities of the Authority and the City in conjunction with the operation of the District; providing for the assessment, collection, and enforcement of a supplemental tax to be collected by and for the Authority; specifying the City's role in maintaining and enhancing existing services; encouraging the creation of partnerships among the Authority, the City, the State, the Federal Government, and property owners not subject to the supplemental tax; designating the Board of Estimates as the agency charged with reviewing and approving various matters relating to the District and the Authority; providing for the renewal, expiration, termination, and approval of the District and the Authority; providing for a special effective date; and generally relating to the existence, operation, and control of the Waterfront Management District and Authority.

BY authority of
 Article II - General Powers
 Section(s) 63
 Baltimore City Charter
 (1996 Edition)

BY adding
 Article 14 - Special Benefits Districts
 Section(s) 8-1 to 8-17, to be under the new subtitle designation,
 "Subtitle 8. Waterfront Community Benefits District"
 Baltimore City Code
 (Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 14. Special Benefits Districts

SUBTITLE 8. WATERFRONT MANAGEMENT DISTRICT

§ 8-1. FINDINGS.

(A) IMPORTANCE OF INNER HARBOR AND WATERFRONT.

- (1) THE INNER HARBOR OF THE PATAPSCO RIVER IS THE CIVIC, FINANCIAL, AND SYMBOLIC HEART OF BALTIMORE CITY.
- (2) THE AREA FRONTING ON THE INNER HARBOR (THE "WATERFRONT") IS HOME TO MANY OF BALTIMORE'S LARGEST EMPLOYERS.
- (3) THE INNER HARBOR IS THE CENTER OF TOURISM FOR THE CITY AND STATE, ATTRACTING OVER 12 MILLION VISITORS A YEAR. IT WAS THE DEVELOPMENT OF THE INNER HARBOR THAT FIRST SPAWNED THE CREATION OF A TOURISM INDUSTRY IN BALTIMORE, NOW CONSIDERED TO BE THE BALTIMORE AREA'S SEVENTH LARGEST EMPLOYER.
- (4) THE WATERFRONT IS AN IMPORTANT PART OF THE CITY'S TAX BASE; THE INNER HARBOR ALONE CONTRIBUTED OVER \$60 MILLION IN TAX REVENUES TO THE CITY IN 2005.
- (5) THE WATERFRONT IS THE SITE OF SOME OF THE REGION'S LARGEST REAL ESTATE INVESTMENTS AND, AS A RESULT OF THE LOCATION AND QUALITY OF DEVELOPMENT, MANY OFFICE TENANTS AND RESIDENTS ARE RELOCATING HERE FROM OUTSIDE THE CITY.
- (6) THE WATERFRONT IS A CRITICAL LINK TO THE LONG TERM HEALTH OF THE CITY AND REGION.

(B) OPPORTUNITIES FACING CITY.

- (1) THE WATERFRONT IS UNDENIABLY A TREMENDOUS ASSET TO THE REGION. STILL, TO REMAIN COMPETITIVE AS A DESTINATION, THE WATERFRONT MUST BE ON A PAR WITH FIRST-CLASS DESTINATIONS AROUND THE WORLD.

- (2) A STUDY CONDUCTED BY THE GREATER BALTIMORE COMMITTEE IN 2005 CONCLUDED THAT “THE INNER HARBOR SUFFERED FROM A COMPLETE LACK OF FOCUS AND ATTENTION TO THE QUALITY OF ITS FACILITIES, SUPERVISION OF RESPONSIBILITIES, AND MAINTENANCE OF THE INTEGRITY OF THE HARBOR AND ITS ACTIVITIES”.
- (3) MORE SPECIFICALLY, THE STUDY FOCUSED ON TWO KEY DEFICIENCIES: (I) THE LACK OF A SINGLE PERSON, GOVERNMENT, OR QUASI-GOVERNMENTAL ENTITY THAT IS CHARGED WITH THE SPECIFIC OVERSIGHT OF THE MANAGEMENT AND OPERATION OF THE HARBOR; AND (II) THE LACK OF MONEY OR THE INFLUENCE TO SECURE THE NEEDED MANPOWER AND EQUIPMENT RESOURCES NECESSARY TO MAINTAIN THE CARE AND UPKEEP OF THE INNER HARBOR PROPERLY.
- (4) IN 2006, A TASK FORCE RECOMMENDED THAT A BUSINESS IMPROVEMENT OR SPECIAL BENEFITS DISTRICT BE CREATED THAT WOULD ADVOCATE FOR, PARTICIPATE IN, AND FINANCIALLY SUPPORT CITY AND PRIVATE SECTOR EFFORTS TO CREATE AND MAINTAIN A WORLD-CLASS SYSTEM OF PUBLIC AND PRIVATE PARKS, PROMENADES, AND OPEN SPACES IN THE INNER HARBOR.
- (5) IN ORDER TO ESTABLISH THE WATERFRONT AS A WORLD-CLASS DESTINATION, ADDITIONAL STEPS MUST BE TAKEN TO CREATE A CONSISTENTLY CLEAN, ATTRACTIVE, EASY TO NAVIGATE, AND APPEALING EXPERIENCE FOR RESIDENTS, WORKERS, AND VISITORS ALONG BALTIMORE’S WATERFRONT AREA.

(C) *SPECIAL BENEFIT DISTRICTS.*

- (1) A SPECIAL BENEFIT DISTRICT IS A MECHANISM BY WHICH PROPERTY OWNERS WITHIN A DEFINED AREA CAN AGREE TO IMPOSE ADDITIONAL TAXES AND CHARGES ON THEMSELVES IN ORDER TO PROVIDE ENHANCED AND SUPPLEMENTAL PUBLIC SERVICES.
- (2) CRITICAL TO THE SUCCESS OF A BENEFIT DISTRICT IS THE CREATION OF A PARTNERSHIP BETWEEN THE PUBLIC AND PRIVATE SECTOR, WITH THE PUBLIC SECTOR COMMITTING TO MAINTAIN SERVICES AT SPECIFIED LEVELS AND THE PRIVATE SECTOR AGREEING TO ACCEPT NEW TAXES AND CHARGES FOR THE PURPOSE OF SUPPLEMENTING PUBLIC SERVICES.
- (3) THIS KIND OF A DISTRICT IN BALTIMORE CANNOT BE SUCCESSFUL WITHOUT THE FULL COOPERATION OF THE CITY, THE STATE OF MARYLAND, AND THE VARIOUS PRIVATE PROPERTY OWNERS WITHIN THE DISTRICT.

(D) *COUNCIL CONSIDERATIONS.*

- (1) THE CITY COUNCIL HAS CONSIDERED THE MATERIALS PRESENTED THAT REFLECT THE COMPELLING REASONS FOR CREATION OF A SPECIAL BENEFITS DISTRICT.
- (2) THE COUNCIL HAS CONSIDERED THE COMMENTS AND SUGGESTIONS OF PROPERTY OWNERS, RETAIL MERCHANTS, HOTEL OPERATORS AND OWNERS, OFFICE PROPERTY TENANTS, SERVICE PROVIDERS, AND NEIGHBORHOOD ORGANIZATIONS THAT REPRESENT INTERESTS ALONG THE WATERFRONT AREA.
- (3) THE COUNCIL HAS CONSIDERED THE FACT THAT, WHILE THE WATERFRONT PARTNERSHIP OF BALTIMORE, INC., HAS OPERATED SUCCESSFULLY ALONG THE WATERFRONT FOR APPROXIMATELY 18 MONTHS AND HAS PROVIDED NOTICEABLE IMPROVEMENTS TO THE ATTRACTIVENESS OF THE WATERFRONT AND THE OVERALL EXPERIENCE FOR VISITORS TO THE WATERFRONT, THE ABILITY TO PROVIDE A CONSISTENT SET OF SERVICES AND TO MAINTAIN A HIGH QUALITY STANDARD REQUIRES A CONSISTENT AND RELIABLE FUNDING STREAM. THE ASSESSMENT SYSTEM FOR A BENEFIT DISTRICT PROVIDES AN UNCOMPLICATED, DIRECT AND FAIR FUNDING PROCESS.

- (4) THE COUNCIL HAS GIVEN CONSIDERATION TO AND MADE THE FINDINGS REQUIRED BY CITY CHARTER ARTICLE II, § 63.

§ 8-2. DISTRICT CREATED; BOUNDARIES.

(A) *IN GENERAL.*

THERE IS A COMMUNITY BENEFITS DISTRICT, TO BE KNOWN AS THE WATERFRONT MANAGEMENT DISTRICT (THE "DISTRICT"), WITHIN THE FOLLOWING BOUNDARIES:

BEGINNING FOR THE SAME AT THE POINT FORMED BY THE INTERSECTION OF THE EAST SIDE OF LIGHT STREET, VARYING IN WIDTH, AND THE SOUTH SIDE OF PRATT STREET, 65 FEET WIDE, AND RUNNING THENCE BINDING ON THE SOUTH SIDE OF SAID PRATT STREET, EASTERLY 329.1 FEET, MORE OR LESS, TO INTERSECT THE WEST SIDE OF CALVERT STREET, VARYING IN WIDTH; THENCE BINDING ON THE WEST SIDE OF SAID CALVERT STREET, THE TWO FOLLOWING COURSES AND DISTANCES; NAMELY, SOUTHERLY 11.1 FEET, MORE OR LESS AND SOUTHERLY BY A LINE CURVING TO THE RIGHT WITH A RADIUS OF 300.00 FEET THE DISTANCE OF 10.6 FEET, MORE OR LESS, TO INTERSECT THE LINE OF THE SOUTH SIDE OF PRATT STREET, 86 FEET WIDE, IF PROJECTED WESTERLY; THENCE BINDING REVERSELY IN PART ON THE LINE OF THE SOUTH SIDE OF LAST SAID PRATT STREET, SO PROJECTED, IN PART ON THE SOUTH SIDE OF LAST SAID PRATT STREET, AND IN ALL, EASTERLY 989.5 FEET, MORE OR LESS, TO INTERSECT THE WEST SIDE OF PRATT STREET, 101 FEET WIDE; THENCE BINDING ON THE WEST SIDE OF LAST SAID PRATT STREET, SOUTHERLY 15.0 FEET, MORE OR LESS, TO INTERSECT THE SOUTH SIDE OF LAST SAID PRATT STREET; THENCE BINDING ON THE SOUTH SIDE OF LAST SAID PRATT STREET, EASTERLY 1093.5 FEET, MORE OR LESS, TO THE SOUTH SIDE OF PRATT STREET, VARYING IN WIDTH, ~~THERE SITUATE~~; THENCE BINDING ON THE SOUTH SIDE OF LAST SAID PRATT STREET, THE THREE FOLLOWING COURSES AND DISTANCES; NAMELY, EASTERLY 101.6 FEET, MORE OR LESS, EASTERLY 40.6 FEET, MORE OR LESS, AND EASTERLY 57.4 FEET, MORE OR LESS, TO INTERSECT THE SOUTHWEST SIDE OF PRESIDENT STREET, VARYING IN WIDTH; THENCE BINDING ON THE SOUTHWEST AND WEST SIDES OF SAID PRESIDENT STREET, THE ELEVEN FOLLOWING COURSES AND DISTANCES; NAMELY, SOUTHEASTERLY BY A LINE CURVING TO THE RIGHT WITH A RADIUS OF 10.00 FEET THE DISTANCE OF 15.1 FEET, MORE OR LESS, SOUTHEASTERLY BY A LINE CURVING TO THE LEFT WITH A RADIUS OF 11,478.66 FEET THE DISTANCE OF 36.1 FEET, MORE OR LESS, SOUTHEASTERLY 568.7 FEET, MORE OR LESS, SOUTHEASTERLY 76.2 FEET, MORE OR LESS, SOUTHEASTERLY 63.0 FEET, MORE OR LESS, SOUTHEASTERLY 55.5 FEET, MORE OR LESS, SOUTHEASTERLY 58.5 FEET, MORE OR LESS, SOUTHERLY 57.5 FEET, MORE OR LESS, SOUTHERLY 56.0 FEET, MORE OR LESS, SOUTHERLY 25.2 FEET, MORE OR LESS, AND SOUTHERLY 71.9 FEET, MORE OR LESS, TO INTERSECT THE SOUTH SIDE OF FLEET STREET, 70 FEET WIDE; THENCE BINDING ON THE SOUTH SIDE OF SAID FLEET STREET, EASTERLY 969.5 FEET, MORE OR LESS, TO INTERSECT THE WEST SIDE OF CENTRAL AVENUE, 100 FEET WIDE; THENCE BINDING ON THE WEST SIDE OF SAID CENTRAL AVENUE, SOUTHERLY 372.2 FEET, MORE OR LESS, TO INTERSECT THE SOUTH SIDE OF ALICEANNA STREET, 70 FEET WIDE; THENCE BINDING ON THE SOUTH SIDE OF SAID ALICEANNA STREET, EASTERLY 700.0 FEET, MORE OR LESS, TO INTERSECT THE WEST SIDE OF CAROLINE STREET, 80 FEET WIDE; THENCE BINDING ON THE WEST AND SOUTHWEST SIDES OF SAID CAROLINE STREET, THE TWO FOLLOWING COURSES AND DISTANCES; NAMELY, SOUTHERLY 721.9 FEET, MORE OR LESS, AND SOUTHEASTERLY 545.2 FEET, MORE OR LESS, TO INTERSECT THE SOUTHEAST SIDE OF THAMES STREET, 60 FEET WIDE; THENCE BINDING ON THE SOUTHEAST SIDE OF SAID THAMES STREET, ~~THE SIX~~ FOUR FOLLOWING COURSES AND DISTANCES; NAMELY, NORTHEASTERLY 127.8 FEET, MORE OR LESS, NORTHEASTERLY 261.2 FEET, MORE OR LESS, NORTHEASTERLY 89.3 FEET, MORE OR LESS, NORTHEASTERLY 189.9 FEET, MORE OR LESS, ~~NORTHEASTERLY 252.7 FEET, MORE OR LESS, AND NORTHEASTERLY 94.3 FEET, MORE OR LESS, TO INTERSECT THE SOUTHWEST SIDE OF BROADWAY, VARYING IN WIDTH; THENCE BINDING ON THE SOUTHWEST SIDE OF LAST SAID BROADWAY AND THE WEST SIDE OF BROADWAY, VARYING IN WIDTH, THE THREE FOLLOWING COURSES AND DISTANCES; NAMELY, SOUTHEASTERLY 47.0 FEET, MORE OR LESS, SOUTHERLY 21.1 FEET, MORE OR LESS, AND SOUTHERLY 689.4 FEET, MORE OR LESS; THENCE BY A STRAIGHT LINE, SOUTHEASTERLY 649.2 FEET, MORE OR LESS, TO INTERSECT THE PIERHEAD AND BULKHEAD LINE OF THE NORTHWEST BRANCH OF THE PATAPSCO RIVER, THERE SITUATE; THENCE BINDING ON THE SAID PIERHEAD AND BULKHEAD LINE OF THE NORTHWEST BRANCH OF THE PATAPSCO RIVER, THE TEN FOLLOWING COURSES AND DISTANCES; NAMELY, SOUTHWESTERLY 678.5~~ 687.0 FEET, MORE OR LESS, SOUTHWESTERLY 487.3 FEET, MORE OR LESS, NORTHWESTERLY 532.9 FEET, MORE OR LESS, NORTHWESTERLY 402.5 FEET, MORE OR LESS,

NORTHWESTERLY 1018.7 FEET, MORE OR LESS, NORTHERLY 424.3 FEET, MORE OR LESS, NORTHWESTERLY 1119.4 FEET, MORE OR LESS, NORTHWESTERLY 851.6 FEET, MORE OR LESS, SOUTHERLY 731.5 FEET, MORE OR LESS, AND SOUTHEASTERLY 643.8 FEET, MORE OR LESS, TO INTERSECT THE LINE OF THE EAST OUTLINE OF RASH FIELD, IF PROJECTED NORTHERLY; THENCE BINDING REVERSELY IN PART ON THE LINE OF THE EAST OUTLINE OF SAID RASH FIELD, SO PROJECTED IN PART ON THE EAST OUTLINE OF SAID RASH FIELD, AND IN ALL, SOUTHERLY 382.3 FEET, MORE OR LESS, TO INTERSECT THE NORTH SIDE OF KEY HIGHWAY, 66 FEET WIDE; THENCE BINDING ON THE NORTH AND NORTHEAST SIDES OF SAID KEY HIGHWAY, THE SIX FOLLOWING COURSES AND DISTANCES; NAMELY, WESTERLY 597.8 FEET, MORE OR LESS, WESTERLY BY A LINE CURVING TO THE RIGHT WITH A RADIUS OF 1,138.51 FEET THE DISTANCE OF 145.6 FEET, MORE OR LESS, WESTERLY 131.8 FEET, MORE OR LESS, WESTERLY BY A LINE CURVING TO THE LEFT WITH A RADIUS OF 1,153.330 FEET THE DISTANCE OF 7.4 FEET, MORE OR LESS, WESTERLY 482.8 FEET, MORE OR LESS, AND NORTHWESTERLY BY A LINE CURVING TO THE RIGHT WITH A RADIUS OF 84.00 FEET THE DISTANCE OF 132.0 FEET, MORE OR LESS, TO INTERSECT THE EAST SIDE OF LIGHT STREET, 159 FEET WIDE; THENCE BINDING ON THE EAST SIDE OF LAST SAID LIGHT STREET, THE THREE FOLLOWING COURSES AND DISTANCES; NAMELY, NORTHERLY 898.4 FEET, MORE OR LESS, NORTHERLY 357.5 FEET, MORE OR LESS, AND NORTHERLY 211.4 FEET, MORE OR LESS; THENCE BY A STRAIGHT LINE, NORTHWESTERLY 172.3 FEET, MORE OR LESS, TO INTERSECT THE EAST SIDE OF LIGHT STREET, MENTIONED FIRSTLY HEREIN, AND THENCE BINDING ON THE EAST SIDE OF SAID LIGHT STREET, MENTIONED FIRSTLY HEREIN, NORTHERLY 394.2 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING. CONTAINING ~~8,001,976~~ 7,884,000.8 SQUARE FEET, MORE OR LESS, OR ~~183.7~~ 181.0 ACRES OF LAND, MORE OR LESS.

(B) *PROPERTIES IN 2 OR MORE DISTRICTS.*

IF BOUNDARY DESCRIPTIONS RESULT IN A PROPERTY'S BEING LOCATED IN 2 OR MORE COMMUNITY BENEFIT DISTRICTS, THEN THE PROPERTY IS CONSIDERED TO BE CONTAINED IN THE FIRST COMMUNITY BENEFIT DISTRICT CREATED.

§ 8-3. AUTHORITY CREATED.

(A) *AUTHORITY CREATED.*

THERE IS A WATERFRONT MANAGEMENT AUTHORITY, REFERRED TO IN THIS SUBTITLE AS THE "AUTHORITY".

(B) *PURPOSE.*

THE PURPOSE OF THE AUTHORITY IS TO:

- (1) PROMOTE AND MARKET THE DISTRICT;
- (2) PROVIDE SUPPLEMENTAL SECURITY AND MAINTENANCE SERVICES;
- (3) PROVIDE AMENITIES IN PUBLIC AREAS;
- (4) PROVIDE PARK AND RECREATIONAL PROGRAMS AND FUNCTIONS; AND
- (5) PROVIDE OTHER SERVICES AND FUNCTIONS AS MAY BE REQUESTED BY THE AUTHORITY AND APPROVED BY AN ORDINANCE OF THE MAYOR AND CITY COUNCIL.

§ 8-4. POWERS AND FUNCTIONS OF AUTHORITY.**(A) *GOVERNMENTAL BODY.***

TO THE GREATEST EXTENT ALLOWABLE BY LAW, THE AUTHORITY IS AND SHALL BE DEEMED TO BE A SPECIAL TAXING DISTRICT AND, THEREFORE, A GOVERNMENTAL BODY, BOTH POLITIC AND CORPORATE, EXERCISING ONLY THOSE POWERS AS ARE PROVIDED FOR IN THIS SUBTITLE.

(B) *AUTHORIZED ACTIONS.*

- (1) THE AUTHORITY MAY ACQUIRE, HOLD, AND USE BOTH REAL AND PERSONAL PROPERTY AS NECESSARY TO ACHIEVE ITS PURPOSES, INCLUDING ACQUISITION BY PURCHASE, LEASE, OR OTHER MEANS.
- (2) THE AUTHORITY MAY ENGAGE THE SERVICES OF AN ADMINISTRATOR (THE “ADMINISTRATOR”), WHO MAY BE AN INDIVIDUAL OR AN ENTITY, TO ADMINISTER THE PROGRAMS AND UNDERTAKINGS OF THE AUTHORITY.
- (3) THE AUTHORITY MAY SUE AND BE SUED. HOWEVER, THE DISTRICT, THE AUTHORITY, ITS BOARD OF DIRECTORS, AND ITS ADMINISTRATOR SHALL BENEFIT, TO THE FULLEST EXTENT ALLOWABLE BY LAW, FROM ALL PROVISIONS OF FEDERAL, STATE, AND LOCAL LAW LIMITING THE LIABILITY OF EMPLOYEES, OFFICERS, AGENTS, AND OFFICIALS OF GOVERNMENTAL BODIES.
- (4) THE AUTHORITY MAY ACCEPT GRANTS.
- (5) THE AUTHORITY MAY BORROW FUNDS FOR PURPOSES CONSISTENT WITH THE PUBLIC PURPOSES OF THE AUTHORITY. HOWEVER, NO BORROWING MAY BE FOR A TERM BEYOND THE DATE FOR THE DISTRICT’S RENEWAL UNDER § 8-16 OF THIS SUBTITLE;
- (6) THE AUTHORITY SHALL ADOPT AN ANNUAL BUDGET AND IMPOSE, CHARGE, AND COLLECT THE TAXES OR CHARGES ON BENEFITTED PROPERTIES WITHIN THE DISTRICT, AS AUTHORIZED BY CITY CHARTER ARTICLE II, § (63) AND THIS SUBTITLE.
- (7) THE AUTHORITY MAY CREATE AND ENTER INTO PARTNERSHIPS BETWEEN IT AND VARIOUS PROPERTY OWNERS. THESE PARTNERSHIPS MAY PROVIDE FOR THE PROVISION OF PERMITTED SERVICES AND BENEFITS BY THE AUTHORITY IN EXCHANGE FOR PAYMENTS ARRANGED BY CONTRACT, DONATION, GIFT, SERVICES IN KIND, OR OTHER MECHANISM BY WHICH FUNDS OR BENEFITS ARE PROVIDED TO THE AUTHORITY.
- (8) THE AUTHORITY MAY ESTABLISH AND ELECT OFFICERS NOT ALREADY PROVIDED FOR IN THIS SUBTITLE AND PROVIDE FOR THEIR TERMS AND DUTIES.
- (9) THE AUTHORITY MAY CONTRACT FOR AND PURCHASE GOODS AND SERVICES, WITHOUT HAVING TO COMPLY WITH CITY REQUIREMENTS GOVERNING WAGE SCALES, COMPETITIVE BIDDING, OR OTHER PROCUREMENT MATTERS. HOWEVER, THE AUTHORITY NONETHELESS SHALL BE SUBJECT TO APPLICABLE ORDINANCES REGARDING CITY POLICY ON ENCOURAGING AND ACHIEVING GOALS FOR PARTICIPATION OF MINORITY AND WOMEN’S BUSINESS ENTERPRISES IN THE CONTRACTING ACTIVITIES.
- (10) SUBJECT TO THE APPROVAL OF THE BOARD OF ESTIMATES, THE AUTHORITY MAY ADOPT, AMEND, AND MODIFY BYLAWS, CONSISTENT WITH CITY CHARTER ARTICLE II, § (63) AND THIS SUBTITLE.

- (11) THE AUTHORITY MAY IMPLEMENT ITS PROGRAMS AND GOALS DIRECTLY THROUGH ITS EMPLOYEES OR THROUGH 1 OR MORE CONTRACTS. THESE CONTRACTS MAY BE WITH INDEPENDENT CONTRACTORS OR CONTRACTUAL EMPLOYEES.
- (12) THE AUTHORITY MAY ASSIST IN THE LEASING, MARKETING, AND PROMOTIONAL ACTIVITIES WITHIN THE DISTRICT, TO THE EXTENT THOSE ACTIVITIES ARE APPROVED BY THE GOVERNING BOARD OF THE AUTHORITY.
- (13) THE AUTHORITY MAY APPOINT, HIRE, OR ENGAGE AUDITORS, ACCOUNTANTS, ATTORNEYS, ASSISTANTS, AIDES, EMPLOYEES, AND ADVISORS AS IT CONSIDERS NECESSARY FOR THE PROPER PERFORMANCE OF ITS DUTIES, BUT CONSISTENT WITH THIS SUBTITLE.
- (14) THE AUTHORITY MAY DO ALL OTHER THINGS NECESSARY OR CONVENIENT TO CARRY OUT ITS GOALS, OBJECTIVES, AND POWERS.

§ 8-5. LIMITATIONS ON AUTHORITY.

(A) NOT AGENCY OF CITY OR STATE.

- (1) THE AUTHORITY IS NOT AND MAY NOT BE DEEMED TO BE AN AGENCY OF THE MAYOR AND CITY OF BALTIMORE OR OF THE STATE OF MARYLAND.
- (2) THE OFFICERS AND EMPLOYEES OF THE AUTHORITY ARE NOT AND MAY NOT ACT AS AGENTS OR EMPLOYEES OF THE MAYOR AND CITY OF BALTIMORE OR THE STATE OF MARYLAND.

(B) UNAUTHORIZED ACTIONS.

- (1) THE AUTHORITY MAY NOT EXERCISE ANY POLICE OR GENERAL POWERS OTHER THAN THOSE AUTHORIZED BY STATE LAW AND CITY ORDINANCE.
- (2) THE AUTHORITY MAY NOT PLEDGE THE FULL FAITH OR CREDIT OF THE CITY.
- (3) THE AUTHORITY MAY NOT LEVY ANY TAXES AGAINST PROPERTIES THAT ARE EXEMPT UNDER STATE LAW FROM ORDINARY PROPERTY TAXES.
- (4) THE AUTHORITY MAY NOT IMPOSE ANY TAXES OR CHARGES IN EXCESS OF THOSE APPROVED BY THE BOARD OF ESTIMATES.
- (5) THE AUTHORITY MAY NOT EXERCISE THE POWER OF EMINENT DOMAIN.
- (6) THE AUTHORITY MAY NOT EXTEND ITS LIFE WITHOUT THE APPROVAL OF THE CITY COUNCIL.
- (7) EXCEPT AS OTHERWISE PROVIDED BY LAW, THE AUTHORITY MAY NOT ENGAGE IN COMPETITION WITH THE PRIVATE SECTOR.
- (8) EXCEPT AS OTHERWISE PROVIDED IN § 8-17 OF THIS SUBTITLE, THE AUTHORITY MAY NOT REVERT CHARGES OR TAXES COLLECTED UNDER THIS SUBTITLE TO THE GENERAL FUND OF THE CITY.
- (9) THE AUTHORITY MAY NOT EMPLOY INDIVIDUALS WHO RESIDE OUTSIDE OF THE CITY.
- (10) EXCEPT AS REQUIRED OR APPROPRIATE TO FACILITATE ITS NORMAL OPERATIONS, THE AUTHORITY MAY NOT INCUR DEBT.

- (11) THE AUTHORITY MAY NOT EXERCISE ANY POWER SPECIFICALLY WITHHELD BY THE TERMS OF EITHER THIS SUBTITLE OR, IF MORE RESTRICTIVE, CITY CHARTER ARTICLE II, § (63).

(C) *INTERPRETATION OF POWERS.*

THE POWERS OF THE AUTHORITY SHALL BE BROADLY INTERPRETED TO ALLOW THE AUTHORITY TO ACHIEVE THE GOALS OF CITY CHARTER ARTICLE II, § (63), INCLUDING THE PROVISION OF SUPPLEMENTARY SECURITY AND MAINTENANCE SERVICES, THE PROMOTION AND MARKETING OF THE DISTRICT, AND THE PROVISION OF AMENITIES IN PUBLIC AREAS.

§ 8-6. BOARD OF DIRECTORS.

(A) *IN GENERAL.*

THE AUTHORITY SHALL BE GOVERNED BY AND ADMINISTERED THROUGH A BOARD OF DIRECTORS (THE "BOARD").

(B) *NUMBER AND APPOINTMENT.*

- (1) THE NUMBER OF VOTING MEMBERS OF THE FULL BOARD MUST BE NOT LESS THAN 13, EXCLUDING VACANCIES, AND NO MORE THAN 25.
- (2) THE BOARD HAS FULL AUTHORITY TO INCREASE OR DECREASE ITS MEMBERSHIP, WITHIN THE LIMITS SPECIFIED IN THIS SUBSECTION.

(C) *COMPOSITION.*

(1) OF THE VOTING MEMBERS OF THE BOARD:

- (I) 1 SHALL BE APPOINTED BY THE MAYOR.
- (II) 1 SHALL BE A COUNCILMEMBER APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL.
- (III) AT LEAST 2 SHALL BE SELECTED FROM AMONG THE FOLLOWING CONSTITUENT ORGANIZATIONS WITHIN THE DISTRICT:

(A) BALTIMORE HARBOR WATERSHED ASSOCIATION, INC.

(B) BALTIMORE WATERFRONT PROMENADE PARTNERSHIP, INCORPORATED.

(C) GREATER BALTIMORE COMMITTEE, INC.

(D) BALTIMORE DEVELOPMENT CORPORATION.

(E) ~~(D)~~ FELS POINT HOMEOWNERS ASSOCIATION.

(F) ~~(E)~~ FELS POINT DEVELOPMENT CORPORATION.

- (2) THE BOARD SHALL ALSO CONTAIN AT LEAST 3 REPRESENTATIVES FROM AMONG VARIOUS BUSINESS CATEGORIES AND RESIDENTS IN THE DISTRICT, INCLUDING:

- (I) PROFESSIONAL OFFICES.

(II) RETAIL AND RESTAURANTS.

(III) HOTELS.

(IV) SERVICE PROVIDERS.

(3) AT ALL TIMES, AT LEAST $\frac{2}{3}$ OF THE BOARD MUST BE REPRESENTATIVES OF PROPERTY OWNERS SUBJECT TO THE TAX IMPOSED BY THIS SUBTITLE. THESE MUST BE SO DESIGNATED BY THE BOARD AND ENTERED INTO THE MINUTES OF THE AUTHORITY.

(4) CONSISTENT WITH THE ENCOURAGEMENT OF PARTNERSHIPS BETWEEN THE AUTHORITY AND PROPERTY OWNERS EXEMPT FROM THE TAX IMPOSED BY THIS SUBTITLE, THE BOARD IS ENCOURAGED TO CONSIDER REPRESENTATION OF THOSE PARTNERS ON THE BOARD.

(D) *TERMS TO BE STAGGERED.*

THE TERMS OF THE MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS OF THE MEMBERS FIRST APPOINTED.

(E) *EXERCISE OF AUTHORITY POWERS.*

ALL POWERS OF THE AUTHORITY ARE EXERCISED BY AND THROUGH THE BOARD, UNLESS DELEGATED BY THE BOARD TO 1 OR MORE OFFICERS OF THE BOARD OR TO THE ADMINISTRATOR.

(F) *BYLAWS, RULES, AND REGULATIONS.*

(1) THE BOARD MAY ADOPT BYLAWS, RULES, AND REGULATIONS AS IT CONSIDERS NECESSARY TO CARRY OUT THE POWERS OF THE AUTHORITY. HOWEVER, THESE BYLAWS, RULES, AND REGULATIONS MAY NOT BE INCONSISTENT WITH THE TERMS OF THIS SUBTITLE OR OF CITY CHARTER ARTICLE II, § (63).

(2) ALL BYLAWS ARE SUBJECT TO THE APPROVAL OF THE BOARD OF ESTIMATES.

(3) THE BOARD MAY ESTABLISH ITS OWN PROCEDURES RELATING TO THE INTERNAL ADMINISTRATION OF THE AUTHORITY, EXCEPT AS MAY BE RESTRICTED BY CITY CHARTER ARTICLE II, § (63) OR THIS SUBTITLE.

(G) *OFFICERS.*

(1) THE BOARD SHALL SELECT FROM AMONG ITS MEMBERS INDIVIDUALS TO SERVE AS THE CHAIR, VICE-CHAIR, TREASURER, AND SECRETARY OF THE AUTHORITY.

(2) THESE OFFICERS SERVE AT THE PLEASURE OF THE BOARD.

(3) THE BOARD MAY DELEGATE TO THESE OFFICERS THOSE RESPONSIBILITIES THAT THE BOARD CONSIDERS APPROPRIATE.

§ 8-7. ANNUAL FINANCIAL PLAN.*(A) BOARD TO ADOPT.*

THE BOARD SHALL ADOPT AN ANNUAL FINANCIAL PLAN (THE “FINANCIAL PLAN”), BASED ON THE CITY’S FISCAL YEAR, CONSISTING OF AT LEAST A BUDGET AND A PROPOSED SCHEDULE OF TAXES OR CHARGES TO BE IMPOSED THROUGHOUT THE DISTRICT.

(B) PUBLIC HEARING.

BEFORE ADOPTING THE FINANCIAL PLAN, THE BOARD SHALL ARRANGE FOR A PUBLIC HEARING ON THE PROPOSED PLAN. NOTICE OF THE HEARING MUST BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN BALTIMORE CITY AT LEAST ONCE A WEEK FOR 3 CONSECUTIVE WEEKS.

(C) BOARD OF ESTIMATES APPROVAL REQUIRED.

THE AUTHORITY MAY NOT APPROVE A FINANCIAL PLAN THAT INCLUDES TAXES OR CHARGES IN EXCESS OF THOSE APPROVED BY THE BOARD OF ESTIMATES.

§ 8-8. SUPPLEMENTAL TAX.*(A) BOARD OF ESTIMATES TO DETERMINE ASSESSABLE BASE.*

(1) THE BOARD OF ESTIMATES SHALL OBTAIN FROM THE DIRECTOR OF FINANCE THE “ASSESSABLE BASE” OF THE DISTRICT, WHICH SHALL CONSTITUTE A LISTING BY PROPERTY AND A CALCULATION OF THE SUM OF ASSESSMENTS ON PROPERTIES SUBJECT TO THE SUPPLEMENTAL TAX.

(2) PROPERTIES SUBJECT TO THE TAX SHALL INCLUDE ALL PROPERTIES WITHIN THE DISTRICT EXCEPT:

(I) RESIDENTIAL UNITS IN A CONDOMINIUM BUILDING, WHETHER OR NOT THE UNITS ARE OWNER-OCCUPIED; AND

(II) ALL OTHER BUILDINGS USED FOR RESIDENTIAL PURPOSES, OTHER THAN A BUILDING THAT CONTAINS 4 OR MORE RENTAL UNITS; AND

(III) PROPERTIES EXEMPT UNDER:

(A) THIS SUBTITLE;

(B) CITY CHARTER ARTICLE II, § (63); OR

(C) ANY OTHER APPLICABLE LAW.

(3) THE BOARD OF ESTIMATES SHALL DETERMINE WITH FINALITY THE ASSESSABLE BASE ON WHICH THE SUPPLEMENTAL TAX WILL BE BASED.

(B) ASSESSMENT; COLLECTION; ENFORCEMENT.

(1) FUNDING FOR AUTHORITY OPERATIONS SHALL BE PROVIDED BY A SUPPLEMENTAL PROPERTY TAX (THE “SUPPLEMENTAL TAX”) ON THE ASSESSABLE BASE OF THE DISTRICT AS DETERMINED UNDER SUBSECTION (A) OF THIS SECTION.

(2) THE SUPPLEMENTAL TAX SHALL BE ASSESSED AND COLLECTED IN CONJUNCTION WITH THE PROPERTY TAXES ASSESSED AND COLLECTED BY THE CITY (THE "REGULAR TAX"), UNLESS OTHERWISE ESTABLISHED BY THE BOARD OF ESTIMATES.

(3) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE:

(I) THE SUPPLEMENTAL TAX SHALL BE ENFORCED IN THE SAME WAY AS THE REGULAR TAX IS ENFORCED; AND

(II) ALL PROVISIONS THAT APPLY TO ASSESSMENTS, REFUNDS, CREDITS, COLLECTIONS, AND ENFORCEMENT OF THE REGULAR TAX APPLY TO THE SUPPLEMENTAL TAX.

(C) *DETERMINATION OF TAX.*

THE SUPPLEMENTAL TAX RATE SHALL BE DETERMINED AS FOLLOWS:

(1) ANY INCREASE IN THE RATE OF THE SUPPLEMENTAL TAX MUST BE APPROVED BY A MAJORITY OF THE BOARD'S VOTING MEMBERS.

(2) FOR THE FIRST FULL BUDGET YEAR, THE RATE OF THE SUPPLEMENTAL TAX SHALL BE SET TO RAISE REVENUES EQUAL TO THE COSTS OF THE FINANCIAL PLAN.

(3) FOR ANY YEAR AFTER THE FIRST FULL BUDGET YEAR, THE RATE OF THE SUPPLEMENTAL TAX MAY BE ADJUSTED TO YIELD REVENUES EQUAL TO THE COSTS OF THE FINANCIAL PLAN. THAT RATE, HOWEVER, MAY NOT BE INCREASED BY MORE THAN 10% A YEAR UNLESS THE INCREASE IS APPROVED BY 80% OR MORE OF THE PROPERTY-OWNER REPRESENTATIVES ON THE BOARD.

(D) *EXEMPTION FOR PUBLIC SERVICE COMPANIES.*

EXEMPT FROM THE SUPPLEMENTAL TAX ARE THE POLES, CONDUITS, TUNNELS, PIPE LINES, MANHOLES, AND OTHER SIMILAR SURFACE OR SUBSURFACE STRUCTURES, INCLUDING THEIR EQUIPMENT, OWNED AND CONTROLLED BY A PUBLIC SERVICE CORPORATION, LOCATED ON, OVER, OR UNDER STREETS, ALLEYS, OR OTHER PUBLIC WAYS OR LANDS, THE CONSTRUCTION OF WHICH IS AUTHORIZED BY THE CITY, AND THE INSTALLATION OF WHICH IS REGULATED AND SUPERVISED BY THE DIRECTOR OF PUBLIC WORKS OR THE DIRECTOR'S DESIGNEE OR THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION OR THE DIRECTOR'S DESIGNEE.

§ 8-9. OTHER CHARGES.

(A) *PROPERTY SUBJECT TO SUPPLEMENTAL TAX.*

(1) PROPERTIES THAT ARE SUBJECT TO THE SUPPLEMENTAL TAX ARE NOT REQUIRED TO PAY ANY OTHER CHARGES OR FEES FOR SERVICES GENERALLY PROVIDED WITHIN THE DISTRICT BY THE AUTHORITY.

(2) HOWEVER, THE AUTHORITY MAY IMPOSE CHARGES AND FEES FOR ANY SPECIAL SERVICES REQUESTED BY AND PERFORMED FOR 1 OR MORE PROPERTY OWNERS.

(B) *OTHERS.*

WITH THE APPROVAL OF THE BOARD OF ESTIMATES, THE BOARD MAY ESTABLISH OTHER FEES AND CHARGES FOR SPECIFIC SERVICES PERFORMED:

- (1) WITHIN THE DISTRICT;
- (2) WITHIN AREAS ADJOINING THE DISTRICT;
- (3) FOR PROPERTIES AND OWNERS NOT SUBJECT TO THE SUPPLEMENTAL TAX; AND
- (4) IN CONJUNCTION WITH PARTNERSHIPS ENCOURAGED BY THIS SUBTITLE.

§ 8-10. BASELINE CITY SERVICES.

(A) *AGREEMENT TO MAINTAIN.*

BEFORE IMPOSING AND COLLECTING THE SUPPLEMENTAL TAX, THE AUTHORITY SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE MAYOR REGARDING THE LEVEL OF SERVICES TO BE MAINTAINED BY THE CITY AS THE CITY'S PARTNERSHIP OBLIGATION TO THE AUTHORITY AND THE DISTRICT'S TAXPAYERS.

(B) *SCOPE OF AGREEMENT.*

THIS MEMORANDUM OF UNDERSTANDING SHALL:

- (1) DESCRIBE THE EXISTING LEVELS OF SERVICE WITHIN THE DISTRICT;
- (2) COMMIT THE CITY TO THE MAINTENANCE OF THOSE LEVELS OF SERVICE; AND
- (3) OUTLINE THE FURTHER UNDERTAKINGS OF THE CITY IN RESPONSE TO THE INITIATIVE REPRESENTED BY THE CREATION OF THE DISTRICT (THE "BASELINE PLUS").

(C) *GOVERNING PRINCIPLES.*

THE MAINTENANCE OF EXISTING SERVICES SHALL BE GOVERNED BY 2 PRINCIPLES:

- (1) THOSE SERVICES MAY NOT BE DECREASED EXCEPT:
 - (I) AS PART OF AN OVERALL DECREASE IN SERVICES NECESSITATED BY CHANGES IN FUNDING, POLICY, OR RESOURCES; AND
 - (II) ONLY IN PROPORTION TO THE DECREASES IMPLEMENTED ELSEWHERE IN THE CITY.
- (2) ANY INCREASE IN SERVICES GENERALLY THROUGHOUT THE CITY SHALL BE MATCHED WITH INCREASES IN THOSE SERVICES WITHIN THE DISTRICT, IN PROPORTION TO THE INCREASES IMPLEMENTED ELSEWHERE IN THE CITY.

§ 8-11. PARTNERSHIPS.

(A) *AUTHORITY ENCOURAGED TO CREATE.*

THE AUTHORITY IS AUTHORIZED AND ENCOURAGED TO ENTER INTO PARTNERSHIPS WITH THE PROPERTY OWNERS AND USERS WITHIN THE DISTRICT AND ADJOINING AREAS THAT ARE NOT SUBJECT TO THE SUPPLEMENTAL TAX ("EXEMPT PARTNERS") (INCLUDING THE FRIENDS OF FEDERAL HILL INC.) FOR THE PURPOSE OF FURTHERING THE BROAD OBJECTIVES OF IMPROVING AND ENHANCING PUBLIC SERVICES THROUGHOUT THE DISTRICT AND IN ADJOINING AREAS.

(B) *SPECIFIC POWERS.*

IN FURTHERANCE OF THAT OBJECTIVE, THE AUTHORITY MAY:

- (1) CONTRACT TO PROVIDE VARYING LEVELS OF SERVICES TO AREAS ADJOINING THE DISTRICT;
- (2) AGREE TO ACCEPT DONATIONS, CONTRIBUTIONS, AND VOLUNTARY PAYMENTS OF ANY KIND FROM EXEMPT PARTNERS (COLLECTIVELY, "VOLUNTARY PAYMENTS"), WITH OR WITHOUT AGREEMENTS REGARDING SPECIFIC SERVICES AND FUNCTIONS;
- (3) ENTER INTO AGREEMENTS WITH EXEMPT PARTNERS TO INCLUDE PROPERTY OWNED BY THOSE EXEMPT PARTNERS WITHIN THE DISTRICT IN RETURN FOR VOLUNTARY PAYMENTS OR COMMITMENTS REGARDING THE PROVISION OF SIMILAR SERVICES AND FUNCTIONS WITHIN PROPERTIES OWNED BY EXEMPT PARTNERS; AND
- (4) ESTABLISH RATES AND CHARGES FOR THE PROVISION OF SERVICES TO EXEMPT PARTNERS.

§ 8-12. COLLECTION AND DISBURSEMENT.

(A) *IN GENERAL.*

THE AUTHORITY SHALL ESTABLISH WITH THE APPROPRIATE CITY AGENCIES THE METHODS BY WHICH THE SUPPLEMENTAL TAX IS TO BE ASSESSED, COLLECTED, AND DISBURSED TO THE AUTHORITY.

(B) *FUNDS NOT PART OF CITY REVENUE.*

AMOUNTS COLLECTED BY THE CITY ON BEHALF OF THE AUTHORITY:

- (1) MAY NOT BE INCLUDED IN THE REVENUES OF THE CITY;
- (2) ARE NOT AND MAY NOT BE DEEMED TO BE SUBJECT TO THE BUDGETARY AND APPROPRIATION PROCESS; AND
- (3) SHALL BE DISBURSED PROMPTLY ON COLLECTION.

(C) *CITY TO BEAR EXPENSE OF COLLECTION, ETC.*

AS PART OF THE CITY'S CONTRIBUTION TO THE DISTRICT, THE COLLECTION, ASSESSMENT, DISBURSEMENT, RECORD-KEEPING, AND ENFORCEMENT INVOLVED IN THE PROCESS MAY NOT BE A CHARGE TO OR AGAINST THE AUTHORITY OR THE DISTRICT, BUT SHALL BE AN ELEMENT OF THE BASELINE PLUS.

(D) *DEPARTMENT OF FINANCE AUTHORIZED TO COLLECT.*

- (1) THE DEPARTMENT OF FINANCE MAY COLLECT THE SUPPLEMENTAL TAX AND OTHER CHARGES AS ARE APPROVED BY THE BOARD OF ESTIMATES.
- (2) THE ASSESSMENT FOR THE SUPPLEMENTAL TAX MAY BE INCLUDED WITH THE ANNUAL REAL PROPERTY TAX BILL SUBMITTED TO THE OWNERS OF PROPERTIES WITHIN THE DISTRICT.
- (3) THE DEPARTMENT OF FINANCE SHALL MAKE REGULAR REMITTANCES OF THE AMOUNTS COLLECTED TO THE BOARD OF THE AUTHORITY.

(E) *PENALTIES AND INTEREST.*

THE PENALTIES AND INTEREST APPLICABLE TO DELINQUENT TAXES SHALL BE APPLIED TO DELINQUENCIES IN PAYMENT OF THE SUPPLEMENTAL TAX.

(F) *LIEN ON PROPERTY.*

(1) THE AMOUNT OF ANY OUTSTANDING ASSESSMENT ON ANY PROPERTY AND OF ACCRUED INTEREST AND OTHER CHARGES CONSTITUTES A LIEN ON THE PROPERTY.

(2) THIS LIEN:

- (I) TAKES PRECEDENCE OVER ALL OTHER LIENS, WHETHER CREATED BEFORE OR AFTER THE ASSESSMENT, COMMENSURATE WITH A LIEN FOR STATE AND COUNTY TAXES, GENERAL MUNICIPAL TAXES, AND PRIOR IMPROVEMENT ASSESSMENTS; AND
- (II) MAY NOT BE DEFEATED OR POSTPONED BY ANY PRIVATE OR JUDICIAL SALE, BY ANY MORTGAGE, OR BY ANY ERROR OR MISTAKE IN THE DESCRIPTION OF THE PROPERTY OR IN THE NAMES OF THE OWNERS.

(3) NO ERROR IN THE PROCEEDINGS OF THE CITY OR THE BOARD EXEMPTS ANY PROPERTY FROM THE LIEN, FROM ITS PAYMENT, OR FROM THE PENALTIES OR INTEREST ON IT.

§ 8-13. ADMINISTRATOR.

(A) *IN GENERAL.*

THE ADMINISTRATOR IS RESPONSIBLE FOR THE DAY-TO-DAY OPERATIONS OF THE BOARD AND ITS EMPLOYEES AND CONTRACTORS.

(B) *POWERS.*

THE ADMINISTRATOR MAY:

- (1) PREPARE THE FINANCIAL PLAN FOR REVIEW AND APPROVAL BY THE BOARD;
- (2) IMPLEMENT THE APPROVED FINANCIAL PLAN AND ARRANGE FOR THE COLLECTION AND DISBURSEMENT OF THE SUPPLEMENTAL TAX AND ALL OTHER CHARGES, FEES, AND REVENUES OF THE AUTHORITY;
- (3) ESTABLISH PROCEDURES AND PROCESSES NECESSARY TO PERFORM THE FUNCTIONS CALLED FOR UNDER THE FINANCIAL PLAN AND THE BUDGET;
- (4) HIRE AND RETAIN EMPLOYEES, AGENTS, AND CONTRACTORS AS NEEDED TO PERFORM THE ADMINISTRATOR'S FUNCTIONS FOR THE AUTHORITY, SUBJECT TO § 8-4(B)(9) OF THIS SUBTITLE;
- (5) EXERCISE THE POWERS GRANTED TO THE AUTHORITY BY THIS SUBTITLE, EXCEPT THAT THE BOARD RETAINS FINAL DISCRETION AND POWER WITH REGARD TO ALL SUBSTANTIVE AGREEMENTS, CONTRACTS, AND OTHER ARRANGEMENTS BINDING ON THE AUTHORITY; AND
- (6) EXERCISE THE ADDITIONAL RIGHTS, POWERS, AND AUTHORITY GRANTED TO THE ADMINISTRATOR BY THE BOARD.

(C) *IMMUNITY.*

THE ADMINISTRATOR IS THE DIRECT AGENT OF THE AUTHORITY, SO THAT ANY IMMUNITY AFFORDED TO THE AUTHORITY AND ITS OFFICERS, EMPLOYEES, AND AGENTS, IS AFFORDED AS WELL TO THE ADMINISTRATOR.

§ 8-14. OVERSIGHT BY BOARD OF ESTIMATES.

(A) *IN GENERAL.*

THE BOARD OF ESTIMATES HAS THE FOLLOWING POWERS WITH REGARD TO THE DISTRICT AND THE AUTHORITY.

(B) *FINANCIAL PLAN; RATES AND CHARGES.*

- (1) THE FINANCIAL PLAN AND THE SCHEDULE OF RATES AND CHARGES ARE SUBJECT TO THE APPROVAL OF THE BOARD OF ESTIMATES.
- (2) THE BOARD OF THE AUTHORITY SHALL SUBMIT ALL MATERIALS AT LEAST 2 MONTHS BEFORE THE PROPOSED EFFECTIVE DATE OF A BUDGET OR SUPPLEMENTAL TAX.
- (3) IN CONSIDERING A PROPOSED BUDGET AND SCHEDULE OF TAXES AND CHARGES, THE BOARD OF ESTIMATES MAY NOT EXCEED OR INCREASE EITHER THE BUDGET OR THE SCHEDULE OF TAXES, RATES, AND CHARGES BEYOND THOSE PROPOSED BY THE AUTHORITY.

(C) *BYLAWS.*

THE BOARD OF ESTIMATES MUST APPROVE THE BYLAWS OF THE AUTHORITY AND ANY PROPOSED AMENDMENTS TO IT.

(D) *APPROVAL AND RENEWAL PROCESS.*

THE BOARD OF ESTIMATES IS THE FINAL ARBITER AND DECISION MAKER REGARDING THE APPROVAL AND RENEWAL PROCESS FOR THE DISTRICT.

§ 8-15. ELECTION APPROVAL PROCESS.

(A) *LIST OF ELIGIBLE VOTERS.*

THE BOARD OF ESTIMATES, WITH THE ASSISTANCE OF THE BOARD AND THE DEPARTMENT OF FINANCE, SHALL COMPILE A LIST OF THOSE PERSONS ELIGIBLE TO VOTE ON THE ESTABLISHMENT OF THE DISTRICT AND ON ANY QUESTION RELATING TO ITS RENEWAL.

(B) *ELIGIBILITY CRITERIA.*

- (1) PERSONS ELIGIBLE TO VOTE ARE THE OWNERS OF PROPERTY SUBJECT TO TAX UNDER § 8-8 OF THIS SUBTITLE.
- (2) NO MORE THAN 1 VOTE MAY BE CAST FOR EACH TAX PARCEL.

(C) *ELECTION.*

- (1) A BALLOT SHALL BE PROVIDED TO EACH ELIGIBLE VOTER FOR THE APPROVAL OF THE ESTABLISHMENT OF THE DISTRICT.
- (2) EACH BALLOT, WITH A CERTIFIED SIGNATURE OF THE ELIGIBLE VOTER OR DULY AUTHORIZED REPRESENTATIVE, MUST BE RETURNED TO THE BOARD OF ESTIMATES, C/O THE COMPTROLLER'S OFFICE, WITHIN 30 DAYS OF THE DATE SPECIFIED ON THE BALLOT.

(D) *PERCENTAGE APPROVAL.*

- (1) WITHIN 20 DAYS OF THE END OF THE ELECTION PERIOD, THE BOARD OF ESTIMATES SHALL DETERMINE THE AGGREGATE VOTES CAST BY THE ELIGIBLE VOTERS.
- (2) IF THE BOARD OF ESTIMATES DETERMINES THAT AT LEAST 58% OF THE AGGREGATE VOTES CAST APPROVED THE ESTABLISHMENT OF THE DISTRICT, THE BOARD OF ESTIMATES SHALL CERTIFY THE DISTRICT AND AUTHORITY AS APPROVED FOR OPERATION.

§ 8-16. 4-YEAR REVIEWS.(A) *PUBLIC HEARINGS.*

NO LATER THAN 4 YEARS AFTER THE ESTABLISHMENT OF THE DISTRICT, AND EVERY 4 YEARS FOLLOWING, THE MAYOR AND CITY COUNCIL SHALL HOLD 1 OR MORE PUBLIC HEARINGS TO EVALUATE THE ACTIVITIES AND UNDERTAKINGS OF THE AUTHORITY AND THE DISTRICT.

(B) *MAYOR AND COUNCIL TO DECIDE.*

AT THE CONCLUSION OF THE HEARINGS, THE MAYOR AND CITY COUNCIL SHALL DETERMINE WHETHER THE DISTRICT IS TO CONTINUE FOR ANOTHER 4 YEARS.

(C) *PROCESS TO BE REPEATED.*

THIS PROCESS SHALL BE REPEATED PERIODICALLY TO SATISFY THE REQUIREMENTS OF CITY CHARTER ARTICLE II, § (63).

§ 8-17. DISSOLUTION OF DISTRICT.(A) *DISSOLUTION ON CERTAIN EVENTS.*

IF THE DISTRICT IS NOT APPROVED AS PROVIDED IN § 8-15 OF THIS SUBTITLE, OR IS NOT RENEWED AS PROVIDED IN § 8-16 OF THIS SUBTITLE, THE AUTHORITY SHALL CEASE ITS OPERATIONS, AND THE DISTRICT SHALL CEASE TO EXIST, AT THE END OF THE CITY'S FISCAL YEAR IN WHICH THE TERMINATING EVENT OCCURS.

(B) *LIMITED CONTINUATION.*

THE AUTHORITY SHALL CONTINUE ITS EXISTENCE ONLY AS LONG AS NECESSARY TO:

- (1) TERMINATE OPERATIONS IN A REASONABLE FASHION; AND
- (2) ARRANGE FOR THE REFUNDING OF ALL FUNDS NOT NEEDED TO SATISFY OUTSTANDING OBLIGATIONS AND RESERVES FOR UNCERTAIN OBLIGATIONS AND LIABILITIES.

(C) *UNSPENT FUNDS.*

ANY UNSPENT FUNDS REVERT TO THE CITY'S GENERAL FUND.

SECTION 2. AND BE IT FURTHER ORDAINED, That:

(a) The Interim Board of the Authority consists of the following individuals:

Michael Hankin
Michael Beatty
Christopher Schardt
Zed Smith
Van Reiner
David Pittenger
Carolyn Boitnott
Andrew Frank.

(b) The Interim Board is responsible for:

- (1) drafting the bylaws of the Authority;
- (2) recommending a full Board to the Board of Estimates; and
- (3) preparing a proposed operations plan and budget.

(c) (1) The Interim Board members serve for a period not to exceed 6 months, unless extended by the Board of Estimates, and only until a full Board is approved by the Board of Estimates.

(2) On a member's resignation, expiration of term, or removal in accordance with the Authority's bylaws, successors shall be elected by the remaining members of the Board.

(d) (1) The Interim Board shall propose to the Board of Estimates the initial full membership of the Board and the proposed terms for each director. The terms of the proposed members shall be staggered.

(2) Interim Board members may be included in the recommended full Board list.

(3) The recommendation shall occur no later than 10 days after approval of the District, and shall be subject to the consent and concurrence of the Board of Estimates.

(4) The full Board proposed by the Interim Board is subject to the approval of the Board of Estimates.

(e) (1) The first Financial Plan submitted may be for less than a full fiscal year.

(2) The initial budget for the Authority shall include all of the fiscal year ending on June 30, 2008, and may include the costs of preparing the Financial Plan and implementing the Authority and the District, whether or not those costs were incurred during that fiscal year.

(3) If the Authority is not implemented as a result of the election approval process, neither the Authority nor the District, nor the City, has any liability for costs incurred before the initiation of operations, whether or not incurred by the Administrator or on behalf of the District or the Authority.

- (f) For the initial budget year, the rate of the Supplemental Tax shall be set to raise revenues equal to the costs of the Financial Plan.
- (g) The initial Administrator of the Authority is the Waterfront Partnership of Baltimore, Inc., unless otherwise determined by the Interim Board.

SECTION 3. AND BE IT FURTHER ORDAINED, That all provisions of this Ordinance are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or that the application of any part of the provision to any person or circumstances is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.

SECTION 4. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on ~~July 1, 2007~~ the date it is enacted.

Approved April 24, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-418
(Council Bill 06-560)**

AN ORDINANCE CONCERNING

**Razoring – Certain Properties in the
Poppleton Area**

FOR the purpose of changing the zoning for certain properties in the Poppleton Area, as outlined in red on the accompanying plat, from the R-8 Zoning District to the R-9 Zoning District, as outlined in green on the accompanying plat, from the B-3-2 Zoning District to the R-9 Zoning District, as outlined in yellow on the accompanying plat, from the R-8 Zoning District to the B-2-3 Zoning District, as outlined in blue on the accompanying plat, from the B-1-2 Zoning District to the B-2-3 Zoning District, as outlined in orange on the accompanying plat, from the R-9 Zoning District to the B-2-3 Zoning District, and as outlined in purple on the accompanying plat, from the M-1-2 Zoning District to the R-9 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 54 and 55
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheets 54 and 55 of the Zoning District Maps is amended by changing for the following properties, all as outlined on the plats accompanying this Ordinance:

Properties to be rezoned from the R-8 Zoning District to the R-9 Zoning District, as outlined in red:

1100 West Saratoga Street
1102 West Saratoga Street
1104 West Saratoga Street
1106 West Saratoga Street
1108 West Saratoga Street
1110 West Saratoga Street
1112 West Saratoga Street
1114 West Saratoga Street
1116 West Saratoga Street
1118 West Saratoga Street
1120 West Saratoga Street
1124/1126 West Saratoga Street
1128 West Saratoga Street
1130 West Saratoga Street
1132 West Saratoga Street
1134 West Saratoga Street

301 North Carrollton Avenue
303 North Carrollton Avenue
305 North Carrollton Avenue
307 North Carrollton Avenue
309 North Carrollton Avenue
311 North Carrollton Avenue
313 North Carrollton Avenue
315 North Carrollton Avenue
317 North Carrollton Avenue
319 North Carrollton Avenue
321 North Carrollton Avenue
323 North Carrollton Avenue
325 North Carrollton Avenue
327 North Carrollton Avenue
329 North Carrollton Avenue
331 North Carrollton Avenue

1131 West Mulberry Street
1129 West Mulberry Street
1127 West Mulberry Street
1125 West Mulberry Street
1123 West Mulberry Street
1121 West Mulberry Street
1119 West Mulberry Street
1117 West Mulberry Street
1115 West Mulberry Street
1113 West Mulberry Street
1111 West Mulberry Street
1109 West Mulberry Street
1107 West Mulberry Street
1105 West Mulberry Street
1103 West Mulberry Street
1101 West Mulberry Street

316 North Arlington Street
314 North Arlington Street

312 North Arlington Street
310 North Arlington Street
306 North Arlington Street
304 North Arlington Street

1103 Sarah Ann Street
1105 Sarah Ann Street
1107 Sarah Ann Street
1109 Sarah Ann Street
1111 Sarah Ann Street
1113 Sarah Ann Street
1115 Sarah Ann Street
1117 Sarah Ann Street
1123 Sarah Ann Street
1125 Sarah Ann Street
1127 Sarah Ann Street
1129 Sarah Ann Street
1131 Sarah Ann Street
1133 Sarah Ann Street
1135 Sarah Ann Street
1124 Sarah Ann Street
1122 Sarah Ann Street
1120 Sarah Ann Street
1118 Sarah Ann Street
1116 Sarah Ann Street
1114 Sarah Ann Street
1112 Sarah Ann Street
1110 Sarah Ann Street
1108 Sarah Ann Street
1106 Sarah Ann Street
1104 Sarah Ann Street
1102 Sarah Ann Street

304 North Carlton Street
302 North Carlton Street
300 North Carlton Street

1005 West Mulberry Street
1007 West Mulberry Street
1009 West Mulberry Street
1011 West Mulberry Street
1013 West Mulberry Street
1015 West Mulberry Street
1025 West Mulberry Street
1031 West Mulberry Street
1033 West Mulberry Street
1035 West Mulberry Street
1037 West Mulberry Street
1039 West Mulberry Street
1041 West Mulberry Street
1043 West Mulberry Street
1045 West Mulberry Street

321 North Arlington Avenue
319 North Arlington Avenue
317 North Arlington Avenue
315 North Arlington Avenue
313 North Arlington Avenue
311 North Arlington Avenue
309 North Arlington Avenue
307 North Arlington Avenue
305 North Arlington Avenue
303 North Arlington Avenue

1054 West Saratoga Street
1052 West Saratoga Street
1050 West Saratoga Street
1048 West Saratoga Street
1046 West Saratoga Street
1044 West Saratoga Street
1042 West Saratoga Street
1040 West Saratoga Street
1038 West Saratoga Street
1036 West Saratoga Street
1034 West Saratoga Street
1032 West Saratoga Street
1030 West Saratoga Street
1028 West Saratoga Street
1026 West Saratoga Street
1024 West Saratoga Street
1022 West Saratoga Street
1020 West Saratoga Street
1018 West Saratoga Street
1016 West Saratoga Street
1014 West Saratoga Street
1012 West Saratoga Street
1010 West Saratoga Street
1000 West Saratoga Street

306 North Schroeder Street
308 North Schroeder Street
310 North Schroeder Street
312 North Schroeder Street
314 North Schroeder Street
316 North Schroeder Street
318 North Schroeder Street
320 North Schroeder Street
322 North Schroeder Street
324 North Schroeder Street
326 North Schroeder Street
328 North Schroeder Street

1002 Sarah Ann Street
1004 Sarah Ann Street
1006 Sarah Ann Street
1008 Sarah Ann Street

1010 Sarah Ann Street
1034 Sarah Ann Street
1036 Sarah Ann Street
1038 Sarah Ann Street
1041 Sarah Ann Street
1039 Sarah Ann Street
1037 Sarah Ann Street
1035 Sarah Ann Street
1033 Sarah Ann Street
1031 Sarah Ann Street
1029 Sarah Ann Street
1027 Sarah Ann Street
1025 Sarah Ann Street
1023 Sarah Ann Street
1021 Sarah Ann Street
1019 Sarah Ann Street
1013 Sarah Ann Street
1009 Sarah Ann Street
1007 Sarah Ann Street
1005 Sarah Ann Street

303 North Schroeder Street
305 North Schroeder Street
307 North Schroeder Street
309 North Schroeder Street
311 North Schroeder Street
313 North Schroeder Street
315 North Schroeder Street

936 West Saratoga Street
936½ West Saratoga Street
938 West Saratoga Street
940 West Saratoga Street
942 West Saratoga Street
944 West Saratoga Street
946 West Saratoga Street
948 West Saratoga Street
950 West Saratoga Street
952 West Saratoga Street
954 West Saratoga Street
956 West Saratoga Street

951 Sarah Ann Street
949 Sarah Ann Street
947 Sarah Ann Street
945 Sarah Ann Street
943 Sarah Ann Street
941 Sarah Ann Street
939 Sarah Ann Street

1208 West Lexington Street
1206 West Lexington Street
1204 West Lexington Street

1202 West Lexington Street
1200 West Lexington Street

204 North Carrollton Avenue
206 North Carrollton Avenue
208 North Carrollton Avenue
226 North Carrollton Avenue

1215 West Saratoga Street

1126 West Lexington Street
1132 West Lexington Street
1134 West Lexington Street
1136 West Lexington Street

201 North Carrollton Avenue
211 North Carrollton Avenue
213 North Carrollton Avenue
215 North Carrollton Avenue
217 North Carrollton Avenue
219 North Carrollton Avenue
221 North Carrollton Avenue
223 North Carrollton Avenue
225 North Carrollton Avenue
227 North Carrollton Avenue

1145 West Saratoga Street
1143 West Saratoga Street
1141 West Saratoga Street
1139 West Saratoga Street
1137 West Saratoga Street
1135 West Saratoga Street
1133 West Saratoga Street
1131 West Saratoga Street
1129 West Saratoga Street
1127 West Saratoga Street
1125 West Saratoga Street
1123 West Saratoga Street
1121 West Saratoga Street

Block 0170, Lot 093 (Born Court)
Block 0170, Lot 094 (Born Court)
Block 0170, Lot 095 (Born Court)
Block 0170, Lot 096/113 (Born Court)

218 North Carlton Street
220 North Carlton Street
222 North Carlton Street
224 North Carlton Street
226 North Carlton Street
228 North Carlton Street
230 North Carlton Street
232 North Carlton Street

234 North Carlton Street
236 North Carlton Street
238 North Carlton Street
240 North Carlton Street
242 North Carlton Street

928 West Lexington Street
930 West Lexington Street
932 West Lexington Street
934 West Lexington Street
936 West Lexington Street
938 West Lexington Street
940 West Lexington Street
942 West Lexington Street
944 West Lexington Street
946 West Lexington Street

207 North Schroeder Street
209 North Schroeder Street
211 North Schroeder Street
213 North Schroeder Street
215 North Schroeder Street
217 North Schroeder Street
219 North Schroeder Street
221 North Schroeder Street
223 North Schroeder Street
225 North Schroeder Street
227 North Schroeder Street
229 North Schroeder Street
231 North Schroeder Street
233 North Schroeder Street
235 North Schroeder Street
237 North Schroeder Street
239 North Schroeder Street
241 North Schroeder Street
243 North Schroeder Street
245 North Schroeder Street
247 North Schroeder Street
249 North Schroeder Street
251 North Schroeder Street
253 North Schroeder Street
255 North Schroeder Street
257 North Schroeder Street
259 North Schroeder Street
261 North Schroeder Street
263 North Schroeder Street

941 West Saratoga Street
939 West Saratoga Street
937 West Saratoga Street
935 West Saratoga Street
933 West Saratoga Street
931 West Saratoga Street

929 West Saratoga Street

246 North Amity Street
244 North Amity Street
242 North Amity Street
240 North Amity Street
238 North Amity Street
236 North Amity Street
234 North Amity Street
232 North Amity Street
230 North Amity Street
228 North Amity Street
226 North Amity Street
224 North Amity Street
222 North Amity Street
220 North Amity Street
218 North Amity Street
216 North Amity Street
214 North Amity Street
212 North Amity Street
210 North Amity Street
208 North Amity Street
206 North Amity Street
204 North Amity Street
202 North Amity Street

Block 0172, Lot 148A/155 (Cloney Alley)

211 Osing Court
213 Osing Court

106 North Carrollton Avenue
108 North Carrollton Avenue
110 North Carrollton Avenue
112 North Carrollton Avenue

1201 West Lexington Street
1203 West Lexington Street
1205 West Lexington Street
1207 West Lexington Street
1209 West Lexington Street
1211 West Lexington Street

103 North Carrollton Avenue
105 North Carrollton Avenue
107 North Carrollton Avenue
109 North Carrollton Avenue
111 North Carrollton Avenue
113 North Carrollton Avenue
115 North Carrollton Avenue
117 North Carrollton Avenue
119 North Carrollton Avenue
121 North Carrollton Avenue

123 North Carrollton Avenue
125 North Carrollton Avenue

1117 West Lexington Street
1115 West Lexington Street
1113 West Lexington Street
1111 West Lexington Street
1109 West Lexington Street
1107 West Lexington Street
1105 West Lexington Street
1103 West Lexington Street
1101 West Lexington Street

108 North Carlton Street
110 North Carlton Street
112 North Carlton Street
114 North Carlton Street
116 North Carlton Street
118 North Carlton Street
120 North Carlton Street
122 North Carlton Street
124 North Carlton Street
126 North Carlton Street
128 North Carlton Street
132 North Carlton Street

901 West Lexington Street
903 West Lexington Street
905 West Lexington Street
907 West Lexington Street
909 West Lexington Street
911 West Lexington Street
913 West Lexington Street
915 West Lexington Street
917 West Lexington Street
919 West Lexington Street
921 West Lexington Street
923 West Lexington Street
925 West Lexington Street

125 North Amity Street
127 North Amity Street
129 North Amity Street

Properties to be rezoned from the B-3-2 Zoning District to the R-9 Zoning District, as outlined in green:

1204 West Fayette Street
1202 West Fayette Street
1200 West Fayette Street
1213 West Fayette Street
1211 West Fayette Street

16 North Carrollton Avenue

1210 West Fairmount Avenue

14 North Schroeder Street

Properties to be rezoned from the R-8 Zoning District to the B-2-3 Zoning District, as outlined in yellow:

929 West Lexington Street
931 West Lexington Street
933 West Lexington Street
935 West Lexington Street
937 West Lexington Street
939 West Lexington Street
941 West Lexington Street
943 West Lexington Street
945 West Lexington Street
947 West Lexington Street
949 West Lexington Street

129 North Schroeder Street
127 North Schroeder Street
125 North Schroeder Street
123 North Schroeder Street
121 North Schroeder Street
119 North Schroeder Street
117 North Schroeder Street
115 North Schroeder Street
113 North Schroeder Street
111 North Schroeder Street

112 North Amity Street
116 North Amity Street
118 North Amity Street
120 North Amity Street
122 North Amity Street
124 North Amity Street
126 North Amity Street
128 North Amity Street
130 North Amity Street

938 Kierle Court
939 Kierle Court

920 Vine Street

Properties to be rezoned from the B-1-2 Zoning District to the B-2-3 Zoning District, as outlined in blue:

109 North Schroeder Street
107 North Schroeder Street
105 North Schroeder Street
103 North Schroeder Street
101 North Schroeder Street

946 West Fayette Street
944 West Fayette Street
942 West Fayette Street
940 West Fayette Street

Properties to be rezoned from the R-9 Zoning District to the B-2-3 Zoning District, as outlined in orange:

938 West Fayette Street
936 West Fayette Street
934 West Fayette Street
932 West Fayette Street
930 West Fayette Street
928 West Fayette Street
926 West Fayette Street

104 North Amity Street
106 North Amity Street
108 North Amity Street
110 North Amity Street

921 Vine Street
913 Vine Street

15 North Schroeder Street
17 North Schroeder Street
19 North Schroeder Street
21 North Schroeder Street

949 West Fayette Street
947 West Fayette Street
945 West Fayette Street
943 West Fayette Street
941 West Fayette Street
939 West Fayette Street
937 West Fayette Street
935 West Fayette Street
933 West Fayette Street
931 West Fayette Street
929 West Fayette Street

926 West Fairmount Avenue
924 West Fairmount Avenue
922 West Fairmount Avenue

28 North Amity Street
26 North Amity Street
24 North Amity Street
22 North Amity Street
20 North Amity Street
18 North Amity Street

931 Page Court
933 Page Court

935 Page Court
937 Page Court

Properties to be rezoned from the M-1-2 Zoning District to the R-9 Zoning District, as outlined in purple:

900 West Saratoga Street
902 West Saratoga Street
906 West Saratoga Street
914 West Saratoga Street

24 North Schroeder Street

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved April 27, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-419
(Council Bill 06-561)**

AN ORDINANCE CONCERNING

Planned Unit Development – Designation – Poppleton

FOR the purpose of approving the application of Poppleton Development I, LLC, owner of certain properties generally bordered on the north by West Mulberry Street, on the west by North Stockton Street, on the south by West Fairmount Avenue, and on the east by North Poppleton Street, to have that property designated a Residential/Business Planned Unit Development; and approving the Development Plan submitted by the applicant.

BY authority of
Article - Zoning
Title 9, Subtitles 1, 2, and 4
Baltimore City Revised Code
(Edition 2000)

Recitals

Poppleton Development I, LLC (the “Developer”), is the contract purchaser of certain properties located within the Poppleton area of Baltimore City, consisting of ~~47.14~~ 32.94 acres, more or less (collectively referred herein as the “Property”).

The Developer proposes to redevelop such properties and the improvements on them to include residential, retail, office, and educational buildings. In furtherance of this, the Developer wishes to designate such properties and other properties generally bordered on the north by West Mulberry Street, on the west by North Stockton Street, on the south by West Fairmount Avenue, and on the east by North Poppleton Street, as a Residential/Business Planned Unit Development.

On May 30, 2006, representatives of the Developer and subcontract consultants met with the Department of Planning for a preliminary conference, to explain the scope and nature of existing and proposed development of the Property and to institute proceedings to have the Property designated a Residential/Business Planned Unit Development.

The Developer has now applied to the Baltimore City Council for designation of the Property as a Residential/Business Planned Unit Development and has submitted a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1, 2, and 4 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the application of Poppleton Development I, LLC, the Developer of the Property generally bordered on the north by West Mulberry Street, on the west by North Stockton Street, on the south by West Fairmount Avenue, and on the east by North Poppleton Street, consisting of 32.94 acres, more or less, as outlined on the accompanying Development Plan entitled “Poppleton - Planned Unit Development”, consisting of Sheet 1, “Existing Conditions”, dated November 30, 2006, Sheet 2, “Development Plan - Area Plan”, dated November 30, 2006, Sheet 3, “Illustrative Master Plan”, dated November 30, 2006, Sheet 4, “Building Massing Plan”, dated November 30, 2006, and Sheet 5, “Schematic Landscaping/Forest Delineation Plan”, dated November 30, 2006, to designate the Property a Residential/Business Planned Development under Title 9, Subtitles 1, 2, and 4 of the Baltimore City Zoning Code.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Development Plan submitted by Poppleton Development I, LLC, is approved.

SECTION 3. AND BE IT FURTHER ORDAINED, That the following uses are allowed in the Poppleton Residential/Business Planned Unit Development:

- (a) In the R-9 Zoning District and in “Area B”, identified on Sheet 2 of the Development Plan, all permitted and accessory uses set out in §§ 4-1201 and 4-1202 of the Zoning Code are permitted, subject to the following:
 - (1) the number of single-family attached dwellings and multiple-family attached dwellings may exceed 12 in a row or group.
- (b) In the R-9 Zoning District and in “Area B”, identified on Sheet 2 of the Development Plan, the following shall apply to accessory shops in multiple-family dwellings:
 - (1) accessory shops shall be permitted in multiple-family dwellings that contain less than 50 dwellings or efficiency units;
 - (2) the aggregate of all accessory shop uses in a multiple-family dwelling may exceed 6% but no more than 10% of the gross floor area of the building;

- (3) in addition to the uses identified in § 4-1102(2)(i) of the Zoning Code, all retail shops and stores permitted in the B-1 Zoning District as set forth in § 6-206 of the Zoning Code are permitted;
 - (4) entrances may be located on the outside of the building; and
 - (5) exterior signage is not limited by the provisions of § 4-1102(2)(iv) of the Zoning Code; instead, the size and dimensions of exterior signage shall be subject to final design approval by the Planning Commission.
- (c) In the R-9 Zoning District and in “Area B”, identified on Sheet 2 of the Development Plan, the following conditional uses shall be ~~allowed~~ permitted:
- (1) bed and breakfast establishments and homes, except that the size and dimensions of all signage for bed and breakfast establishments and homes shall not be limited to nameplates; instead, the size and dimensions of such exterior signage shall be subject to final design approval by the Planning Commission;
 - (2) philanthropic and charitable institutions;
 - (3) physicians’ or dentists’ professional (non-resident) offices;
 - (4) accessory radio and television antennas;
 - (5) accessory microwave antennas;
 - (6) day nurseries and nursery schools;
 - (7) governmental services;
 - (8) multi-purpose neighborhood centers;
 - (9) public utility uses;
 - (10) recycling collection stations when an accessory use to a school, church, recreation facility, or public facility;
 - (11) swimming pools; and
 - (12) uses accessory to the uses listed in subsections (c)(1) through (c)(11) above.
- (d) In the B-2 Zoning District and in “Area A”, identified on Sheet 2 of the Development Plan, all permitted and accessory uses for the B-2 Zoning District set out in §§ 6-306 and 6-307 of the Zoning Code are permitted, subject to the following:
- (1) restaurants ~~and taverns~~ may include live entertainment, dancing, and accessory outdoor table service.
- (e) In the B-2 Zoning District and in “Area A”, identified on Sheet 2 of the Development Plan”, the following conditional uses are allowed:
- (1) accessory microwave antennas;

- (2) animal hospitals that are odor-proofed and sound-proofed;
 - (3) artisans' and craft work;
 - (4) automobile accessory stores;
 - (5) bed and breakfast establishments;
 - (6) bed and breakfast homes;
 - (7) bus and transit passenger stations (but not terminals);
 - (8) clubs and lodges: private;
 - (9) governmental services;
 - (10) musical instruments: sale and repair;
 - (11) opticians: sales and service;
 - (12) orthopedic and medical appliance stores;
 - (13) prepared food delivery services, including any operated as an accessory use by a restaurant or tavern;
 - (14) public utility uses, but not including bus and transit turnarounds;
 - (15) public utility service centers;
 - (16) schools: commercial and trade;
 - (17) schools and studios: business, dance and music
 - (18) theaters;
 - (19) union halls;
 - (20) upholstering shops;
 - (21) video movies: sales and rentals; and
 - (22) uses accessory to the uses listed in subsections (e)(1) through (e)(21) above.
- (f) In "Area B", identified on Sheet 2 of the Development Plan, the following uses shall also be allowed:
- (1) hotels and motels.
- (g) In "Area C", identified on Sheet 2 of the Development Plan, the following uses shall also be allowed:
- (1) metal finishing;

- (2) metal products and manufacturing; and
- (3) sheet metal shop.
- (h) In the B-2 Zoning District and in “Area A”, identified on Sheet 2 of the Development Plan, the following use shall be a conditional use that requires Board approval:
 - (1) taverns with live entertainment, dancing and accessory outdoor table service.

SECTION 4. AND BE IT FURTHER ORDAINED, That the minimum yard requirements are not applicable to specific lots created within the Poppleton Residential/Business Planned Unit Development but must otherwise be in compliance with the plans approved by the Planning Commission.

SECTION 5. AND BE IT FURTHER ORDAINED, That the maximum height of buildings on the Property shall be as set forth on Sheet 4, “Building Massing Plan”, of the Development Plan.

SECTION 6. AND BE IT FURTHER ORDAINED, That density and floor area ratios within the Poppleton Residential/Business Planned Unit Development shall be calculated on a cumulative basis and not on a lot-by-lot basis.

SECTION 7. AND BE IT FURTHER ORDAINED, That signage on the Property, including final size and dimensions, shall be subject to final design approval by the Planning Commission.

SECTION 8. AND BE IT FURTHER ORDAINED, That parking shall be provided in accordance with the Zoning Code.

SECTION 9. AND BE IT FURTHER ORDAINED, That the property identified by Note 13 on Sheet 2 of the Development Plan shall be part of the Poppleton Residential/Business Planned Unit Development automatically if such property is removed from the UMB Biomedical Research Park Planned Unit Development.

SECTION 10. AND BE IT FURTHER ORDAINED, That inasmuch as the Poppleton Residential/Business Planned Unit Development is located within the Poppleton Urban Renewal Area, in case of a conflict between this Ordinance (including the Development Plan) and the Poppleton Urban Renewal Plan, approved by Ordinance 75-837 and amended from time to time, this Ordinance prevails; and this Ordinance having been the subject of public hearings, the community review process in § C.4.a of the Poppleton Urban Renewal Plan shall not apply to any aspect of the Development Plan approved hereby.

SECTION 11. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the Property must be reviewed by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance.

SECTION 12. AND BE IT FURTHER ORDAINED, That the Planning Department may determine what constitutes a minor or major amendment or modification to the Development Plan. Any changes determined to be minor require approval by the Planning Commission. Major amendments require approval by Ordinance.

SECTION 13. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the Development Plan to the Board of

Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 14. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved April 27, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-420
(Council Bill 07-598)**

AN ORDINANCE CONCERNING

**Revenue Obligations – Water Projects –
Maximum Aggregate Principal Amount**

FOR the purpose of increasing the maximum aggregate principal amount of revenue obligations that may be issued by the City under Ordinance 04-687; and providing for a special effective date.

BY repealing and reordaining, with amendments

Ordinance 90-495, as last amended by Ordinance 04-687
Section 2(a)

BY authority of

Article II - General Powers
Section (50)
Baltimore City Charter
and
Article 31 - Debt - Public
Section 12
Annotated Code of Maryland

Recitals

Ordinance 90-495 authorizes the City to issue from time to time its revenue obligations to finance water facilities within the geographical limits of the City's water system. The maximum aggregate principal amount of revenue obligations authorized to be issued under Ordinance 90-495, as last amended by Ordinance 04-687, is \$405,000,000.

Certain recent events have occurred that affect the aggregate principal amount of revenue obligations that may be required to finance water facilities, including (without limitation) an increase in the number of water facilities that the City may desire to finance with the proceeds of the sale of revenue obligations.

Accordingly, the City desires to increase to \$585,000,000 the aggregate principal amount of the revenue obligations that may be issued under that Ordinance.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section 2(a) of Ordinance 90-495, as last amended by Ordinance 04-687, is amended and restated to read as follows:

SECTION 2. AND BE IT FURTHER ORDAINED, That:

- (a) Revenue obligations may be issued from time to time in an aggregate principal amount not to exceed [\$405,000,000] \$585,000,000 for the general public purposes of financing or refinancing the cost of the financed facilities and repaying the City for amounts expended on financed facilities in anticipation of the issuance of the revenue obligations.

SECTION 2. AND BE IT FURTHER ORDAINED, That Ordinance 90-495, as last amended by Ordinance 04-687 and this Ordinance, continues in full force and effect.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved May 1, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-421
(Council Bill 07-599)**

AN ORDINANCE CONCERNING

**Revenue Obligations — Wastewater Projects —
Maximum Aggregate Principal Amount**

FOR the purpose of increasing the maximum aggregate principal amount of revenue obligations that may be issued by the City under Ordinance 02-332; and providing for a special effective date.

BY repealing and reordaining, with amendments
Ordinance 02-332
Section 2(a)

By authority of
Article II - General Powers
Section (50)
Baltimore City Charter
and
Article 31 - Debt - Public
Section 12
Annotated Code of Maryland

Recitals

Ordinance 02-332 authorizes the City to issue from time to time its revenue obligations to finance wastewater facilities within the geographical limits of the City's wastewater system. The maximum aggregate principal amount of revenue obligations authorized to be issued under Ordinance 02-332 is \$543,000,000.

Certain recent events have occurred that affect the aggregate principal amount of revenue obligations that may be required to finance wastewater facilities, including (without limitation) an increase in the number

of wastewater facilities that the City may desire to finance with the proceeds of the sale of revenue obligations.

Accordingly, the City desires to amend Ordinance 02-332 to increase the aggregate principal amount of the revenue obligations that may be issued under that Ordinance.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Ordinance 02-332

SECTION 2. AND BE IT FURTHER ORDAINED, That:

- (a) Revenue obligations may be issued from time to time in an aggregate principal amount not to exceed [\$543,000,000] \$880,000,000 for the general public purposes of financing or refinancing the cost of the financed facilities and repaying the City for amounts expended on financed facilities in anticipation of the issuance of the revenue obligations.

SECTION 2. AND BE IT FURTHER ORDAINED, That Ordinance 02-332, as amended by this Ordinance, continues in full force and effect.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved May 1, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-422
(Council Bill 07-601)**

AN ORDINANCE CONCERNING

**Employees' and Elected Officials' Retirement Systems –
Post-Retirement Benefit Increases**

FOR the purpose of altering the process under which the frequency of the distribution of retirement benefits is determined; requiring retirement dates to be on a certain day of the month; recodifying certain provisions dealing with member contributions; consolidating and altering the accounting procedures for certain funds; providing for a sunset date for certain existing post-retirement benefit provisions; altering certain retirement payment options; altering certain post-retirement increases to periodic benefits; authorizing the Board, under certain circumstances, to serve in a fiduciary capacity for other City trust funds; making the provisions of this Ordinance severable; correcting, clarifying, and conforming certain language; and generally relating to the administration of retirement benefits.

BY renumbering

Article 22 - Retirement Systems
Section 8(a)(1) through (4)
to be
Section 6(a)(15)(i) through (iv)
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article 22 - Retirement Systems
Sections 1(13a), 5(a), 5(r), 6(a)(1st par.), 6(a)(15),
6(c)(3), 6(e)(3), 8, 9(m)(7), 17(1st par.), and 17A(12)
Baltimore City Code
(Edition 2000)

BY repealing

Article 22 - Retirement Systems
Sections 1(23) and 3(f)
Baltimore City Code
(Edition 2000)

BY adding

Article 22 - Retirement Systems
Section 17.1
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Article 22, § 8(a)(1) through (4) be renumbered to be Article 22, § 6(a)(15)(i) through (iv).

SECTION 2. AND BE IT FURTHER ORDAINED, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 22. Retirement Systems

Subtitle – Employees’ Retirement System

§ 1. Definitions.

(13a) (I) All retirement allowances or other benefits [which] THAT are calculated on an annual basis shall be payable for each [day] MONTH in a year. [in such] PAYMENTS SHALL BE MADE IN periodic installments, as [may be] determined from time to time by the Board of [Estimates] TRUSTEES [to be in conformance with prevailing payment practices for active municipal employees], and [such] THE [daily] MONTHLY allowance shall be computed by dividing the annual allowance by [365] 12.

(II) ALL RETIREMENT DATES FOR ALL CLASS A, B, AND C MEMBERS SHALL FALL ON THE 1ST OF A MONTH.

[(23) “Early retirement date” shall be for all Class C members the 1st day next following said member’s having acquired 30 years of service, or the 1st day next following said member’s attaining age 60, provided the member has acquired 5 years of service.]

§ 3. Membership.

[(f) *Retirement.*

The services of any employee, except an elected or appointed official whose term is fixed by law, who attains or has attained the age of 70, and who is not a member of this system shall terminate

forthwith. Any member in service who has attained the age of 70, shall be retired forthwith or on the 1st day of the calendar month next succeeding that in which the said member shall have attained the age of 70 years. However, if the member is an elected or appointed official whose term is fixed by law, he may remain in service as a contributing member, subject to the provisions of § 8(a), until he is not reelected or reappointed.]

§ 5. Administration; Board of Trustees.

(a) *Responsibility vested in Board.*

- (1) The general administration and the responsibility for the proper operation of the Retirement System and for making effective the provisions of this subtitle, subject to the provisions contained in § 5, § 6, and § 9 of this subtitle, are [hereby] vested in a Board of Trustees, which shall be organized immediately after 3 of the trustees provided for in this section have qualified and taken the oath of office.
- (2) (I) AT THE WRITTEN REQUEST OF THE FINANCE DIRECTOR AND ON A MAJORITY VOTE OF THE BOARD'S MEMBERS, THE BOARD MAY SERVE IN A FIDUCIARY CAPACITY FOR OTHER CITY TRUST FUNDS.
- (II) THE BOARD MAY NOT UNREASONABLY WITHHOLD THE APPROVAL REQUIRED BY SUBPARAGRAPH (I) OF THIS PARAGRAPH.
- (III) FOR EACH CITY TRUST FUND THAT THE BOARD SERVES UNDER THIS PARAGRAPH (2), A MEMORANDUM OF UNDERSTANDING BETWEEN THE BOARD AND THE DIRECTOR OF FINANCE MUST BE EXECUTED AND APPROVED BY THE BOARD OF ESTIMATES.

(r) *Indemnification of persons serving in fiduciary capacity.*

(1) *Authorized.*

The City shall indemnify every person who is made, or is threatened to be made, a party to any action, suit, or proceeding, including administrative and investigative proceedings, by reasons of his OR HER service in a fiduciary capacity to the Employees' Retirement System of Baltimore City, in accordance with and subject to the conditions [stated in] OF this section.

(2) *"Service in a fiduciary capacity" defined.*

- (I) [The term] IN THIS SECTION, "service in a fiduciary capacity"[, as used in this section,] means:
 - (A) the exercise of any authority, [or] control, or [any] policy-making function, including acts of commission or omission, concerning the management or administration of the Employees' Retirement System of Baltimore City, [or]
 - (B) the exercise of any authority, [or] control, or [any] policy-making function, including acts of commission or omission, concerning the management or disposition of the assets of the [system] SYSTEM, OR
 - (C) THE EXERCISE OF ANY AUTHORITY, CONTROL, OR POLICY-MAKING FUNCTION, INCLUDING ACTS OF COMMISSION OR OMISSION, CONCERNING THE MANAGEMENT OR ADMINISTRATION OF ANY OTHER CITY TRUST FUND FOR WHICH THE BOARD SERVES AS A FIDUCIARY UNDER SUBSECTION (A)(2) OF THIS SECTION.

(II) [It] THE TERM includes:

- (A) membership on the Board of Trustees of the Employees' Retirement System of Baltimore City,
- (B) membership on the advisory investment committee, [and]
- (C) service as Administrator or Deputy Administrator of the Employees' Retirement System, [or]
- (D) SERVICE as a staff member engaged in policy-making functions in the performance of HER OR his duties and responsibilities[;], and
- (E) [it includes] SERVICE AS the Director of Finance, the custodian of the assets of the Employees' Retirement System of Baltimore City as named in the Baltimore City Charter.

(3) *Included expenses.*

If, with respect to a civil, administrative, or investigative action, suit, or proceeding, the person acted in good faith and in a manner he OR SHE reasonably believed to be in or not opposed to the best interest of the Employees' Retirement System of Baltimore City OR OF ANY CITY TRUST FUND FOR WHICH THE PERSON SERVES AS A FIDUCIARY UNDER SUBSECTION (A)(2) OF THIS SECTION, and, with respect to a criminal action, had no reasonable cause to believe his OR HER conduct was unlawful, then indemnification shall be against those expenses, including reasonable attorneys' fees, judgments, fines, and accounts paid in settlement [which] THAT were actually and reasonably incurred by [him] THE PERSON in connection with the proceeding.

(4) *Effect of termination of any suit or proceeding.*

The termination of any suit or proceeding, in any manner, does not[,] of itself[,] create a presumption that the person did not act in good faith and in a manner he OR SHE reasonably believed to be in or not opposed to the best interest of the Employees' Retirement System OR OF ANY CITY TRUST FUND FOR WHICH THE PERSON SERVES AS A FIDUCIARY UNDER SUBSECTION (A)(2) OF THIS SECTION, and with respect to a criminal action or proceeding, had reasonable cause to believe that his OR HER conduct was unlawful.

(5) *Exceptions to indemnification.*

Indemnification may not be made:

- (i) with respect to any suit, claim, or matter as to which the person was adjudged to be liable for gross negligence or willful misconduct in the performance of his OR HER duty to the Employees' Retirement System OR TO ANY CITY TRUST FUND FOR WHICH THE PERSON SERVES AS A FIDUCIARY UNDER SUBSECTION (A)(2) OF THIS SECTION; [or]
- (ii) for an independent contractor furnishing services to the Employees' Retirement System;
or
- (iii) with respect to any matter occurring prior to June 1, 1978.

(6) *Insurance provided.*

The City shall provide insurance for every person eligible for indemnification under this section against any liability asserted against HER OR him or incurred by HER OR him arising out of [his] THE PERSON'S status as fiduciary. The City may provide self-insurance for this purpose, in whole or in part, under terms and conditions satisfactory to the Board of Estimates. If the City fails to provide adequate insurance coverage, or if the City fails to provide indemnification [pursuant to] UNDER this section, a fiduciary [shall] IS not [be] required to pay amounts attributable to the liability described in this section by reason of the failure of the City to provide the indemnification, and the City [shall be held] IS liable [therefor] FOR THOSE AMOUNTS.

[The] IN SUITS OR OTHER ACTIONS BROUGHT AGAINST THE CITY, THE City may assert the defense of governmental immunity[,], or any other defense available to the City[, in suits or other actions brought against the City].

(7) *City Solicitor.*

The sole and final determination of eligibility of a person for indemnification with respect to a particular action, suit, or proceeding, and the approval of the reasonableness of all fees, expenses, and settlements, is vested in the City Solicitor.

§ 6. Benefits for Class A and Class B members.

- (a) *Service retirement benefits for any Class A or Class B member who was an employee on or after June 29, 1989.*

Any Class A or Class B member in service may retire upon [his] written application to the Board of Trustees, [setting forth at what time] IF APPLICATION SPECIFIES THE DATE ON WHICH THE MEMBER DESIRES TO BE RETIRED, WHICH DATE MUST BE THE 1ST DAY OF A MONTH AND not less than 30 days nor more than 90 days [subsequent to the execution and] FOLLOWING THE filing [thereof,] OF THE APPLICATION [he desires to be retired], [provided that the said member at the time] AND IF, ON THE DATE so specified [for his retirement], THE MEMBER shall have attained [the] age [of] 60 and acquired at least 5 years of service or shall have acquired 30 years of service, regardless of age, [and] [notwithstanding that] EVEN IF, during [such] THE APPLICATION period [of notification], [he may have] THE MEMBER HAS separated from service.

...

(15) *[Annuity Savings Fund] MEMBER CONTRIBUTIONS.*

- (i) [The Annuity Savings Fund shall be a fund in which shall be accumulated contributions from the compensation of members to provide for their annuities.] Effective with the 1st full payroll period commencing closest to January 1, 1978, the contributions by a Class A or Class B member to the Retirement System shall equal 5% of [his] THE MEMBER'S earnable compensation, [such] THESE contributions to continue throughout [such] THE member's entire period of service, subject to the provisions in [§ 8(a)(2)] SUBPARAGRAPH (II) OF THIS PARAGRAPH (15). [Provided, however, that] HOWEVER, a male member in the system prior to July 1, 1973, who is contributing at a rate of contribution [which] THAT is less than 5% shall continue to contribute at his present rate; and [provided, further, that] a female member in the system prior to July 1, 1973, shall contribute at a rate of contribution in effect prior to July 1, 1973, for a male member of corresponding age at the time of entrance into the system, unless [said] THAT rate exceeds 5%, in which event her contribution shall equal 5% of her earnable compensation. "Earnable compensation" [shall be as] HAS THE MEANING defined in § 1(11) of this subtitle.

Beginning July 1, 1992, the preceding paragraph shall read by substituting "4%" for "5%".

- (ii) The Board of Trustees, through its Retirement Systems' administrator, shall certify to the Department of Finance, and the Department of Finance shall cause to be deducted from the salary of each Class A or Class B member on each and every payroll period, the percentage of contribution [as] provided for in [§ 8(a)(1)] SUBPARAGRAPH (I) OF THIS PARAGRAPH (15), and[such] THESE deductions shall be paid into [said Annuity Savings] THE RETIREMENT SYSTEM Fund, and shall be credited, together with regular interest [thereon], to the individual account of the member from whose compensation [said] THE deductions were made. However, deductions shall not be made from the compensation of a Class A or Class B member who has attained [the] age [of] 60 and has completed 35 years of service. No deductions [shall] MAY be made from the earnable compensation of a [member's] MEMBER WHO IS either entering or leaving service AND [who] has worked less than a full payroll period.
- (iii) The deductions provided for [herein] IN THIS PARAGRAPH (15) shall be made notwithstanding that the minimum compensation provided for by law for any Class A or Class B member [shall be] IS reduced thereby. Every member [shall be] IS deemed to consent and agree to the deductions made and provided for [herein], and [a] THE MEMBER'S receipt of [his] THE MEMBER'S full salary or compensation, and payment of THAT salary or compensation, less [said] THESE deduction, [shall be] ARE a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by [such] THE person during the period covered by [such] THE payment, except as to the benefits provided under this subtitle.
- (iv) [The] A MEMBER'S accumulated contributions [of a member] THAT ARE withdrawn by [him] THE MEMBER, or paid to [his] THE MEMBER'S estate or [to his] designated beneficiary in event of [his], death as provided in this subtitle, shall be paid from the [Annuity Savings] RETIREMENT SYSTEM Fund. [Upon retirement of a member his accumulated contributions shall be transferred from the Annuity Savings Fund to the Annuity Reserve Fund.]
- (v) Any member who, with the Board of Trustees' approval [may have] deposited, prior to December 1, 1975, voluntary excess contributions in the [Annuity Savings Fund] RETIREMENT SYSTEM FUND, by a single payment or by an increased rate of contribution to purchase an additional annuity, [shall be] IS entitled [upon] ON retirement, to receive an additional annuity for [such] THOSE voluntary excess contributions. Any Class A or Class B member who, with the Board of Trustees' approval, is depositing, on December 1, 1975, voluntary excess contributions in the [Annuity Savings] RETIREMENT SYSTEM Fund, by an increased rate of contribution, may continue to contribute the same approved amount, without the right to increase or decrease [such] THAT amount[,] after December 1, 1975. After December 1, 1975, the Board of Trustees shall neither accept nor approve any requests from any member to deposit excess voluntary contributions in a lump-sum payment or periodic payments. At any time prior to retirement, any member who deposited voluntary excess contributions in the [Annuity Savings] RETIREMENT SYSTEM Fund, upon written application, shall be refunded [such] THOSE excess voluntary contributions.
- (vi) However, if a Class A or Class B member exercises HER OR his option to become a Class C member under [the provisions of] § 9 of this subtitle, [then he] THE MEMBER shall elect in his OR HER notice of intent to either withdraw his OR HER excess voluntary contributions[,] or [else] permit them to remain in the Retirement System together with [his] THE MEMBER'S mandatory contributions, without any further right to withdraw [said] THOSE excess voluntary contributions prior to retirement, except [upon] ON leaving City employment. [Upon] ON becoming a Class C member, [said] THE Class A or Class B member shall discontinue making any further voluntary excess contributions to the Retirement System.

- (c) *Non-line-of-duty disability retirement benefit for any Class A or Class B member who was an employee on or after June 29, 1989.*

(3) *Effective date of non-line-of-duty disability retirement.*

A non-line-of-duty disability retirement under this subsection takes effect as follows:

- (i) if the member applied for disability retirement before terminating City employment, the retirement is effective as of the [first] 1ST day OF THE MONTH IMMEDIATELY following the member's last day of City employment; and
- (ii) if the member applied for disability retirement after terminating City employment, the retirement is effective AS OF THE 1ST DAY OF A MONTH THAT FALLS AT LEAST 30 days after the date on which the Board received a completed application.

- (e) *Line-of-duty disability benefit.*

(3) *Effective date of line-of-duty disability retirement.*

A line-of-duty disability retirement under this subsection takes effect as follows:

- (i) if the member applied for disability retirement before terminating City employment, the retirement is effective as of the [first] 1ST day OF THE MONTH IMMEDIATELY following the member's last day of City employment; and
- (ii) if the member applied for disability retirement after terminating City employment, the retirement is effective AS OF THE 1ST DAY OF A MONTH THAT FALLS AT LEAST 30 days after the date on which the Board received a completed application.

§ 8. Method of financing.

(A) *Assets TO MEET OBLIGATIONS.*

All of the assets of the Retirement System shall be credited [according to the purpose for which they are held to 1 of 4 funds, namely, the Annuity Savings Fund, the Annuity Reserve Fund, the Pension Accumulation Fund and the Pension Reserve Fund] TOWARD MEETING THE AGGREGATE OBLIGATIONS OF THE RETIREMENT SYSTEM.

[(b) *Annuity Reserve Fund.*]

[The Annuity Reserve Fund shall be the fund from which shall be paid all annuities as provided in this subtitle. Should a beneficiary retired on account of disability be restored to active service with a compensation not less than his average final compensation at the time of his last retirement, the balance of his annuity reserve shall be transferred from the Annuity Reserve Fund to the Annuity Savings Fund and credited to his individual account therein.]

[(c) *Pension Accumulation Fund.*]

(B) *RETIREMENT SYSTEM FUND.*

- (1) The [Pension Accumulation Fund] RETIREMENT SYSTEM shall [be the] MAINTAIN A fund in which shall be accumulated all reserves for the payment of all pensions and other benefits payable from contributions made by the City of Baltimore and from which shall be paid all pensions and other

benefits on account of members with prior service credit and lump sum death benefits for all members payable from the [said] THOSE contributions.

- (2) Contributions BY THE CITY BALTIMORE to [and payments from] the [Pension Accumulation] RETIREMENT SYSTEM Fund shall be made as follows:
- (I) [(2)] On the basis of regular interest and of such mortality and other tables as [shall be] ARE adopted by the Board of Trustees, the actuary engaged by the Board shall make a valuation to determine the required contribution by the City of Baltimore for the [Pension Accumulation] RETIREMENT SYSTEM Fund.
 - (II) The actuary shall determine FOR EACH MEMBER a normal cost [for each member which] THAT is equal to the amount of annual contribution as a constant percentage of compensation [which] THAT is necessary to provide [his] THE MEMBER'S benefit, if [such] THE contributions had been made annually from [his] THE MEMBER'S date of entry into the system, together with any other service credit acquired under any provisions of this subtitle and under Division II of the State Personnel and Pension Article, to the member's date of retirement. The total amounts so determined shall be known as "normal cost contribution."
 - (III) [(3)] An accrued liability shall be calculated for each member equal to the accumulation of the annual normal cost contribution, AS described in [paragraph (2) above] SUBPARAGRAPH (II) OF THIS PARAGRAPH (2), from the date of entry into the system, together with any other service credit acquired under any provisions of this subtitle and under Division II of the State Personnel and Pension Article, to the valuation date on the basis of the actuarial assumptions adopted by the Board of Trustees.
 - (IV) The accrued liability computed [in] UNDER [the preceding] SUBPARAGRAPH (III) OF THIS paragraph (2) shall be added to the reserve for retirement benefits payable to retired members from the [Pension Accumulation] RETIREMENT SYSTEM Fund to obtain the total accrued liability.
 - (V) The assets of the [Pension Accumulation] RETIREMENT SYSTEM Fund shall be applied against the total accrued liability, computed [above] for all members, retirees, and beneficiaries, to determine the amount of unfunded accrued liability. An accrued liability contribution shall be determined as the amount [which is] sufficient to meet regular interest on the unfunded accrued liability, and to amortize the principal of [such] THE unfunded accrued liability over the period of time determined by the Board of Trustees.
 - (VI) [(4)] The required contribution by the City of Baltimore shall be the sum of the normal cost and accrued liability contribution determined [above;] IN ACCORDANCE WITH THIS PARAGRAPH. [provided, however, that the] THE aggregate payment by the City of Baltimore shall be, [sufficient] when combined with the amount in the [fund] RETIREMENT SYSTEM FUND, SUFFICIENT to provide the pensions and other benefits payable out of the [fund] FUND during the year then current.
 - (VII) [(5)] The accrued liability contribution shall be discontinued as soon as the accumulated reserve in the [Pension Accumulation] RETIREMENT SYSTEM Fund [shall equal] EQUALS the present value, as actuarially computed and approved by the Board of Trustees, of the total liability of [such fund] THE FUND, less the present value, computed on the basis of the normal contribution rate then in force, of the prospective normal contributions to be received on account of persons who are at that time members.

[(6) Upon the retirement of a member not entitled to credit for prior service, an amount equal to his pension reserve shall be transferred from the Pension Accumulation Fund to the Pension Reserve Fund.]

[(d) *Pension Reserve Fund.*]

[The Pension Reserve Fund shall be the fund from which shall be paid the pension to members not entitled to credit for prior service and benefits in lieu thereof. Should such a beneficiary retired on account of disability be restored to active service with a compensation not less than his average final compensation at the time of his last retirement the pension reserve thereon shall be transferred from the Pension Reserve Fund to the Pension Accumulation Fund. Should the pension of such a disability beneficiary be reduced as a result of an increase in his earning capacity, the amount of the annual reduction in his pension shall be paid annually into the Pension Accumulation Fund during the period of such reduction.]

(C) [(e)] *Certification of appropriation.*

On or before [the April] JANUARY 1 of each year, the Board of Trustees shall certify to the Board of Estimates the amount of the appropriation necessary to pay to the [various funds of the] Retirement System the amounts payable by the City of Baltimore, as enumerated in this article, for the fiscal year beginning on July 1 of the succeeding year. [and items] ITEMS of appropriation providing [such] THOSE amounts shall be included in the Ordinance of Estimates.

§ 9. Class C membership.

(m) *Method of payment.*

(7) *Election to receive lump-sum payment.*

(A) Any Class C member or former Class C member who has ceased all permanent full-time and permanent part-time employment with the City may elect to receive the present value of the member's total pension benefit, in a single lump-sum payment, if:

(i) the member is entitled to:

1. a normal service retirement benefit under § 9(e) of this article;
2. an early service retirement benefit under § 9(f) of this article; or
3. a deferred vested benefit under § 9(l); and

(ii) the present value of the total pension benefit is [\$10,000 or less] NO MORE THAN THE LUMP-SUM CASHOUT LIMIT.

(B) FOR PURPOSES OF THIS PARAGRAPH, "LUMP-SUM CASHOUT LIMIT" MEANS THE GREATER OF:

(I) \$12,500; OR

(II) AN AMOUNT THAT IS CALCULATED BY THE SYSTEM'S ACTUARY TO REFLECT ANY INCREASES IN THE AVERAGE SALARY OF ACTIVE MEMBERS AND THAT IS APPROVED BY THE BOARD OF TRUSTEES.

- (C) [(B)] A member who receives a lump-sum payment under this paragraph (7) ceases to be entitled to any other benefits from this system.
- (D) [(C)] A Class C member entitled to receive both a disability or dismemberment benefit and 1 of the 3 service benefits listed in paragraph (7)(A) of this subsection, may waive his or her rights to the disability or dismemberment benefits and elect to receive a lump-sum payment under this paragraph.
- (E) [(D)] The present value of the benefit payable under this paragraph (7) shall be calculated as of the date the member ceases all permanent full-time and permanent part-time employment with the City, using actuarial assumptions as of that date approved by the Board of Trustees pursuant to the recommendation of the system's actuary.

§ 17. Post-retirement benefit increases [to certain retirees and beneficiaries] BEFORE JULY 1, 2007.

THIS SECTION APPLIES ONLY TO POST-RETIREMENT BENEFIT INCREASES DETERMINED BEFORE JULY 1, 2007. Each retired member or beneficiary (Classes A, B, and C) who is receiving periodic benefits [pursuant to the provisions of] FROM the Retirement System may be eligible for an increase in the amount of [such] THOSE periodic benefits, subject to the following provisions.

§ 17.1. POST-RETIREMENT BENEFIT INCREASES ON OR AFTER JULY 1, 2007.

(A) *SCOPE.*

THIS SECTION APPLIES TO RETIREMENT BENEFIT INCREASES DETERMINED ON OR AFTER JULY 1, 2007.

(B) *"SINGLE-PREMIUM PAID-UP ANNUITY" DEFINED..*

IN THIS SECTION, "SINGLE-PREMIUM PAID-UP ANNUITY" MEANS THE ACTUARIALLY DETERMINED VALUE OF A PAYMENT STREAM FOR THE LIFE OF A RETIREE.

(C) *ELIGIBILITY.*

- (1) AS OF JUNE 30, 2007, AND EACH SUCCEEDING JUNE 30, A MEMBER OR BENEFICIARY THAT HAS BEEN ON THE RETIREMENT SYSTEM PAYROLL FOR THE PURPOSE OF RECEIVING PERIODIC BENEFIT PAYMENTS FOR A PERIOD OF NOT LESS THAN 12 CONSECUTIVE MONTHS SHALL RECEIVE A POST-RETIREMENT BENEFIT INCREASE BEGINNING IN JANUARY OF THE FOLLOWING YEAR.
- (2) FOR PURPOSES OF THIS SECTION, A BENEFICIARY OF A DECEASED MEMBER IS DEEMED TO HAVE BEEN ON THE RETIREMENT SYSTEM PAYROLL FROM THE DATE THE DECEASED MEMBER ORIGINALLY JOINED THE PAYROLL.
- (3) A BENEFICIARY OF A FORMER RETIRED MEMBER IS ELIGIBLE TO RECEIVE ANY PERCENTAGE INCREASE UNDER THIS SECTION THAT THE RETIRED MEMBER WAS ELIGIBLE TO RECEIVE.

(D) *AMOUNT OF BENEFIT INCREASE.*

(1) *"CPI LIMIT" DEFINED.*

"CPI LIMIT" MEANS THE PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U) FOR THE U.S. CITY AVERAGE FOR ALL ITEMS, 1982-84=100, FOR A FISCAL YEAR ENDING JUNE 30.

(2) *CALCULATION.*

AS OF JANUARY 1, 2008, AND EACH SUBSEQUENT JANUARY 1, AN ELIGIBLE RETIREE OR BENEFICIARY SHALL RECEIVE AN INCREASE IN PERIODIC BENEFITS, WHICH SHALL BE CALCULATED AS THE SUM OF:

- (I) A GUARANTEED INCREASE OF 1.5%; AND
- (II) AN EARNINGS INCREASE DETERMINED UNDER PARAGRAPH (3) OF THIS SUBSECTION.

(3) *EARNINGS INCREASE ACCOUNT.*

- (I) THE BOARD OF TRUSTEES SHALL ESTABLISH A BOOKKEEPING ACCOUNT ENTITLED THE EARNINGS INCREASE ACCOUNT FOR THE SOLE PURPOSE OF DETERMINING WHETHER AN EARNINGS INCREASE IS PAYABLE.
- (II) THE ESTABLISHMENT OF THE EARNINGS INCREASE ACCOUNT NEITHER REQUIRES NOR ALLOWS FOR THE SEGREGATION OF ANY RETIREMENT SYSTEM ASSETS.
- (III) (A) IF THE ACTUARY ENGAGED BY THE BOARD DETERMINES THAT THERE IS A BALANCE IN THE EARNINGS INCREASE ACCOUNT AS OF THE PRECEDING JUNE 30, THAT BALANCE SHALL BE ALLOCATED TO PROVIDE AN EARNINGS INCREASE TO ELIGIBLE RETIRED MEMBERS AND BENEFICIARIES, EFFECTIVE AS OF THE FOLLOWING JANUARY 1.
- (B) THE EARNINGS INCREASE SHALL BE CALCULATED AS A PERCENTAGE INCREASE THAT CAN BE PROVIDED BY THE BALANCE IN THE EARNINGS INCREASE ACCOUNT SUFFICIENT TO FUND A SINGLE-PREMIUM PAID-UP ANNUITY, USING REGULAR INTEREST AFTER COMMENCEMENT OF BENEFITS FOR VALUATION PURPOSES ON THE JUNE 30 PRECEDING THE EFFECTIVE DATE OF THE INCREASE.
- (C) THE PERCENTAGE INCREASE CALCULATED UNDER SUBPARAGRAPH (III)(B) OF THIS PARAGRAPH (3) MAY NOT EXCEED AN AMOUNT THAT, WHEN ADDED TO THE GUARANTEED INCREASE PROVIDED UNDER PARAGRAPH (2)(I) OF THIS SUBSECTION, EXCEEDS THE CPI LIMIT.
- (IV) AS OF JANUARY 1, 2008, AND EACH SUBSEQUENT JANUARY 1, ANY BALANCE IN THE EARNINGS INCREASE ACCOUNT RESULTING FROM THE CPI LIMIT AS OF THE PRECEDING JUNE 30 SHALL BE CARRIED FORWARD IN THE ACCOUNT TO THE NEXT JUNE 30 BY CREDITING THE BALANCE WITH THE AVERAGE ANNUAL MARKET VALUE ASSET RATE OF RETURN, AS DETERMINED UNDER SUBSECTION (E)(1)(I) OF THIS SECTION.

(E) *EARNINGS INCREASE ACCOUNT TRANSFERS.*

- (1) AS OF JULY 1, 2007 AND EACH SUBSEQUENT JULY 1, A TRANSFER TO THE EARNINGS INCREASE ACCOUNT WILL BE MADE IN THE AMOUNT OF THE POSITIVE DIFFERENCE BETWEEN:
 - (I) 100% OF THE DOLLAR-WEIGHTED AVERAGE INVESTMENT RETURN ON THE MARKET VALUE OF ASSETS CALCULATED FOR A FISCAL YEAR ENDING JUNE 30, UP TO THE REGULAR INTEREST BEFORE BENEFITS COMMENCE, BASED ON THE PORTION OF ASSETS ATTRIBUTABLE TO MEET THE OBLIGATION FOR PARTICIPANTS IN PAY STATUS; AND
 - (II) THE REGULAR INTEREST AFTER BENEFIT PAYMENTS COMMENCE, ON THE PORTION OF ASSETS ATTRIBUTABLE TO MEET THE OBLIGATION FOR PARTICIPANTS IN PAY STATUS.

(2) (I) IN THIS PARAGRAPH (2), "NORMAL COST" MEANS THE AMOUNT DETERMINED ANNUALLY BY THE ACTUARY FOR THE FUNDING OF BENEFITS EARNED DURING A PLAN YEAR IN ACCORDANCE WITH THE FUNDING METHOD IN EFFECT. IF AN AGGREGATE COST METHOD IS IN EFFECT, THE CALCULATION WILL USE THE ENTRY-AGE NORMAL COST FUNDING METHOD.

(II) MARKET VALUE OF ASSETS ATTRIBUTABLE TO MEET THE OBLIGATION FOR PARTICIPANTS IN PAY STATUS SHALL BE DETERMINED AS OF JUNE 30 TO BE EQUAL TO THE PRODUCT OF:

(A) THE RATIO OF PRESENT VALUE OF BENEFITS FOR PARTICIPANTS IN PAY STATUS OVER THE PRESENT VALUE OF BENEFITS FOR ALL PARTICIPANT BENEFITS; AND

(B) THE SUM OF:

1. THE MARKET VALUE OF ASSETS ATTRIBUTABLE TO PARTICIPANTS NOT IN PAY; AND
2. THE PRESENT VALUE OF FUTURE NORMAL COST.

(F) *ADMINISTRATION OF BENEFIT INCREASES.*

- (1) THE GUARANTEED BENEFIT INCREASE PROVIDED BY SUBSECTION (D)(2)(I) OF THIS SECTION MAY NOT BE LESS THAN ANY CORRESPONDING GUARANTEED POST-RETIREMENT BENEFIT INCREASE PROVIDED BY THE FIRE AND POLICE EMPLOYEES RETIREMENT SYSTEM TO ITS MEMBERS.
- (2) ANY BENEFIT INCREASE PROVIDED UNDER THIS SECTION SHALL BE FUNDED AS A SINGLE-PREMIUM PAID-UP ANNUITY.
- (3) IT IS INTENDED THAT ANY BENEFIT INCREASE CONTINUE FOR THE LIFETIME OF THE ELIGIBLE MEMBER AND ANY BENEFICIARY, CONSISTENT WITH ANY OPTION ELECTED UNDER § 6 OR § 9 OF THIS ARTICLE.
- (4) THE GUARANTEED BENEFIT INCREASE PROVIDED BY SUBSECTION (D)(2)(I) OF THIS SECTION IS EFFECTIVE AS OF EACH JANUARY 1, REGARDLESS OF THE INVESTMENT PERFORMANCE OF THE RETIREMENT SYSTEM'S INVESTMENT FUNDS.
- (5) THE POST-RETIREMENT BENEFIT INCREASE PROVIDED BY THIS SECTION SHALL BE PAYABLE IN THE SAME FORM AS POST-RETIREMENT BENEFIT PAYMENTS BEING RECEIVED BY THE ELIGIBLE PERSON.
- (6) EACH ELIGIBLE PERSON SHALL RECEIVE AN EQUAL PERCENTAGE ADDITIONAL INCREASE.

Subtitle – Elected Officials' Retirement System

§ 17A. Definitions.

- (12) All retirement allowances or other benefits [which] THAT are calculated on an annual basis shall be payable for each [day] MONTH in a year. [in such] PAYMENTS SHALL BE MADE IN periodic installments, as [may be] determined from time to time by the Board of [Estimates] TRUSTEES [to be in conformance with prevailing payment practices for active municipal employees], and [such daily] THE MONTHLY allowance shall be computed by dividing the annual allowance by [365] 12.

SECTION 3. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED, That:

- (a) Using the determination of the market value of the Retirement System Fund as of June 30, 2005:
- (1) the portion of assets dedicated for special investments in the Paid-Up-Benefit Fund shall be offset by any non-positive value held in the Contingency Reserve Fund;
 - (2) of the net balance derived under item (1) of this subsection, \$13.3 million shall be used [to determine] FOR a one-time increase in the periodic benefit payments for members in pay status as of June 30, 2006;
 - (3) the percent of the increase under paragraph (2) of this subsection shall be the percentage that can be provided by the balance to fund a single-premium paid-up annuity, using regular interest that is used for valuation purposes on the June 30 preceding the effective date of the increase; and
 - (4) after deductions for items (1) and (2) of this subsection, the net balance of the portion of assets dedicated for special investments in the Paid-Up Benefit Fund shall be released into the Retirement System Fund.
- (b) Following these adjustments, the Paid-Up-Benefit fund and the Contingency Reserve Fund shall cease to exist.

SECTION 5. AND BE IT FURTHER ORDAINED, That if any provision of this Ordinance or the application of it to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect any other provisions of this Ordinance or any other application of it that can be given effect without the invalid provision or application, and, for this purpose, the provisions of this Ordinance are declared severable.

SECTION 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved May 1, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-423
(Council Bill 07-640)**

AN ORDINANCE CONCERNING

Sanitary Maintenance – Responsibility

FOR the purpose of specifying certain situations in which owners are ~~primarily~~ responsible for exterior sanitary maintenance; generally relating to the allocation of responsibility for sanitary maintenance between tenants and owners; and providing for a special effective date.

BY repealing and reordaining, with amendments

Article - Building, Fire, and Related Codes
Section(s) 2-103 (IBC § 113.21.2) and 7-102 (IPMC § 307.2)
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Revised Code

Article – Building, Fire, and Related Codes

Part II. International Building Code

§ 2-103. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 1. Administration

Section 113 Violations

113.21.2 ~~Secondary liability~~ LIABILITY for sanitary maintenance.

A. SECONDARY LIABILITY. If, after a notice, order, or citation, a tenant fails to correct a violation of Property Maintenance Code § 304 {“Exterior sanitary maintenance – General”} or § 305 {“Exterior sanitary maintenance – Trash, garbage, and debris”} for which occupants are responsible under Property Maintenance Code § 307 {“Occupant’s sanitary responsibilities”}, the owner and operator of the property are secondarily liable.

B. LIABILITY – FAILURE TO REGISTER PROPERTY. ~~113.21.2.1 EXCEPTIONS – RESIDENTIAL PROPERTY REGISTRATION.~~ THE OWNER OF A PROPERTY IS ~~PRIMARYLY~~ RESPONSIBLE FOR EXTERIOR SANITARY MAINTENANCE IF:

1. THE OWNER FAILS TO REGISTER OR LICENSE THE PROPERTY AS REQUIRED BY CITY CODE ARTICLE 13, SUBTITLE 4 {“NON-OWNER-OCCUPIED DWELLINGS”} OR SUBTITLE 5 {“LICENSING OF MULTI-FAMILY DWELLINGS”}, OR
2. REASONABLE ATTEMPTS AT TELEPHONE CONTACT, USING INFORMATION IN A CURRENT REGISTRATION STATEMENT, DO NOT LEAD WITHIN 2 BUSINESS DAYS TO CURRENT OCCUPANT INFORMATION.

C. LIABILITY – THIRD ENVIRONMENTAL CITATION. ~~113.21.2.2 EXCEPTIONS – THIRD ENVIRONMENTAL CITATION.~~ THE OWNER OF A PROPERTY IS RESPONSIBLE FOR EXTERIOR SANITARY MAINTENANCE IF: ~~WITHIN A 12-MONTH PERIOD~~ (1) WITHIN THE PREVIOUS 12 MONTHS, TWO OR MORE ENVIRONMENTAL CITATIONS WERE ISSUED UNDER CITY CODE ARTICLE 1, SUBTITLE 40, FOR VIOLATIONS OF THIS CODE THAT WERE THE ~~PRIMARY~~ RESPONSIBILITY OF AN OCCUPANT OF THE PROPERTY UNDER PROPERTY MAINTENANCE CODE § 307 {“OCCUPANTS’ SANITARY RESPONSIBILITIES”}; ~~AND AN OCCUPANT CREATES OR~~ ALLOWS A CONDITION TO EXIST IN VIOLATION OF THIS CODE. NOTIFICATION (2) NOTIFICATION OF EACH VIOLATION AND CITATION MUST BE HAS BEEN SENT TO THE OWNER BY REGULAR MAIL.

~~113.21.2.3 [113.21.2.1] Notice to owner, operator.~~ Before an owner or operator may be charged under this § 113.21.2, he or she must be served with A violation notice under § 123.4.

113.21.2.1 NOTICE TO OWNER, OPERATOR. BEFORE AN OWNER OR OPERATOR MAY BE CHARGED UNDER § 113.21.2A {"SECONDARY LIABILITY"}, HE OR SHE MUST BE SERVED WITH A VIOLATION NOTICE UNDER § 123.4. A VIOLATION NOTICE UNDER § 123.4 IS NOT NECESSARY TO CHARGE AN OWNER UNDER §§ 113.21.2B {"LIABILITY – FAILURE TO REGISTER PROPERTY"} OR 113.21.2C {"LIABILITY – THIRD ENVIRONMENTAL CITATION"}.

~~113.21.2.5~~ {113.21.2.2} Recovery of expenses. If an owner or operator incurs expenses in correcting the violation, the owner or operator:

1. may recover those expenses from the tenant as rent, and
2. has all the rights and remedies available under the law for nonpayment.

Part VII. International Property Maintenance Code

§ 7-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 3. General Requirements

Section 307 Occupants' sanitary responsibilities.

307.2 Exteriors. An occupant of a single-unit building and an occupant of a unit with exclusive use of an exterior property area must maintain the exterior areas, including abutting sidewalks, gutters, and alleys, in compliance with §§ 304 and 305 of this Chapter.

307.2.1 EXCEPTION – RESIDENTIAL PROPERTY REGISTRATION. THE OWNER OF A PROPERTY IS RESPONSIBLE FOR EXTERIOR SANITARY MAINTENANCE UNDER ANY OF THE CIRCUMSTANCES DESCRIBED IN BUILDING CODE § ~~113.21.2~~ {"RESIDENTIAL PROPERTY REGISTRATION"} § 113.21.2B {"LIABILITY – FAILURE TO REGISTER PROPERTY"}.

307.2.2 EXCEPTION – THIRD ENVIRONMENTAL CITATION. THE OWNER OF A PROPERTY IS RESPONSIBLE FOR EXTERIOR SANITARY MAINTENANCE UNDER THE CIRCUMSTANCES DESCRIBED IN BUILDING CODE § ~~113.21.3~~ {"THIRD ENVIRONMENTAL CITATION"} § 113.21.2C {"LIABILITY – THIRD ENVIRONMENTAL CITATION"}.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved May 1, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-424
(Council Bill 07-641)**

AN ORDINANCE CONCERNING

Environmental Citations – Property Registration or Licensing

FOR the purpose of making violations of certain property registration and licensing requirements enforceable by environmental citations; and providing for a special effective date.

BY adding

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 40-14(e)(1)
Baltimore City Code
(Edition 2000)

BY adding

Article 13 - Housing and Urban Renewal
Section(s) 4-12 and 5-20
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 40-14. Violations to which subtitle applies.

(e) Provisions and penalties enumerated.

(1) ARTICLE 13. HOUSING AND URBAN RENEWAL

SUBTITLE 4: {REGISTRATION OF} NON-OWNER-OCCUPIED DWELLINGS \$100

SUBTITLE 5. LICENSING OF MULTIPLE-FAMILY DWELLINGS AND ROOMING HOUSES \$500

Article 13. Housing and Urban Renewal

Subtitle 4. Non-Owner-Occupied Dwellings

§ 4-12. ENFORCEMENT BY CITATION.**(A) *IN GENERAL.***

IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT PROCEDURE, THIS SUBTITLE MAY BE ENFORCED BY ISSUANCE OF AN ENVIRONMENTAL CITATION AS AUTHORIZED BY CITY CODE ARTICLE 1, SUBTITLE 40 {"ENVIRONMENTAL CONTROL BOARD"}.

(B) *PROCESS NOT EXCLUSIVE.*

THE ISSUANCE OF AN ENVIRONMENTAL CITATION TO ENFORCE THIS SUBTITLE DOES NOT PRECLUDE PURSUING ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION AUTHORIZED BY LAW.

Subtitle 5. Licensing of Multiple-Family Dwellings and Rooming Houses**§ 5-20. ENFORCEMENT BY CITATION.****(A) *IN GENERAL.***

IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT PROCEDURE, THIS SUBTITLE MAY BE ENFORCED BY ISSUANCE OF AN ENVIRONMENTAL CITATION AS AUTHORIZED BY CITY CODE ARTICLE 1, SUBTITLE 40 {"ENVIRONMENTAL CONTROL BOARD"}.

(B) *PROCESS NOT EXCLUSIVE.*

THE ISSUANCE OF AN ENVIRONMENTAL CITATION TO ENFORCE THIS SUBTITLE DOES NOT PRECLUDE PURSUING ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION AUTHORIZED BY LAW.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved May 1, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-425
(Council Bill 07-642)**

AN ORDINANCE CONCERNING**Environmental Citations – Electronic Signatures**

FOR the purpose of authorizing the use of single documents and of electronic signatures for the issuance and verification of environmental citations; and providing for a special effective date.

BY adding

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 40-7(e) and (f)
Baltimore City Code
(Edition 2000)

BY relettering

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 40-7(e)
to be
Section(s) 40-7(g)
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 40-7. Environmental Citations.

(E) *SINGLE DOCUMENT PERMISSIBLE.*

A SINGLE DOCUMENT MAY BE USED TO ISSUE TWO OR MORE SEPARATELY NUMBERED CITATIONS.

(F) *ELECTRONIC SIGNATURE.*

AN ELECTRONIC SIGNATURE MAY BE USED TO EXECUTE A CITATION AND TO SERVE AS AN AFFIRMATION, UNDER PENALTIES OF PERJURY, THAT THE FACTS STATED IN THE CITATION ARE TRUE.

(G) [(e)] *Record of citation to be kept.*

The original or a copy of the citation must be filed and retained in the records of the Board.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved May 1, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-426
(Council Bill 05-246)**

AN ORDINANCE CONCERNING

Razoring – 1834 and 1841-1847 Jackson Street

FOR the purpose of changing the zoning for the properties known as 1834 and 1841-1847 Jackson Street, as outlined in red on the accompanying plat, from the M-2-2 Zoning District to the R-8 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 66
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet 66 of the Zoning District Maps is amended by changing from the M-2-2 Zoning District to the R-8 Zoning District the properties known as 1834 and 1841-1847 Jackson Street, as outlined in red on the plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved May 17, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-427
(Council Bill 06-450)**

AN ORDINANCE CONCERNING

**Razoring – 1500 Woodall Street, 1605 Key Highway, a Portion of
1801 Key Highway, and a Portion of 1215 East Fort Avenue**

FOR the purpose of changing the zoning for the properties known as 1500 Woodall Street, 1605 Key Highway, a portion of 1801 Key Highway, and a portion of 1215 East Fort Avenue, as outlined in red on the accompanying plat, from the M-3 Zoning District to the B-2-2 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 66 and 76
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheets 66 and 76 of the Zoning District Maps are amended by changing from the M-3 Zoning District to the B-2-2 Zoning District the properties known as 1500 Woodall Street, 1605 Key Highway, a portion of 1801 Key Highway, and a portion of 1215 East Fort Avenue, as outlined in red on the plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved May 17, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-428
(Council Bill 06-451)**

AN ORDINANCE CONCERNING

Planned Unit Development – Designation – Chesapeake Paperboard

FOR the purpose of approving the application of Key Woodall Chesapeake Paperboard Centre, LLC, which is the owner ~~or contract purchaser and developer~~ of 1500 Woodall Street, 1605 Key Highway, ~~a portion of and 1801 Key Highway, and a portion of 1215 East Fort Avenue~~ (collectively, the “Property”) ~~and Chesapeake Paperboard Centre, LLC, which is the developer of the Property~~, to have the Property designated a Business Planned Unit Development; and approving the Development Plan submitted by the applicant.

BY authority of

Article - Zoning
Title 9, Subtitles 1 and 4
Baltimore City Revised Code
(Edition 2000)

Recitals

~~Key Woodall Chesapeake Paperboard Centre, LLC~~, is the owner ~~or contract purchaser~~ of the properties known as 1500 Woodall Street, 1605 Key Highway, ~~a portion of and~~ 1801 Key Highway, ~~and a portion of~~ ~~1215 East Fort Avenue~~, consisting of ~~9.4~~ 9.36 acres, more or less, and plans to develop the Property ~~with Chesapeake Paperboard, LLC~~, for business and residential uses.

On May 30, 2006, representatives of the applicant met with the Department of Planning for a preliminary conference, to explain the scope and nature of existing and proposed development on the Property and to institute proceedings to have the Property designated a Business Planned Unit Development.

The representatives of the applicant have now applied to the Baltimore City Council for designation of the Property as a Business Planned Unit Development, and they have submitted a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the application of ~~Key Highway, LLC~~, and Chesapeake Paperboard Centre, LLC, to designate the properties known as 1500 Woodall Street, 1605 Key Highway, ~~a portion of and~~ 1801 Key Highway, ~~and a portion of 1215 East Fort Avenue~~, consisting of ~~9.4~~ 9.36 acres, more or less, as outlined on the accompanying Development Plan entitled "Chesapeake Paperboard", consisting of Sheet 1, "Existing Conditions Plan", dated ~~May 31, 2006~~ February 1, 2007, Sheet 2, "Proposed Conditions Plan", dated ~~May 31, 2006~~ February 1, 2007, Sheet 3, "Conceptual Landscape Plan", dated ~~May 31, 2006~~ February 1, 2007, and Sheet 4, "Conceptual Massing Plan", dated ~~May 31, 2006~~ February 1, 2007, to designate the Property a Business Planned Development under Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Development Plan submitted by ~~Key Highway, LLC~~, and Chesapeake Paperboard Centre, LLC, is approved.

SECTION 3. AND BE IT FURTHER ORDAINED, That in accordance with the provisions of Title 9, Subtitles 1 and 4, the following uses are permitted within the Planned Unit Development:

- (a) Uses authorized in Business Districts.

Except as provided in paragraph (c) below, all uses specified in §§ 6-306, 6-307, 6-308, and 6-309 of the Zoning Code of Baltimore City as permitted, accessory, or conditional uses in the B-2 Zoning District are specifically authorized as permitted, accessory, and conditional uses (subject to the requirements of Title 14 of the Zoning Code of Baltimore City - Conditional Uses), in the Planned Unit Development.

- (b) The following additional uses are specifically permitted in the Planned Unit Development:

Outdoor table service when accessory to a restaurant or any permitted use;
Prepared food delivery services - including any operated as an accessory use by a restaurant

- (c) The following uses are prohibited as principal uses in the Planned Unit Development:

Amusement devices ~~located within a shopping center of over 20,000 square feet or a commercial recreation center of over 20,000 square feet~~;
Apartment hotels;
Automobile accessory stores - including related repair and installation services;
~~Banquet halls~~;
Bingo halls: charitable
Bus and transit passenger ~~stations and terminals~~ turnarounds;

Check cashing agencies;
 Clubs and lodges: private nonprofit;
 Community correction centers;
 Convalescent, nursing, and rest homes;
 Dance halls;
 Drug stores and pharmacies: drive-in;
 Dry cleaning establishments: drive-in;
 Employment agencies;
 Exterminator's shops;
 Firearms sales;
 Fraternity and sorority houses: off-campus;
 Furrier shops - including accessory storage and conditioning of furs;
 Garages, other than accessory, for storage, repair and serving of motor vehicles not over 1½ tons capacity;
 Helistops;
 Homes for the rehabilitation of non-bedridden alcoholics and for the care and custody of homeless persons;
 Hospitals;
 Hotels and motels;
 Launderettes - no more than 4 employees plus 1 owner or manager on the premises;
 Laundries - no more than 4 employees plus 1 owner or manager on the premises;
 Marinas: accessory;
 Marinas: recreational;
 Marinas: recreation boat launch/tie up;
~~Meeting and banquet halls;~~
 Newspaper distribution agencies; for home delivery and retail trade;
 Parole and probation field offices;
 Pawnshops;
 Photographic printing and developing establishments - drive-in;
 Pool halls and billiard parlors;
 Poultry- and rabbit-killing establishments;
~~Radio and television antennas that are free-standing or that extend more than 25 feet above the building on which they are mounted - but not including microwave antennas (satellite dishes);~~
 Restaurants - drive-in;
 Rooming houses;
 Schools: commercial;
 Schools, elementary and secondary;
 Sewerage pumping station;
~~Substance abuse treatment centers;~~
~~Taverns;~~
 Taxidermist shops;
 Tobacco shops;
 Travel trailers, recreational vehicles, and similar camping equipment: parking or storage;
 Undertaking establishments and funeral parlors;
 Union halls; and
 Water filtration plants, reservoirs, and pumping stations.

(d) The following use is permitted as a principal use in the Planned Unit Development, subject to the following condition:

Liquor stores: package goods; with the condition that there be no more than 1.

(e) Microwave antennas (satellite dishes) in the Planned Unit Development shall not exceed 6 feet in diameter.

(f) No gambling is permitted in the Planned Unit Development.

SECTION 4. AND BE IT FURTHER ORDAINED, That the maximum net leasable area within the Planned Unit Development may not exceed the following limitations:

- (a) The office square footage within the Planned Unit Development is limited to ~~35,000~~ 50,000 square feet.
- (b) The retail square footage (including restaurants) within the Planned Unit Development is limited to 110,000 square feet.
- (c) A maximum of 250 dwelling units is allowed within the Planned Unit Development.

SECTION 5. AND BE IT FURTHER ORDAINED, That the net leasable area for retail uses allowed within the Planned Unit Development ~~may not exceed~~ must comply with the following limitations:

The ~~minimum~~ net leasable area for any retail use may not be less than 1,000 square feet. ~~The maximum net leasable area for one retail use may not exceed 55,000 square feet. The maximum net leasable area for each additional retail use may not exceed 13,000 square feet nor exceed 13,000 square feet, with the exception of 1 food store or grocery use, which may occupy up to 55,000 square feet of net leasable area.~~

SECTION 6. AND BE IT FURTHER ORDAINED, That parking must be provided within the Planned Unit Development in accordance with the following conditions:

- (a) Parking must be provided to meet the following minimum requirements:
 - (1) 2 spaces per residential dwelling unit.
 - (2) 3 spaces per 1,000 square feet of office use.
 - (3) 1 space per 300 square feet in excess of 1,000 square feet of retail use.
- (b) Parking spaces required by this Planned Unit Development that are in excess of those required by the underlying zoning district may be satisfied with off-street and on-street parking spaces, with the exception of the Woodall Street parking spaces situated between the Key Highway project entrance and Fort Avenue.
- (c) When reviewing plans for final design approval, the Planning Commission may take into consideration proposed uses that have different peak parking characteristics that complement each other, so that the parking spaces provided may reasonably be shared by proposed uses, and an excess of parking is not provided by strict cumulation of the parking requirements listed above.

SECTION 6 7. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the Property within the Planned Unit Development are subject to final design approval by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance.

SECTION 8. AND BE IT FURTHER ORDAINED, That the developer must submit to the Locust Point Civic Association, or its successors or assigns, for review and comment, the form and content of all plans and proposals for development of the Planned Unit Development property at least 45 days prior to a Planning Commission hearing that is scheduled to review the plans.

SECTION 9. AND BE IT FURTHER ORDAINED, That the developer must submit to the Key Highway Beautification Project, Inc., for review and comment as to consistency with the Key Highway Master Plan, the form and content of all landscape plans for the Planned Unit Development property at least 30 days prior to a Planning Commission hearing that is scheduled to review the plans.

SECTION 10. AND BE IT FURTHER ORDAINED, That signs are permitted within the Planned Unit Development, provided that all signs conform to a signage master plan that is subject to Final Design Approval by the Planning Commission and that they also are subject to the following conditions:

- (a) Temporary Planned Unit Development signs, business signs, identification signs, and parking garage access signs may exceed the maximum square footage and 2 free-standing signs that may exceed the maximum permitted square footage.
- (b) The following signs are prohibited in the Planned Unit Development:

Free standing pylon signs.
- (c) A minor privilege permit is required for any sign that projects into the public right-of-way.

SECTION 11. AND BE IT FURTHER ORDAINED, That the City or the developer, at the developer's expense and with the approval of the Department of Transportation, must install the following traffic improvements:

- (a) Traffic signal at Key Highway and Future Site Access intersection with appropriate hazard identification beacons;
- (b) Southbound left turn lane from Key Highway to Future Site Access;
- (c) Westbound left turn lane and right turn lane from Future Site Access to Key Highway;
- (d) Traffic signal conduit and pole base at Fort Avenue and Woodall Street intersection;
- (e) Pedestrian/bicycle concrete path, consistent with Baltimore City Bicycle Plan, at least 8 feet in width along Key Highway frontage.
- (f) Pedestrian crosswalks along east and west sides of Woodall Street at Fort Avenue; and
- (g) Concrete "chokers" on 1400 block of Woodall Street.

Baltimore City Department of Transportation approval is required prior to completion and/or installation of the improvements, and the developer shall use all reasonable efforts to obtain Department of Transportation approval; if obtained, the developer must complete the improvements prior to the issuance of occupancy permits for new development on the site.

SECTION 7 12. AND BE IT FURTHER ORDAINED, That the Planning Commission may determine what constitutes minor or major modifications to the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

SECTION 8 13. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 9 14. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved May 17, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-429
(Council Bill 06-464)**

AN ORDINANCE CONCERNING

Razoring – Properties in Historic Southeast Baltimore

FOR the purpose of changing the zoning for certain properties in Historic Southeast Baltimore: as outlined in yellow on the accompanying amended plats, from the B-1-1 Zoning District to the R-8 Zoning District, from the B-1-3 Zoning District to the R-8 Zoning District, from the B-2-2 Zoning District to the R-8 Zoning District, from the B-2-3 Zoning District to the R-8 Zoning District, from the B-3 Zoning District to the R-8 Zoning District, from the B-3-2 Zoning District to the R-8 Zoning District, from the B-3-3 Zoning District to the R-8 Zoning District, from the M-1-3 Zoning District to the R-8 Zoning District, from the M-2-2 Zoning District to the R-8 Zoning District, from the M-3 Zoning District to the R-8 Zoning District, from the R-9 Zoning District to the R-8 Zoning District, from the R-10 Zoning District to the R-8 Zoning District, from the B-2-3 and R-8 Zoning Districts to the R-8 Zoning District, and from the B-3-3 and R-8 Zoning Districts to the R-8 Zoning District; as outlined in purple on the accompanying amended plats, from the B-1-3 Zoning District to the B-1-2 Zoning District, from the B-2-2 Zoning District to the B-1-2 Zoning District, from the B-2-3 Zoning District to the B-1-2 Zoning District, from the B-3-2 Zoning District to the B-1-2 Zoning District, from the B-3-3 Zoning District to the B-1-2 Zoning District, from the M-2-2 Zoning District to the B-1-2 Zoning District, and from the M-3 Zoning District to the B-1-2 Zoning District; as outlined in orange on the accompanying amended plats from the B-1-3 Zoning District to the B-2-2 Zoning District, from the B-2-3 Zoning District to the B-2-2 Zoning District, from the B-3-3 Zoning District to the B-2-2 Zoning District, from the M-2-2 Zoning District to the B-2-2 Zoning District, from the M-3 Zoning District to the B-2-2 Zoning District, and from the B-3-3 and R-8 Zoning Districts to the B-2-2 Zoning District; ~~as outlined in brown on the accompanying plats from the B-2-2 Zoning District to the B-2-1 Zoning District;~~ as outlined in red on the accompanying amended plats from the B-2-2 Zoning District to the B-3-2 Zoning District, from the B-3-3 Zoning District to the B-3-2 Zoning District, from the M-3 Zoning District to the B-3-2 Zoning District, and from the B-3-3 and B-2-3 Zoning Districts to the B-3-2 Zoning District; as outlined in blue on the accompanying amended plats from the B-2-3 Zoning District to the O-R-2 Zoning District, from the B-3-3 Zoning District to the O-R-2 Zoning District, and from the R-8 Zoning District to the O-R-2 Zoning District; as outlined in green on the accompanying amended plats ~~from the M-2-2 Zoning District to the B-1-1 Zoning District,~~ and from the M-3 Zoning District to the B-1-1 Zoning District; as outlined in pink on the accompanying amended plats from the M-2-2 Zoning District to the B-2-3 Zoning District; and as

outlined in brown on the accompanying amended plats from the B-3-3 Zoning District to the M-2-2 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 56, 57, 67
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheets 56, 57, and 67 of the Zoning District Maps are amended by changing the zoning for the following properties, all as outlined on the plats accompanying this Ordinance:

Properties to be rezoned from the B-1-1 Zoning District to the R-8 Zoning District, as outlined in yellow:

423 South Eden Street

Properties to be rezoned from the B-1-3 Zoning District to the B-1-2 Zoning District, as outlined in purple:

1518 Aliceanna Street
1516 Aliceanna Street
1514 Aliceanna Street
1512 Aliceanna Street
1510 Aliceanna Street
1508 Aliceanna Street
700 South Bond Street
702 South Bond Street
704 South Bond Street
706 South Bond Street
Block 1809 Lot 004A
708 South Bond Street
724 South Bond Street
726 South Bond Street
728 South Bond Street
730 South Bond Street
732 South Bond Street
734 South Bond Street
1537 Aliceanna Street
1539 Aliceanna Street
707 South Bond Street
705 South Bond Street
701 South Bond Street
702 South Wolfe Street

Properties to be rezoned from the B-1-3 Zoning District to the B-2-2 Zoning District, as outlined in orange:

1806 Thames Street

Properties to be rezoned from the B-1-3 Zoning District to the R-8 Zoning District, as outlined in yellow:

1530 Lancaster Street
1528 Lancaster Street
1526 Lancaster Street
1524 Lancaster Street
1516 Lancaster Street
1525 Aliceanna Street
1529 Aliceanna Street
1531 Aliceanna Street
1533 Aliceanna Street
1535 Aliceanna Street
701 South Dallas Street
703 South Dallas Street
Block1832 Lot 001
2000 Aliceanna Street
2002 Aliceanna Street
2004 Aliceanna Street
2006 Aliceanna Street
2008 Aliceanna Street
2010 Aliceanna Street
2012 Aliceanna Street
2014 Aliceanna Street
2016 Aliceanna Street
2018 Aliceanna Street
2020 Aliceanna Street
2001 Fountain Street
2003 Fountain Street
2005 Fountain Street
2007 Fountain Street
2009 Fountain Street
2011 Fountain Street
2013 Fountain Street
2015 Fountain Street
2017 Fountain Street
2019 Fountain Street
2021 Fountain Street
2023 Fountain Street
Rear of 1806 Thames Street

Properties to be rezoned from the B-2-2 Zoning District to the B-1-2 Zoning District, as outlined in purple:

850 South Bond Street
605 South Ann Street
Block1829 Lot 036
707 South Regester Street
705 South Regester Street
700 South Wolfe Street
1820 Lancaster Street

Properties to be rezoned from the B-2-2 Zoning District to the B-2-1 Zoning District, as outlined in brown:

~~700 South Ann Street~~

Properties to be rezoned from the B-2-2 Zoning District to the B-3-2 Zoning District, as outlined in red:

1732 Thames Street
1734 Thames Street
1736 Thames Street
1738 Thames Street

Properties to be rezoned from the B-2-2 Zoning District to the R-8 Zoning District, as outlined in yellow:

1827 East Pratt Street
728 South Ann Street
730 South Ann Street
732 South Ann Street
1744 Lancaster Street
1742 Lancaster Street
1740 Lancaster Street
1738 Lancaster Street
1736 Lancaster Street
1734 Lancaster Street
1732 Lancaster Street
1730 Lancaster Street
1728 Lancaster Street
1726 Lancaster Street
1724 Lancaster Street
1720 Lancaster Street
1803 Aliceanna Street
1805 Aliceanna Street
1807 Aliceanna Street
1809 Aliceanna Street
1811 Aliceanna Street
1813 Aliceanna Street
1815 Aliceanna Street
1817 Aliceanna Street
1819 Aliceanna Street
1821 Aliceanna Street
1823 Aliceanna Street
1825 Aliceanna Street
1827 Aliceanna Street
1814 Lancaster Street
1812 Lancaster Street
1810 Lancaster Street
1808 Lancaster Street
1806 Lancaster Street
1804 Lancaster Street
1802 Lancaster Street
733 South Ann Street
731 South Ann Street
729 South Ann Street

727 South Ann Street
725 South Ann Street
723 South Ann Street
721 South Ann Street
719 South Ann Street
717 South Ann Street
715 South Ann Street
713 South Ann Street
711 South Ann Street
709 South Ann Street
707 South Ann Street
705 South Ann Street
701 South Ann Street
730 South Durham Street
728 South Durham Street
726 South Durham Street
724 South Durham Street
722 South Durham Street
714 South Durham Street
712 South Durham Street
710 South Durham Street
708 South Durham Street
706 South Durham Street
704 South Durham Street
702 South Durham Street
700 South Durham Street
812 South Ann Street
810 South Ann Street
808 South Ann Street
806 South Ann Street
804 South Ann Street
802 South Ann Street
800 South Ann Street
1731 Lancaster Street
1729 Lancaster Street
1727 Lancaster Street
1725 Lancaster Street
1723 Lancaster Street
1717 Lancaster Street
1715 Lancaster Street
1713 Lancaster Street
1807 Lancaster Street
1803 Lancaster Street
801 South Ann Street
805 South Ann Street
807 South Ann Street
809 South Ann Street
811 South Ann Street
813 South Ann Street
815 South Ann Street
817 South Ann Street
Rear of 1724 Thames Street

Properties to be rezoned from the B-2-3 Zoning District to the B-1-2 Zoning District, as outlined in purple:

1654 East Pratt Street
128 South Broadway
126 South Broadway
124 South Broadway
122 South Broadway
120 South Broadway
118 South Broadway
116 South Broadway
114 South Broadway
112 South Broadway
108 South Broadway
100 South Broadway
200 South Broadway
206 South Broadway
208 South Broadway
210 South Broadway
216 South Broadway
218 South Broadway
220 South Broadway
222 South Broadway
224 South Broadway
226 South Broadway
228 South Broadway
230 South Broadway
232 South Broadway
234 South Broadway
238 South Broadway
240 South Broadway
242 South Broadway
244 South Broadway
246 South Broadway
248 South Broadway
250 South Broadway
1630 Bank Street
330 South Broadway
328 South Broadway
326 South Broadway
324 South Broadway
322 South Broadway
318 South Broadway
316 South Broadway
314 South Broadway
312 South Broadway
310 South Broadway
308 South Broadway
306 South Broadway
300 South Broadway
133 South Broadway
131 South Broadway
129 South Broadway

~~127 South Broadway~~
~~125 South Broadway~~
~~123 South Broadway~~
~~121 South Broadway~~
~~119 South Broadway~~
~~117 South Broadway~~
~~113 South Broadway~~
~~111 South Broadway~~
~~109 South Broadway~~
~~107 South Broadway~~
~~105 South Broadway~~
~~103 South Broadway~~
~~101 South Broadway~~
1703 East Lombard Street
116 South Regester Street
~~201 South Broadway~~
~~203 South Broadway~~
~~205 South Broadway~~
~~207 South Broadway~~
~~209 South Broadway~~
~~211 South Broadway~~
~~219 South Broadway~~
~~225 South Broadway~~
~~227 South Broadway~~
~~229 South Broadway~~
~~233 South Broadway~~
~~235 South Broadway~~
~~237 South Broadway~~
~~239 South Broadway~~
~~241 South Broadway~~
~~243 South Broadway~~
~~245 South Broadway~~
~~247 South Broadway~~
~~249 South Broadway~~
~~251 South Broadway~~
~~321 South Broadway~~
~~317 South Broadway~~
~~313 South Broadway~~
~~311 South Broadway~~
~~309 South Broadway~~
~~307 South Broadway~~
~~303 South Broadway~~
~~301 South Broadway~~
1703 Gough Street
1705 Gough Street

Properties to be rezoned from the B-2-3 Zoning District to the B-2-2 Zoning District, as outlined in orange:

15 North Central Avenue
128 South Broadway
126 South Broadway
124 South Broadway

122 South Broadway
120 South Broadway
118 South Broadway
116 South Broadway
114 South Broadway
112 South Broadway
108 South Broadway
100 South Broadway
200 South Broadway
206 South Broadway
208 South Broadway
210 South Broadway
216 South Broadway
218 South Broadway
220 South Broadway
222 South Broadway
224 South Broadway
226 South Broadway
228 South Broadway
230 South Broadway
232 South Broadway
234 South Broadway
238 South Broadway
240 South Broadway
242 South Broadway
244 South Broadway
246 South Broadway
248 South Broadway
250 South Broadway
330 South Broadway
328 South Broadway
326 South Broadway
324 South Broadway
322 South Broadway
318 South Broadway
316 South Broadway
314 South Broadway
312 South Broadway
310 South Broadway
308 South Broadway
306 South Broadway
300 South Broadway
133 South Broadway
131 South Broadway
129 South Broadway
127 South Broadway
125 South Broadway
123 South Broadway
121 South Broadway
119 South Broadway
117 South Broadway
113 South Broadway
111 South Broadway

109 South Broadway
107 South Broadway
105 South Broadway
103 South Broadway
101 South Broadway
201 South Broadway
203 South Broadway
205 South Broadway
207 South Broadway
209 South Broadway
211 South Broadway
219 South Broadway
225 South Broadway
227 South Broadway
229 South Broadway
233 South Broadway
235 South Broadway
237 South Broadway
239 South Broadway
241 South Broadway
243 South Broadway
245 South Broadway
247 South Broadway
249 South Broadway
251 South Broadway
321 South Broadway
317 South Broadway
313 South Broadway
311 South Broadway
309 South Broadway
307 South Broadway
303 South Broadway
301 South Broadway
400 South Broadway
412 South Broadway
416 South Broadway
418 South Broadway
422 South Broadway
428 South Broadway
432 South Broadway
1636 Eastern Avenue
1634 Eastern Avenue
1624 Eastern Avenue
500 South Broadway
504 South Broadway
506 South Broadway
508 South Broadway
510 South Broadway
514 South Broadway
516 South Broadway
518 South Broadway
520 South Broadway
522 South Broadway

524 South Broadway
1635 Eastern Avenue
1637 Eastern Avenue
1748 Eastern Avenue
1746 Eastern Avenue
1744 Eastern Avenue
1742 Eastern Avenue
1740 Eastern Avenue
1738 Eastern Avenue
1736 Eastern Avenue
1728 Eastern Avenue
1724 Eastern Avenue
1722 Eastern Avenue
1720 Eastern Avenue
1718 Eastern Avenue
1716 Eastern Avenue
1714 Eastern Avenue
1712 Eastern Avenue
1710 Eastern Avenue
1706 Eastern Avenue
1704 Eastern Avenue
435 South Broadway
433 South Broadway
431 South Broadway
425 South Broadway
421 South Broadway
419 South Broadway
415 South Broadway
413 South Broadway
411 South Broadway
407 South Broadway
405 South Broadway
403 South Broadway
401 South Broadway
500 South Ann Street
502 South Ann Street
504 South Ann Street
506 South Ann Street
1720 Fleet Street
1718 Fleet Street
1716 Fleet Street
1714 Fleet Street
1712 Fleet Street
1708 Fleet Street
1706 Fleet Street
1704 Fleet Street
1704 Gough Street
531 South Broadway
529 South Broadway
527 South Broadway
523 South Broadway
517 South Broadway
515 South Broadway

509 South Broadway
507 South Broadway
505 South Broadway
501 South Broadway
1703 Eastern Avenue
1705 Eastern Avenue
1707 Eastern Avenue
1711 Eastern Avenue
1713 Eastern Avenue
1719 Eastern Avenue
1723 Eastern Avenue
1725 Eastern Avenue
Block 1780 Lot 058
1727 Eastern Avenue
1731 Eastern Avenue
1735 Eastern Avenue
1737 Eastern Avenue
522 South Regester Street
520 South Regester Street
518 South Regester Street
508 South Regester Street
506 South Regester Street
600 South Broadway
602 South Broadway
606 South Broadway
610 South Broadway
616 South Broadway
620 South Broadway
622 South Broadway
624 South Broadway
626 South Broadway
628 South Broadway
630 South Broadway
632 South Broadway
1637 Fleet Street
1639 Fleet Street
1641 Fleet Street
1621 Aliceanna Street
1623 Aliceanna Street
1625 Aliceanna Street
1627 Aliceanna Street
1629 Aliceanna Street
1631 Aliceanna Street
1640 Aliceanna Street
1641 Lancaster Street
601 South Broadway
607 South Broadway
609 South Broadway
611 South Broadway
613 South Broadway
617 South Broadway
619 South Broadway
621 South Broadway

623 South Broadway
625 South Broadway
627 South Broadway
629 South Broadway
631 South Broadway
1719 Fleet Street
1709 Fleet Street
1703 Aliceanna Street
1707 Aliceanna Street
1709 Aliceanna Street
1711 Aliceanna Street
1713 Aliceanna Street
1715 Aliceanna Street
1717 Aliceanna Street
1719 Aliceanna Street
1627 Eastern Avenue

Properties to be rezoned from the B-2-3 Zoning District to the O-R-2 Zoning District, as outlined in blue:

1626 East Baltimore Street
1628 East Baltimore Street
1630 East Baltimore Street
1632 East Baltimore Street
1634 East Baltimore Street
1636 East Baltimore Street
1638 East Baltimore Street
1640 East Baltimore Street
1642 East Baltimore Street
1644 East Baltimore Street
1646 East Baltimore Street
4 North Broadway
32 South Broadway
30 South Broadway
28 South Broadway
26 South Broadway
24 South Broadway
22 South Broadway
18 South Broadway
16 South Broadway
14 South Broadway
12 South Broadway
10 South Broadway
8 South Broadway
6 South Broadway
4 South Broadway
1645 East Baltimore Street
1643 East Baltimore Street
1639 East Baltimore Street
1637 East Baltimore Street
1635 East Baltimore Street
1633 East Baltimore Street
1631 East Baltimore Street
1629 East Baltimore Street

1627 East Baltimore Street
1625 East Baltimore Street
1621 East Baltimore Street
25 South Broadway
23 South Broadway
21 South Broadway
19 South Broadway
17 South Broadway
15 South Broadway
13 South Broadway
11 South Broadway
9 South Broadway
7 South Broadway
5 South Broadway

Properties to be rezoned from the B-2-3 Zoning District to the R-8 Zoning District, as outlined in yellow:

1636 East Pratt Street
1638 East Pratt Street
1640 East Pratt Street
1642 East Pratt Street
1644 East Pratt Street
1646 East Pratt Street
1648 East Pratt Street
1623 East Lombard Street
103 South Bethel Street
113 South Bethel Street
125 South Bethel Street
1618 Gough Street
1616 Gough Street
215 South Bethel Street
219 South Bethel Street
221 South Bethel Street
225 South Bethel Street
227 South Bethel Street
229 South Bethel Street
245 South Bethel Street
1618 Bank Street
1626 Bank Street
1628 Bank Street
1631 Gough Street
1629 Gough Street
1627 Gough Street
1625 Gough Street
1623 Gough Street
1621 Gough Street
319 South Bethel Street
317 South Bethel Street
315 South Bethel Street
313 South Bethel Street
311 South Bethel Street
309 South Bethel Street
307 South Bethel Street

305 South Bethel Street
303 South Bethel Street
1621 Bank Street
Block 1435 Lot 062
1710 East Baltimore Street
1701 East Baltimore Street
120 South Ann Street
1722 East Pratt Street
1720 East Pratt Street
1718 East Pratt Street
1716 East Pratt Street
1714 East Pratt Street
1712 East Pratt Street
1710 East Pratt Street
1708 East Pratt Street
1706 East Pratt Street
1705 East Lombard Street
1715 East Lombard Street
1717 East Lombard Street
1719 East Lombard Street
1721 East Lombard Street
1723 East Lombard Street
128 South Regester Street
126 South Regester Street
124 South Regester Street
122 South Regester Street
110 South Regester Street
114 South Regester Street
108 South Regester Street
106 South Regester Street
104 South Regester Street
102 South Regester Street
100 South Regester Street
105 Narrowway Court
~~1704 Gough Street~~
1710 Gough Street
1722 Gough Street
1724 Gough Street
1726 Gough Street
1728 Gough Street
1730 Gough Street
1732 Gough Street
1734 Gough Street
1736 Gough Street
256 South Ann Street
202 South Regester Street
204 South Regester Street
206 South Regester Street
208 South Regester Street
210 South Regester Street
212 South Regester Street
214 South Regester Street
216 South Regester Street

218 South Regester Street
220 South Regester Street
226 South Regester Street
228 South Regester Street
1800 Gough Street
300 South Ann Street
1738 Bank Street
1736 Bank Street
1734 Bank Street
1730 Bank Street
1713 Gough Street
1715 Gough Street
1717 Gough Street
1719 Gough Street
1725 Gough Street
1727 Gough Street
1729 Gough Street
1731 Gough Street
1733 Gough Street
1735 Gough Street
304 South Regester Street
306 South Regester Street
308 South Regester Street
310 South Regester Street
312 South Regester Street
314 South Regester Street
316 South Regester Street
318 South Regester Street
301 South Ann Street
1705 Bank Street
1707 Bank Street
1709 Bank Street
1711 Bank Street
1713 Bank Street
1715 Bank Street
1717 Bank Street
1719 Bank Street
1721 Bank Street
1723 Bank Street
1725 Bank Street
402 South Regester Street
406 South Regester Street
408 South Regester Street
410 South Regester Street
412 South Regester Street
414 South Regester Street
416 South Regester Street
418 South Regester Street
420 South Regester Street
422 South Regester Street
421 South Regester Street
411 Griffin Court
413 Griffin Court

415 Griffin Court
417 Griffin Court
419 Griffin Court
~~504 South Ann Street~~
~~506 South Ann Street~~
1630 Lancaster Street
1628 Lancaster Street
1626 Lancaster Street
1624 Lancaster Street
1622 Lancaster Street
1618 Lancaster Street
703 South Bethel Street
705 South Bethel Street
707 South Bethel Street
713 South Bethel Street
715 South Bethel Street
723 South Bethel Street
725 South Bethel Street
1718 Lancaster Street
1716 Lancaster Street
1714 Lancaster Street
1712 Lancaster Street
1710 Lancaster Street
1708 Lancaster Street
1706 Lancaster Street
1704 Lancaster Street
702 South Regester Street
704 South Regester Street
710 South Regester Street
714 South Regester Street
720 South Regester Street
722 South Regester Street
Block 1845 Lot 074
Rear of 1718-22 South Broadway

Properties to be rezoned from the B-3 Zoning District to the R-8 Zoning District, as outlined in yellow:

1423 East Baltimore Street
1425 East Baltimore Street
1427 East Baltimore Street
1431 East Baltimore Street
1433 East Baltimore Street
1435 East Baltimore Street
1437 East Baltimore Street
1439 East Baltimore Street
1441 East Baltimore Street

Properties to be rezoned from the B-3-2 Zoning District to the B-1-2 Zoning District, as outlined in purple:

113 North Collington Avenue

Properties to be rezoned from the B-3-2 Zoning District to the R-8 Zoning District, as outlined in yellow:

2101 East Pratt Street
1801 Bank Street
1803 Bank Street
1805 Bank Street
1807 Bank Street
1809 Bank Street
1811 Bank Street
1813 Bank Street
1821 Bank Street
1823 Bank Street
1825 Bank Street
1827 Bank Street
1829 Bank Street
1831 Bank Street
428 South Wolfe Street

Properties to be rezoned from the B-3-3 Zoning District to the B-1-2 Zoning District, as outlined in purple:

~~400 South Caroline Street~~
2034 Eastern Avenue
2032 Eastern Avenue
2030 Eastern Avenue
2028 Eastern Avenue
2026 Eastern Avenue
2022 Eastern Avenue
2020 Eastern Avenue
2018 Eastern Avenue
2016 Eastern Avenue
2012 Eastern Avenue
2010 Eastern Avenue
2008 Eastern Avenue
2006 Eastern Avenue
1614 Fleet Street
1602 Fleet Street
529 South Bond Street
1828 Fleet Street
1826 Fleet Street
1824 Fleet Street
1822 Fleet Street
1820 Fleet Street
1818 Fleet Street
1816 Fleet Street
1814 Fleet Street
1810 Fleet Street
1806 Fleet Street
1802 Fleet Street
535 South Ann Street
1928 Fleet Street
1926 Fleet Street
1924 Fleet Street

1922 Fleet Street
1920 Fleet Street
1918 Fleet Street
1916 Fleet Street
1914 Fleet Street
1912 Fleet Street
1910 Fleet Street
1908 Fleet Street
1906 Fleet Street
1904 Fleet Street
1902 Fleet Street
1900 Fleet Street
2016 Fleet Street
2014 Fleet Street
2012 Fleet Street
2010 Fleet Street
2008 Fleet Street
2006 Fleet Street
2004 Fleet Street
2002 Fleet Street
2000 Fleet Street
2007 Duker Court
737 South Bond Street
735 South Bond Street
733 South Bond Street
731 South Bond Street
727 South Bond Street
725 South Bond Street
723 South Bond Street
719 South Bond Street
717 South Bond Street
715 South Bond Street
713 South Bond Street
711 South Bond Street
709 South Bond Street
800 South Bond Street
802 South Bond Street
804 South Bond Street
810 South Bond Street
814 South Bond Street
818 South Bond Street
820 South Bond Street
828 South Bond Street
832 South Bond Street
834 South Bond Street
836 South Bond Street
838 South Bond Street
840 South Bond Street
842 South Bond Street
844 South Bond Street
846 South Bond Street
848 South Bond Street
815 South Bond Street

813 South Bond Street
811 South Bond Street
809 South Bond Street
807 South Bond Street
805 South Bond Street
803 South Bond Street
801 South Bond Street
Block 1820 Lot 019A
847 South Bond Street
845 South Bond Street
843 South Bond Street
841 South Bond Street
839 South Bond Street
837 South Bond Street
835 South Bond Street
833 South Bond Street
831 South Bond Street
829 South Bond Street
827 South Bond Street
825 South Bond Street
823 South Bond Street
821 South Bond Street
819 South Bond Street
817 South Bond Street
600 South Wolfe Street
602 South Wolfe Street
1801 Fleet Street
1803 Fleet Street
1805 Fleet Street
1807 Fleet Street
1809 Fleet Street
1811 Fleet Street
1813 Fleet Street
1815 Fleet Street
1819 Fleet Street
1821 Fleet Street
1823 Fleet Street
1825 Fleet Street
1827 Fleet Street
1829 Fleet Street
1901 Fleet Street
1905 Fleet Street
1907 Fleet Street
1909 Fleet Street
1911 Fleet Street
1913 Fleet Street
1915 Fleet Street
1917 Fleet Street
1919 Fleet Street
1921 Fleet Street
1923 Fleet Street
1925 Fleet Street
1927 Fleet Street

1929 Fleet Street
1931 Fleet Street
1933 Fleet Street
1935 Fleet Street
1937 Fleet Street
1939 Fleet Street
2003 Fleet Street
2005 Fleet Street
2007 Fleet Street
2009 Fleet Street
2011 Fleet Street
2013 Fleet Street
2015 Fleet Street
2017 Fleet Street
2019 Fleet Street
2021 Fleet Street
2023 Fleet Street
2025 Fleet Street
2027 Fleet Street
2029 Fleet Street
2031 Fleet Street
2033 Fleet Street
2035 Fleet Street
2037 Fleet Street
2039 Fleet Street
2041 Fleet Street
2043 Fleet Street
2045 Fleet Street
2047 Fleet Street
2049 Fleet Street
2051 Fleet Street
806-08 South Bond Street
822-24 South Bond Street

Properties to be rezoned from the B-3-3 Zoning District to the B-2-2 Zoning District, as outlined in orange:

1300 East Baltimore Street
1302 East Baltimore Street
1304 East Baltimore Street
1306 East Baltimore Street
6 North Eden Street
3 North Central Avenue
1325 East Fayette Street
18 North Eden Street
1401 East Fayette Street
1407 East Fayette Street
1417 East Fayette Street
1423 East Fayette Street
1429 East Fayette Street
1431 East Fayette Street
1437 East Fayette Street
1439 East Fayette Street

11 South Central Avenue
39 South Central Avenue
1301 East Baltimore Street
1323 East Lombard Street
1321 East Lombard Street
1319 East Lombard Street
1311 East Lombard Street
1309 East Lombard Street
1307 East Lombard Street
1305 East Lombard Street
1303 East Lombard Street
1301 East Lombard Street
1534 Eastern Avenue
1532 Eastern Avenue
1530 Eastern Avenue
1528 Eastern Avenue
1526 Eastern Avenue
1522 Eastern Avenue
1500 Eastern Avenue
1622 Eastern Avenue
1620 Eastern Avenue
1618 Eastern Avenue
1616 Eastern Avenue
1614 Eastern Avenue
1612 Eastern Avenue
1610 Eastern Avenue
1608 Eastern Avenue
1600 Eastern Avenue
500 South Bond Street
1534 Fleet Street
1532 Fleet Street
1501 Eastern Avenue
1503 Eastern Avenue
1505 Eastern Avenue
1507 Eastern Avenue
1509 Eastern Avenue
1511 Eastern Avenue
1513 Eastern Avenue
1515 Eastern Avenue
1517 Eastern Avenue
1601 Eastern Avenue
1605 Eastern Avenue
1607 Eastern Avenue
1609 Eastern Avenue
1611 Eastern Avenue
1613 Eastern Avenue
1617 Eastern Avenue
1623 Eastern Avenue
1625 Eastern Avenue
1836 Eastern Avenue
1818 Eastern Avenue
1810 Eastern Avenue
1808 Eastern Avenue

1806 Eastern Avenue
1804 Eastern Avenue
1802 Eastern Avenue
1800 Eastern Avenue
1936 Eastern Avenue
1918 Eastern Avenue
1916 Eastern Avenue
1914 Eastern Avenue
1912 Eastern Avenue
2004 Eastern Avenue
2002 Eastern Avenue
534 South Ann Street
536 South Ann Street
1746 Fleet Street
1744 Fleet Street
1742 Fleet Street
1740 Fleet Street
1736 Fleet Street
1734 Fleet Street
1732 Fleet Street
1730 Fleet Street
1728 Fleet Street
1726 Fleet Street
1724 Fleet Street
1722 Fleet Street
507 South Ann Street
503 South Ann Street
501 South Ann Street
1803 Eastern Avenue
1805 Eastern Avenue
1807 Eastern Avenue
1809 Eastern Avenue
1811 Eastern Avenue
1813 Eastern Avenue
1815 Eastern Avenue
1817 Eastern Avenue
500 South Wolfe Street
1901 Eastern Avenue
1917 Eastern Avenue
1919 Eastern Avenue
1921 Eastern Avenue
1923 Eastern Avenue
1927 Eastern Avenue
1929 Eastern Avenue
1931 Eastern Avenue
1933 Eastern Avenue
2001 Eastern Avenue
2005 Eastern Avenue
2007 Eastern Avenue
2033 Eastern Avenue
2050 Fleet Street
1634 Aliceanna Street
1630 Aliceanna Street

1628 Aliceanna Street
1626 Aliceanna Street
1624 Aliceanna Street
1622 Aliceanna Street
1621 Fleet Street
1625 Fleet Street
1633 Fleet Street
1635 Fleet Street
1641 Aliceanna Street
1704 Aliceanna Street
1706 Aliceanna Street
1708 Aliceanna Street
1710 Aliceanna Street
1712 Aliceanna Street
1714 Aliceanna Street
1716 Aliceanna Street
1718 Aliceanna Street
1720 Aliceanna Street
1722 Aliceanna Street
1724 Aliceanna Street
1726 Aliceanna Street
1732 Aliceanna Street
1736 Aliceanna Street
1738 Aliceanna Street
1740 Aliceanna Street
1742 Aliceanna Street
1744 Aliceanna Street
1747 Fleet Street
1743 Fleet Street
1741 Fleet Street
1739 Fleet Street
1737 Fleet Street
1735 Fleet Street
1733 Fleet Street
1731 Fleet Street
1729 Fleet Street
1727 Fleet Street
1721 Fleet Street
608 South Regester Street
614 South Regester Street
616 South Regester Street
618 South Regester Street

Properties to be rezoned from the B-3-3 Zoning District to the B-3-2 Zoning District, as outlined in red:

700 South Broadway
702 South Broadway
704 South Broadway
706 South Broadway
708 South Broadway
710 South Broadway
714 South Broadway
718 South Broadway

724 South Broadway
726 South Broadway
730 South Broadway
732 South Broadway
734 South Broadway
800 South Broadway
802 South Broadway
806 South Broadway
818 South Broadway
1628 Thames Street
1626 Thames Street
1624 Thames Street
1622 Thames Street
1616 Thames Street
1610 Thames Street
1606 Thames Street
1600 Thames Street
1625 Thames Street
1639 Thames Street
735 South Broadway
733 South Broadway
731 South Broadway
723 South Broadway
721 South Broadway
719 South Broadway
717 South Broadway
715 South Broadway
709 South Broadway
801 South Broadway
805 South Broadway
807 South Broadway
809 South Broadway
811 South Broadway
813 South Broadway
817 South Broadway
819 South Broadway
821 South Broadway
1700 Thames Street
1702 Thames Street
1704 Thames Street
1706 Thames Street
1710 Thames Street
1712 Thames Street
1714 Thames Street
1716 Thames Street
1718 Thames Street
1720 Thames Street
1724 Thames Street
1728 Thames Street
1730 Thames Street
812 South Broadway

Properties to be rezoned from the B-3-3 Zoning District to the O-R-2 Zoning District, as outlined in blue:

27 North Eden Street
1624 East Baltimore Street

Properties to be rezoned from the B-3-3 Zoning District to the R-8 Zoning District, as outlined in yellow:

15 North Eden Street
17 North Eden Street
19 North Eden Street
21 North Eden Street
23 North Eden Street
25 North Eden Street
29 North Eden Street
31 North Eden Street
33 North Eden Street
35 North Eden Street
37 North Eden Street
39 North Eden Street
54 North Caroline Street
52 North Caroline Street
50 North Caroline Street
42 North Caroline Street
40 North Caroline Street
38 North Caroline Street
36 North Caroline Street
34 North Caroline Street
32 North Caroline Street
30 North Caroline Street
28 North Caroline Street
1430 East Fairmount Avenue
1422 East Fairmount Avenue
1420 East Fairmount Avenue
1400 East Fairmount Avenue
21 North Spring Street
27 North Spring Street
34 North Spring Street
32 North Spring Street
30 North Spring Street
28 North Spring Street
26 North Spring Street
24 North Spring Street
22 North Spring Street
20 North Spring Street
1426 East Baltimore Street
12 North Caroline Street
1431 East Fairmount Avenue
1429 East Fairmount Avenue
1427 East Fairmount Avenue
1425 East Fairmount Avenue
Block 1343 Lot 039
1413 East Fairmount Avenue
1411 East Fairmount Avenue

1409 East Fairmount Avenue
1407 East Fairmount Avenue
1405 East Fairmount Avenue
1403 East Fairmount Avenue
13 North Eden Street
Block 1343 Lot 051
5 North Spring Street
7 North Spring Street
9 North Spring Street
11 North Spring Street
4 North Spring Street
6 North Spring Street
8 North Spring Street
10 North Spring Street
12 North Spring Street
14 North Spring Street
1500 East Baltimore Street
1502 East Baltimore Street
1504 East Baltimore Street
1506 East Baltimore Street
1508 East Baltimore Street
1510 East Baltimore Street
1512 East Baltimore Street
1514 East Baltimore Street
1518 East Baltimore Street
1520 East Baltimore Street
1522 East Baltimore Street
1524 East Baltimore Street
1526 East Baltimore Street
1528 East Baltimore Street
1530 East Baltimore Street
10 North Bond Street
12 North Bond Street
14 North Bond Street
18 North Bond Street
20 North Bond Street
22 North Bond Street
24 North Bond Street
26 North Bond Street
28 North Bond Street
30 North Bond Street
1525 East Fairmount Avenue
1523 East Fairmount Avenue
1519 East Fairmount Avenue
1517 East Fairmount Avenue
1515 East Fairmount Avenue
1513 East Fairmount Avenue
1511 East Fairmount Avenue
1509 East Fairmount Avenue
1507 East Fairmount Avenue
13 North Caroline Street
11 North Caroline Street
9 North Caroline Street

7 North Caroline Street
5 North Caroline Street
1501 Ten Pin Alley
7 North Dallas Street
7 South Eden Street
9 South Eden Street
11 South Eden Street
13 South Eden Street
17 South Eden Street
23 South Eden Street
25 South Eden Street
27 South Eden Street
1400 East Lombard Street
1404 East Lombard Street
1406 East Lombard Street
1408 East Lombard Street
1410 East Lombard Street
1414 East Lombard Street
1416 East Lombard Street
1418 East Lombard Street
16 South Caroline Street
10 South Caroline Street
1421 East Baltimore Street
1411 East Baltimore Street
1409 East Baltimore Street
1407 East Baltimore Street
1405 East Baltimore Street
1403 East Baltimore Street
1401 East Baltimore Street
14 South Spring Street
16 South Spring Street
18 South Spring Street
20 South Spring Street
22 South Spring Street
24 South Spring Street
26 South Spring Street
28 South Spring Street
30 South Spring Street
6 South Caroline Street
Block 1367 Lot 071A
7 South Spring Street
1429 East Baltimore Street
1501 East Baltimore Street
1503 East Baltimore Street
1505 East Baltimore Street
1507 East Baltimore Street
1509 East Baltimore Street
7 South Caroline Street
9 South Caroline Street
11 South Caroline Street
13 South Caroline Street
15 South Caroline Street
27 South Caroline Street

1514 East Lombard Street
1516 East Lombard Street
1518 East Lombard Street
1520 East Lombard Street
1522 East Lombard Street
1600 East Lombard Street
9 South Dallas Street
11 South Dallas Street
13 South Dallas Street
15 South Dallas Street
17 South Dallas Street
19 South Dallas Street
21 South Dallas Street
23 South Dallas Street
25 South Dallas Street
27 South Dallas Street
29 South Dallas Street
31 South Dallas Street
33 South Dallas Street
35 South Dallas Street
37 South Dallas Street
39 South Dallas Street
40 Mason Court
1622 East Lombard Street
1624 East Lombard Street
1636 East Lombard Street
1640 East Lombard Street
9 South Bethel Street
405 South Eden Street
403 South Eden Street
401 South Eden Street
1403 Bank Street
1405 Bank Street
1407 Bank Street
1409 Bank Street
1411 Bank Street
1413 Bank Street
1415 Bank Street
1417 Bank Street
1419 Bank Street
1423 Bank Street
1425 Bank Street
1427 Bank Street
1429 Bank Street
1431 Bank Street
400 South Bond Street
406 South Bond Street
408 South Bond Street
410 South Bond Street
412 South Bond Street
414 South Bond Street
424 South Bond Street
426 South Bond Street

428 South Bond Street
430 South Bond Street
419 South Caroline Street
417 South Caroline Street
413 South Caroline Street
409 South Caroline Street
407 South Caroline Street
401 South Caroline Street
1501 Bank Street
1503 Bank Street
1505 Bank Street
1507 Bank Street
1509 Bank Street
1511 Bank Street
1513 Bank Street
1515 Bank Street
1517 Bank Street
1523 Bank Street
411 South Dallas Street
415 South Dallas Street
431 South Dallas Street
433 South Dallas Street
430 South Dallas Street
428 South Dallas Street
426 South Dallas Street
424 South Dallas Street
422 South Dallas Street
420 South Dallas Street
418 South Dallas Street
416 South Dallas Street
414 South Dallas Street
410 South Dallas Street
408 South Dallas Street
404 South Dallas Street
402 South Dallas Street
400 South Dallas Street
429 South Bond Street
427 South Bond Street
425 South Bond Street
423 South Bond Street
421 South Bond Street
419 South Bond Street
415 South Bond Street
407 South Bond Street
1609 Bank Street
1611 Bank Street
1613 Bank Street
1615 Bank Street
1617 Bank Street
1619 Bank Street
406 South Bethel Street
408 South Bethel Street
410 South Bethel Street

1600 Portugal Street
1606 Portugal Street
1608 Portugal Street
1610 Portugal Street
1612 Portugal Street
1614 Portugal Street
1616 Portugal Street
1618 Portugal Street
1601 Portugal Street
508 South Bond Street
512 South Bond Street
514 South Bond Street
516 South Bond Street
518 South Bond Street
520 South Bond Street
522 South Bond Street
524 South Bond Street
526 South Bond Street
528 South Bond Street
530 South Bond Street
532 South Bond Street
529 South Caroline Street
527 South Caroline Street
525 South Caroline Street
523 South Caroline Street
521 South Caroline Street
519 South Caroline Street
517 South Caroline Street
515 South Caroline Street
513 South Caroline Street
511 South Caroline Street
509 South Caroline Street
507 South Caroline Street
505 South Caroline Street
503 South Caroline Street
500 South Dallas Street
506 South Dallas Street
510 South Dallas Street
512 South Dallas Street
514 South Dallas Street
516 South Dallas Street
518 South Dallas Street
520 South Dallas Street
522 South Dallas Street
524 South Dallas Street
529 South Dallas Street
527 South Dallas Street
525 South Dallas Street
523 South Dallas Street
521 South Dallas Street
519 South Dallas Street
517 South Dallas Street
515 South Dallas Street

513 South Dallas Street
507 South Dallas Street
505 South Dallas Street
503 South Dallas Street
527 South Bond Street
511 South Bond Street
509 South Bond Street
507 South Bond Street
505 South Bond Street
503 South Bond Street
1725 East Baltimore Street
1729 East Baltimore Street
1741 East Baltimore Street
4 South Ann Street
1738 East Lombard Street
1736 East Lombard Street
1732 East Lombard Street
1720 East Lombard Street
1716 East Lombard Street
1706 East Lombard Street
1704 East Lombard Street
Block 1734 Lot 090
11 Yogurt Lane
25 Yogurt Lane
27 Yogurt Lane
29 Yogurt Lane
31 Yogurt Lane
140 South Ann Street
1729 East Pratt Street
1713 East Pratt Street
1830 Eastern Avenue
1828 Eastern Avenue
1826 Eastern Avenue
1824 Eastern Avenue
1822 Eastern Avenue
1820 Eastern Avenue
1934 Eastern Avenue
1932 Eastern Avenue
1930 Eastern Avenue
1928 Eastern Avenue
1926 Eastern Avenue
1924 Eastern Avenue
Block 1773 Lot 080
2042 Eastern Avenue
2040 Eastern Avenue
2038 Eastern Avenue
2036 Eastern Avenue
~~2034 Eastern Avenue~~
~~2032 Eastern Avenue~~
~~2030 Eastern Avenue~~
~~2028 Eastern Avenue~~
~~2026 Eastern Avenue~~
~~2022 Eastern Avenue~~

~~2020 Eastern Avenue~~
~~2018 Eastern Avenue~~
~~2016 Eastern Avenue~~
~~2012 Eastern Avenue~~
~~2010 Eastern Avenue~~
~~2008 Eastern Avenue~~
~~2006 Eastern Avenue~~
2114 Eastern Avenue
2112 Eastern Avenue
2110 Eastern Avenue
421 South Duncan Street
423 South Duncan Street
2224 Eastern Avenue
2222 Eastern Avenue
2220 Eastern Avenue
2218 Eastern Avenue
2216 Eastern Avenue
2214 Eastern Avenue
2212 Eastern Avenue
2210 Eastern Avenue
2208 Eastern Avenue
2206 Eastern Avenue
2204 Eastern Avenue
2202 Eastern Avenue
508 South Ann Street
512 South Ann Street
514 South Ann Street
516 South Ann Street
522 South Ann Street
528 South Ann Street
530 South Ann Street
532 South Ann Street
503 South Regester Street
509 South Regester Street
511 South Regester Street
513 South Regester Street
515 South Regester Street
517 South Regester Street
519 South Regester Street
521 South Regester Street
533 South Ann Street
531 South Ann Street
529 South Ann Street
527 South Ann Street
525 South Ann Street
523 South Ann Street
521 South Ann Street
519 South Ann Street
517 South Ann Street
515 South Ann Street
513 South Ann Street
511 South Ann Street
509 South Ann Street

504 South Wolfe Street
506 South Wolfe Street
508 South Wolfe Street
510 South Wolfe Street
512 South Wolfe Street
514 South Wolfe Street
516 South Wolfe Street
518 South Wolfe Street
520 South Wolfe Street
524 South Wolfe Street
503 South Durham Street
505 South Durham Street
507 South Durham Street
509 South Durham Street
511 South Durham Street
513 South Durham Street
515 South Durham Street
517 South Durham Street
519 South Durham Street
521 South Durham Street
523 South Durham Street
522 South Durham Street
520 South Durham Street
518 South Durham Street
516 South Durham Street
514 South Durham Street
512 South Durham Street
510 South Durham Street
508 South Durham Street
506 South Durham Street
502 South Washington Street
504 South Washington Street
506 South Washington Street
508 South Washington Street
510 South Washington Street
512 South Washington Street
514 South Washington Street
516 South Washington Street
518 South Washington Street
520 South Washington Street
522 South Washington Street
524 South Washington Street
Block 1782 Lot 020A
521 South Wolfe Street
519 South Wolfe Street
517 South Wolfe Street
515 South Wolfe Street
513 South Wolfe Street
511 South Wolfe Street
509 South Wolfe Street
505 South Wolfe Street
1909 Eastern Avenue
1911 Eastern Avenue

1913 Eastern Avenue
1915 Eastern Avenue
503 South Chapel Street
505 South Chapel Street
507 South Chapel Street
509 South Chapel Street
511 South Chapel Street
513 South Chapel Street
515 South Chapel Street
517 South Chapel Street
519 South Chapel Street
521 South Chapel Street
523 South Chapel Street
525 South Chapel Street
527 South Chapel Street
529 South Chapel Street
531 South Chapel Street
533 South Chapel Street
535 South Chapel Street
518 South Chapel Street
516 South Chapel Street
514 South Chapel Street
512 South Chapel Street
510 South Chapel Street
502 South Chapel Street
2011 Eastern Avenue
2013 Eastern Avenue
2015 Eastern Avenue
2017 Eastern Avenue
2019 Eastern Avenue
2021 Eastern Avenue
2023 Eastern Avenue
2025 Eastern Avenue
2027 Eastern Avenue
2029 Eastern Avenue
2031 Eastern Avenue
~~2010 Fleet Street~~
~~2008 Fleet Street~~
~~2006 Fleet Street~~
~~2004 Fleet Street~~
~~2002 Fleet Street~~
527 South Washington Street
525 South Washington Street
523 South Washington Street
521 South Washington Street
519 South Washington Street
517 South Washington Street
515 South Washington Street
513 South Washington Street
509 South Washington Street
507 South Washington Street
505 South Washington Street
503 South Washington Street

502 South Castle Street
510 South Castle Street
512 South Castle Street
2000 Duker Court
2002 Duker Court
2004 Duker Court
2006 Duker Court
2008 Duker Court
2010 Duker Court
611 South Bethel Street
613 South Bethel Street
615 South Bethel Street
617 South Bethel Street
619 South Bethel Street
621 South Bethel Street
623 South Bethel Street
625 South Bethel Street
1614 Lancaster Street
1612 Lancaster Street
1610 Lancaster Street
1608 Lancaster Street
1606 Lancaster Street
1604 Lancaster Street
1602 Lancaster Street
730 South Bethel Street
728 South Bethel Street
726 South Bethel Street
724 South Bethel Street
722 South Bethel Street
720 South Bethel Street
718 South Bethel Street
716 South Bethel Street
714 South Bethel Street
710 South Bethel Street
708 South Bethel Street
706 South Bethel Street
704 South Bethel Street
813 South Dallas Street
801 South Dallas Street
1529 Lancaster Street
1531 Lancaster Street
1533 Lancaster Street
1535 Lancaster Street
1537 Lancaster Street
803 South Dallas Street
835 South Dallas Street
837 South Dallas Street
839 South Dallas Street
841 South Dallas Street
843 South Dallas Street
845 South Dallas Street
Block 1818 Lot 103
1632 Shakespeare Street

1630 Shakespeare Street
1628 Shakespeare Street
1626 Shakespeare Street
1624 Shakespeare Street
1620 Shakespeare Street
1618 Shakespeare Street
1614 Shakespeare Street
1612 Shakespeare Street
1610 Shakespeare Street
1608 Shakespeare Street
1606 Shakespeare Street
1604 Shakespeare Street
1602 Shakespeare Street
1603 Lancaster Street
1605 Lancaster Street
1607 Lancaster Street
1609 Lancaster Street
1611 Lancaster Street
1613 Lancaster Street
1615 Lancaster Street
1617 Lancaster Street
1619 Lancaster Street
1621 Lancaster Street
1623 Lancaster Street
1627 Lancaster Street
1631 Lancaster Street
1633 Lancaster Street
801 South Bethel Street
803 South Bethel Street
1603 Shakespeare Street
1605 Shakespeare Street
Block 1820 Lot 042
1607 Shakespeare Street
1609 Shakespeare Street
1611 Shakespeare Street
1613 Shakespeare Street
1615 Shakespeare Street
1617 Shakespeare Street
1619 Shakespeare Street
1621 Shakespeare Street
1623 Shakespeare Street
1625 Shakespeare Street
1627 Shakespeare Street
1629 Shakespeare Street
1631 Shakespeare Street
622 South Ann Street
620 South Ann Street
618 South Ann Street
616 South Ann Street
614 South Ann Street
612 South Ann Street
606 South Ann Street
604 South Ann Street

602 South Ann Street
600 South Ann Street
617 South Regester Street
604 South Wolfe Street
606 South Wolfe Street
608 South Wolfe Street
610 South Wolfe Street
612 South Wolfe Street
614 South Wolfe Street
616 South Wolfe Street
618 South Wolfe Street
620 South Wolfe Street
622 South Wolfe Street
624 South Wolfe Street
626 South Wolfe Street
1824 Aliceanna Street
1822 Aliceanna Street
1820 Aliceanna Street
1818 Aliceanna Street
1816 Aliceanna Street
603 South Durham Street
605 South Durham Street
607 South Durham Street
609 South Durham Street
611 South Durham Street
613 South Durham Street
615 South Durham Street
617 South Durham Street
619 South Durham Street
623 South Durham Street
625 South Durham Street
602 South Washington Street
604 South Washington Street
606 South Washington Street
608 South Washington Street
610 South Washington Street
612 South Washington Street
614 South Washington Street
616 South Washington Street
618 South Washington Street
620 South Washington Street
1930 Aliceanna Street
1928 Aliceanna Street
1926 Aliceanna Street
1924 Aliceanna Street
1922 Aliceanna Street
1916 Aliceanna Street
1914 Aliceanna Street
1912 Aliceanna Street
1910 Aliceanna Street
1908 Aliceanna Street
1906 Aliceanna Street
1904 Aliceanna Street

1902 Aliceanna Street
1900 Aliceanna Street
625 South Wolfe Street
623 South Wolfe Street
621 South Wolfe Street
619 South Wolfe Street
617 South Wolfe Street
615 South Wolfe Street
613 South Wolfe Street
611 South Wolfe Street
609 South Wolfe Street
607 South Wolfe Street
605 South Wolfe Street
603 South Wolfe Street
604 South Chapel Street
606 South Chapel Street
608 South Chapel Street
610 South Chapel Street
612 South Chapel Street
614 South Chapel Street
616 South Chapel Street
607 South Chapel Street
609 South Chapel Street
611 South Chapel Street
613 South Chapel Street
615 South Chapel Street
617 South Chapel Street
619 South Chapel Street
~~2009 Fleet Street~~
~~2011 Fleet Street~~
~~2013 Fleet Street~~
~~2015 Fleet Street~~
~~2017 Fleet Street~~
~~2019 Fleet Street~~
~~2021 Fleet Street~~
~~2023 Fleet Street~~
~~2025 Fleet Street~~
~~2027 Fleet Street~~
~~2029 Fleet Street~~
~~2031 Fleet Street~~
~~2033 Fleet Street~~
~~2035 Fleet Street~~
~~2037 Fleet Street~~
~~2043 Fleet Street~~
~~2045 Fleet Street~~
~~2047 Fleet Street~~
~~2049 Fleet Street~~
2050 Fountain Street
2048 Fountain Street
2046 Fountain Street
2044 Fountain Street
2042 Fountain Street
2040 Fountain Street

2038 Fountain Street
 2036 Fountain Street
 2034 Fountain Street
 2032 Fountain Street
 2028 Fountain Street
 2026 Fountain Street
 2024 Fountain Street
 2022 Fountain Street
 2020 Fountain Street
 2018 Fountain Street
 2016 Fountain Street
 2012 Fountain Street
 2010 Fountain Street
 2008 Fountain Street
 2006 Fountain Street
 2004 Fountain Street
 2002 Fountain Street
 2000 Fountain Street
 605 South Washington Street
 603 South Washington Street
 1711 Lancaster Street
 1709 Lancaster Street
 1707 Lancaster Street
 1705 Lancaster Street
 1703 Lancaster Street
 419 South Dallas Street
 1830 Aliceanna Street
 1426-50 East Baltimore Street
 960 Fell Street
 926-30 Fell Street
 502 South Bethel Street
 506 South Bethel Street
 508 South Bethel Street
 510 South Bethel Street
 512 South Bethel Street
 514 South Bethel Street
 516 South Bethel Street
 518 South Bethel Street
 520 South Bethel Street
 522 South Bethel Street
 524 South Bethel Street
 526 South Bethel Street
 528 South Bethel Street
 Rear of 712 South Broadway

Properties to be rezoned from the M-1-3 Zoning District to the R-8 Zoning District, as outlined in yellow:

1726 East Pratt Street

~~Properties to be rezoned from the M-2-2 Zoning District to the B-1-1 Zoning District, as outlined in green:~~

~~600 South Bond Street~~

~~710 South Bond Street~~
~~1610 Aliceanna Street~~
~~603 South Bond Street~~

Properties to be rezoned from the M-2-2 Zoning District to the B-1-2 Zoning District, as outlined in purple:

710 South Bond Street
South Eden Street
1320 Eastern Avenue
~~424 South Caroline Street~~
~~1424 Eastern Avenue~~
1400 Eastern Avenue
409 South Spring Street
~~1525 Fleet Street~~

Properties to be rezoned from the M-2-2 Zoning District to the B-2-2 Zoning District, as outlined in orange:

300 South Eden Street
302 South Eden Street
304 South Eden Street
306 South Eden Street
310 South Eden Street
312 South Eden Street
314 South Eden Street
316 South Eden Street
318 South Eden Street
1300 Bank Street
321 South Central Avenue
319 South Central Avenue
317 South Central Avenue
315 South Central Avenue
313 South Central Avenue
311 South Central Avenue
309 South Central Avenue
307 South Central Avenue
305 South Central Avenue
301 South Central Avenue
421 South Central Avenue
417 South Central Avenue
413 South Central Avenue
411 South Central Avenue
409 South Central Avenue
407 South Central Avenue
401 South Central Avenue
1301 Eastern Avenue
1303 Eastern Avenue
1305 Eastern Avenue
1325 Eastern Avenue
~~510 South Eden Street~~
~~511 South Central Avenue~~
1530 Fleet Street

1520 Fleet Street
1512 Fleet Street
1510 Fleet Street
1500 Fleet Street

Properties to be rezoned from the M-2-2 Zoning District to the R-8 Zoning District, as outlined in yellow:

400 South Eden Street
404 South Eden Street
406 South Eden Street
408 South Eden Street
410 South Eden Street
412 South Eden Street
414 South Eden Street
416 South Eden Street
418 South Eden Street
420 South Eden Street
422 South Eden Street
424 South Eden Street
426 South Eden Street
428 South Eden Street
430 South Eden Street
427 South Eden Street
425 South Eden Street
421 South Eden Street
417 South Eden Street
415 South Eden Street
413 South Eden Street
411 South Eden Street
409 South Eden Street
407 South Eden Street
405 South Bond Street
403 South Bond Street
401 South Bond Street
531 South Caroline Street
705 South Dallas Street
622 South Bethel Street
620 South Bethel Street
618 South Bethel Street
616 South Bethel Street
614 South Bethel Street
1605 Aliceanna Street

Properties to be rezoned from the M-3 Zoning District to the B-1-1 Zoning District, as outlined in green:

~~623 South Caroline Street~~
~~613 South Caroline Street~~
~~721 South Caroline Street~~
803 South Caroline Street
801 South Caroline Street
805 South Caroline Street
~~2039 Aliceanna Street~~
~~705 South Wolfe Street~~

~~Block 1847 Lot 019A~~

Properties to be rezoned from the M-3 Zoning District to the B-1-2 Zoning District, as outlined in purple:

~~609 South Caroline Street~~
~~601 South Caroline Street~~
1515 Fleet Street
726 South Wolfe Street
728 South Wolfe Street
730 South Wolfe Street
1915 Aliceanna Street
1921 Aliceanna Street
1923 Aliceanna Street
1925 Aliceanna Street
1927 Aliceanna Street
1933 Aliceanna Street
1935 Aliceanna Street
~~Block 1847 Lot 016~~

Properties to be rezoned from the M-3 Zoning District to the B-2-2 Zoning District, as outlined in orange:

2039 Aliceanna Street
705 South Wolfe Street
Block 1847 Lot 019A
Block 1847 Lot 016
1401 Eastern Avenue
1417 Eastern Avenue
1421 Eastern Avenue
520 South Caroline Street
1434 Fleet Street
1432 Fleet Street
1426 Fleet Street
1424 Fleet Street
509 South Eden Street
1401 Fleet Street
1407 Fleet Street
600 South Caroline Street
1429 Aliceanna Street
920 South Broadway
1715 Thames Street
900 South Wolfe Street
1821 Thames Street
906 Fell Street
908 Fell Street
910 Fell Street
912 Fell Street
914 Fell Street
918 Fell Street
901 South Ann Street

Properties to be rezoned from the M-3 Zoning District to the B-3-2 Zoning District, as outlined in red:

904 South Broadway

1641 Thames Street
1643 Thames Street
1645 Thames Street

Properties to be rezoned from the M-3 Zoning District to the R-8 Zoning District, as outlined in yellow:

2030 Aliceanna Street
711 South Durham Street
713 South Durham Street
715 South Durham Street
717 South Durham Street
719 South Durham Street
721 South Durham Street
1901 Aliceanna Street
1903 Aliceanna Street
1905 Aliceanna Street
1907 Aliceanna Street
1909 Aliceanna Street
1911 Aliceanna Street
1913 Aliceanna Street
701 South Wolfe Street
1832 Thames Street

Properties to be rezoned from the R-8 Zoning District to the O-R-2 Zoning District, as outlined in blue:

1750 East Fairmount Avenue
128 North Wolfe Street
1801 East Fayette Street

Properties to be rezoned from the R-9 Zoning District to the R-8 Zoning District, as outlined in yellow:

100 South Caroline Street
1624 East Pratt Street
1626 East Pratt Street
1628 East Pratt Street
1630 East Pratt Street
1632 East Pratt Street
1634 East Pratt Street
1601 East Lombard Street
1401 East Pratt Street
1501 East Pratt Street
1601 East Pratt Street
1625 East Pratt Street
1627 East Pratt Street
1629 East Pratt Street
1631 East Pratt Street
1633 East Pratt Street
1635 East Pratt Street
1637 East Pratt Street
1639 East Pratt Street
203 South Bethel Street
205 South Bethel Street
207 South Bethel Street

209 South Bethel Street
211 South Bethel Street
213 South Bethel Street
Block 1419 Lot 106
1400 Bank Street
316 South Caroline Street
1500 Bank Street
1600 Bank Street

Properties to be rezoned from the R-10 Zoning District to the R-8 Zoning District, as outlined in yellow:

2101 East Baltimore Street

Properties to be rezoned from the B-3-3 and B-2-3 Zoning Districts to the B-3-2 Zoning District, as outlined in red:

712 South Broadway
717 South Bethel Street
701 South Broadway

Properties to be rezoned from the B-2-3 and R-8 Zoning Districts to the R-8 Zoning District, as outlined in yellow:

1721 Gough Street
1723 Gough Street

Properties to be rezoned from the B-3-3 and R-8 Zoning Districts to the B-2-2 Zoning District, as outlined in orange:

1910 Eastern Avenue
1908 Eastern Avenue
1906 Eastern Avenue
1902 Eastern Avenue

Properties to be rezoned from the B-3-3 and R-8 Zoning Districts to the R-8 Zoning District, as outlined in yellow:

1801 East Baltimore Street
1900 Eastern Avenue
400 South Chester Street

Properties to be rezoned from the M-2-2 Zoning District to the B-2-3 Zoning District, as outlined in pink:

510 South Eden Street
511 South Central Avenue

Properties to be rezoned from the B-3-3 Zoning District to the M-2-2 Zoning District, as outlined in brown:

400 South Caroline Street

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plats and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City

Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plats; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plats to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved May 17, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-430
(Council Bill 06-515)**

AN ORDINANCE CONCERNING

Campaign Signs in Residential Areas – Size

FOR the purpose of limiting the size of campaign signs permitted in residential areas; increasing the penalties for violating the laws governing these signs; imposing certain civil fines; correcting, clarifying, and conforming certain language; and generally relating to campaign signs in residential areas.

BY repealing and reordaining, with amendments

Article 19 - Police Ordinances
Section(s) 46-1 through 46-5
Baltimore City Code
(Edition 2000)

BY adding

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 40-14(e)(3)(Subtitle 46) and 41-14(2)(Subtitle 46)
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 19. Police Ordinances

Subtitle 46. Signs – Campaign Signs in Residential Areas

§ 46-1. When signs may be displayed.**(a) *Earliest date.***

Signs announcing candidates seeking elected public office may be erected on the exterior of structures or in yards in Residence and Office-Residence Zoning Districts in Baltimore City no earlier than on the last day on which a certificate of candidacy must be withdrawn.

(b) *Latest date.*

The signs must be removed within 30 days after any primary election day by an unsuccessful primary candidate and within 30 days after any general election day by all other candidates whenever the signs were erected at the direction of[,] or with the consent of[,] the [said] candidates.

§ 46-2. Where and how displayed.**(a) *In general.***

[These] ALL signs:

- (1) shall be confined within private property; and
- (2) [shall] MAY not BE PLACED SO AS TO obstruct the vision of operators of motor vehicles.

(b) *Required relocation.*

The Police Commissioner or [his] THE COMMISSIONER'S agent may require that a sign be relocated:

- (1) if he OR SHE reasonably determines that its placement may obstruct the vision of operators of motor vehicles; or
- (2) for other public safety reasons.

§ 46-3. MAXIMUM SIZE.**(A) *IN GENERAL.***

NO SIGN ERECTED UNDER THIS SUBTITLE MAY EXCEED AN AREA OF 16 SQUARE FEET.

(B) *COMPUTING AREA.*

A SIGN'S AREA SHALL BE COMPUTED AS PROVIDED IN § 11-203 OF THE CITY ZONING CODE.

§ 46-4. [§ 46-3.] Permitted inferences.

For [the purpose] PURPOSES of enforcing this subtitle, the presence of a violative [political campaign] sign permits, but does not require, an inference that it was placed or erected at the direction of or with the consent of the candidate whose name appears [thereon] ON THE SIGN.

§ 46-5. ENFORCEMENT BY CITATION.*(A) IN GENERAL.*

IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT PROCEDURE, THIS SUBTITLE MAY BE ENFORCED BY ISSUANCE OF:

- (1) AN ENVIRONMENTAL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 40 {“ENVIRONMENTAL CONTROL BOARD”}; OR
- (2) A CIVIL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 41 {“CIVIL CITATIONS”}.

(B) PROCESS NOT EXCLUSIVE.

THE ISSUANCE OF A CITATION TO ENFORCE THIS SUBTITLE DOES NOT PRECLUDE PURSUING ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION AUTHORIZED BY LAW.

§ 46-6. [§ 46-5.] Penalties.*(A) IN GENERAL.*

Any person who violates any provision of this subtitle is guilty of a misdemeanor and, [upon] ON conviction [thereof], [shall be fined] IS SUBJECT TO A FINE OF not more than [\$25] \$100 for each [separate] offense.

(B) EACH DAY A SEPARATE OFFENSE.

EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

Article 1. Mayor, City Council, and Municipal Agencies**Subtitle 40. Environmental Control Board****§ 40-14. Violations to which subtitle applies.***(e) Provisions and penalties enumerated.**(3) Article 19. Police Ordinances*

...

SUBTITLE 46. SIGNS – CAMPAIGN SIGNS IN RESIDENTIAL AREAS	\$100
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...

Subtitle 41. Civil Citations**§ 41-14. Offenses to which subtitle applies – Listing.***(2) Article 19. Police Ordinances*

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SUBTITLE 46. SIGNS – CAMPAIGN SIGNS IN RESIDENTIAL AREAS	\$100
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...

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved May 17, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-431
(Council Bill 06-556)**

AN ORDINANCE CONCERNING

Children, Youth, and Families

FOR the purpose of expanding the definition of “youth” for certain purposes; and generally relating to the Office of Children, Youth, and Families and the Baltimore City Youth Commission.

BY repealing and reordaining, with amendments

Article 1 - Mayor, City Council, and Municipal Agencies

Section(s) 22-1(e)

Baltimore City Code

(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 22. Children, Youth, and Families

§ 22-1. Definitions.

(e) *Youth.*

“Youth” means an individual between the ages of 14 and [24] 25, inclusive.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved May 17, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-432
(Council Bill 07-572)**

AN ORDINANCE CONCERNING

**City Streets – Renaming the Location of the Entrance of the
Maryland Zoo in Baltimore from Beechwood Drive in
Druid Hill Park to One Safari Place**

FOR the purpose of changing the name of the location of the entrance of the Maryland Zoo in Baltimore from Beechwood Drive in Druid Hill Park to One Safari Place.

BY authority of

Article 26 - Surveys, Streets, and Highways
Section 7-3
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the name of the location of the entrance of the Maryland Zoo in Baltimore is changed from Beechwood Drive in Druid Hill Park to One Safari Place.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved May 17, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-433
(Council Bill 07-578)**

AN ORDINANCE CONCERNING

Razoring – Block 7762, Lots 1-7

FOR the purpose of changing the zoning for the property known as Block 7762, Lots 1-7 (1700 Block of Letitia Avenue), as outlined in red on the accompanying plat, from the R-4 Zoning District to the R-6 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 73
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet 73 of the Zoning District Maps is amended by changing from the R-4 Zoning District to the R-6 Zoning District the property known as Block 7762, Lots 1-7 (1700 Block of Letitia Avenue), as outlined in red on the plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved May 17, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-434
(Council Bill 07-585)**

AN ORDINANCE CONCERNING

Vacant Structures – Water Cut-Off

FOR the purpose of providing for notice to the Director of Public Works of structures determined to be vacant; and requiring the Director under certain circumstances to take immediate action to cut off the water from vacant structures for which bills are in arrears.

BY repealing and reordaining, without amendments

Article - Building, Fire, and Related Codes
Section(s) 2-103 (IBC § 115.4 and 115.4.1)
Baltimore City Revised Code
(Edition 2000)

BY adding

Article - Building, Fire, and Related Codes
Section(s) 2-103 (IBC § 115.4.6)
Baltimore City Revised Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article 24 - Water
Section(s) 2-3(b)
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Revised Code

Article – Building, Fire, and Related Codes

Part II. International Building Code

§ 2-103. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Section 115 Unsafe Structures

115.4 Unsafe vacant structures. Every vacant structure, as defined in this § 115.4, is declared to be a fire hazard and a nuisance per se, and must be safeguarded and otherwise maintained as required in this § 115.4.

115.4.1 Definition. “Vacant structure” means an unoccupied structure that is unsafe or unfit for human habitation or other authorized use.

115.4.6 NOTICE TO PUBLIC WORKS. WHENEVER THE BUILDING OFFICIAL DETERMINES A STRUCTURE TO BE VACANT, THE BUILDING OFFICIAL MUST PROMPTLY NOTIFY THE DIRECTOR OF PUBLIC WORKS OF THAT DETERMINATION.

Baltimore City Code

Article 24. Water

Subtitle 2. Bills

§ 2-3. Cut-off for nonpayment.

(b) *Arrearages.*

- (1) Bills in arrears are sufficient reason for discontinuing water service until all arrearages are paid.
- (2) IF A STRUCTURE FOR WHICH A BILL IS IN ARREARS IS A VACANT STRUCTURE, AS DEFINED IN BUILDING CODE § 115.4, THE DEPARTMENT SHALL PROCEED, ~~WITHOUT DELAY OR GRACE PERIOD,~~ TO CUT OFF THE WATER FROM THE PREMISES AS FOLLOWS:
 - (I) FOR A STRUCTURE THAT HAS AN ACCESSIBLE WATER METER, THE DEPARTMENT SHALL CUT OFF THE WATER TO THE PREMISES; OR

(II) FOR A STRUCTURE THAT DOES NOT HAVE AN ACCESSIBLE WATER METER, THE DEPARTMENT SHALL CUT OFF THE WATER TO THE PREMISES IF DAMAGE TO ADJACENT PROPERTY IS IMMINENT OR DEMOLITION OF THE PROPERTY IS PLANNED.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved May 17, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-435
(Council Bill 07-587)**

AN ORDINANCE CONCERNING

Planned Unit Development – Designation – Marketplace at Fells Point

FOR the purpose of approving the application of South Broadway Properties, LLC, owner of 600, 606, 610, 616, 622, 607, 609, 611, 617, 619, 621, 623, 625, and 627 South Broadway, 611, 613, 615, 617, 619, 621, and 623 South Bethel Street, 1621, 1625-1631, and 1641 Fleet Street, and 608 and 614 South Regester Street; John E. Demirjian, the owner of 602 South Broadway; and the Mayor and City Council of Baltimore, the owner of 1640 and 1641 Aliceanna Street and 1641 Lancaster Street (collectively the “Property”), to have that Property designated a Business Planned Unit Development; and approving the Development Plan submitted by the applicant.

BY authority of

Article - Zoning
Title 9, Subtitles 1 and 4
Baltimore City Revised Code
(Edition 2000)

Recitals

South Broadway Properties, LLC, is the owner of 600, 606, 610, 616, 622, 607, 609, 611, 617, 619, 621, 623, 625, and 627 South Broadway, 611, 613, 615, 617, 619, 621, and 623 South Bethel Street, 1621, 1625-1631, and 1641 Fleet Street, and 608 and 614 South Regester Street. John E. Demirjian is the owner of 602 South Broadway. The Mayor and City Council of Baltimore owns 1640 and 1641 Aliceanna Street and 1641 Lancaster Street. South Broadway Properties, LLC, plans to develop the Property, consisting of 4.405 acres, more or less, for business and residential uses.

On January 25, 2007, representatives of the applicant met with the Department of Planning for a preliminary conference, to explain the scope and nature of existing and proposed development on the Property and to institute proceedings to have the Property designated a Business Planned Unit Development.

The representatives of the applicant have now applied to the Baltimore City Council for designation of the Property as a Business Planned Unit Development, and they have submitted a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the application of South Broadway Properties, LLC, to designate the properties known as 600, 602, 606, 610, 616, 622, 607, 609, 611, 617, 619, 621, 623, 625, and 627 South Broadway, 611, 613, 615, 617, 619, 621, and 623 South Bethel Street, 1621, 1625-1631, and 1641 Fleet Street, 608 and 614 South Regester Street, 1640 and 1641 Aliceanna Street, and 1641 Lancaster Street, consisting of 4.405 acres, more or less, as outlined on the accompanying Development Plan, as a Business Planned Unit Development under Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Development Plan entitled "Marketplace at Fells Point" submitted by the applicant, consisting of Sheet 1, "Existing Conditions", dated ~~January 30~~ March 7, 2007, Sheet 2, "Development Plan", dated ~~January 30~~ April 13, 2007, and Sheet 3, "Illustrative Streetscape Plan", dated ~~January 30~~ March 20, 2007, is approved.

SECTION 3. AND BE IT FURTHER ORDAINED, That in accordance with the provisions of Title 9, Subtitles 1 and 4, the following uses are permitted within the Planned Unit Development:

- (a) Except as provided in ~~paragraph~~ paragraphs (c) and (d) below, all uses specified in §§ 6-306, 6-307, 6-308, and 6-309 of the Zoning Code of Baltimore City as permitted, accessory, or conditional uses in the B-2 Zoning District are specifically authorized as permitted, accessory, and conditional uses (subject to the requirements of Title 14 of the Zoning Code of Baltimore City - Conditional Uses), in the Planned Unit Development.
- (b) The following additional uses are specifically permitted in the Planned Unit Development:
 - Open off-street parking areas, other than accessory, for the parking of 4 or more motor vehicles, are permitted in Subarea "B" only;
 - Outdoor table service when accessory to a restaurant or any permitted use;
 - Prepared food delivery services - including any operated as an accessory use by a restaurant.
- (c) The following uses are prohibited as principal uses in the Planned Unit Development:
 - Amusement arcades as provided in § 6-308(2)
 - Amusement devices as provided in § 6-207(2)
 - Amusement devices located within a shopping center of over 20,000 square feet or a commercial recreation center of over 20,000 square feet
 - Animal facilities as provided in § 6-207(3)
 - Animal hospitals that are odor-proofed and sound-proofed
 - Athletic fields
 - Automobile accessory stores - including related repair and installation services
 - Bingo halls: charitable
 - Blood donor centers
 - Bus and transit passenger stations and terminals
 - Bus and transit turnarounds
 - Check cashing
 - Clinics: health care
 - Clothes pressing establishments
 - Clubs and lodges: private and nonprofit
 - Community correction centers
 - Dance halls

Display rooms for mail order sales
Drug stores and pharmacies: drive-in - but not including the sale of alcoholic beverages or tobacco products
Dry cleaning establishments: drive-in
Dry cleaning establishments - no more than 4 employees plus 1 owner or manager on the premises
Employment agencies
Exterminator's shops
Firearms sales
Firearm sales, ammunition sales, or both as provided in § 308(11)
Foster homes for children
Fraternity and sorority houses
Furrier shops - including accessory storage and conditioning of furs
Garages, other than accessory, for storage, repair, and servicing of motor vehicles not over 1½ tons capacity - but not including body repair painting, painting, or engine rebuilding
Gasoline service stations
Helistops
Homes for the rehabilitation of non-bedridden alcoholics and for the care and custody of homeless persons
Hospitals
Laundrettes - no more than 2 employees plus 1 owner or manager on the premises
Laundries: hand - no more than 2 employees plus 1 owner or manager on the premises
Marinas: accessory
Marinas: recreational
Marinas: recreational boat launch/tie up
Massage salons
Massage therapists' offices
Multi-purpose neighborhood centers
Novelty shops
Parole and probation field offices
Pawnshops
Photograph printing and developing establishments: drive-in
Pool halls and billiard parlors
Poultry - and rabbit-killing establishments
Printing establishments - no more than 10 employees plus 1 owner or manager on the premises
Public utility service centers
Public utility uses as provided in § 6-208(13)
Radio and television antennas and towers that extend no more than 25 feet above the building on which they are mounted - but not including microwave antennas (satellite dishes)
Radio and television antennas as provided in § 6-208(13)
Recreation buildings and community centers
Restaurants: drive-in - but not including pick-up drives with window service
Rooming houses
Schools: elementary and secondary
Schools: trade - other than industrial
Second-hand stores
Sewerage pumping station
Skating rinks
Structures on piers, other than water-dependent facilities
Taxidermist shops
Telephone exchanges
Trading stamp redemption centers

Travel trailers, recreational vehicles, and similar camping equipment: parking or storage
 Undertaking establishments and funeral parlors
 Union halls
Vending machines for retail sale of ice or milk
 Water filtration plants, reservoirs, and pumping stations.

(d) The following uses are conditional uses that require approval by Ordinance:

Liquor stores: package goods
Taverns - but not including live entertainment and dancing.

(e) Notwithstanding anything in this Plan to the contrary, the 2 existing alcoholic beverage licenses located at 300 South Broadway and 606 South Broadway may be continued to be used anywhere within the Planned Unit Development area as taverns and/or restaurants.

SECTION 4. AND BE IT FURTHER ORDAINED, That ~~temporary Planned Unit Development signs, business signs, identification signs, free-standing signs, and parking garage access signs in excess of the permitted square footage are permitted within the Planned Unit Development, provided that the signs are subject to final design approval by the Planning Commission~~ off-street parking requirements for the Planned Unit Development are as follows: (1) residential - 1.5 spaces per dwelling unit; (2) office - 1 space per 800 square feet in excess of 2,000 square feet of office use; (3) retail including restaurants - 1 space per 600 square feet in excess of 4,000 square feet of retail use; and (4) all other uses - as required by the underlying zoning.

SECTION 5. AND BE IT FURTHER ORDAINED, That the requirements of Ordinance 06-345 must be satisfied prior to the issuance of building permits for the construction of permanent improvements on the Property within the Planned Unit Development.

SECTION 6. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the Property within the Planned Unit Development are subject to final design approval by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance. When reviewing the plans for final design approval, the Planning Commission shall determine the location of the parking garage entrance, taking into consideration the results of the traffic study completed pursuant to Ordinance 06-345.

SECTION 7. AND BE IT FURTHER ORDAINED, That if this Planned Unit Development is enacted prior to the enactment of the Fells Point Local Historic and Architectural Preservation District, the height and massing guidelines for this Planned Unit Development shall govern future development. The Commission for Historical and Architectural Preservation shall review and approve the building design within the prior approved massing. Its approval is required prior to Planning Commission final design approval.

SECTION 7 8. AND BE IT FURTHER ORDAINED, That the Planning Commission may determine what constitutes minor or major modifications to the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

SECTION 8 9. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 9 10. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved May 17, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-436
(Council Bill 07-634)**

AN ORDINANCE CONCERNING

**Supplementary State Fund Operating Appropriation –
Department of Transportation – \$720,700**

FOR the purpose of providing a Supplementary State Fund Operating Appropriation in the amount of \$720,700 to the Department of Transportation – Program 239 (Traffic Safety), to provide funding for the Safe Routes to Schools project; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from development impact fees in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 4, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$720,700 shall be made available to the Department of Transportation – Program 239 (Traffic Safety) as a Supplementary State Fund Operating Appropriation for Fiscal Year 2007, to provide funding for the Safe Routes to Schools project. The source of revenue for this appropriation is funds from development impact fees in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved May 17, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-437
(Council Bill 07-635)**

AN ORDINANCE CONCERNING

**Supplementary State Fund Operating Appropriation –
Department of Transportation – \$78,000**

FOR the purpose of providing a Supplementary State Fund Operating Appropriation in the amount of \$78,000 to the Department of Transportation – Program 230 (Administration), to provide funding for the Community Traffic Safety Program; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from development impact fees in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 4, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$78,000 shall be made available to the Department of Transportation – Program 230 (Administration) as a Supplementary State Fund Operating Appropriation for Fiscal Year 2007, to provide funding for the Community Traffic Safety Program. The source of revenue for this appropriation is funds from development impact fees in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved May 17, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-438
(Council Bill 07-636)**

AN ORDINANCE CONCERNING

**Supplementary Special Fund Operating Appropriation –
Department of Transportation – \$250,000**

FOR the purpose of providing a Supplementary Special Fund Operating Appropriation in the amount of \$250,000 to the Department of Transportation – Program 230 (Administration), to provide funding for conducting traffic impact studies within the City; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from development impact fees in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On March 28, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$250,000 shall be made available to the Department of Transportation – Program 230 (Administration) as a Supplementary Special Fund Operating Appropriation for Fiscal Year 2007, to provide funding for conducting traffic impact studies within the City. The source of revenue for this appropriation is funds from development impact fees in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved May 17, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-439
(Council Bill 07-597)**

AN ORDINANCE CONCERNING

Historic Restorations and Rehabilitations – Tax Credit

FOR the purpose of extending the automatic termination of the tax credit for certain improvements to historic properties; requiring certain submissions; providing for a special effective date; and generally relating to tax credits against the Baltimore City real property tax.

BY repealing and reordaining, with amendments

Article 28 - Taxes

Section(s) ~~10-8(m)~~ 10-8(f), (g)(2), and (m)

Baltimore City Code

(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 28. Taxes

Subtitle 10. Credits

§ 10-8. Historic restorations and rehabilitations.

(f) Continuing eligibility.

The property owner shall:

(1) maintain the major historic features of the property; [and]

(2) ensure that the property for which the credit was granted is in full compliance with the City Building Code and Property Maintenance Code; AND

(3) SUBMIT ALL STATEMENTS REQUIRED BY SUBSECTION (G)(3) OF THIS SECTION.

(g) Projects exceeding \$3.5 million in development costs.

(2) To be eligible for this limited tax credit:

(1) THE DEVELOPER MUST:

(A) SUBMIT ALL DOCUMENTS REQUESTED BY THE DIRECTOR; AND

(B) SUBMIT DOCUMENTATION REVIEWED BY THE DEVELOPER WITH THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION TO SUPPORT A PRELIMINARY ESTIMATE OF VALUE FOR TAX PURPOSES BASED ON CONSTRUCTION COSTS AND PROJECTED INCOME; AND

(II) EITHER:

(A) [(i)] the existing building in question must have been at least 75% vacant for at least 3 years; or

(B) [(ii)] the developer must otherwise demonstrate to the Director of Finance that the credit is necessary in order for the project to proceed.

(m) *Termination of program.*

Applications for the credit may not be accepted after [March 1, 2007] FEBRUARY 28, 2009.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted, retroactive to March 1, 2007.

Approved May 29, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-440
(Council Bill 07-616)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation –
Department of Public Works – \$2,000,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$2,000,000 to the Department of Public Works (Account #9916-194-134), to provide capital appropriations for the removal of asbestos from City-owned buildings; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Asbestos Litigation Settlement Proceeds in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On March 14, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$2,000,000 shall be made available to the Department of Public Works (Account #9916-194-134) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2007, to provide capital appropriations for the removal of asbestos from City-owned buildings. The source of revenue for this appropriation is funds from the Asbestos Litigation Settlement Proceeds in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-441
(Council Bill 07-655)**

AN ORDINANCE CONCERNING

Property Tax Credits – Newly Constructed Dwellings

FOR the purpose of altering the termination date applicable to the property tax credit granted against the local property tax imposed on certain newly constructed dwellings; providing for a special effective date; and generally relating to property tax credits for newly constructed dwellings.

BY repealing and reordaining, with amendments

Article 28 - Taxes
Section(s) 10-5(j)
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 28. Taxes

Subtitle 10. Credits

§ 10-5. Newly constructed dwellings.

(j) *Termination of program.*

- (1) After June 30, [2007] 2009, additional owners of newly constructed dwellings may not be granted a credit under this section.
- (2) This subsection does not apply to an owner's continuing receipt of a credit as allowed in subsection (d) with respect to a property for which a tax credit under this section was received for a taxable year ending on or before June 30, [2007] 2009.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3.. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-442
(Council Bill 07-657)**

AN ORDINANCE CONCERNING

Ordinance of Estimates for the Fiscal Year Ending June 30, 2008

FOR the purpose of providing the appropriations estimated to be needed by each agency of the City of Baltimore for operating programs and capital projects during the fiscal 2008 year.

BY authority of
Article VI - Board of Estimates
Section 3 et seq.
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following amounts or so much thereof as shall be sufficient are hereby appropriated subject to the provisions hereinafter set forth for the purpose of carrying out the programs included in the operating budget and the projects listed in the capital budget from the amounts estimated to be available in the designated funds during the fiscal year ending June 30, 2008.

A. Operating Budget**Board of Elections**

180	Voter Registration and Conduct of Elections		
	General Fund Appropriation	\$	7,052,989

City Council

100	City Legislation		
	General Fund Appropriation	\$	4,472,791

Community Relations Commission

156	Development of Intergroup Relations		
	General Fund Appropriation	\$	1,059,676
	Federal Fund Appropriation	\$	64,630

Comptroller

130	Executive Direction and Control		
	General Fund Appropriation	\$	610,921
131	Audits		
	General Fund Appropriation	\$	3,270,937
132	Real Estate Acquisition and Management		
	General Fund Appropriation	\$	686,188
	Special Fund Appropriation	\$	137,004

Council Services

103	Council Services		
	General Fund Appropriation	\$	569,000

Courts: Circuit Court

110	Circuit Court		
	General Fund Appropriation	\$	8,528,323
	Federal Fund Appropriation	\$	1,388,997
	State Fund Appropriation	\$	4,515,448

Courts: Orphans' Court

112	Orphans' Court		
	General Fund Appropriation	\$	464,119

Employees' Retirement Systems

152	Employees' Retirement System		
	Special Fund Appropriation	\$	5,050,728
154	Fire and Police Retirement System		
	Special Fund Appropriation	\$	3,850,066

Enoch Pratt Free Library

450	Administrative and Technical Services		
	General Fund Appropriation	\$	5,601,858
	State Fund Appropriation	\$	1,756,025
	Special Fund Appropriation	\$	563,089

452	Neighborhood Services		
	General Fund Appropriation	\$	10,600,554
	State Fund Appropriation	\$	86,649
453	State Library Resource Center		
	General Fund Appropriation	\$	7,558,476
	State Fund Appropriation	\$	8,677,564
Finance			
140	Administrative Direction and Control		
	General Fund Appropriation	\$	1,042,670
141	Budget and Management Research		
	General Fund Appropriation	\$	1,128,303
142	Accounting and Payroll Services		
	General Fund Appropriation	\$	4,734,627
	Loan and Guarantee Enterprise Fund		
	Appropriation	\$	3,208,000
144	Purchasing		
	General Fund Appropriation	\$	2,699,241
150	Treasury Management		
	General Fund Appropriation	\$	3,850,947
Fire			
210	Administrative Direction and Control		
	General Fund Appropriation	\$	10,064,378
211	Training		
	General Fund Appropriation	\$	2,150,691
212	Fire Suppression		
	General Fund Appropriation	\$	99,962,207
	Federal Fund Appropriation	\$	2,301,312
	State Fund Appropriation	\$	50,000
213	Fire Marshal		
	General Fund Appropriation	\$	3,897,580
	Federal Fund Appropriation	\$	351,009
	Special Fund Appropriation	\$	10,000
214	Support Services		
	General Fund Appropriation	\$	6,873,454
	State Fund Appropriation	\$	947,428
215	Fire Alarm and Communications		
	General Fund Appropriation	\$	4,621,275
	State Fund Appropriation	\$	2,230

219	Non-actuarial Retirement Benefits		
	General Fund Appropriation	\$	46,000
319	Ambulance Service		
	General Fund Appropriation	\$	5,734,506
	Federal Fund Appropriation	\$	75,000
	State Fund Appropriation	\$	42,276
	Special Fund Appropriation	\$	10,700,000
Health			
240	Animal Control		
	General Fund Appropriation	\$	2,757,504
300	Administrative Direction and Control		
	General Fund Appropriation	\$	3,884,275
301	Baltimore Homeless Services		
	General Fund Appropriation	\$	758,578
	Federal Fund Appropriation	\$	23,269,403
	State Fund Appropriation	\$	3,239,757
	Special Fund Appropriation	\$	2,000,000
302	Environmental Health		
	General Fund Appropriation	\$	3,822,196
	State Fund Appropriation	\$	50,000
	Special Fund Appropriation	\$	22,776
303	Division of Clinical Services		
	General Fund Appropriation	\$	4,452,225
	Federal Fund Appropriation	\$	4,849,240
	State Fund Appropriation	\$	169,438
304	Chronic Disease Prevention		
	General Fund Appropriation	\$	868,684
	Federal Fund Appropriation	\$	26,444,012
	State Fund Appropriation	\$	1,808,923
	Special Fund Appropriation	\$	124,550
305	Healthy Homes		
	General Fund Appropriation	\$	929,649
	Federal Fund Appropriation	\$	2,891,621
	State Fund Appropriation	\$	149,868
	Special Fund Appropriation	\$	120,028
306	General Nursing Services		
	General Fund Appropriation	\$	508,827
	Federal Fund Appropriation	\$	88,182
	State Fund Appropriation	\$	8,606,162
307	Mental Health Services		
	General Fund Appropriation	\$	2,049,359
	Federal Fund Appropriation	\$	159,333
	State Fund Appropriation	\$	1,793,378

308	Maternal and Child Health		
	General Fund Appropriation	\$	989,434
	Federal Fund Appropriation	\$	16,189,056
	State Fund Appropriation	\$	2,673,426
	Special Fund Appropriation	\$	344,090
309	Child and Adult Care - Food		
	Federal Fund Appropriation	\$	6,652,884
310	School Health Services		
	General Fund Appropriation	\$	5,011,169
	Federal Fund Appropriation	\$	1,091,147
	State Fund Appropriation	\$	534,875
	Special Fund Appropriation	\$	7,374,845
311	Health Services for the Aging		
	General Fund Appropriation	\$	123,892
	Federal Fund Appropriation	\$	6,092,556
	State Fund Appropriation	\$	926,666
	Special Fund Appropriation	\$	100,000
314	Acute Communicable Disease		
	General Fund Appropriation	\$	350,480
315	Public Health Preparedness and Response		
	Federal Fund Appropriation	\$	705,189
316	Operation Safe Kids		
	General Fund Appropriation	\$	63,977
	Federal Fund Appropriation	\$	1,368,089
Housing and Community Development			
119	Neighborhood Service Centers		
	General Fund Appropriation	\$	869,914
	Federal Fund Appropriation	\$	1,000,981
	State Fund Appropriation	\$	2,873,317
177	Administrative Direction and Control		
	General Fund Appropriation	\$	5,021,234
	Federal Fund Appropriation	\$	792,099
	Special Fund Appropriation	\$	200,657
184	Energy Assistance and Emergency Food		
	State Fund Appropriation	\$	2,735,000
260	Construction and Building Inspection		
	General Fund Appropriation	\$	3,500,065
	Federal Fund Appropriation	\$	621,122
	Special Fund Appropriation	\$	990,000
582	Finance and Development		
	General Fund Appropriation	\$	2,078,923

	Federal Fund Appropriation	\$	3,041,303
	Special Fund Appropriation	\$	75,000
583	Neighborhood Services		
	General Fund Appropriation	\$	11,074,414
	Federal Fund Appropriation	\$	1,200,000
	State Fund Appropriation	\$	55,000
	Special Fund Appropriation	\$	50,000
585	Baltimore Development Corporation		
	General Fund Appropriation	\$	3,028,000
	Federal Fund Appropriation	\$	400,000
	Special Fund Appropriation	\$	410,000
592	Special Housing Grants		
	General Fund Appropriation	\$	898,000
593	Community Support Projects		
	General Fund Appropriation	\$	10,850
	Federal Fund Appropriation	\$	5,144,200
597	Weatherization		
	General Fund Appropriation	\$	55,640
	State Fund Appropriation	\$	1,495,000
604	Child Care Centers		
	Federal Fund Appropriation	\$	919,300
605	Head Start		
	Federal Fund Appropriation	\$	28,936,779
	State Fund Appropriation	\$	2,435,270
606	Arts and Education		
	State Fund Appropriation	\$	1,595,200
Human Resources			
160	Personnel Administration		
	General Fund Appropriation	\$	4,611,977
Law			
175	Legal Services		
	General Fund Appropriation	\$	4,065,854
	Special Fund Appropriation	\$	23,800
Legislative Reference			
106	Legislative Reference Services		
	General Fund Appropriation	\$	524,578
	Special Fund Appropriation	\$	11,400
107	Archives and Records Management		
	General Fund Appropriation	\$	261,422

Liquor License Board

250	Liquor Control		
	General Fund Appropriation	\$	1,865,134

Mayorality

125	Executive Direction and Control		
	General Fund Appropriation	\$	3,018,211
	Special Fund Appropriation	\$	100,000
127	Office of State Relations		
	General Fund Appropriation	\$	619,157
353	Office of Community Projects		
	General Fund Appropriation	\$	298,814
	Special Fund Appropriation	\$	170,000

M-R: Art and Culture

493	Art and Culture Grants		
	General Fund Appropriation	\$	7,091,669

M-R: Baltimore City Public Schools

352	Baltimore City Public Schools		
	General Fund Appropriation	\$	204,468,708
	Motor Vehicle Fund Appropriation	\$	3,654,000

M-R: Cable and Communications

572	Cable and Communications Coordination		
	General Fund Appropriation	\$	1,188,144
	Special Fund Appropriation	\$	1,072,346

M-R: Civic Promotion

589	Office of Promotion and the Arts		
	General Fund Appropriation	\$	1,933,000
590	Civic Promotion		
	General Fund Appropriation	\$	10,453,169
	Motor Vehicle Fund Appropriation	\$	300,000

M-R: Commission on Aging and Retirement Education

325	Senior Services		
	General Fund Appropriation	\$	1,168,534
	Motor Vehicle Fund Appropriation	\$	325,000
	Federal Fund Appropriation	\$	4,847,381
	State Fund Appropriation	\$	4,891,478
	Special Fund Appropriation	\$	699,157

M-R: Conditional Purchase Agreements

129	Conditional Purchase Agreement Payments		
	General Fund Appropriation	\$	20,746,000
	Loan and Guarantee Enterprise Fund Appropriation	\$	590,000

M-R: Contingent Fund

121	Contingent Fund		
	General Fund Appropriation	\$	750,000

M-R: Convention Center Hotel

535	Convention Center Hotel		
	General Fund Appropriation	\$	478,000

M-R: Convention Complex

531	Convention Center Operations		
	General Fund Appropriation	\$	13,935,559
	Convention Center Bond Fund Appropriation	\$	4,613,000
	State Fund Appropriation	\$	4,426,199
540	1st Mariner Arena Operations		
	General Fund Appropriation	\$	450,000

M-R: Debt Service

123	General Debt Service		
	General Fund Appropriation	\$	72,802,499
	Motor Vehicle Fund Appropriation	\$	11,042,001

M-R: Educational Grants

446	Educational Grants		
	General Fund Appropriation	\$	1,376,556

M-R: Employees' Retirement Contribution

355	Employees' Retirement Contribution		
	General Fund Appropriation	\$	89,801,017
	Motor Vehicle Fund Appropriation	\$	9,992,000

M-R: Environmental Control Board

117	Environmental Control Board		
	General Fund Appropriation	\$	451,486

M-R: Health and Welfare Grants

385	Health and Welfare Grants		
	General Fund Appropriation	\$	346,372

M-R: Miscellaneous General Expenses

122	Miscellaneous General Expenses		
	General Fund Appropriation	\$	13,853,449
	Motor Vehicle Fund Appropriation	\$	1,236,850

M-R: Office of Children, Youth and Families

350	Children, Youth and Families		
	General Fund Appropriation	\$	935,213
	Federal Fund Appropriation	\$	300,000
	State Fund Appropriation	\$	244,487

M-R: Office of CitiStat Operations

347	CitiStat Operations		
	General Fund Appropriation	\$	585,534

M-R: Office of Employment Development

630	Administration (Title I)		
	General Fund Appropriation	\$	256,473
	Federal Fund Appropriation	\$	47,550
631	Job Training Partnership (Titles II/III)		
	General Fund Appropriation	\$	1,022,732
	Federal Fund Appropriation	\$	10,261,864
633	Youth Initiatives		
	General Fund Appropriation	\$	3,016,068
	Federal Fund Appropriation	\$	2,000,395
639	Special Services		
	General Fund Appropriation	\$	3,016,607
	Federal Fund Appropriation	\$	3,903,474
	State Fund Appropriation	\$	488,004

M-R: Office of Information Technology

147	Information Technology Services		
	General Fund Appropriation	\$	2,819,341
151	Information Technology Support Services		
	General Fund Appropriation	\$	8,694,262

M-R: Office of Neighborhoods

354	Neighborhoods		
	General Fund Appropriation	\$	756,371

M-R: Office of the Inspector General

108	Office of the Inspector General		
	General Fund Appropriation	\$	633,598

M-R: Office of the Labor Commissioner

128	Labor Relations		
	General Fund Appropriation	\$	492,331

M-R: Retirees' Benefits

351	Retirees' Benefits		
	General Fund Appropriation	\$	87,284,094
	Motor Vehicle Fund Appropriation	\$	7,215,000

M-R: Self-Insurance Fund

126	Contribution to Self-Insurance Fund		
	General Fund Appropriation	\$	11,225,082
	Motor Vehicle Fund Appropriation	\$	2,894,554

M-R: TIF Debt Service

124	TIF Debt Service		
	General Fund Appropriation	\$	4,821,000

M-R: Veterans' Commission

483	Veterans' Commission		
	General Fund Appropriation	\$	150,000

M-R: Women's Commission

120	Promotion of Equal Rights for Women		
	General Fund Appropriation	\$	150,000

Municipal and Zoning Appeals

185	Zoning, Tax and Other Appeals		
	General Fund Appropriation	\$	410,000

Planning

187	City Planning		
	General Fund Appropriation	\$	1,616,901
	Motor Vehicle Fund Appropriation	\$	747,373
	Federal Fund Appropriation	\$	1,523,483
	State Fund Appropriation	\$	140,000

Police

200	Administrative Direction and Control		
	General Fund Appropriation	\$	35,509,782
201	Field Operations Bureau		
	General Fund Appropriation	\$	191,261,944
	Federal Fund Appropriation	\$	10,646,170
	State Fund Appropriation	\$	7,300,000
202	Investigations		
	General Fund Appropriation	\$	34,536,510
	Federal Fund Appropriation	\$	79,660
	Special Fund Appropriation	\$	2,035,000
203	Traffic		
	Motor Vehicle Fund Appropriation	\$	12,349,677
	State Fund Appropriation	\$	18,000
204	Services Bureau		
	General Fund Appropriation	\$	28,398,541
	Special Fund Appropriation	\$	6,701,256
205	Non-actuarial Retirement Benefits		
	General Fund Appropriation	\$	1,685,000
207	Research and Development		
	General Fund Appropriation	\$	4,848,030

224	Office of Criminal Justice		
	General Fund Appropriation	\$	1,374,144
	Federal Fund Appropriation	\$	9,774,158
	Special Fund Appropriation	\$	275,000

Public Works

190	Departmental Administration		
	General Fund Appropriation	\$	1,171,648
	Motor Vehicle Fund Appropriation	\$	2,893,924
191	Permits		
	General Fund Appropriation	\$	807,728
	Motor Vehicle Fund Appropriation	\$	2,047,395
193	Facilities Management		
	General Fund Appropriation	\$	23,330,550
198	Engineering/Construction Management		
	General Fund Appropriation	\$	586,180
	Motor Vehicle Fund Appropriation	\$	181,615
513	Solid Waste Special Services		
	General Fund Appropriation	\$	5,363,381
	Motor Vehicle Fund Appropriation	\$	26,122,134
515	Solid Waste Collection		
	General Fund Appropriation	\$	21,145,318
	Motor Vehicle Fund Appropriation	\$	2,001,152
516	Solid Waste Environmental Services		
	General Fund Appropriation	\$	20,894,894
518	Storm Water Maintenance		
	Motor Vehicle Fund Appropriation	\$	5,122,909
544	Sanitary Maintenance		
	Waste Water Utility Fund Appropriation	\$	15,444,797
546	Water Maintenance		
	Water Utility Fund Appropriation	\$	26,081,060
547	Meter Operations		
	Water Utility Fund Appropriation	\$	3,699,978
550	Waste Water Facilities		
	Waste Water Utility Fund Appropriation	\$	92,120,992
552	Water Facilities		
	Water Utility Fund Appropriation	\$	41,941,673
553	Water Engineering		
	Water Utility Fund Appropriation	\$	14,376,450

554	Waste Water Engineering Waste Water Utility Fund Appropriation	\$	18,843,573
555	Environmental Services Waste Water Utility Fund Appropriation Water Utility Fund Appropriation	\$ \$	3,127,164 583,593
560	Facilities Engineering Waste Water Utility Fund Appropriation Water Utility Fund Appropriation	\$ \$	368,475 183,246
561	Utility Billing Water Utility Fund Appropriation	\$	9,634,000
565	Utility Debt Service Waste Water Utility Fund Appropriation Water Utility Fund Appropriation	\$ \$	28,793,999 22,548,000
Recreation and Parks			
471	Administrative Direction and Control General Fund Appropriation State Fund Appropriation Special Fund Appropriation	\$ \$ \$	3,925,960 361,805 9,000
473	Municipal Concerts and Other Musical Event General Fund Appropriation	\$	35,810
478	General Park Services General Fund Appropriation Motor Vehicle Fund Appropriation State Fund Appropriation	\$ \$ \$	10,379,784 500,000 43,775
479	Special Facilities General Fund Appropriation Special Fund Appropriation	\$ \$	1,286,255 146,243
480	Regular Recreational Services General Fund Appropriation State Fund Appropriation Special Fund Appropriation	\$ \$ \$	12,377,758 129,000 433,447
482	Supplementary Recreational Services Special Fund Appropriation	\$	331,839
505	Park and Street Trees Motor Vehicle Fund Appropriation	\$	3,970,458
Sheriff			
118	Sheriff Services General Fund Appropriation Federal Fund Appropriation	\$ \$	13,079,449 24,500

Social Services

365	Public Assistance		
	General Fund Appropriation	\$	230,000

State's Attorney

115	Prosecution of Criminals		
	General Fund Appropriation	\$	25,709,157
	Federal Fund Appropriation	\$	1,658,258
	State Fund Appropriation	\$	3,939,568
	Special Fund Appropriation	\$	50,000

Transportation

195	Towing		
	General Fund Appropriation	\$	449,746
	Motor Vehicle Fund Appropriation	\$	8,925,081
	State Fund Appropriation	\$	25,000
230	Administration		
	General Fund Appropriation	\$	214,044
	Motor Vehicle Fund Appropriation	\$	7,446,175
	Federal Fund Appropriation	\$	686,827
	State Fund Appropriation	\$	80,997
231	Traffic Engineering		
	Motor Vehicle Fund Appropriation	\$	6,563,490
232	Parking		
	Parking Management Fund Appropriation	\$	6,090,502
233	Signs and Markings		
	Motor Vehicle Fund Appropriation	\$	6,294,612
	State Fund Appropriation	\$	6,000
235	Parking Enforcement		
	Parking Management Fund Appropriation	\$	7,357,498
239	Traffic Safety		
	Motor Vehicle Fund Appropriation	\$	2,808,540
500	Street Lighting		
	Motor Vehicle Fund Appropriation	\$	18,928,552
501	Highway Maintenance		
	Motor Vehicle Fund Appropriation	\$	38,460,863
503	Engineering and Construction		
	General Fund Appropriation	\$	660,511
	Motor Vehicle Fund Appropriation	\$	3,441,645
548	Conduits		
	Conduit Enterprise Fund Appropriation	\$	7,538,000

580	Parking Enterprise Facilities Parking Enterprise Fund Appropriation	\$	29,273,000
Wage Commission			
165	Wage Enforcement General Fund Appropriation	\$	486,475
War Memorial Commission			
487	Operation of War Memorial Building General Fund Appropriation	\$	380,485

Internal Service Fund Authorization

Comptroller, Department of

133 Municipal Telephone Exchange

An internal service fund is hereby authorized to provide for operation of a Municipal Telephone Exchange, the costs of which are to be recovered from using agencies.

136 Municipal Post Office

An internal service fund is hereby authorized to provide for operation of a Municipal Post Office, the costs of which are to be recovered from using agencies.

Conditional Purchase Agreements, Mayoralty-Related

129 Conditional Purchase Agreements Payments

An internal service fund is hereby authorized to provide for principal and interest payments related to the improvements made to the Municipal Telephone Exchange, the costs of which are to be recovered from using agencies.

Finance, Department of

144 Purchasing

An internal service fund is hereby authorized to provide for operation of a Municipal Reproduction and Printing Service, the costs of which are to be recovered from using agencies.

153 Risk Management Operations

An internal service fund is hereby authorized to provide for a Self-Insurance Program for administration of the Employee Health Clinic and Employee Safety and Workers' Compensation Claims Processing, the costs of which are to be recovered from the Self-Insurance Fund.

Human Resources, Department of

160 Personnel Administration

An internal service fund is hereby authorized to provide for the operation of the Unemployment Insurance function, the costs of which are to be recovered from contributions from various fund sources.

161 Vision Care Program

An internal service fund is hereby authorized to provide for the operation of an Employee Vision Care Program, the costs of which are to be recovered from contributions from various fund sources.

Law, Department of**175 Legal Services**

An internal service fund is hereby authorized to provide for a Self-Insurance Program covering Automotive Equipment, Police Animal Liability, Employee Liability and the administration of Workers' Compensation claims, the costs of which are to be recovered from the Self-Insurance Fund.

Information Technology Services, Mayoralty-Related**147 Information Technology Services**

An internal service fund is hereby authorized to provide for the operation of the 800 Megahertz emergency response system, the costs of which are to be recovered from using agencies.

Public Works, Department of**189 Fleet Management**

An internal service fund is hereby authorized to provide for operation of a Central Automotive and Mechanical Repair Service, the costs of which are to be recovered from using agencies.

B. Capital Budget

SECTION 2. AND BE IT FURTHER ORDAINED, That the Capital Improvement Appropriations herein made are for the following Construction Projects provided that the appropriations will be placed in Construction Reserve accounts at the beginning of the fiscal year and transferred by the Board of Estimates to Construction Accounts as project funds are needed.

Baltimore City Public Schools

417-123	FY08-FY13 BCPSS Systemics/Receiver Schools/Asbestos Abatement		
	General Obligation Bond Appropriation	\$	9,539,000
418-088	Lyndhurst Elementary/Middle School #88 - Addition		
	General Obligation Bond Appropriation	\$	835,000
418-212	Garret Heights Elementary/Middle School #212 Addition		
	General Obligation Bond Appropriation	\$	893,000
418-226	Violetville Elementary School #226		
	General Obligation Bond Appropriation	\$	1,000,000
418-234	Arlington Elementary/Middle School #234 Addition		
	General Obligation Bond Appropriation	\$	1,808,000
418-245	Leith Walk Elementary School #245		
	General Obligation Bond Appropriation	\$	425,000
418-414	Paul Laurence Dunbar High School #414		
	General Obligation Bond Appropriation	\$	1,500,000
418-454	Carver High School #454		
	General Obligation Bond Appropriation	\$	2,000,000

Baltimore Development Corporation**601-115 West Side Initiative**

General Obligation Bond Appropriation	\$	4,000,000
Other Fund Appropriation	\$	200,000

601-354 West Baltimore Industrial/Commercial Development

General Obligation Bond Appropriation	\$	600,000
Other Fund Appropriation	\$	300,000

601-403 7 East Redwood Fire Escape

General Fund Appropriation	\$	750,000
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601-483 South Baltimore Commercial/Industrial Development

General Obligation Bond Appropriation	\$	600,000
Other Fund Appropriation	\$	300,000

601-575 East Baltimore Commercial/Economic Development

General Obligation Bond Appropriation	\$	600,000
Other Fund Appropriation	\$	300,000

601-860 Industrial and Commercial Financing

General Obligation Bond Appropriation	\$	2,000,000
Other Fund Appropriation	\$	100,000

601-873 Brownfield Incentive Fund

General Obligation Bond Appropriation	\$	1,000,000
Other Fund Appropriation	\$	100,000

601-982 Commercial Revitalization Programs

General Obligation Bond Appropriation	\$	700,000
Other Fund Appropriation	\$	100,000

Enoch Pratt Free Library**457-024 Central Library - Expansion & Renovation**

General Obligation Bond Appropriation	\$	1,500,000
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457-200 Library Facilities - Modernization

Other State Fund Appropriation	\$	500,000
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Department of Finance**146-033 Finance General Ledger System**

General Fund Appropriation	\$	5,000,000
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Department of Fire**208-200 Fire Station Facilities - Modernization**

General Fund Appropriation	\$	100,000
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Department of Housing and Community Development**588-904 Affordable Housing Program**

General Obligation Bond Appropriation	\$	5,000,000
Community Development Block Grant Appropriation	\$	6,000,000
Urban Development Action Grant (UDAG) Repayment Appropriation	\$	400,000

588-979 East Baltimore Redevelopment

General Obligation Bond Appropriation	\$	1,250,000
City Motor Vehicle Fund Appropriation	\$	3,000,000

588-981 Acquisition/Relocation Fund

General Obligation Bond Appropriation	\$	2,000,000
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588-983 Demolition Program

General Obligation Bond Appropriation	\$	3,000,000
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588-984 Homeownership Incentive Program

General Obligation Bond Appropriation	\$	2,000,000
Community Development Block Grant Appropriation	\$	100,000

588-985 Housing Development

General Obligation Bond Appropriation	\$	2,800,000
Other Federal Fund Appropriation	\$	6,500,000

588-986 Housing Repair Assistance Programs

General Obligation Bond Appropriation	\$	500,000
Community Development Block Grant Appropriation	\$	850,000
Other Federal Fund Appropriation	\$	100,000

588-987 Housing & Services - Community Action Partnership

General Obligation Bond Appropriation	\$	100,000
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588-989 Loan Repayment

Community Development Block Grant Appropriation	\$	4,857,000
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588-991 Public Housing Redevelopment

General Obligation Bond Appropriation	\$	1,300,000
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588-994 Special Capital Projects

General Obligation Bond Appropriation	\$	2,300,000
Community Development Block Grant Appropriation	\$	1,100,000
Other Federal Fund Appropriation	\$	500,000
Sale of City Real Property Appropriation	\$	4,635,000

588-996 Stabilization Program

General Obligation Bond Appropriation	\$	2,000,000
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Mayorality**127-030 City Council Information Technology Project**

General Fund Appropriation	\$	100,000
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127-086	Schools Construction Renovations		
	General Fund Appropriation	\$	(5,000,000)
127-103	PS 103- Thurgood Marshall's First Public School		
	General Fund Appropriation	\$	250,000
127-155	Waxter Center for Senior Citizens		
	Community Development Block Grant Appropriation	\$	450,000
127-166	Babe Ruth Museum Renovation Project		
	General Obligation Bond Appropriation	\$	200,000
127-456	Baltimore School for the Arts		
	Loan and Guarantee Fund Appropriation	\$	2,500,000
127-764	Arena Players-Possible Dream II		
	General Obligation Bond Appropriation	\$	350,000
127-765	National Great Blacks in Wax Museum Expansion		
	General Obligation Bond Appropriation	\$	400,000
127-766	Center Stage's Leading National Theater Initiative		
	General Obligation Bond Appropriation	\$	200,000
127-768	Reginald F. Lewis Museum - Permanent Exhibits and Facility Enhancements		
	General Obligation Bond Appropriation	\$	200,000
127-769	Creative Alliance-The Patterson		
	General Obligation Bond Appropriation	\$	150,000
127-779	USS Constellation Museum-Heritage & Education Center		
	General Obligation Bond Appropriation	\$	300,000
127-913	Various Senior Center Improvements		
	General Fund Appropriation	\$	200,000
524-052	Baltimore Public Markets Improvements		
	General Fund Appropriation	\$	300,000

Department of Planning

188-009	Planning Department Initiatives		
	General Obligation Bond Appropriation	\$	750,000
188-010	CHAP Monument Restoration		
	General Obligation Bond Appropriation	\$	200,000

Department of Public Works

197-145	Peoples Court Window Replacement		
	General Fund Appropriation	\$	460,000

197-411	Guilford Building Elevator Upgrades		
	General Obligation Bond Appropriation	\$	100,000
197-513	City Hall Exterior Surface Repairs		
	General Fund Appropriation	\$	410,000
197-516	ADA Interior and Exterior Improvements		
	General Fund Appropriation	\$	100,000
197-517	Historic Buildings Exterior Preservation Repairs		
	General Fund Appropriation	\$	100,000
197-615	City Hall Electrical System Upgrade		
	General Obligation Bond Appropriation	\$	320,000
197-616	Abel Wolman Building Electrical System Upgrade		
	General Obligation Bond Appropriation	\$	100,000
197-617	Park Heights Multipurpose and Eastern Health Center Fire Alarm Upgrades		
	General Obligation Bond Appropriation	\$	100,000
197-830	68th Street Dump Site Environmental Remediation		
	City Motor Vehicle Fund Appropriation	\$	100,000
197-831	Eastern Health Center HVAC Upgrades		
	General Fund Appropriation	\$	240,000
197-833	Park Heights Multipurpose Center HVAC		
	General Obligation Bond Appropriation	\$	100,000
197-834	Abel Wolman Municipal Building Water Service Replacement		
	General Obligation Bond Appropriation	\$	280,000
	General Fund Appropriation	\$	300,000
197-836	New Police/Fire Academy		
	General Fund Appropriation	\$	500,000
197-840	Race Street Environmental Remediation		
	City Motor Vehicle Fund Appropriation	\$	130,000
517-500	Solid Waste Facility Renovations		
	General Fund Appropriation	\$	100,000
517-501	Methane Gas Collection System		
	Other Federal Fund Appropriation	\$	2,000,000
520-020	Lakewood Avenue Relief Drain - Phase IV Construction		
	City Motor Vehicle Fund Appropriation	\$	600,000

520-099 Small Storm Drain and Inlet Repairs		
City Motor Vehicle Fund Appropriation	\$	1,500,000
520-100 Storm Water Drain - Safety Grates		
City Motor Vehicle Fund Appropriation	\$	500,000
520-439 On Call Storm Drain Design/Engin. Service		
City Motor Vehicle Fund Appropriation	\$	500,000
520-708 Storm Water Pumping Stations Improvements		
City Motor Vehicle Fund Appropriation	\$	200,000
520-711 Emergency Flood Mitigation		
City Motor Vehicle Fund Appropriation	\$	200,000
520-715 Northeast Baltimore Drainage Improvements		
City Motor Vehicle Fund Appropriation	\$	250,000
525-449 Jones Falls Debris Collector		
Other Fund Appropriation	\$	600,000
525-646 Stream & Watershed Restoration Study		
City Motor Vehicle Fund Appropriation	\$	100,000
525-702 Maidens Choice Environmental Restoration Project 2 (Beech Field)		
City Motor Vehicle Fund Appropriation	\$	800,000
Other Fund Appropriation	\$	900,000
525-707 Urgent Needs Engineering Support		
City Motor Vehicle Fund Appropriation	\$	250,000
525-991 Maidens Choice Wetland Project 1 - Archbishop Keough High School		
City Motor Vehicle Fund Appropriation	\$	450,000
525-993 Watershed 263 Phase 1 Bio-retention		
City Motor Vehicle Fund Appropriation	\$	250,000
525-995 Biddison Run Stream Restoration - Phase II		
Other Fund Appropriation	\$	250,000
525-996 Green School Phase III		
City Motor Vehicle Fund Appropriation	\$	200,000
525-997 Lower Stony Run Stream Restoration- Phase II		
City Motor Vehicle Fund Appropriation	\$	950,000
525-998 Western Run Stream Restoration - Phase I		
Other Fund Appropriation	\$	2,500,000
525-999 Dickman Street Wetlands Mitigation		
General Fund Appropriation	\$	800,000

551-233	Wastewater Collection System - Annual Improvements		
	Waste Water Revenue Bond Appropriation	\$	1,000,000
	County Grant Appropriation	\$	1,000,000
551-401	Sewer Replacement Projects		
	Waste Water Utility Funds	\$	2,000,000
551-403	Small Sewer Extensions and Improvements		
	Waste Water Bond Appropriation	\$	750,000
551-404	Infiltration / Inflow Correction Program		
	Waste Water Utility Fund Appropriation	\$	2,000,000
551-444	Eastern Avenue Pump Station Improvements		
	Waste Water Bond Appropriation	\$	5,500,000
551-528	Patapsco WWTP - Enhanced Nutrient Removal - SC-845, SC-852, SC-855		
	Waste Water Bond Appropriation	\$	7,040,000
	Other State Fund Appropriation	\$	88,000,000
	County Grant Appropriation	\$	14,960,000
551-533	Annual Facilities Improvements		
	Waste Water Bond Appropriation	\$	1,000,000
	County Grant Appropriation	\$	1,000,000
551-557	Enhanced Nutrient Removal at Back River WWTP		
	Other State Fund Appropriation	\$	75,000,000
551-561	Primary Tank Renovations - SC-829		
	Waste Water Revenue Bond Appropriation	\$	7,500,000
	County Grant Appropriation	\$	7,500,000
551-604	Stony Run Interceptor and Pumping Station SC 819R, SC 838, SC 839, SC 847		
	Waste Water Bond Appropriation	\$	9,580,000
	County Grant Appropriation	\$	420,000
551-609	Southwest Diversion Pressure Sewer Improvements		
	Waste Water Bond Appropriation	\$	530,000
	County Grant Appropriation	\$	1,970,000
551-613	Sewer System Evaluation Program - Main Outfall Sewershed		
	Waste Water Bond Appropriation	\$	6,989,000
	County Grant Appropriation	\$	1,411,000
551-615	Sewer System Evaluation Program - Dundalk Sewershed		
	Waste Water Bond Appropriation	\$	2,524,000
	County Grant Appropriation	\$	1,476,000

551-617	Sewer System Evaluation Program - Patapsco Sewershed		
	Waste Water Bond Appropriation	\$	5,963,000
	County Grant Appropriation	\$	937,000
551-681	Wastewater Facilities Security Improvements		
	Waste Water Bond Appropriation	\$	500,000
	County Grant Appropriation	\$	500,000
551-683	Rehabilitation of Patapsco WWTP Gravity Sludge Thickeners		
	Waste Water Bond Appropriation	\$	1,280,000
	County Grant Appropriation	\$	2,720,000
551-688	Back River Sodium Hypochlorite On-Site Generation		
	Waste Water Bond Appropriation	\$	350,000
	County Grant Appropriation	\$	350,000
551-930	Uplands Wastewater Infrastructure		
	Waste Water Bond Appropriation	\$	517,000
551-931	Claremont/Freedom Village Wastewater Infrastructure		
	Waste Water Bond Appropriation	\$	570,000
551-932	EBDI Wastewater Infrastructure		
	Waste Water Bond Appropriation	\$	645,000
557-031	Water Distribution System - Improvements		
	Water Utility Funds	\$	1,000,000
	County Grant Appropriation	\$	1,000,000
557-100	Water Infrastructure Rehabilitation		
	Water Bond Appropriation	\$	10,000,000
557-101	Water Mains - Installation		
	Water Utility Fund Appropriation	\$	2,000,000
	County Grant Appropriation	\$	5,000,000
557-130	Water System Cathodic Protection		
	Water Bond Appropriation	\$	500,000
557-133	Meter Replacement Program		
	Water Utility Funds	\$	250,000
	County Grant Appropriation	\$	250,000
557-300	Water Facilities - Annual Improvements		
	Water Utility Fund Appropriation	\$	900,000
	County Grant Appropriation	\$	600,000
557-312	Montebello WTP Filter Renovations		
	Water Bond Appropriation	\$	3,000,000
	County Grant Appropriation	\$	2,000,000

557-400 Valve and Hydrant Replacement - Annual

Water Utility Fund Appropriation	\$	3,000,000
County Grant Appropriation	\$	3,000,000

557-638 Water Audit

Water Bond Appropriation	\$	300,000
County Grant Appropriation	\$	200,000

557-689 Urgent Needs Water Engineering Services

Water Bond Appropriation	\$	900,000
County Grant Appropriation	\$	600,000

557-709 Finished Water Reservoir Improvements

Water Bond Appropriation	\$	24,000,000
County Grant Appropriation	\$	16,000,000

557-732 Monitoring Water Transmission Mains

Water Utility Fund Appropriation	\$	500,000
County Grant Appropriation	\$	500,000

557-915 Maintenance Buildings at Prettyboy and Loch Raven Dams

Water Bond Appropriation	\$	3,000,000
County Grant Appropriation	\$	2,000,000

557-917 Water Pumping Stations Annual Improvements

Water Bond Appropriation	\$	450,000
County Grant Appropriation	\$	550,000

557-918 Montebello Plants 1 & 2 Sedimentation Basin Improvements

Water Bond Appropriation	\$	780,000
County Grant Appropriation	\$	520,000

557-930 Uplands Water Infrastructure

Water Bond Appropriation	\$	451,000
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557-931 Claremont/Freedom Village Water Infrastructure

Water Bond Appropriation	\$	582,000
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557-932 EBDI Water Infrastructure

Water Bond Appropriation	\$	563,000
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Department of Recreation and Parks**474-673 Gateways: Mt Vernon Park Master Plan Implementation Phase II**

City Motor Vehicle Fund Appropriation	\$	200,000
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474-695 Edgewood - Lyndhurst Recreation Center Gymnasium - Phase II

General Obligation Bond Appropriation	\$	800,000
Other State Fund Appropriation	\$	500,000

474-732 Parkland Expansion / University of Baltimore Playing Fields

General Fund Appropriation	\$	2,000,000
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474-739	FY08 Street Tree Operations		
	City Motor Vehicle Fund Appropriation	\$	300,000
474-740	Jones Falls Greenway Phase V: Cylburn to Mt Washington		
	City Motor Vehicle Fund Appropriation	\$	250,000
474-741	Wyman Park Dell Master Plan		
	City Motor Vehicle Fund Appropriation	\$	400,000
474-742	FY08 Park and Recreation Facility Renovations		
	General Obligation Bond Appropriation	\$	250,000
	General Fund Appropriation	\$	800,000
	State Open Space Matching Grant Appropriation	\$	750,000
474-743	FY08 Recreation and Park Facilities Improvements: Morrell Park		
	General Obligation Bond Appropriation	\$	500,000
	State Open Space Matching Grant Appropriation	\$	1,500,000
474-744	FY08 Recreation and Park Facilities Improvements: Clifton Park		
	General Obligation Bond Appropriation	\$	1,250,000
	Other State Fund Appropriation	\$	1,250,000
474-745	FY08 Major Park Improvements: Druid Hill, Patterson, Clifton, Cylburn		
	General Obligation Bond Appropriation	\$	375,000
	General Fund Appropriation	\$	500,000
	State Open Space Matching Grant Appropriation	\$	2,625,000
474-746	FY08 Park and Playground Renovations: 7 Neighborhood Parks		
	General Obligation Bond Appropriation	\$	575,000
	State Open Space Matching Grant Appropriation	\$	1,725,000
474-747	FY08 Athletic Courts & Field Renovation: Druid Hill Park Baseball & Football		
	General Obligation Bond Appropriation	\$	750,000
	State Open Space Matching Grant Appropriation	\$	2,250,000
	Other State Fund Appropriation	\$	1,000,000
474-748	FY08 Baltimore Playlot Program		
	State Open Space Grant Appropriation	\$	1,000,000
474-749	FY08 Maryland Community Parks and Playgrounds Program		
	State Open Space Grant Appropriation	\$	900,000
474-750	FY08 Park Building Renovations: Mt Pleasant, Radeke and Druid Hill		
	State Open Space Grant Appropriation	\$	500,000

Department of Transportation

504-100	Footway Reconstruction		
	City Motor Vehicle Fund Appropriation	\$	800,000
	Private Fund Appropriation	\$	800,000

504-200 Alley Reconstruction		
City Motor Vehicle Fund Appropriation	\$	1,250,000
Private Fund Appropriation	\$	1,250,000
504-300 Tree Root Damage		
City Motor Vehicle Fund Appropriation	\$	1,000,000
506-523 Fulton Avenue Median Streetscape (Franklin to Reisterstown)		
City Motor Vehicle Fund Appropriation	\$	600,000
506-529 Federal Resurfacing Southwest		
Federal Highway Transportation Fund Appropriation	\$	1,300,000
506-532 Chesapeake Avenue Phase II		
Federal Highway Transportation Fund Appropriation	\$	2,000,000
506-540 Resurfacing Hanover Street (Hanover St Br to Frankfurst Avenue)		
Federal Highway Transportation Fund Appropriation	\$	1,600,000
City Motor Vehicle Fund Appropriation	\$	400,000
508-363 Sinclair Lane Over CSX (SAFETEA-LU)		
City Motor Vehicle Fund Appropriation	\$	300,000
508-373 Test Pits		
City Motor Vehicle Fund Appropriation	\$	300,000
508-378 Electronic Document Management System		
City Motor Vehicle Fund Appropriation	\$	250,000
508-398 Martin Luther King Boulevard Widening Study		
City Motor Vehicle Fund Appropriation	\$	300,000
508-406 Roxbury Place Reconstruction		
City Motor Vehicle Fund Appropriation	\$	60,000
508-433 Mondawmin Pedestrian Improvements		
City Motor Vehicle Fund Appropriation	\$	300,000
508-453 Dundalk Ave. Streetscape (Eastern to City Line)		
City Motor Vehicle Fund Appropriation	\$	275,000
508-455 Pedestrian Crossing Improvements		
City Motor Vehicle Fund Appropriation	\$	100,000
508-459 Revision of Street Configurations		
City Motor Vehicle Fund Appropriation	\$	50,000
508-460 York Road (Glenwood Ave to 33rd St.)		
City Motor Vehicle Fund Appropriation	\$	750,000
508-465 Curb Repair Job Order Contract (JOC)		
City Motor Vehicle Fund Appropriation	\$	500,000

508-496 Slab Repairs		
City Motor Vehicle Fund Appropriation	\$	500,000
508-497 Curran Drive Streetscape		
City Motor Vehicle Fund Appropriation	\$	400,000
508-506 Constructability Review		
City Motor Vehicle Fund Appropriation	\$	500,000
508-508 Material Testing		
City Motor Vehicle Fund Appropriation	\$	300,000
508-519 Construction Management Services		
City Motor Vehicle Fund Appropriation	\$	500,000
508-550 Neighborhood Street Reconstruction		
City Motor Vehicle Fund Appropriation	\$	1,000,000
508-605 Little Italy Streetscape		
City Motor Vehicle Fund Appropriation	\$	250,000
508-607 New Administrative Building for Towing		
City Motor Vehicle Fund Appropriation	\$	100,000
508-608 North Avenue (US1) (SAFETEA-LU)		
Other Federal Fund Appropriation	\$	480,000
City Motor Vehicle Fund Appropriation	\$	120,000
508-617 Project Management Services		
City Motor Vehicle Fund Appropriation	\$	200,000
508-630 Survey		
City Motor Vehicle Fund Appropriation	\$	500,000
508-641 Feasibility Studies		
City Motor Vehicle Fund Appropriation	\$	300,000
508-661 Baltimore Water Taxi (SAFETEA-LU)		
Other Federal Fund Appropriation	\$	400,000
City Motor Vehicle Fund Appropriation	\$	100,000
508-742 Replacement of Falls Road Facility		
City Motor Vehicle Fund Appropriation	\$	500,000
508-942 Argonne Dr. Bridge Over Herring Run		
Federal Highway Transportation Fund Appropriation	\$	4,800,000
City Motor Vehicle Fund Appropriation	\$	1,200,000
508-994 Russell Street Gateway Reconstruction		
Federal Highway Transportation Fund Appropriation	\$	2,600,000

509-087 Harford Road Bridge		
Federal Highway Transportation Fund Appropriation	\$	400,000
City Motor Vehicle Fund Appropriation	\$	100,000
509-332 Pennington Avenue Drawbridge over Curtis Creek (SAFETEA-LU)		
Other Federal Fund Appropriation	\$	7,500,000
510-019 Fiber Optic Design and Study		
City Motor Vehicle Fund Appropriation	\$	200,000
510-033 Pedestrian Lighting -- SNAP & Historic Neighborhoods		
City Motor Vehicle Fund Appropriation	\$	300,000
510-034 Pedestrian Lighting -- Citywide		
City Motor Vehicle Fund Appropriation	\$	1,000,000
512-034 Signal Timing Optimization Citywide		
Federal Highway Transportation Fund Appropriation	\$	800,000
City Motor Vehicle Fund Appropriation	\$	200,000
512-046 Traffic Signal Reconstruction		
Federal Highway Transportation Fund Appropriation	\$	250,000
City Motor Vehicle Fund Appropriation	\$	50,000
512-047 Traffic Signal Replacement - Project Management & Inspection		
City Motor Vehicle Fund Appropriation	\$	200,000
512-049 Reversible Lane System Replacement		
City Motor Vehicle Fund Appropriation	\$	180,000
512-053 Traffic Surveillance Camera Expansion		
Federal Highway Transportation Fund Appropriation	\$	800,000
City Motor Vehicle Fund Appropriation	\$	240,000
512-054 Traffic Signal Maintenance Equipment Purchase		
City Motor Vehicle Fund Appropriation	\$	300,000
512-057 Geometric Improvements		
City Motor Vehicle Fund Appropriation	\$	300,000
512-059 Variable Message Signs		
City Motor Vehicle Fund Appropriation	\$	300,000
512-061 Traffic Engineering On-Call		
City Motor Vehicle Fund Appropriation	\$	280,000
512-062 Traffic Detector Upgrade Program		
Federal Highway Transportation Fund Appropriation	\$	400,000
City Motor Vehicle Fund Appropriation	\$	100,000

512-065	Implement intelligent transportation system in Baltimore (SAFETEA-LU)		
	City Motor Vehicle Fund Appropriation	\$	280,000
514-595	Duvall St. Reconstruction (Elsinore to Queen Anne)		
	City Motor Vehicle Fund Appropriation	\$	600,000
514-596	Eastern Avenue Rehabilitation		
	City Motor Vehicle Fund Appropriation	\$	300,000
514-664	Russell Street Gateway Rehabilitation		
	Federal Highway Transportation Fund Appropriation	\$	4,000,000
	City Motor Vehicle Fund Appropriation	\$	1,000,000
514-725	Emergency Resurfacing (JOC)		
	City Motor Vehicle Fund Appropriation	\$	1,500,000
514-726	Pavement Management System/ Asset Management		
	City Motor Vehicle Fund Appropriation	\$	150,000
514-762	Resurfacing Highways Northeast - Sector I		
	City Motor Vehicle Fund Appropriation	\$	500,000
514-763	Resurfacing Highways Northwest - Sector 2		
	City Motor Vehicle Fund Appropriation	\$	500,000
514-764	Resurfacing Highways Southwest - Sector 3		
	City Motor Vehicle Fund Appropriation	\$	500,000
514-765	Resurfacing Highways Southeast - Sector 4		
	City Motor Vehicle Fund Appropriation	\$	500,000
514-766	Federal Resurfacing - Northeast - Sector I		
	Federal Highway Transportation Fund Appropriation	\$	960,000
	City Motor Vehicle Fund Appropriation	\$	240,000
514-767	Federal Resurfacing - Northwest - Sector II		
	Federal Highway Transportation Fund Appropriation	\$	960,000
	City Motor Vehicle Fund Appropriation	\$	240,000
514-768	Federal Resurfacing - Southwest - Sector III		
	Federal Highway Transportation Fund Appropriation	\$	960,000
	City Motor Vehicle Fund Appropriation	\$	240,000
514-769	Federal Resurfacing - Southeast - Sector IV		
	Federal Highway Transportation Fund Appropriation	\$	960,000
	City Motor Vehicle Fund Appropriation	\$	240,000
527-032	Claremont/Freedom Village Streets & Infrastructure		
	City Motor Vehicle Fund Appropriation	\$	7,476,000

527-106	Canton Industrial Area: Newkirk Street		
	City Motor Vehicle Fund Appropriation	\$	350,000
527-108	Canton Industrial Area: Haven Street		
	City Motor Vehicle Fund Appropriation	\$	1,000,000
527-139	Pennsylvania Avenue Main Street Improvements		
	City Motor Vehicle Fund Appropriation	\$	1,000,000
527-169	Saratoga St. Streetscape (Eutaw to St. Paul)		
	City Motor Vehicle Fund Appropriation	\$	3,000,000
527-174	Preston Gardens Infrastructure Improvements		
	General Obligation Bond Appropriation	\$	500,000
527-175	Bicycle Network Strategy		
	City Motor Vehicle Fund Appropriation	\$	1,055,000
527-176	Jones Falls/Inner Harbor Trail and Pedestrian Improvements		
	City Motor Vehicle Fund Appropriation	\$	250,000
527-186	Commercial District Street Lights/Landscaping		
	City Motor Vehicle Fund Appropriation	\$	750,000
527-200	Star Spangled Heritage Trails - Phases IV/V		
	City Motor Vehicle Fund Appropriation	\$	250,000
527-210	Mt. Vernon Place		
	City Motor Vehicle Fund Appropriation	\$	500,000
527-214	Calvert Street- Streetscape (Baltimore to Monument)		
	City Motor Vehicle Fund Appropriation	\$	170,000
527-216	Fayette Street- Streetscape (MLK to JFX)		
	City Motor Vehicle Fund Appropriation	\$	500,000
527-217	Howard Street - Streetscape (Pratt to Centre)		
	City Motor Vehicle Fund Appropriation	\$	240,000
527-220	Saratoga Street- Streetscape (St. Paul to JFX)		
	City Motor Vehicle Fund Appropriation	\$	75,000
527-301	Broening Highway - Infrastructure/Utility (Canton Industrial Area)		
	City Motor Vehicle Fund Appropriation	\$	1,500,000
527-313	Madison Avenue - Infrastructure/ Utility (Howard to Calvert)		
	City Motor Vehicle Fund Appropriation	\$	150,000
527-315	Industrial Areas Resurfacing (Job Order Contracts) - Infrastructure (City-wide)		
	City Motor Vehicle Fund Appropriation	\$	400,000

527-320	Fairfield Industrial Park: Shell Road		
	City Motor Vehicle Fund Appropriation	\$	200,000
527-321	Fairfield Industrial Park: Fairfield Road		
	City Motor Vehicle Fund Appropriation	\$	200,000
527-323	Key Highway/ Inner Harbor Intersection		
	City Motor Vehicle Fund Appropriation	\$	500,000
527-325	Eutaw Street		
	City Motor Vehicle Fund Appropriation	\$	200,000
527-331	Old Town Mall Streetscape		
	City Motor Vehicle Fund Appropriation	\$	200,000
527-332	Howard Park/Liberty Hts Streetscape		
	City Motor Vehicle Fund Appropriation	\$	200,000
527-333	Old Town Mall Redevelopment Study		
	City Motor Vehicle Fund Appropriation	\$	250,000
527-335	EBDI Life Science Park, Phase IC		
	Other Federal Fund Appropriation	\$	800,000
	City Motor Vehicle Fund Appropriation	\$	200,000
527-340	Park Heights Cold Spring Neighborhood Center		
	City Motor Vehicle Fund Appropriation	\$	500,000
527-493	Uplands Redevelopment Site Infrastructure		
	City Motor Vehicle Fund Appropriation	\$	716,000
527-630	Midtown SNAP Pedestrian Improvements		
	City Motor Vehicle Fund Appropriation	\$	1,000,000
527-700	Barclay/Greenmount Streetscape Improvements		
	City Motor Vehicle Fund Appropriation	\$	75,000
527-701	Seton Business Park Improvements		
	City Motor Vehicle Fund Appropriation	\$	1,218,000
527-702	Park Heights Street Resurfacing Phase II		
	City Motor Vehicle Fund Appropriation	\$	1,000,000
580-053	Parking Capital Renewal and Replacement Fund		
	Parking Enterprise Fund Appropriation	\$	3,500,000

SECTION 3. AND BE IT FURTHER ORDAINED, That the amounts set forth in Section 2 above designated deappropriations and enclosed in parentheses shall revert to the surpluses of the respective funds and be available for appropriation by this or subsequent ordinances.

SECTION 4. AND BE IT FURTHER ORDAINED, That:

(a) The City reasonably expects to reimburse the expenditures described in Subsection (b) of this Section with the proceeds of one or more obligations (as such term is used in Treas. Reg. Section 1.150-1(b) to be incurred by the City (or any entity controlled by the City within the meaning of Treas. Reg. Section 1.150-1). The City intends that this Section of this Ordinance of Estimates (as this Ordinance of Estimates may be amended from time to time) shall serve as a declaration of the City's reasonable intention to reimburse expenditures as required by Treas. Reg. Section 1.150-2 and any successor regulation.

(b) The City intends that this declaration will cover all reimbursement of expenditures for capital projects or programs approved in the capital budget contained in this Ordinance of Estimates to the extent that the City has appropriated in this Ordinance of Estimates to pay the cost thereof from one or more obligations to be issued by the City (or any entity controlled by the City within the meaning of Treas. Reg. Section 1.150-1). The term "obligation" (as such term is defined in Treas. Reg. Section 1.150(b) and as used in this Section) includes general obligation bonds and notes, revenue bonds and notes, leases, conditional purchase agreements and other obligations of the City (or any entity controlled by the City within the meaning of Treas. Reg. Section 1.150-1).

(c) The maximum anticipated debt expected to be incurred by the City to reimburse the cost of each capital project or program in this Ordinance of Estimates is the applicable appropriation listed in this Ordinance of Estimates from the proceeds of one or more obligations, as such appropriations may be increased or decreased.

SECTION 5. The foregoing appropriations in summary consist of:

<u>Fund</u>	<u>Operating</u>	<u>Capital</u>	<u>Total</u>
General	\$ 1,274,963,000	\$ 8,010,000	\$ 1,282,973,000
Motor Vehicle	185,465,000	60,500,000	245,965,000
Parking Management	13,448,000	0	13,448,000
Convention Center Bond	4,613,000	0	4,613,000
Waste Water Utility	158,699,000	4,000,000	162,699,000
Water Utility	119,048,000	7,650,000	126,698,000
Parking Enterprise	29,273,000	3,500,000	32,773,000
Conduit Enterprise	7,538,000	0	7,538,000
Loan and Guarantee Enterprise	3,798,000	2,500,000	6,298,000
Federal	181,791,164	54,427,000	236,218,164
State	69,313,213	177,500,000	246,813,213
Special	44,181,321	175,963,000 *	220,144,321
General Obligation Bonds	<u>0</u>	<u>60,000,000</u>	<u>60,000,000</u>
	\$ 2,092,130,698	\$ 554,050,000	\$ 2,646,180,698

*Consisting of:

County	\$ 66,464,000
Revenue Bonds and Notes	\$ 96,764,000
Other Fund Sources	\$ 12,735,000
	\$ 175,963,000

Approved by the Board of Estimates

President

Mayor

Comptroller

Director of Public Works

City Solicitor

Approved June 11, 2007

BOARD OF ESTIMATES

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-443
(Council Bill 07-658)**

AN ORDINANCE CONCERNING

Annual Property Tax – Fiscal Year 2008

FOR the purpose of providing a tax for the use of the Mayor and City Council of Baltimore for the period July 1, 2007, through June 30, 2008; providing for estimated billings pursuant to State law; and setting the semiannual payment service charge for that period.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That for the period July 1, 2007, through June 30, 2008, a tax is levied and imposed for the use of the Mayor and City Council of Baltimore on all property in the City of Baltimore (except property exempt by law), as follows:

- (a) except as otherwise specified in item (b) of this section, a tax of \$2.268 is levied and imposed on every \$100 of assessed or assessable value of real property; and
- (b) a tax of \$5.67 is levied and imposed on every \$100 of assessed or assessable value of:
 - (1) personal property; and
 - (2) operating real property described in State Tax-Property Article § 8-109(c).

SECTION 2. AND BE IT FURTHER ORDAINED, That this tax shall be paid and collected in the manner prescribed by law including the provisions of Section 10-210 of the Tax-Property Article of the Annotated Code of the Public General Laws of Maryland.

SECTION 3. AND BE IT FURTHER ORDAINED, That for the period July 1, 2007, through June 30, 2008, the semiannual payment service charge to be imposed under State Tax-Property Article § 10-204.3 is 1.321%.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-444
(Council Bill 07-666)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Art and Culture Grants – \$900,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$900,000 to the MR-Art and Culture Grants – Program 493 (Art and Culture Grants), to provide funding to support the Free Fall Baltimore and Baltimore Museum of Art/Walters Art Museum Free Admission programs; and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$900,000 shall be made available to the MR-Art and Culture Grants – Program 493 (Art and Culture Grants) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2007, to provide funding to support the Free Fall Baltimore and Baltimore Museum of Art/Walters Art Museum Free Admission programs. The source of revenue for this appropriation is funds from the Fiscal 2007 Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-445
(Council Bill 07-667)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Art and Culture Grants – \$1,000,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$1,000,000 to the MR-Art and Culture Grants – Program 493 (Art and Culture Grants), to provide funding to support the Creative Baltimore program; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$1,000,000 shall be made available to the MR-Art and Culture Grants – Program 493 (Art and Culture Grants) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2007, to provide funding to support the Creative Baltimore program. The source of revenue for this appropriation is funds from the Fiscal 2007 Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-446
(Council Bill 07-668)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Commission on Aging and Retirement Education – \$250,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$250,000 to the MR-Commission on Aging and Retirement Education – Program 325 (Senior Services), to provide funding for the Urban Institute on Aging; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$250,000 shall be made available to the MR-Commission on Aging and Retirement Education – Program 325 (Senior Services) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2007, to provide funding for the Urban Institute on Aging. The source of revenue for this appropriation is funds from the Fiscal 2007 Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-447
(Council Bill 07-670)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Employees' Retirement Contribution – \$5,000,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$5,000,000 to the MR-Employees' Retirement Contribution – Program 355 (Employees' Retirement Contribution), to provide funding to pay for Other Post Employment Benefit costs; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$5,000,000 shall be made available to the MR-Employees' Retirement Contribution – Program 355 (Employees' Retirement Contribution) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2007, to provide funding to pay for Other Post Employment Benefit costs. The source of revenue for this appropriation is funds from the Fiscal 2007 Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-448
(Council Bill 07-671)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Fire Department – \$4,800,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$4,800,000 to the Fire Department – Program 212 (Fire Suppression), to provide funding to pay for additional operating expenses; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Net Parking Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$4,800,000 shall be made available to the Fire Department – Program 212 (Fire Suppression) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2007, to provide funding to pay for additional operating expenses. The source of revenue for this appropriation is from the Fiscal 2007 Net Parking Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-449
(Council Bill 07-672)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-General Debt Service – \$971,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$971,000 to the MR-General Debt Service – Program 123 (General Debt Service), to provide funding to pay for additional debt service costs ; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$971,000 shall be made available to the MR-General Debt Service – Program 123 (General Debt Service) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2007, to provide funding to pay for additional debt service costs. The source of revenue for this appropriation is funds from the Fiscal 2007 Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-450
(Council Bill 07-673)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Department of Health – \$175,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$175,000 to the Department of Health – Program 310 (School Health Services), to provide funding for training to support the upgrade of skills of Baltimore City residents who work in organized health care facilities; and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$175,000 shall be made available to the Department of Health – Program 310 (School Health Services) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2007, to provide funding for training to support the upgrade of skills of Baltimore City residents who work in organized health care facilities. The source of revenue for this appropriation is funds from the Fiscal 2007 Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-451
(Council Bill 07-674)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Department of Health – \$600,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$600,000 to the Department of Health – Program 301 (Baltimore Homeless Services), to provide funding to support the implementation of a plan to end homelessness in the City; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$600,000 shall be made available to the Department of Health – Program 301 (Baltimore Homeless Services) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2007, to provide funding to support the implementation of a plan to end homelessness in the City. The source of revenue for this appropriation is funds from the Fiscal 2007 Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-452
(Council Bill 07-675)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Department of Housing and Community Development – \$200,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$200,000 to the Department of Housing and Community Development – Program 585 (Baltimore Development Corporation), to provide funding for a Clean and Green initiative; and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$200,000 shall be made available to the Department of Housing and Community Development – Program 585 (Baltimore Development Corporation) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2007, to provide funding for a Clean and Green initiative. The source of revenue for this appropriation is funds from the Fiscal 2007 Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-453
(Council Bill 07-676)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation –
Department of Housing and Community Development – \$200,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$200,000 to the Department of Housing and Community Development (Account #9910-588-074), to provide funding for a Land Bank; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$200,000 shall be made available to the Department of Housing and Community Development (Account #9910-588-074) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2007, to provide funding for a Land Bank. The source of revenue for this appropriation is funds from the Fiscal 2007 Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-454
(Council Bill 07-677)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation –
Department of Housing and Community Development – \$1,000,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$1,000,000 to the Department of Housing and Community Development – (Account #9910-587-907), to provide funding for the Healthy Neighborhoods program; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$1,000,000 shall be made available to the Department of Housing and Community Development (Account #9910-587-907) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2007, to provide funding for the Healthy Neighborhoods program. The source of revenue for this appropriation is funds from the Fiscal 2007 Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-455
(Council Bill 07-678)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation –
Department of Housing and Community Development – \$2,000,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$2,000,000 to the Department of Housing and Community Development (Account #9910-588-073), to provide funding for an Inclusionary Housing ~~Trust~~ Offset Fund; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$2,000,000 shall be made available to the Department of Housing and Community Development (Account #9910-588-073) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2007, to provide funding for an Inclusionary Housing ~~Trust~~ Offset Fund. The source of revenue for this appropriation is funds from the Fiscal 2007 Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-456
(Council Bill 07-679)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation –
Department of Housing and Community Development – \$4,000,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$4,000,000 to the Department of Housing and Community Development (Account #9910-584-905), to provide funding for the implementation of the Park Heights Master Plan; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$4,000,000 shall be made available to the Department of Housing and Community Development (Account #9910-584-905) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2007, to provide funding for the implementation of the Park Heights Master Plan. The source of revenue for this appropriation is funds from the Fiscal 2007 Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-457
(Council Bill 07-680)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation –
Mayoralty-Related – \$50,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$50,000 to the Mayoralty-Related (Account #9904-127-152), to provide funding for Baltimore Heritage Area projects; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$50,000 shall be made available to the Mayoralty-Related (Account #9904-127-152) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2007, to provide funding for Baltimore Heritage Area projects. The source of revenue for this appropriation is funds from the Fiscal 2007 Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-458
(Council Bill 07-681)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation –
Mayoralty-Related – \$200,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$200,000 to the Mayoralty-Related (Account #9904-129-301), to provide funding to commission a memorial to the late Mayor Clarence H. “Du” Burns; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$200,000 shall be made available to the Mayoralty-Related (Account #9904-129-301) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2007, to provide funding to commission a memorial of the late Mayor Clarence H. “Du” Burns. The source of revenue for this appropriation is funds from the Fiscal 2007 Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-459
(Council Bill 07-682)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Office of Employment Development – \$310,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$310,000 to the MR-Office of Employment Development – Program 639 (Special Projects), to provide funding for the Summer Jobs program; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$310,000 shall be made available to the MR-Office of Employment Development – Program 639 (Special Projects) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2007, to provide funding for the Summer Jobs program. The source of revenue for this appropriation is funds from the FY 2007 Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-460
(Council Bill 07-683)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Department of Planning – \$300,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$300,000 to the Department of Planning – Program 187 (City Planning), to provide funding to support the implementation of a Citywide comprehensive razoring initiative; and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$300,000 shall be made available to the Department of Planning – Program 187 (City Planning) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2007, to provide funding to support the implementation of a Citywide comprehensive razoring initiative. The source of revenue for this appropriation is funds from the Fiscal 2007 Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-461
(Council Bill 07-684)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Police Department – \$2,900,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$2,900,000 to the Police Department – Program 200 (Administrative Direction and Control), to provide funding to pay for additional operating expenses; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Telephone Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$2,900,000 shall be made available to the Police Department – Program 200 (Administrative Direction and Control) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2007, to provide funding to pay for additional operating expenses. The source of revenue for this appropriation is funds from the Fiscal 2007 Telephone Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-462
(Council Bill 07-685)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Police Department – \$5,400,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$5,400,000 to the Police Department – Program 202 (Investigations), to provide funding to pay for additional operating expenses; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Recordation Tax and Building Construction Permits in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$5,400,000 shall be made available to the Police Department – Program 202 (Investigations) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2007, to provide funding to pay for additional operating expenses. The source of revenue for this appropriation is funds from the Fiscal 2007 Recordation Tax (\$4,750,000) and Building Construction Permits (\$650,000) in excess of the amount from these sources that were relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-463
(Council Bill 07-686)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Police Department – \$11,500,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$11,500,000 to the Police Department – Program 201 (Field Operations Bureau), to provide funding to pay for additional operating expenses; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Earnings on Investments, Telephone Tax, Net Parking Taxes, and Building Construction Permits in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$11,500,000 shall be made available to the Police Department – Program 201 (Field Operations Bureau) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2007, to provide funding to pay for additional operating expenses. The source of revenue for this appropriation is funds from the Fiscal 2007 Earnings on Investments (\$8,875,000), Telephone Tax (\$600,000), Net Parking Taxes (\$1,900,000) and Building Construction Permits (\$125,000) in excess of the amount from these sources that were relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-464
(Council Bill 07-687)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Department of Public Works – \$300,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$300,000 to the Department of Public Works – Program 515 (Solid Waste Collection), to provide funding for a Clean and Green initiative; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$300,000 shall be made available to the Department of Public Works – Program 515 (Solid Waste Collection) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2007, to provide funding for a Clean and Green initiative. The source of revenue for this appropriation is funds from the Fiscal 2007 Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-465
(Council Bill 07-688)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation
and Other Fund Capital Appropriation –
Department of Recreation and Parks – \$1,000,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$500,000 and an Other Fund Capital Appropriation in the amount of \$500,000 to the Department of Recreation and Parks (Account #9938-475-600), to provide funding to erect a fountain in the Inner Harbor's West Shore Park; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax and Other Funds in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$1,000,000 shall be made available to the Department of Recreation and Parks (Account #9938-475-600) as a Supplementary General Fund Capital Appropriation in the amount of \$500,000 and a Supplementary Other Fund Capital Appropriation in the amount of \$500,000 for Fiscal Year 2007, to provide funding to erect a fountain in the Inner Harbor's West Shore Park. The source of revenue for this appropriation is funds from the Fiscal 2007 Income Tax and Other Funds in excess of the amount from these sources that were relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-466
(Council Bill 07-689)**

AN ORDINANCE CONCERNING

**Supplementary Motor Vehicle Fund Operating Appropriation –
Department of Transportation – \$3,150,000**

FOR the purpose of providing a Supplementary Motor Vehicle Fund Operating Appropriation in the amount of \$3,150,000 to the Department of Transportation – Program 501 (Highway Maintenance), to provide funding to pay for additional operating expenses; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2006 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$3,150,000 shall be made available to the Department of Transportation – Program 501 (Highway Maintenance) as a Supplementary Motor Vehicle Fund Operating Appropriation for Fiscal Year 2007, to provide funding to pay for additional operating expenses. The source of revenue for this appropriation is from the Fiscal 2006 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-467
(Council Bill 05-216)**

AN ORDINANCE CONCERNING

Sale of Property – 4210 Roland Avenue (Roland Park Water Tower)

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain property known as 4210 Roland Avenue (Block 3591A, Lot 005) and no longer needed for public use; and providing for a special effective date.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in the property known as 4210 Roland Avenue (Block 3591A, Lot 005), and more particularly described as follows:

The subject parcel (Block 3591A, Lot 005) is currently the site of the no longer used Roland Park Water Tower. The site is located between Evans Chapel Road and Roland Avenue, south of West Cold Spring Lane, in the Roland Park area of Baltimore City,

containing 33,170 square feet of land, more or less, this property being no longer needed for public use. The tower is approximately 140 feet high and 36 feet wide.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 13, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-468
(Council Bill 06-554)**

AN ORDINANCE CONCERNING

Zoning – Conditional Use Parking, Open Off-Street Area – 1600 North Dallas Street

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of parking, open off-street area on the property known as 1600 North Dallas Street, as outlined in red on the accompanying plat.

BY authority of

Article - Zoning
Section(s) 4-1104 and 14-102
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of a parking, open off-street area on the property known as 1600 North Dallas Street, as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 4-1104 and 14-102, subject to the condition that the parking, open off-street area complies with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved June 13, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-469
(Council Bill 06-555)**

AN ORDINANCE CONCERNING

Zoning – Conditional Use Parking, Open Off-Street Area – 1601 North Dallas Street

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, open off-street area on the property known as 1601 North Dallas Street, as outlined in red on the accompanying plat.

BY authority of

Article - Zoning
Section(s) 4-1104 and 14-102
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of a parking, open off-street area on the property known as 1601 North Dallas Street, as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 4-1104 and 14-102, subject to the condition that the parking, open off-street area complies with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved June 13, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-470
(Council Bill 07-628)**

AN ORDINANCE CONCERNING

**Urban Renewal – Inner Harbor East –
Amendment 15**

FOR the purpose of amending the Urban Renewal Plan for Inner Harbor East to revise the specific lot controls applicable to Development Area Q3 and correcting certain references; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

BY authority of

Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

Recitals

The Urban Renewal Plan for Inner Harbor East was originally approved by the Mayor and City Council of Baltimore by Ordinance 71-1188 and last amended by Ordinance 03-614.

An amendment to the Urban Renewal Plan for Inner Harbor East is necessary to revise the specific lot controls applicable to Development Area Q3 and to make minor technical corrections.

Under Article 13, § 2-6 of the Baltimore City Code, no substantial change may be made in any approved renewal plan unless the change is approved in the same manner as that required for the approval of a renewal plan.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following changes in the Urban Renewal Plan for Inner Harbor East are approved:

- (1) In the Plan, amend F.2.b.(3) to read as follows:

- (3) Planned Development: Such other uses as are permitted in certain portions of the Urban Renewal Area that are now or may later be subject to any Planned UNIT Development ("PUD"), created pursuant to [Chapter 12 of Article 30 of the Baltimore City Code] TITLE 9 OF THE ZONING CODE OF BALTIMORE CITY.
- (2) In the Plan, amend G.14.a.(2) to read as follows:
- (2) Development Area Q3
- THE SPECIFIC LOT AREA CONTROLS AND THE SPECIFIC DEVELOPMENT PROGRAM WITHIN DEVELOPMENT AREA Q3 SHALL BE AS SET FORTH IN ANY APPLICABLE PUD. It is HOWEVER the objective of this Plan that within this Development Area, the following development program shall be outlined:
- A minimum of [275,000] 800,000 square feet in the aggregate of primary office space, residential UNITS and/or [ground floor] retail[;], provided that a maximum of 250 hotel rooms may be developed AS WELL, so long as such development is completed as part of an overall development plan for this Development Area that ALSO includes the foregoing office, residential, and/or retail space.
- The size and configuration of the Development Area shall generally be as illustrated on Exhibit B.
- (3) In the Plan, amend G.14.e. to read as follows:
- e. Development Area Q3:
- The maximum permitted building height on Development Area Q3 [is 180.0 feet above grade] SHALL NOT EXCEED THE HEIGHTS SET FORTH IN ANY APPLICABLE PUD.
- (4) In the Plan, amend Exhibit C, "Proposed Land Use", by deleting the "P" designation for the property known as 831 East Lombard Street (at the southeast corner of Lombard and President Streets).
- (5) In the Plan, amend Exhibit C, "Proposed Land Use", by modifying the area of the Harbor East Parcel "D" PUD to reflect the new proposed Development Plan relative to the closing of Lancaster and Albemarle Streets, the location of President Street extended south of the Circle, and the changing of all areas of "Encroachment" beyond property lines identified in the PUD plan to the Residential/Commercial category.
- (6) In the Plan, amend Exhibit B, "Development Areas", by modifying the shape of Areas Q3 and Q4 to correctly reflect the current outline of Parcel "D" PUD as Area Q3 only.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Inner Harbor East, as amended by this Ordinance and identified as "Urban Renewal Plan, Inner Harbor East, revised to include Amendment 15, dated March 26, 2007", is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record, available for public inspection and information.

SECTION 3. AND BE IT FURTHER ORDAINED, That if the amended Urban Renewal Plan approved by this Ordinance in any way fails to meet the statutory requirements for the content of a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal plan, those requirements are waived and the amended Urban Renewal Plan approved by this Ordinance is exempted from them.

SECTION 4. AND BE IT FURTHER ORDAINED, That if any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid for any reason, the invalidity does not affect any other provision or any other application of this Ordinance, and for this purpose the provisions of this Ordinance are declared severable.

SECTION 5. AND BE IT FURTHER ORDAINED, That if a provision of this Ordinance concerns the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or safety law or regulation, the applicable provisions shall be construed to give effect to each. However, if the provisions are found to be in irreconcilable conflict, the one that establishes the higher standard for the protection of the public health and safety prevails. If a provision of this Ordinance is found to be in conflict with an existing provision of any other law or regulation that establishes a lower standard for the protection of the public health and safety, the provision of this Ordinance prevails and the other conflicting provision is repealed to the extent of the conflict.

SECTION 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 13, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-471
(Council Bill 07-650)**

AN ORDINANCE CONCERNING

Ticket Resales Near Stadiums – Repeal of Prohibition

FOR the purpose of repealing the prohibition against reselling, in certain proximity to certain venues, tickets to events at those venues.

BY repealing

Article 19 - Police Ordinances
Section(s) 48-2
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 19. Police Ordinances

Subtitle 48. Sporting Events

[§ 48-2. Resale near stadiums.

(a) *Prohibited conduct.*

On any public right-of-way within 1 mile of the outer perimeter of the Baltimore Arena or of the Camden Yard Sports Complex (which includes the Orioles' Ballpark and the Ravens' Stadium), a

person may not offer for resale any ticket to any sporting or other event that takes place at the Baltimore Arena or the Camden Yard Sports Complex.

(b) *Enforcement by citation.*

(1) In addition to any other civil or criminal remedy or enforcement procedure, this section may be enforced by issuance of:

(i) an environmental citation under City Code Article 1, Subtitle 40 {"Environmental Control Board"}; or

(ii) a civil citation under City Code Article 1, Subtitle 41 {"Civil Citations"}.

(2) The issuance of a citation to enforce this section does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

(c) *Penalties.*

Any person who violates any provision of this section is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$50 for each offense.]

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved June 13, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-472
(Council Bill 07-654)**

AN ORDINANCE CONCERNING

Minority and Women's Business Program – "Sunset" – Interim Extension

FOR the purpose of postponing, for an interim period, the automatic termination of the Minority and Women's Business Program; providing for a special effective date; and generally relating to minority and women's business enterprises.

BY repealing and reordaining, with amendments

Article 5 - Finance, Property, and Procurement

Section(s) 28-6

Baltimore City Code

(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council finds that the existing disparity study remains a valid factual predicate for the Minority and

Women's Business Program and provides sufficient legal justification for continuing the Program during the interim extension period enacted by this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 5. Finance, Property, and Procurement

Subtitle 28. Minority and Women's Business Enterprises

§ 28-6. Automatic termination.

This subtitle automatically expires on [June] SEPTEMBER 30, 2007, unless the City Council, after causing an appropriate study to be undertaken, conducting public hearings, and hearing testimonial evidence, finds that the purposes identified in this subtitle have not yet been achieved, in which case this subtitle may be extended for 5 more years.

SECTION 3. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 13, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-473
(Council Bill 07-669)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Civic Promotion – \$637,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$637,000 to the MR-Civic Promotion – Program 590 (Civic Promotion), to provide funding to install a kitchen and repack area and to purchase related equipment for the Maryland Food Bank; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2007 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2007 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 9, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$637,000 shall be made available to the MR-Civic Promotion – Program 590 (Civic Promotion) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2007, to provide funding to install a kitchen and repack area and to purchase related equipment for the Maryland Food Bank. The source of revenue for this appropriation is funds from the Fiscal 2007 Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 15, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-474
(Council Bill 06-558)**

AN ORDINANCE CONCERNING

Inclusionary Housing

FOR the purpose of requiring certain residential projects to provide units at affordable ownership costs or affordable rents; defining certain terms; authorizing certain modifications, waivers, or substitutions under certain circumstances; providing for certain cost-offsets for certain purposes; setting certain standards for affordable units; granting the ~~Housing Commissioner~~ City and certain designated housing providers right of first refusal to purchase or rent certain units; requiring the continued affordability of units for a certain period; establishing an Inclusionary Housing Board and providing for its powers and duties; authorizing ~~the Board, the Housing Commissioner, and the Planning Commission~~ to adopt certain rules and regulations; establishing an Inclusionary Housing ~~Trust-Offset~~ Fund for certain purposes and providing for its governance; establishing an inclusionary-housing ~~property-tax credit tax exemption~~, contingent on ~~enactment of~~ State enabling legislation; authorizing certain adjustments to lot area per dwelling requirements; establishing an Inclusionary Housing Overlay Zoning District for certain rezoned properties; providing for certain special effective dates; requiring reauthorization of this Ordinance; and generally relating to the promotion of affordable residential units.

BY adding

Article 13 - Housing and Urban Renewal
 Sections 2B-1 through 2B-72, to be under the new subtitle designation,
 “Subtitle 2B. Inclusionary Housing Requirements”
 Baltimore City Code
 (Edition 2000)

BY adding

Article 28 - Taxes
 Section ~~10-16~~ 9-6
 Baltimore City Code
 (Edition 2000)

BY adding

Article - Zoning
 Section 3-206 and Sections 8-501 through 8-506, to be under the new
 subtitle designation, “Subtitle 5. Inclusionary Housing Overlay District”
 Baltimore City Revised Code
 (Edition 2000)

BY repealing and reordaining, with amendments

Article - Zoning
 Sections 9-210(a), 9-310(a), and 9-410(a)
 Baltimore City Revised Code
 (Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 13. Housing and Urban Renewal

SUBTITLE 2B. INCLUSIONARY HOUSING REQUIREMENTS

PART I. DEFINITIONS; GENERAL PROVISIONS

§ 2B-1. DEFINITIONS – GENERAL.

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) *BOARD.*

“BOARD” MEANS THE INCLUSIONARY HOUSING BOARD ESTABLISHED BY THIS SUBTITLE.

(C) *DEVELOPER.*

“DEVELOPER” MEANS ANY PERSON, FIRM, PARTNERSHIP, ASSOCIATION, JOINT VENTURE, CORPORATION, OR OTHER ENTITY OR COMBINATION OF ENTITIES THAT UNDERTAKES A RESIDENTIAL PROJECT.

(D) *HOUSING COMMISSIONER.*

“HOUSING COMMISSIONER” MEANS THE COMMISSIONER OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER’S DESIGNEE.

(E) *HOUSING FUNDS.*

“HOUSING FUNDS” MEANS FEDERAL, STATE, OR CITY FUNDS DESIGNATED EXPLICITLY FOR THE PURPOSE OF PROVIDING AFFORDABLE HOUSING.

(F) ~~(E)~~ *INCLUDES; INCLUDING.*

“INCLUDES” OR “INCLUDING” MEANS BY WAY OF ILLUSTRATION AND NOT BY WAY OF LIMITATION.

(G) ~~(F)~~ *MAJOR PUBLIC SUBSIDY.*

(1) *IN GENERAL.*

“MAJOR PUBLIC SUBSIDY” MEANS THE ~~NEGOTIATED~~ PROVISION BY THE CITY OR ANY OF ITS AGENTS OR CONTRACTORS OF FUNDS, RESOURCES, OR FINANCIAL ASSISTANCE FOR A RESIDENTIAL ~~MIXED-INCOME~~ PROJECT THAT NEEDS THESE FUNDS, RESOURCES, OR ASSISTANCE TO PROCEED.

(2) *INCLUSIONS.*

“MAJOR PUBLIC SUBSIDY” INCLUDES:

- (I) THE SALE OR TRANSFER OF LAND SUBSTANTIALLY BELOW ITS APPRAISED VALUE;
- (II) PAYMENT IN LIEU OF TAXES;
- (III) TAX INCREMENT FINANCING;
- (IV) GRANTS OR LOANS THAT EQUAL OR EXCEED 15% OF TOTAL PROJECTED PROJECT COSTS;
OR
- (V) EXCEPT AS SPECIFIED IN PARAGRAPH (3) OF THIS SUBSECTION, INSTALLATION OR REPAIR OF PHYSICAL INFRASTRUCTURE DIRECTLY RELATED TO THE RESIDENTIAL PROJECT AND WITH VALUE EQUAL TO OR EXCEEDING 5% OF TOTAL PROJECTED PROJECT COSTS.

(3) *EXCLUSIONS.*

“MAJOR PUBLIC SUBSIDY” DOES NOT INCLUDE:

- (I) INFRASTRUCTURE REPAIRS OR IMPROVEMENTS UNDERTAKEN AS PART OF A REGULARLY PLANNED PROGRAM; OR
- (II) HOUSING FUNDS.

(H) ~~(G)~~ *NEIGHBORHOOD.*

“NEIGHBORHOOD” MEANS AN AREA DELINEATED BY COMMONLY ACCEPTED BOUNDARY, AS DETERMINED BY THE PLANNING DIRECTOR.

(I) ~~(H)~~ PLANNING DIRECTOR.

“PLANNING DIRECTOR” MEANS THE DIRECTOR OF THE DEPARTMENT OF PLANNING OR THE DIRECTOR’S DESIGNEE.

(J) ~~(I)~~ RESIDENTIAL PROJECT.

“RESIDENTIAL PROJECT” MEANS ANY NEW CONSTRUCTION OR ANY SUBSTANTIAL RENOVATION OF AN EXISTING BUILDING THAT IS DESIGNED, IN WHOLE OR IN PART, TO PROVIDE RESIDENTIAL UNITS.

(K) SIGNIFICANT LAND USE AUTHORIZATION.

“SIGNIFICANT LAND USE AUTHORIZATION” MEANS THE ADOPTION OF A PLANNED UNIT DEVELOPMENT OR A LEGISLATIVELY APPROVED AMENDMENT TO A PLANNED UNIT DEVELOPMENT, EITHER OF WHICH INCREASES THE PERMISSIBLE NUMBER OF RESIDENTIAL UNITS BY 30 OR MORE UNITS ABOVE THE NUMBER PERMITTED BEFORE ADOPTION OF THE PLANNED UNIT DEVELOPMENT OR AMENDMENT.

(L) ~~(J)~~ SIGNIFICANT RAZORING.

~~“SIGNIFICANT RAZORING” MEANS ANY RAZORING, ADOPTION OR CHANGE IN A PLANNED UNIT DEVELOPMENT, OR CHANGE IN AN URBAN RENEWAL PLAN:~~

~~(1) THAT INCREASES THE NUMBER OF RESIDENTIAL UNITS ALLOWED; AND~~

~~(2) ON THE AUTHORITY OF WHICH A RESIDENTIAL PROJECT PROPOSES TO INCLUDE MORE UNITS THAN WERE PERMITTED BEFORE THE RAZORING OR CHANGE.~~

“SIGNIFICANT RAZORING” MEANS ANY RAZORING THAT PERMITS RESIDENTIAL UNITS WHERE NONE WERE PERMITTED PREVIOUSLY.

(M) SUBSTANTIAL RENOVATION.

“SUBSTANTIAL RENOVATION” MEANS A RENOVATION TO A VACANT DWELLING THAT IS NEEDED TO BRING THE DWELLING INTO COMPLIANCE WITH APPLICABLE LOCAL LAWS AND REGULATIONS.

(N) VACANT DWELLING.

“VACANT DWELLING” MEANS RESIDENTIAL REAL PROPERTY THAT:

(1) HAS BEEN VACANT OR ABANDONED FOR 1 YEAR, AS CITED ON A VIOLATION NOTICE ISSUED UNDER THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY; OR

(2) HAS BEEN OWNED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY FOR 1 YEAR AND IS IN NEED OF SUBSTANTIAL RENOVATION.

§ 2B-2. DEFINITIONS – MANDATORY, PROHIBITORY, AND PERMISSIVE TERMS.

(A) MANDATORY TERMS.

“MUST” AND “SHALL” ARE EACH MANDATORY TERMS USED TO EXPRESS A REQUIREMENT OR TO IMPOSE A DUTY.

(B) *PROHIBITORY TERMS.*

“MUST NOT”, “MAY NOT”, AND “NO ... MAY” ARE EACH MANDATORY NEGATIVE TERMS USED TO ESTABLISH A PROHIBITION.

(C) *PERMISSIVE TERMS.*

“MAY” IS PERMISSIVE.

§ 2B-3. DEFINITIONS – AFFORDABILITY STANDARDS.(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS RELATING TO AFFORDABILITY STANDARDS HAVE THE MEANINGS INDICATED.

~~(B) *AFFORDABLE OWNERSHIP COST: LOW AND MODERATE*~~

~~“AFFORDABLE OWNERSHIP COST” MEANS A SALES PRICE THAT REQUIRES A MONTHLY PAYMENT, INCLUDING MORTGAGE PRINCIPAL AND INTEREST, TAXES, INSURANCE, AND HOMEOWNER ASSOCIATION FEES AND OTHER ASSESSMENTS, AS FOLLOWS:~~

~~(1) FOR A “LOW AFFORDABLE OWNERSHIP COST”, NOT MORE THAN 1/12 OF 30% OF 80% OF THE AMI, ADJUSTED FOR HOUSEHOLD SIZE; AND~~

~~(2) FOR A “MODERATE AFFORDABLE OWNERSHIP COST”, MORE THAN 1/12 OF 30% OF 80% OF THE AMI, ADJUSTED FOR HOUSEHOLD SIZE, BUT NO MORE THAN 1/12 OF 30% OF 120% OF THE AMI, ADJUSTED FOR HOUSEHOLD SIZE.~~

~~(C) *AFFORDABLE RENT: LOW AND MODERATE.*~~

~~“AFFORDABLE RENT” MEANS A MONTHLY PAYMENT FOR LEASE, SUBLET, LET, OR OTHER RIGHTS TO OCCUPY A RESIDENTIAL UNIT, AS FOLLOWS:~~

~~(1) FOR A “LOW AFFORDABLE RENT”, NOT MORE THAN 1/12 OF 30% OF 60% OF THE AMI, ADJUSTED FOR HOUSEHOLD SIZE, LESS A REASONABLE ALLOWANCE FOR UTILITIES; AND~~

~~(2) FOR A “MODERATE AFFORDABLE RENT”, MORE THAN 1/12 OF 30% OF 60% OF THE AMI, ADJUSTED FOR HOUSEHOLD SIZE, BUT NO MORE THAN 1/12 OF 30% OF 120% OF THE AMI, ADJUSTED FOR HOUSEHOLD SIZE, LESS A REASONABLE ALLOWANCE FOR UTILITIES.~~

~~(B) *AFFORDABLE HOUSING COST: EXTREMELY LOW, VERY LOW, LOW, AND MODERATE.*~~

~~(1) AN “EXTREMELY LOW” HOUSING COST EQUALS AN AMOUNT NOT MORE THAN 1/12 OF 30% OF 30% OF THE AMI, ADJUSTED FOR HOUSEHOLD SIZE.~~

~~(2) A “VERY LOW” HOUSING COST EQUALS AN AMOUNT GREATER THAN 1/12 OF 30% OF 30% OF THE AMI, BUT NOT MORE THAN 1/12 OF 30% OF 60% OF THE AMI, ADJUSTED FOR HOUSEHOLD SIZE.~~

~~(3) A “LOW” HOUSING COST EQUALS AN AMOUNT GREATER THAN 1/12 OF 30% OF 60% OF THE AMI, BUT NOT MORE THAN 1/12 OF 30% OF 80% OF THE AMI, ADJUSTED FOR HOUSEHOLD SIZE.~~

- (4) A “MODERATE” HOUSING COST EQUALS AN AMOUNT GREATER THAN 1/12 OF 30% OF 80% OF THE AMI, BUT NOT MORE THAN 1/12 OF 30% OF 120% OF THE AMI, ADJUSTED FOR HOUSEHOLD SIZE.

(C) ~~(D)~~ AFFORDABLE UNIT.

“AFFORDABLE UNIT” MEANS A RESIDENTIAL UNIT THAT IS REQUIRED BY THIS SUBTITLE TO BE PROVIDED AT AN ~~AFFORDABLE RENT OR AFFORDABLE OWNERSHIP COST~~ EXTREMELY LOW, VERY LOW, LOW, OR MODERATE AFFORDABLE HOUSING COST.

(D) ~~(E)~~ AMI.

“AMI” MEANS THE AREA MEDIAN INCOME FOR THE ~~AREA~~ METROPOLITAN REGION THAT ENCOMPASSES BALTIMORE CITY, AS PUBLISHED AND ANNUALLY UPDATED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

(E) ~~(F)~~ ELIGIBLE HOUSEHOLD.

~~“ELIGIBLE HOUSEHOLD” MEANS A HOUSEHOLD THAT EARNS:~~

- ~~(1) FOR A MODERATE AFFORDABLE OWNERSHIP OR MODERATE AFFORDABLE RENT, NOT MORE THAN 120% OF THE AMI, ADJUSTED FOR HOUSEHOLD SIZE;~~
- ~~(2) FOR A LOW AFFORDABLE OWNERSHIP COST, NOT MORE THAN 80% OF THE AMI, ADJUSTED FOR HOUSEHOLD SIZE; AND~~
- ~~(3) FOR A LOW AFFORDABLE RENT, NOT MORE THAN 60% OF THE AMI.~~

“ELIGIBLE HOUSEHOLD” MEANS:

- (1) FOR A UNIT PROVIDED AT AN EXTREMELY LOW HOUSING COST, A HOUSEHOLD HAVING AN INCOME AT OR BELOW 30% AMI;
- (2) FOR A UNIT PROVIDED AT A VERY LOW HOUSING COST, A HOUSEHOLD HAVING AN INCOME GREATER THAN 30% BUT NOT MORE THAN 60% AMI;
- (3) FOR A UNIT PROVIDED AT A LOW HOUSING COST, A HOUSEHOLD HAVING AN INCOME GREATER THAN 60% BUT NOT MORE THAN 80% AMI; AND
- (4) FOR A UNIT PROVIDED AT A MODERATE HOUSING COST, A HOUSEHOLD HAVING AN INCOME GREATER THAN 80% BUT NOT MORE THAN 120% AMI.

(F) HOUSING COST.

“HOUSING COST” MEANS:

- (1) FOR OWNERSHIP UNITS, A SALES PRICE THAT REQUIRES A MONTHLY PAYMENT, INCLUDING MORTGAGE PRINCIPAL AND INTEREST, TAXES, INSURANCE, HOMEOWNER ASSOCIATION FEES, AND OTHER ASSESSMENTS; AND
- (2) FOR RENTAL UNITS, A MONTHLY PAYMENT FOR LEASE, SUBLET, LET, OR OTHER RIGHTS TO OCCUPY A RESIDENTIAL UNIT.

(G) *MARKET RATE.*

“MARKET RATE” MEANS NOT RESTRICTED TO AN AFFORDABLE RENT OR AFFORDABLE OWNERSHIP COST.

§ 2B-4. FINDINGS AND POLICY.

(A) *IN GENERAL.*

THE MAYOR AND CITY COUNCIL OF BALTIMORE FINDS AS FOLLOWS.

(B) *BENEFITS OF ECONOMIC DIVERSITY.*

ECONOMIC DIVERSITY IN OUR NEIGHBORHOODS, ANCHORED BY A STRONG AND STABLE MIDDLE CLASS AND INCLUDING HOMES FOR THE FULL RANGE OF THE CITY’S WORKFORCE, AS WELL AS FOR SENIORS AND OTHERS ON FIXED INCOMES, WILL STIMULATE ECONOMIC INVESTMENT, PROMOTE NEIGHBORHOOD STABILITY, AND INCREASE PUBLIC SAFETY FOR ALL.

(C) *LIMITATIONS OF PRIVATE SECTOR.*

THE PRIVATE SECTOR, AS THE PRIMARY SOURCE OF HOUSING AND ECONOMIC DEVELOPMENT ACTIVITY IN BALTIMORE CITY, IS NOT SOLELY, THROUGH ITS INDIVIDUAL DEVELOPMENT ACTIONS, ABLE TO CREATE ECONOMICALLY DIVERSE NEIGHBORHOODS OR DEVELOPMENTS OR TO DEVELOP HOUSING FOR THE BROAD RANGE OF INCOMES THAT WILL LEAD TO ECONOMIC DIVERSITY.

(D) *CAPABILITIES OF CITY.*

(1) BALTIMORE CITY CAN PROVIDE BENEFITS TO THE PRIVATE SECTOR, TO PROMOTE ECONOMIC DIVERSITY AND HOUSING FOR A BROAD RANGE OF INCOMES IN NEIGHBORHOODS AND RESIDENTIAL DEVELOPMENTS, IN A MANNER THAT RECOGNIZES THE CENTRAL ROLE THAT PRIVATE INVESTMENT MUST PLAY FOR THE CONTINUED GROWTH AND WELL-BEING OF THE CITY, INCLUDING THE OPPORTUNITY TO EARN REASONABLE AND CUSTOMARY LEVELS OF PROFITABILITY.

(2) THESE BENEFITS INCLUDE:

(I) THE DISPOSITION OF PUBLICLY OWNED LAND;

(II) THE EXPENDITURE OF PUBLIC FUNDS, INCLUDING STATE AND FEDERAL FUNDS UNDER THE CITY’S CONTROL;

(III) TAX RELIEF; AND

(IV) THE ADOPTION OF LAND USE STANDARDS THAT PROMOTE THE INCLUSION OF AFFORDABLE HOMES.

(E) *CITY POLICY.*

IT IS THE POLICY OF BALTIMORE CITY TO ENCOURAGE ECONOMIC DIVERSITY AND BALANCED NEIGHBORHOODS BY ~~ENSURING~~ PROMOTING THE INCLUSION OF HOUSING OPPORTUNITIES FOR RESIDENTS WITH A BROAD RANGE OF INCOMES IN ALL RESIDENTIAL PROJECTS THAT CONTAIN 30 OR MORE RESIDENTIAL UNITS.

(F) NO ADDITIONAL FINANCIAL BURDENS.

THIS SUBTITLE IS NOT INTENDED TO IMPOSE ADDITIONAL FINANCIAL BURDENS ON A DEVELOPER OR A RESIDENTIAL PROJECT. RATHER, THE INTENT OF THIS SUBTITLE IS THAT THE COST OFFSETS AND OTHER INCENTIVES AUTHORIZED UNDER IT WILL FULLY OFFSET ANY FINANCIAL IMPACT RESULTING FROM THE INCLUSIONARY REQUIREMENTS IMPOSED.

§ 2B-5. RULES OF CONSTRUCTION.(A) IN GENERAL.

IN THIS SUBTITLE, THE FOLLOWING RULES OF CONSTRUCTION APPLY.

(B) MORE STRINGENT PROVISIONS APPLY.

FOR RESIDENTIAL PROJECTS SUBJECT TO FEDERAL, STATE, OR OTHER LOCAL AFFORDABLE HOUSING REQUIREMENTS IMPOSING AN AFFORDABILITY RESTRICTION, IF THE TERMS OF THIS SUBTITLE REGARDING THE LENGTH OF A RESTRICTION OR THE LEVEL OF AFFORDABILITY ARE MORE STRINGENT THAN THE APPLICABLE FEDERAL, STATE, OR OTHER LOCAL REQUIREMENTS, THE TERMS OF THIS SUBTITLE APPLY.

(C) APPLYING PERCENTAGES.

IN APPLYING PERCENTAGES REFERRED TO IN THIS SUBTITLE:

- (1) ANY PORTION OF A PERCENT LESS THAN ONE-HALF IS DISREGARDED; AND
- (2) ANY PORTION OF A PERCENT ONE-HALF OR GREATER IS ROUNDED UP TO THE NEXT WHOLE NUMBER.

§ 2B-6. SCOPE AND APPLICABILITY.(A) INCENTIVES NOT MADE AVAILABLE.

IF COST OFFSETS AND OTHER INCENTIVES ARE NOT MADE AVAILABLE TO A RESIDENTIAL PROJECT IN ACCORDANCE WITH THIS SUBTITLE, THE RESIDENTIAL PROJECT IS NOT SUBJECT TO THE REQUIREMENTS OF THIS SUBTITLE.

(B) CITY'S OBLIGATIONS.

- (1) WHENEVER A RESIDENTIAL PROJECT IS GRANTED A WAIVER OR IS OTHERWISE EXEMPT FROM THIS SUBTITLE, THE CITY IS NOT REQUIRED TO PROVIDE RESOURCES TO THE PROJECT OR TO THE INCLUSIONARY HOUSING OFFSET FUND.
- (2) THIS SUBTITLE DOES NOT OBLIGATE THE CITY TO EXPEND OR COMMIT ANY FUNDS BEYOND THAT WHICH MAY BE APPROPRIATED THROUGH THE ANNUAL ORDINANCE OF ESTIMATES.

(C) INCENTIVES INSUFFICIENT TO OFFSET FINANCIAL IMPACT.

NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, IF THE HOUSING COMMISSIONER DETERMINES THAT THE COST OFFSETS OR OTHER INCENTIVES AVAILABLE TO A RESIDENTIAL PROJECT ARE INSUFFICIENT TO OFFSET THE FINANCIAL IMPACT ON THE DEVELOPER OF PROVIDING THE AFFORDABLE UNITS REQUIRED BY THIS SUBTITLE:

(1) THE HOUSING COMMISSIONER SHALL EITHER:(I) EXEMPT THE RESIDENTIAL PROJECT FROM THIS SUBTITLE; OR(II) MODIFY THE NUMBER OF AFFORDABLE UNITS REQUIRED SO THAT THE COST OFFSETS OR OTHER INCENTIVES AVAILABLE ARE SUFFICIENT TO OFFSET THE FINANCIAL IMPACT; AND(2) NEITHER THE DEVELOPER NOR THE HOUSING COMMISSIONER NEED OBTAIN THE APPROVAL OF THE BOARD OF ESTIMATES FOR A MODIFICATION OR WAIVER UNDER THIS SUBTITLE.(D) SUBSIDIZED PROJECT.A RESIDENTIAL PROJECT IS EXEMPT FROM THIS SUBTITLE IF:(1) IT IS SUBSIDIZED BY A PUBLIC PROGRAM; AND(2) IT SATISFIES THE AFFORDABILITY REQUIREMENTS OF § 2B-21(B) OF THIS SUBTITLE.**§ 2B-7 § 2B-6. RULES AND REGULATIONS.**(A) IN GENERAL.

THE HOUSING COMMISSIONER, IN CONSULTATION WITH THE INCLUSIONARY HOUSING BOARD, THE HOUSING COMMISSIONER, AND THE PLANNING COMMISSION, MUST EACH ADOPT RULES AND REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE ~~FOR WHICH THEY ARE RESPONSIBLE.~~

(B) SCOPE – GENERAL.

THESE RULES AND REGULATIONS MAY INCLUDE PROVISIONS FOR:

- (1) DEFINING, CLARIFYING, OR CONSTRUING TERMS USED IN THIS SUBTITLE;
- (2) SETTING OR REFINING STANDARDS FOR MODIFICATIONS OR WAIVERS;
- (3) DETERMINING ELIGIBILITY TO PURCHASE OR RENT AFFORDABLE UNITS; AND
- (4) SETTING STANDARDS FOR SALE OR RENTAL PRICES FOR AFFORDABLE UNITS.

(C) SCOPE – REQUIRING TIMELY RESPONSE.(1) THE RULES AND REGULATIONS MUST(I) REQUIRE THE INCLUSIONARY HOUSING BOARD, THE HOUSING COMMISSIONER, AND THE PLANNING DEPARTMENT TO PROVIDE TIMELY AND DEFINITIVE RESPONSES TO ALL SUBMISSIONS REQUIRED FROM A DEVELOPER UNDER THIS SUBTITLE; AND(II) ASSURE TO THE GREATEST EXTENT PRACTICABLE THAT THE COMPLETION OF RESIDENTIAL PROJECTS IS NOT DELAYED BY IMPLEMENTATION OF THIS SUBTITLE.(2) DETERMINATIONS BY THE HOUSING COMMISSIONER REGARDING THE SUFFICIENCY OF POTENTIAL COST OFFSETS AND OTHER INCENTIVES MUST BE MADE WITHIN 45 DAYS FROM SUBMISSION BY A

DEVELOPER, IN ACCORDANCE WITH THIS SUBTITLE, OF A RESIDENTIAL PROJECT TO THE HOUSING COMMISSIONER, PLANNING DEPARTMENT, OR OTHER BODY, AS REQUIRED.

(D) SCOPE – WRITTEN COMMITMENTS.

THE RULES AND REGULATIONS MUST ASSURE THAT THE CITY EVIDENCES IN WRITING ITS DECISIONS TO PROVIDE COST OFFSETS OR OTHER INCENTIVES TO A DEVELOPER OR RESIDENTIAL PROJECT UNDER THIS SUBTITLE.

(E) ~~(C)~~ ADVERTISING FOR COMMENT.

(1) ~~ALL~~ A NOTICE OF THE PROPOSED ADOPTION OF ALL RULES AND REGULATIONS ~~PROPOSED FOR ADOPTION~~ UNDER THIS SUBTITLE MUST BE ADVERTISED IN A NEWSPAPER OF GENERAL CIRCULATION AT LEAST 45 DAYS BEFORE THEIR PROPOSED ADOPTION.

(2) THE ADVERTISEMENT MUST INCLUDE:

- (I) A ~~DESCRIPTION~~ SUMMARY OF THE PROPOSED RULES AND REGULATIONS; AND
- (II) INFORMATION ON HOW A PERSON CAN:
 - (A) OBTAIN A COPY OF THE PROPOSED RULES AND REGULATIONS; AND
 - (B) SUBMIT COMMENTS ON THEM BEFORE THEIR ADOPTION.

(F) ~~(D)~~ FILING WITH LEGISLATIVE REFERENCE.

A COPY OF ALL RULES AND REGULATIONS ADOPTED UNDER THIS SECTION MUST BE FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY BECOME EFFECTIVE.

§§ 2B-8 ~~2B-7~~ TO 2B-10. {RESERVED}

PART II. INCLUSIONARY HOUSING BOARD

§ 2B-11. BOARD ESTABLISHED.

THERE IS AN INCLUSIONARY HOUSING BOARD.

§ 2B-12. COMPOSITION.

(A) *IN GENERAL.*

THE BOARD COMPRISES THE FOLLOWING 11 MEMBERS:

- (1) 9 MEMBERS APPOINTED BY THE MAYOR AND CONFIRMED BY THE CITY COUNCIL IN ACCORDANCE WITH CITY CHARTER ARTICLE IV, § 6;
- (2) THE HOUSING COMMISSIONER; AND
- (3) THE PLANNING DIRECTOR.

(B) *QUALIFICATIONS – GENERAL.*

OF THE 9 MEMBERS APPOINTED BY THE MAYOR:

- (1) 1 MUST BE A REPRESENTATIVE OF A NONPROFIT ENTITY THAT PROVIDES HOUSING SERVICES IN THE CITY.
- (2) 1 MUST BE A NEIGHBORHOOD ASSOCIATION LEADER.
- (3) 1 MUST BE A CIVIL ENGINEER PRACTICING IN THE CITY.
- (4) 1 MUST BE AN ARCHITECT PRACTICING IN THE CITY.
- (5) 1 MUST BE A LENDER EXPERIENCED IN LENDING PRACTICES FOR RESIDENTIAL PROJECTS.
- (6) 1 MUST BE A BUILDER OR DEVELOPER IN THE CITY OF SINGLE-FAMILY DETACHED OR ATTACHED DWELLINGS.
- (7) 1 MUST BE A BUILDER OR DEVELOPER IN THE CITY OF MULTIPLE-FAMILY DWELLINGS.
- (8) 1 MUST BE A REPRESENTATIVE OF A NONPROFIT ENTITY THAT ADVOCATES FOR AFFORDABLE HOUSING IN THE CITY.
- (9) 1 MUST BE A REPRESENTATIVE OF A LABOR UNION THAT REPRESENTS MUNICIPAL OR OTHER WORKERS IN THE CITY.

(C) *QUALIFICATIONS – RESIDENCY.*

- (1) ~~AT LEAST A MAJORITY~~ ALL OF THE MEMBERS MUST BE RESIDENTS OF THE CITY.
- (2) AT LEAST 1 MEMBER MUST BE A MEMBER OF AN EXTREMELY LOW OR VERY LOW INCOME HOUSEHOLD.

§ 2B-13. BOARD OFFICERS; EXPENSES.

(A) *CHAIR.*

- (1) THE MAYOR DESIGNATES 1 OF THE APPOINTED MEMBERS TO BE THE CHAIR OF THE BOARD.
- (2) THE BOARD MAY APPOINT A VICE-CHAIR AND OTHER OFFICERS AS NECESSARY OR APPROPRIATE.

(B) *COMPENSATION.*

THE MEMBERS OF THE BOARD:

- (1) RECEIVE NO COMPENSATION FOR SERVICES RENDERED AS MEMBERS OF THE BOARD; BUT
- (2) ARE ENTITLED TO REIMBURSEMENT FOR NECESSARY AND PROPER EXPENSES INCURRED IN PERFORMING THEIR DUTIES AS A MEMBER.

§ 2B-14. MEETINGS; QUORUM; VOTING.(A) *MEETINGS.*

THE BOARD MEETS ON THE CALL OF THE CHAIR AS FREQUENTLY AS REQUIRED TO PERFORM ITS DUTIES.

(B) *QUORUM.*

A MAJORITY OF THE MEMBERS CONSTITUTES A QUORUM FOR THE TRANSACTION OF BUSINESS.

(c) *VOTING.*

AN AFFIRMATIVE VOTE OF AT LEAST A MAJORITY OF A QUORUM IS NEEDED FOR ANY OFFICIAL ACTION.

§ 2B-15. STAFF.

THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT MUST PROVIDE STAFF FOR THE BOARD.

§ 2B-16. ANNUAL REPORT.(A) *REQUIRED.*

ON OR BEFORE ~~DECEMBER~~ OCTOBER 31 OF EACH YEAR, THE BOARD MUST SUBMIT A REPORT TO THE MAYOR AND THE CITY COUNCIL AND TO THE PLANNING COMMISSION THAT ASSESSES EFFORTS DURING THE PRECEDING FISCAL YEAR TO CREATE AND SUSTAIN INCLUSIONARY HOUSING IN THE CITY.

(B) *CONTENTS GENERALLY.*

THE REPORT MUST INCLUDE:

- (1) THE TOTAL NUMBER AND PROPORTION (AS TO THE TOTAL OF ALL HOUSING UNITS DEVELOPED) OF AFFORDABLE HOUSING UNITS GENERATED UNDER THIS SUBTITLE;
- (2) THE NUMBER AND PROPORTION GENERATED UNDER EACH OF THE VARIOUS PROVISIONS OF THIS SUBTITLE (E.G., MAJOR PUBLIC SUBSIDY OR SIGNIFICANT RAZORING);
- (3) THE NUMBER AND PROPORTION GENERATED AT VARIOUS AFFORDABLE COSTS;
- (4) A LIST AND DESCRIPTION OF ALL WAIVERS, MODIFICATIONS, OR VARIANCES REQUESTED, GRANTED, AND DENIED UNDER THIS SUBTITLE, WITH A SUMMARY OF THE REASONS FOR GRANTING OR DENYING EACH REQUEST;
- ~~(5) THE PERCENT OF CITY RESIDENTS WHO ARE HOUSING BURDENED (HOMEOWNER AND RENTAL);~~
- (5) ~~(6)~~ AN ESTIMATE OF THE PERCENT OF UNITS IN THE CITY THAT ARE OCCUPIED;
- (6) ~~(7)~~ THE AMOUNT AND PERCENT OF RESIDENTIAL PROPERTY TAX-BASE INCREASE;
- (7) ~~(8)~~ THE PERCENT OF HOUSEHOLDS THAT THE CITY HAS RETAINED;
- (8) ~~(9)~~ AN ESTIMATE OF THE GROWTH IN CITY HOUSEHOLDS;

~~(9) (10)~~ THE NUMBER OF UNITS FOR WHICH THE ~~HOUSING COMMISSIONER~~ CITY OR ELIGIBLE HOUSING PROVIDERS HAD A RIGHT OF FIRST REFUSAL UNDER § 2B-34 {"RIGHT OF FIRST REFUSAL"} OR § 2B-52(C) {"RESALES DURING AFFORDABILITY PERIOD – FIRST REFUSAL"}, AND THE NUMBER OF THOSE UNITS ON WHICH THAT RIGHT WAS EXERCISED;

~~(10) (11)~~ RECOMMENDATIONS MADE BY THE BOARD UNDER § 2B-66B {"ADMINISTRATION: BOARD TO ADVISE"} ON PRIORITIES FOR WHICH INCLUSIONARY ~~TRUST~~ HOUSING OFFSET FUND MONEY IS BEST USED; AND

~~(11) (12)~~ A SUMMARY OF ALL INFORMATION FOR THE FISCAL YEAR THAT THE INCLUSIONARY ~~TRUST~~ HOUSING OFFSET FUND SUBMITS TO THE BOARD UNDER § 2B-67 {"REPORTING TO BOARD"}.

(C) *TARGETS.*

FOR EACH OF THE MEASURES LISTED IN SUBSECTION (B) OF THIS SECTION, THE REPORT ~~MUST~~ MAY ALSO SPECIFY TARGETS THAT THE CITY SHOULD SEEK TO ACHIEVE IN ENSUING FISCAL YEARS.

§ 2B-17. DUTIES.

IN ADDITION TO THE OTHER DUTIES SPECIFIED ELSEWHERE IN THIS SUBTITLE, THE BOARD IS RESPONSIBLE FOR:

- (1) REVIEWING ~~AND APPROVING OR DISAPPROVING, AS APPROPRIATE,~~ REQUESTS FOR MODIFICATIONS OR WAIVERS UNDER § 2B-21 {"PROJECT RECEIVING MAJOR PUBLIC SUBSIDY"}, § 2B-22 {"PROJECT BENEFITTING FROM SIGNIFICANT LAND USE AUTHORIZATION OR RAZORING"}, AND § 2B-23 {"OTHER PROJECTS – 30 OR MORE UNITS"} AND ADVISING THE HOUSING COMMISSIONER WITHIN 20 DAYS OF REFERRAL BY THE COMMISSIONER, IN A MANNER DETERMINED BY THE BOARD;
- ~~(2) REVIEWING AND APPROVING OR DISAPPROVING, AS APPROPRIATE, REQUESTS FOR OFF-SITE SUBSTITUTIONS UNDER PART V {"OFF-SITE SUBSTITUTION"}; AND~~
- ~~(2) (3)~~ ADVISING THE HOUSING COMMISSIONER AND THE PLANNING DIRECTOR IN THE PERFORMANCE OF THEIR RESPECTIVE DUTIES UNDER THIS SUBTITLE.

§§ 2B-18 TO 2B-20. {RESERVED}

PART III. INCLUSIONARY REQUIREMENTS

§ 2B-21. PROJECT RECEIVING MAJOR PUBLIC SUBSIDY.

(A) *APPLICABILITY OF SECTION.*

THIS SECTION APPLIES TO ANY RESIDENTIAL PROJECT THAT:

- (1) PROVIDES 30 OR MORE RESIDENTIAL UNITS; AND
- (2) RECEIVES A MAJOR PUBLIC SUBSIDY.

(B) *AFFORDABLE UNITS REQUIRED.*

- (1) IN EVERY RESIDENTIAL PROJECT SUBJECT TO THIS SECTION, AT LEAST 20% OF ALL RESIDENTIAL UNITS MUST BE AFFORDABLE UNITS.

~~(2) OF THESE AFFORDABLE UNITS:~~~~(i) AT LEAST HALF OF THEM MUST BE PROVIDED TO ELIGIBLE HOUSEHOLDS AT A LOW AFFORDABLE OWNERSHIP COST OR LOW AFFORDABLE RENT; AND~~~~(ii) THE OTHERS MAY BE PROVIDED TO ELIGIBLE HOUSEHOLDS AT A MODERATE AFFORDABLE OWNERSHIP COST OR MODERATE AFFORDABLE RENT.~~(2) (I) FOR RENTAL UNITS:

1. AT LEAST 30% MUST BE PROVIDED TO ELIGIBLE HOUSEHOLDS AT AN EXTREMELY LOW RENTAL COST;
2. AT LEAST 25% MUST BE PROVIDED TO ELIGIBLE HOUSEHOLDS AT OR BELOW A VERY LOW RENTAL COST;
3. AT LEAST 25% MUST BE PROVIDED TO ELIGIBLE HOUSEHOLDS AT OR BELOW A LOW RENTAL COST; AND
4. THE REMAINDER MUST BE PROVIDED TO ELIGIBLE HOUSEHOLDS AT A RENTAL COST THAT DOES NOT EXCEED 1/12 OF 30% OF 100% OF THE AMI.

(II) FOR OWNERSHIP UNITS:

1. AT LEAST 25% MUST BE PROVIDED TO ELIGIBLE HOUSEHOLDS AT A VERY LOW OWNERSHIP COST;
2. AT LEAST 50% MUST BE PROVIDED TO ELIGIBLE HOUSEHOLDS AT A LOW OWNERSHIP COST; AND
3. THE REMAINDER MUST BE PROVIDED TO ELIGIBLE HOUSEHOLDS AT A MODERATE OWNERSHIP COST.

(C) CASH SUBSIDIES.

IF THE HOUSING COMMISSIONER DETERMINES THAT THE MAJOR PUBLIC SUBSIDY IS INSUFFICIENT TO OFFSET THE FINANCIAL IMPACT ON THE DEVELOPER OF PROVIDING THE AFFORDABLE UNITS REQUIRED BY THIS SUBTITLE, THE CITY MAY GRANT A CASH SUBSIDY TO THE DEVELOPER FROM THE INCLUSIONARY HOUSING OFFSET FUND OR OTHER AVAILABLE SOURCES IN AN AMOUNT SUFFICIENT TO OFFSET THE FINANCIAL IMPACT.

(D) MODIFICATIONS OR WAIVERS – HOUSING COMMISSIONER.

IF THE HOUSING COMMISSIONER DETERMINES THAT THE MAJOR PUBLIC SUBSIDY OR CASH SUBSIDIES AVAILABLE TO A RESIDENTIAL PROJECT ARE INSUFFICIENT TO OFFSET THE FINANCIAL IMPACT ON THE DEVELOPER OF PROVIDING THE AFFORDABLE UNITS REQUIRED BY THIS SUBTITLE:

(1) THE HOUSING COMMISSIONER SHALL EITHER:

- (I) EXEMPT THE RESIDENTIAL PROJECT FROM THIS SUBTITLE; OR

(II) MODIFY THE NUMBER OF AFFORDABLE UNITS REQUIRED SO THAT THE MAJOR PUBLIC SUBSIDY OR CASH SUBSIDIES AVAILABLE ARE SUFFICIENT TO OFFSET THE FINANCIAL IMPACT; AND

(2) NEITHER THE DEVELOPER NOR THE HOUSING COMMISSIONER NEED OBTAIN THE APPROVAL OF THE BOARD OF ESTIMATES FOR A MODIFICATION OR WAIVER UNDER THIS SUBSECTION.

(E) ~~(c)~~ MODIFICATIONS OR WAIVERS – BOARD OF ESTIMATES.

- (1) ~~IN HIS OR HER OWN DISCRETION, IN~~ ADDITION TO THE MODIFICATIONS AND WAIVERS PROVIDED FOR IN SUBSECTION (D) OF THIS SECTION, THE HOUSING COMMISSIONER, WITH APPROVAL FROM THE BOARD OF ESTIMATES, MAY ~~APPLY TO THE INCLUSIONARY HOUSING BOARD TO~~ GRANT A MODIFICATION OF OR A WAIVER FROM THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION IF THE FINDINGS REQUIRED BY PARAGRAPH (3) OF THIS SUBSECTION ARE MADE.
- (2) ~~THE APPLICATION~~ HOUSING COMMISSIONER MUST STATE THE REASONS ~~THE HOUSING COMMISSIONER THAT HE OR SHE~~ BELIEVES THAT GRANTING THE MODIFICATION OR WAIVER WOULD FURTHER THE GOAL OF INCREASING INCLUSIONARY HOUSING IN BALTIMORE CITY.
- (3) ~~THE BOARD~~ HOUSING COMMISSIONER AND THE BOARD OF ESTIMATES MAY GRANT THE MODIFICATION OR WAIVER IF ~~IT FINDS~~ THEY FIND THAT:
 - (I) HOMES WILL BE PROVIDED FOR FAMILIES IN A MIXED-INCOME SETTING AT LOWER AFFORDABILITY LEVELS THAN THOSE REQUIRED UNDER THIS SECTION;
 - (II) BECAUSE OF LIMITED CITY RESOURCES, MORE AFFORDABLE UNITS IN MIXED-INCOME HOUSING WILL BE CREATED OVER A 2-YEAR PERIOD THAN WOULD BE CREATED IF THE MODIFICATION OR WAIVER WERE NOT GRANTED;
 - (III) MORE EFFECTIVE USE OF ~~ALTERNATE~~ PUBLIC PROGRAMS OR SOURCES OF SUBSIDY WILL ~~BE MADE TO FURTHER~~ BETTER ADDRESS MIXED-INCOME HOUSING IN BALTIMORE CITY; OR
 - (IV) THE MODIFICATION OR WAIVER WILL PROMOTE THE CREATION OF UNITS THAT ARE MORE EXPENSIVE TO CONSTRUCT THAN TYPICAL UNITS BECAUSE THEY ARE SPECIALLY DESIGNED AND DESIGNATED FOR PEOPLE WITH DISABILITIES OR BUILT TO BE SUBSTANTIALLY MORE ENERGY EFFICIENT THAN CUSTOMARY UNITS.
- (4) ~~THE BOARD~~ HOUSING COMMISSIONER MUST:
 - (I) ISSUE A WRITTEN DECISION ON THE APPLICATION WITHIN 45 DAYS OF ITS RECEIPT;
 - ~~(II) PROVIDE A COPY OF THAT DECISION TO:~~
 - ~~(A) THE HOUSING COMMISSIONER;~~
 - ~~(B) THE PLANNING DIRECTOR; AND~~
 - ~~(C) THE CITY COUNCIL; AND~~
 - (II) ~~(III)~~ POST A COPY OF THE DECISION ON THE CITY'S WEBSITE.

(F) INVESTMENT THRESHOLD.

(1) "ADDITIONAL COST" MEANS THE DIFFERENCE IN THE AMOUNT OF MAJOR PUBLIC SUBSIDY FOR AN ENTIRE DEVELOPMENT BETWEEN WHAT WOULD BE REQUIRED TO MAKE THE DEVELOPMENT FEASIBLE WITH THE AFFORDABLE UNITS REQUIRED BY THIS SUBSECTION COMPARED TO THE AMOUNT OF MAJOR PUBLIC SUBSIDY THAT WOULD BE REQUIRED TO MAKE THE DEVELOPMENT FEASIBLE IF IT DID NOT INCLUDE THE AFFORDABLE UNITS REQUIRED BY THIS SUBSECTION.

(2) IN THIS SUBSECTION, "INVESTMENT THRESHOLD" PER UNIT MEANS THE ADDITIONAL COST PER AFFORDABLE UNIT OF CREATING INCLUSIONARY UNITS AT A GIVEN INCOME TIER AS DETAILED BELOW:

(I) FOR RENTAL DEVELOPMENT:

<u>UNITS AT OR BELOW EXTREMELY LOW COST</u>	<u>\$125,000</u>
<u>UNITS AT OR BELOW VERY LOW COST</u>	<u>\$100,000</u>
<u>UNITS AT OR BELOW LOW COST</u>	<u>\$ 50,000</u>
<u>UNITS AT OR BELOW MODERATE COST</u>	<u>\$ 25,000</u>

(II) FOR OWNERSHIP DEVELOPMENT:

<u>UNITS AT OR BELOW VERY LOW COST OR EXTREMELY LOW COST</u>	<u>\$125,000</u>
<u>UNITS AT OR BELOW LOW COST</u>	<u>\$100,000</u>
<u>UNITS AT OR BELOW MODERATE COST</u>	<u>\$ 50,000</u>

(3) IF THE HOUSING COMMISSIONER DETERMINES THAT THE ADDITIONAL COST PER AFFORDABLE UNIT EXCEEDS THE BASIC INVESTMENT THRESHOLD, THE HOUSING COMMISSIONER SHALL, EXCEPT BY MUTUAL AGREEMENT OF THE CITY AND THE DEVELOPER:

(I) EXEMPT THE RESIDENTIAL PROJECT FROM THE REQUIREMENT TO PROVIDE AFFORDABLE UNITS; AND

(II) REQUIRE THE DEVELOPER TO DEPOSIT INTO THE INCLUSIONARY HOUSING OFFSET FUND AN AMOUNT EQUAL TO THE LESSER OF THE FOLLOWING AMOUNTS, BUT ONLY IF THE MAJOR PUBLIC SUBSIDY HAS BEEN INCREASED TO FULLY OFFSET THE COST TO THE DEVELOPER OF MAKING THE DEPOSIT:

(A) THE BASIC PER UNIT INVESTMENT THRESHOLD AS INDICATED IN THIS SUBSECTION;
OR

(B) 20% OF THE ADDITIONAL COST THAT WOULD HAVE BEEN REQUIRED TO ACHIEVE THE AFFORDABILITY TARGETS SPECIFIED IN § 2B-21(B)(2) OF THIS SUBTITLE.

§ 2B-22. PROJECT BENEFITTING FROM SIGNIFICANT LAND USE AUTHORIZATION OR RAZORING.**(A) APPLICABILITY OF SECTION.**

THIS SECTION APPLIES TO ANY RESIDENTIAL PROJECT THAT:

- (1) PROVIDES 30 OR MORE RESIDENTIAL UNITS; AND
- (2) IS WHOLLY OR PARTIALLY ON PROPERTY FOR WHICH THERE HAS BEEN:
 - (I) A SIGNIFICANT LAND USE AUTHORIZATION; OR
 - (II) A SIGNIFICANT RAZORING.

(B) AFFORDABLE UNITS REQUIRED.

- (1) IN EVERY RESIDENTIAL PROJECT SUBJECT TO THIS SECTION, AT LEAST ~~20%~~10% OF ALL RESIDENTIAL UNITS MUST BE AFFORDABLE UNITS.
- (2) OF THESE AFFORDABLE UNITS:
 - (I) AT LEAST HALF ~~OF THEM~~ MUST BE PROVIDED TO ELIGIBLE HOUSEHOLDS AT OR BELOW A LOW AFFORDABLE OWNERSHIP COST OR LOW AFFORDABLE RENT COST FOR OWNERSHIP UNITS OR AT OR BELOW A VERY LOW AFFORDABLE COST FOR RENTAL UNITS; AND
 - (II) THE OTHERS MAY BE PROVIDED TO ELIGIBLE HOUSEHOLDS AT A MODERATE AFFORDABLE OWNERSHIP COST OR MODERATE AFFORDABLE RENT.

(C) DENSITY BONUSES.

THE RESIDENTIAL PROJECT MAY APPLY TO THE BOARD OF MUNICIPAL AND ZONING APPEALS TO RECEIVE BONUS UNITS UP TO 20% OF THE UNITS OTHERWISE ALLOWED IN THE RESIDENTIAL PROJECT, COMPUTED AS SET FORTH IN ZONING CODE § 3-206, BUT ONLY IF THE HOUSING COMMISSIONER FIRST DETERMINES THAT THE RESIDENTIAL PROJECT:

- (1) WOULD NOT BE ECONOMICALLY FEASIBLE IF IT PROVIDED THE NUMBER OF INCLUSIONARY UNITS REQUIRED BY THIS SUBTITLE, BUT
- (2) WOULD BE ECONOMICALLY FEASIBLE IF IT PROVIDED THE NUMBER OF INCLUSIONARY UNITS REQUIRED BY THIS SUBTITLE AND RECEIVED THE DENSITY BONUS DESCRIBED IN THIS SUBSECTION.

(D) EXEMPTION.

- (1) A RESIDENTIAL PROJECT IS EXEMPT FROM THE REQUIREMENTS OF THIS SUBTITLE IF:
 - (I) THE BOARD OF MUNICIPAL AND ZONING APPEALS DENIES THE DENSITY BONUS DESCRIBED IN SUBSECTION (C) OF THIS SECTION; OR
 - (II) THE HOUSING COMMISSIONER DETERMINES THAT THE PROJECT WOULD NOT BE ECONOMICALLY FEASIBLE IF IT PROVIDED THE NUMBER OF INCLUSIONARY UNITS REQUIRED BY THIS SUBTITLE, EVEN IF THE PROJECT RECEIVED THE DENSITY BONUS DESCRIBED IN SUBSECTION (C) OF THIS SECTION.

- (2) NEITHER THE DEVELOPER NOR THE HOUSING COMMISSIONER NEED OBTAIN THE APPROVAL OF THE BOARD OF ESTIMATES FOR AN EXEMPTION UNDER THIS SUBSECTION.

~~(E)~~ ~~(e)~~ *MODIFICATIONS OR WAIVERS.*

- (1) ~~ON APPLICATION BY A DEVELOPER TO THE INCLUSIONARY HOUSING BOARD, THE BOARD IN~~ ADDITION TO THE EXEMPTION PROVIDED FOR IN SUBSECTION (D) OF THIS SECTION, THE HOUSING COMMISSIONER, WITH APPROVAL FROM THE BOARD OF ESTIMATES, MAY GRANT A MODIFICATION OF OR A WAIVER FROM THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION IF THE ~~BOARD~~ HOUSING COMMISSIONER FINDS THAT:

- (I) HOMES WILL BE PROVIDED FOR FAMILIES AT LOWER AFFORDABILITY LEVELS IN A MIXED-INCOME SETTING THAN THOSE REQUIRED UNDER THIS SECTION;
- (II) THE DEVELOPMENT WOULD NOT BE ECONOMICALLY FEASIBLE ~~IN GIVEN~~ EXISTING MARKET CONDITIONS WITH THE NUMBER OF INCLUSIONARY UNITS REQUIRED UNDER THIS SECTION, ADDITIONAL DENSITY BONUSES ARE NOT AVAILABLE, AND GRANTING A MODIFICATION OR WAIVER WOULD CREATE MORE AFFORDABLE UNITS IN MIXED-INCOME HOUSING OVER A 2-YEAR PERIOD THAN WOULD BE CREATED IF THE MODIFICATION OR WAIVER WERE NOT GRANTED ; OR
- (III) THE MODIFICATION OR WAIVER WILL PROMOTE THE CREATION OF UNITS THAT ARE MORE EXPENSIVE TO CONSTRUCT THAN TYPICAL UNITS BECAUSE THEY ARE SPECIALLY DESIGNED AND DESIGNATED FOR PEOPLE WITH DISABILITIES OR BUILT TO BE SUBSTANTIALLY MORE ENERGY EFFICIENT THAN CUSTOMARY UNITS.

- (2) ~~THE BOARD~~ HOUSING COMMISSIONER MUST:

- (I) ~~ISSUE A WRITTEN DECISION ON THE APPLICATION RECOMMENDATION TO THE BOARD OF ESTIMATES~~ WITHIN 45 DAYS OF IT'S THE APPLICATION'S RECEIPT; AND
- (II) ~~PROVIDE A COPY OF THAT DECISION~~ RECOMMENDATION TO:
 - (A) ~~THE HOUSING COMMISSIONER~~ INCLUSIONARY HOUSING BOARD;
 - (B) THE PLANNING DIRECTOR; AND
 - (C) THE CITY COUNCIL; AND

- (3) WHEN THE BOARD OF ESTIMATES ISSUES ITS DECISION, THE HOUSING COMMISSIONER MUST:

- (I) PROVIDE A COPY OF THAT DECISION TO:
 - (A) THE INCLUSIONARY HOUSING BOARD;
 - (B) THE PLANNING DIRECTOR; AND
 - (C) THE CITY COUNCIL; AND
- (II) POST A COPY OF THE DECISION ON THE CITY'S WEBSITE.

§ 2B-23. OTHER PROJECTS – 30 OR MORE UNITS.*(A) APPLICABILITY OF SECTION.*

THIS SECTION APPLIES TO ANY RESIDENTIAL PROJECT THAT:

- (1) PROVIDES 30 OR MORE RESIDENTIAL UNITS; AND
- (2) IS NOT OTHERWISE SUBJECT TO § 2B-21 {"PROJECT RECEIVING MAJOR PUBLIC SUBSIDY"} OR § 2B-22 {"PROJECT BENEFITTING FROM SIGNIFICANT LAND USE AUTHORIZATION OR RAZORING"}

(B) AFFORDABLE UNITS REQUIRED.

- (1) IN EVERY RESIDENTIAL PROJECT SUBJECT TO THIS SECTION, 10% OF ALL RESIDENTIAL UNITS MUST BE AT AN AFFORDABLE COST FOR HOUSEHOLDS EARNING NOT MORE THAN 120% OF THE AMI PROVIDED TO ELIGIBLE HOUSEHOLDS AT OR BELOW A MODERATE AFFORDABLE COST.
- (2) THE RESIDENTIAL PROJECT IS ENTITLED TO A CERTAIN COST-OFFSETS, AS PROVIDED IN THIS SECTION, SUBJECT TO THE AVAILABILITY OF CITY FUNDS TO PROVIDE THESE COST OFFSETS.
- ~~(3) ADDITIONAL COST-OFFSETS ARE MADE AVAILABLE, AS PROVIDED IN THIS SECTION AND SUBJECT TO THE AVAILABILITY OF FUNDS, TO ENCOURAGE THE PROVISION OF ADDITIONAL AFFORDABLE UNITS OR UNITS TARGETED TO A LOWER INCOME LEVEL.~~
- (3)-(I) THE EXTENT TO WHICH FUNDS ARE AVAILABLE SHALL BE DETERMINED BY THE HOUSING COMMISSIONER IN ACCORDANCE WITH ANY MAXIMUM LIMITS SET IN THE ORDINANCE OF ESTIMATES.
- (II) THE DEVELOPER OF A PROJECT SUBJECT TO THIS SECTION SHALL BE INFORMED ~~AT THE TIME OF SITE PLAN REVIEW WHETHER THE CITY HAS THE FUNDS AVAILABLE TO PROVIDE COST OFFSETS UNDER THIS SECTION. IF NO COST OFFSETS ARE AVAILABLE, THE REQUIREMENT TO PROVIDE AFFORDABLE UNITS DO NOT APPLY~~ NO LATER THAN THE TIME OF A PRE-DEVELOPMENT MEETING WITH THE PLANNING DEPARTMENT WHETHER THE CITY HAS THE FUNDS AVAILABLE IN THE INCLUSIONARY HOUSING OFFSET FUND TO PROVIDE CASH SUBSIDIES UNDER THIS SECTION.

~~(C) COST-OFFSETS FOR OWNERSHIP AND RENTAL UNITS:~~~~(1) POINTS MATRIX:~~

- ~~(i) A DEVELOPER SUBJECT TO THIS SECTION ACCRUES POINTS FOR AN ENTIRE RESIDENTIAL PROJECT BASED ON INCOME AFFORDABILITY LEVELS, IN ACCORDANCE WITH THE FOLLOWING TABLE:~~

<u>AFFORDABILITY LEVEL</u>				
60%	80%	100%	120%	
<u>AMI</u>	<u>AMI</u>	<u>AMI</u>	<u>AMI</u>	
10% OF UNITS	9 POINTS	6 POINTS	4 POINTS	3 POINTS

- ~~(H) THE HOUSING COMMISSIONER MUST ADD AN ADDITIONAL POINT TO EACH ITEM ON THE TABLE FOR EACH FULL PERCENTAGE POINT INCREASE IN THE PRIME INTEREST RATE ABOVE 7.0%.~~

~~(2) ALLOCATION OF POINTS—IN GENERAL.~~

- ~~(I) A DEVELOPER MAY ALLOCATE THE POINTS ACCRUED UNDER SUBSECTION (C) OF THIS SECTION AMONG THE FOLLOWING COST OFFSETS, IN ACCORDANCE WITH THE POINT VALUES SPECIFIED FOR THESE COST OFFSETS.~~

- ~~(II) EACH COST OFFSET MAY BE USED ONLY ONCE ON ANY GIVEN RESIDENTIAL PROJECT.~~

~~(3) ALLOCATION—OWNERSHIP UNITS.~~

~~THE FOLLOWING COST OFFSETS ARE AVAILABLE FOR ALL OWNERSHIP UNITS IN A DEVELOPMENT:~~

<u>COST OFFSET</u>	<u>POINT VALUES</u>
REBATE AT CLOSING EQUAL TO AMOUNT OF THE CITY TRANSFER AND RECORDATION TAXES PAID ON SALES OF ALL UNITS OF THE DEVELOPMENT	2
A DIRECT CASH SUBSIDY OF \$30,000 PER AFFORDABLE UNIT	1
WAIVER OF THE FEES ON, OR ALLOCABLE PRO RATA TO, ALL UNITS IN THE RESIDENTIAL PROJECT FOR THE FOLLOWING: BUILDING PERMITS, STREET CLOSINGS, BUILDING INSPECTIONS, DEVELOPMENT IMPACT FEES, AND CONTRACTOR PERMITS	1

~~(4) ALLOCATION—NOT MORE THAN 80%/60% AMI.~~

- ~~(I) THE FOLLOWING COST OFFSETS ARE AVAILABLE ONLY IF ALL OF THE AFFORDABLE UNITS ARE AT AN AFFORDABLE OWNERSHIP COST OF NOT MORE THAN 80% OF THE AMI OR AT AN AFFORDABLE RENT OF NOT MORE THAN 60% OF THE AMI:~~

<u>COST OFFSET</u>	<u>POINT VALUES</u>
BONUS UNITS EQUAL TO 20% OF THE UNITS ORIGINALLY ALLOWED IN THE RESIDENTIAL PROJECT, COMPUTED AS SET FORTH IN CITY ZONING CODE § 3-206	6
BONUS UNITS EQUAL TO 10% OF THE UNITS ORIGINALLY ALLOWED IN THE RESIDENTIAL PROJECT, COMPUTED AS SET FORTH IN CITY ZONING CODE § 3-206	3

- ~~(II) THE NUMBER OF AFFORDABLE UNITS REQUIRED IS 10% OF ALL UNITS, INCLUDING BONUS UNITS.~~

(C) COST OFFSETS.

- (1) IF ALL OF THE AFFORDABLE UNITS PROVIDED UNDER THIS SECTION ARE AT OR BELOW A LOW AFFORDABLE HOUSING COST, THE RESIDENTIAL PROJECT MAY APPLY TO THE BOARD OF MUNICIPAL AND ZONING APPEALS FOR BONUS UNITS EQUAL TO 20% OF THE UNITS OTHERWISE ALLOWED IN THE RESIDENTIAL PROJECT, COMPUTED AS SET FORTH IN THE CITY ZONING CODE,

§ 3-206. IN THAT CASE, THE NUMBER OF AFFORDABLE UNITS REQUIRED IS 10% OF ALL UNITS, INCLUDING BONUS UNITS.

- (2) IF THE BOARD OF MUNICIPAL AND ZONING APPEALS DENIES THE DENSITY BONUS DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION OR THE HOUSING COMMISSIONER DETERMINES THAT THE BONUS UNITS PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION ARE INSUFFICIENT TO OFFSET THE FINANCIAL IMPACT ON THE DEVELOPER OF PROVIDING THE AFFORDABLE UNITS REQUIRED BY THIS SUBTITLE, THE CITY MAY PROVIDE CASH SUBSIDIES TO THE DEVELOPER FROM THE INCLUSIONARY HOUSING OFFSET FUND OR OTHER AVAILABLE SOURCES IN AN AMOUNT SUFFICIENT TO OFFSET THE FINANCIAL IMPACT.

(D) MODIFICATIONS OR WAIVERS – HOUSING COMMISSIONER.

IF THE HOUSING COMMISSIONER DETERMINES THAT THE DENSITY BONUS AND CASH SUBSIDIES AVAILABLE TO A RESIDENTIAL PROJECT ARE INSUFFICIENT TO OFFSET THE FINANCIAL IMPACT ON THE DEVELOPER OF PROVIDING THE AFFORDABLE UNITS REQUIRED BY THIS SUBTITLE:

- (1) THE HOUSING COMMISSIONER SHALL EITHER:

(I) EXEMPT THE RESIDENTIAL PROJECT FROM THIS SUBTITLE; OR

(II) MODIFY THE NUMBER OF AFFORDABLE UNITS REQUIRED SO THAT THE DENSITY BONUS OR CASH SUBSIDIES AVAILABLE ARE SUFFICIENT TO OFFSET THE FINANCIAL IMPACT; AND

- (2) NEITHER THE DEVELOPER NOR THE HOUSING COMMISSIONER NEED OBTAIN THE APPROVAL OF THE BOARD OF ESTIMATES FOR A MODIFICATION OR WAIVER UNDER THIS SUBSECTION.

~~(D) COST-OFFSETS FOR RENTAL UNITS.~~

~~A DEVELOPER PROVIDING AFFORDABLE RENTAL UNITS UNDER THIS SECTION IS ENTITLED TO THE FOLLOWING COST-OFFSETS, SUBJECT TO ANY MAXIMUM TOTAL AMOUNT OF TAX CREDITS ENACTED AS PART OF THE ORDINANCE OF ESTIMATES..~~

- ~~(1) FOR DEVELOPMENTS PROVIDING RENTAL UNITS AT OR BELOW A MODERATE AFFORDABLE RENT, THE DEVELOPER IS ENTITLED TO A PROPERTY TAX CREDIT EQUAL TO THE REDUCTION IN NET OPERATING INCOME ATTRIBUTABLE TO AFFORDABLE HOUSING UNITS, UP TO A MAXIMUM OF 20% OF THE AFFORDABLE HOUSING UNITS, AS PROVIDED IN CITY CODE ARTICLE 28, § 10-16.~~

- ~~(2) FOR DEVELOPMENTS PROVIDING RENTAL UNITS AT OR BELOW A LOW AFFORDABLE RENT, THE DEVELOPER IS ENTITLED TO A PROPERTY TAX CREDIT EQUAL TO 110% OF THE REDUCTION IN NET OPERATING INCOME ATTRIBUTABLE TO AFFORDABLE HOUSING UNITS, UP TO A MAXIMUM OF 20% OF THE AFFORDABLE HOUSING UNITS, AS PROVIDED IN CITY CODE ARTICLE 28, § 10-16.~~

(E) MODIFICATIONS OR WAIVERS – BOARD OF ESTIMATES.

- (1) ~~ON~~ IN ADDITION TO THE EXEMPTION PROVIDED FOR IN SUBSECTION (D) OF THIS SECTION, ON APPLICATION BY A DEVELOPER TO THE ~~INCLUSIONARY HOUSING BOARD~~ HOUSING COMMISSIONER, THE ~~BOARD~~ COMMISSIONER WITH APPROVAL FROM THE BOARD OF ESTIMATES MAY GRANT A MODIFICATION OF OR A WAIVER FROM THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION IF ~~THE BOARD FINDS~~ THEY FIND THAT:

- (I) EVEN IF WITH AVAILABLE COST OFFSETS, THE ECONOMIC RETURN TO THE DEVELOPER FOR THE ENTIRE DEVELOPMENT WOULD BE LESS THAN IT WOULD BE ABSENT A REQUIREMENT FOR AFFORDABLE UNITS;
 - (II) EXCEPTIONALLY HIGH ONGOING OCCUPANCY COSTS MAKE IT INFEASIBLE TO INCLUDE AFFORDABLE UNITS ON THE SITE; OR
 - (III) IN A NEIGHBORHOOD THAT COMPRISES PRIMARILY LOW- AND MODERATE-COST HOUSING AND FOR WHICH A DEVELOPMENT PLAN FOR MIXED-INCOME (INCLUDING AFFORDABLE) HOUSING HAS BEEN ADOPTED BY THE PLANNING COMMISSION, THE DEVELOPER'S PROJECT FULFILLS THAT PART OF THE PLAN THAT CALLS FOR MARKET-RATE HOUSING.
- (2) ~~THE BOARD~~ HOUSING COMMISSIONER MUST:
- (I) ISSUE A WRITTEN DECISION ON THE APPLICATION WITHIN 45 DAYS OF ITS RECEIPT;
 - (II) PROVIDE A COPY OF THAT DECISION TO:
 - (A) ~~THE HOUSING COMMISSIONER~~ INCLUSIONARY HOUSING BOARD;
 - (B) THE PLANNING DIRECTOR; AND
 - (C) THE CITY COUNCIL; AND
 - (III) POST A COPY OF THE DECISION ON THE CITY'S WEBSITE.

(F) INVESTMENT THRESHOLD.

- (1) IF THE COST OFFSETS THAT WOULD NEED TO BE PROVIDED UNDER THIS SECTION EXCEED THE PER UNIT INVESTMENT THRESHOLD AMOUNTS SPECIFIED BELOW, THE HOUSING COMMISSIONER, IN HIS OR HER DISCRETION, MAY OPT NOT TO REQUIRE AFFORDABLE UNITS IN THE DEVELOPMENT.

(2) INVESTMENT THRESHOLD FOR RENTAL DEVELOPMENT:

<u>UNITS AT OR BELOW VERY LOW COST</u>	<u>\$115,000</u>
<u>UNITS AT OR BELOW MODERATE COST</u>	<u>\$ 40,000</u>

(3) INVESTMENT THRESHOLD FOR OWNERSHIP DEVELOPMENT:

<u>UNITS AT OR BELOW LOW COST</u>	<u>\$110,000</u>
<u>UNITS AT OR BELOW MODERATE COST</u>	<u>\$ 50,000</u>

§ 2B-24. OTHER PROJECTS – LESS THAN 30 UNITS.

A DEVELOPER OF A PROJECT WITH LESS THAN 30 RESIDENTIAL UNITS MAY REQUEST THE HOUSING COMMISSIONER ~~FOR TO PROVIDE~~ COST OFFSETS UNDER § 2B-23 {“OTHER PROJECTS – 30 OR MORE UNITS”} IF THE DEVELOPER VOLUNTARILY INCLUDES AFFORDABLE HOUSING IN THE PROJECT IN ACCORDANCE WITH SUBSECTION ~~(C)~~ (B) OF THAT SECTION.

§§ 2B-25 TO 2B-30. {RESERVED}

PART IV. STANDARDS FOR AFFORDABLE UNITS**§ 2B-31. COMPARABLE DESIGN.****(A) *IN GENERAL.***

THE AFFORDABLE UNITS REQUIRED BY THIS SUBTITLE ~~MUST BE~~:

- (1) MUST BE COMPLEMENTARY TO THE MARKET RATE UNITS IN THE SAME PROJECT AS TO THEIR EXTERIOR APPEARANCE ; ~~AND~~
- (2) MUST BE COMPARABLE TO THE MARKET RATE UNITS IN THE SAME PROJECT AS TO:
 - (I) NUMBER OF BEDROOMS; AND
 - (II) OVERALL QUALITY OF CONSTRUCTION; AND
- (3) MAY VARY IN SIZE AND FINISH, CONSISTENT WITH STANDARDS SET FORTH IN THE HOUSING COMMISSIONER'S RULES AND REGULATIONS.

(B) *VARIANCE.*

- (1) THE DEVELOPER MAY REQUEST A VARIANCE FROM THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION BY SUBMITTING A WRITTEN REQUEST TO THE HOUSING COMMISSIONER.
- (2) THE HOUSING COMMISSIONER MAY APPROVE A REQUEST IF THE COMMISSIONER DETERMINES, IN HER OR HIS SOLE DISCRETION, THAT THE AFFORDABLE UNITS ARE OF GOOD QUALITY AND CONSISTENT WITH CONTEMPORARY STANDARDS FOR NEW HOUSING.
- (3) THE HOUSING COMMISSIONER MUST ISSUE A WRITTEN DECISION ON THE REQUEST WITHIN 45 DAYS OF ITS RECEIPT.
- (4) THE HOUSING COMMISSIONER MUST PERIODICALLY REPORT TO THE INCLUSIONARY HOUSING BOARD ON ALL APPLICATIONS MADE UNDER THIS SUBSECTION AND THEIR DISPOSITION.

§ 2B-32. PLACEMENT.**(A) *IN GENERAL.***

THE AFFORDABLE UNITS REQUIRED BY THIS SUBTITLE MUST BE DISPERSED THROUGHOUT THE RESIDENTIAL PROJECT.

(B) *VARIANCE.*

- (1) THE DEVELOPER MAY REQUEST A VARIANCE FROM THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION BY SUBMITTING A WRITTEN REQUEST TO THE ~~PLANNING DIRECTOR~~ HOUSING COMMISSIONER TO CLUSTER AFFORDABLE UNITS WITHIN THE PROJECT.
- (2) WITHIN 45 DAYS OF THE REQUEST, THE ~~PLANNING DIRECTOR~~ HOUSING COMMISSIONER MUST, IN HIS OR HER SOLE DISCRETION, PROVIDE A WRITTEN DETERMINATION AS TO WHETHER THE PROPOSAL ADEQUATELY DEMONSTRATES THAT:
 - (I) THE PROPOSED DESIGN MEETS THE GOALS OF THIS SUBTITLE; AND

(II) A VARIANCE SHOULD BE ALLOWED.

(3) THE HOUSING COMMISSIONER MUST PERIODICALLY REPORT TO THE INCLUSIONARY HOUSING BOARD ON ALL APPLICATIONS MADE UNDER THIS SUBSECTION AND THEIR DISPOSITION.

§ 2B-33. SIMULTANEOUS OFFERING.

(A) *IN GENERAL.*

THE AFFORDABLE UNITS REQUIRED BY THIS SUBTITLE MUST BE CONSTRUCTED AND COMPLETED IN THE SAME TIME FRAME AS THE MARKET RATE UNITS IN THE PROJECT.

(B) *VARIANCE.*

(1) THE DEVELOPER MAY REQUEST A VARIANCE FROM THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION BY SUBMITTING A WRITTEN REQUEST TO THE HOUSING COMMISSIONER.

(2) THE HOUSING COMMISSIONER MAY APPROVE A REQUEST IF:

(I) THE COMMISSIONER DETERMINES, IN HER OR HIS SOLE DISCRETION, THAT THE PROVISION OF AFFORDABLE UNITS WILL NOT BE ADVERSELY AFFECTED OR DELAYED BY THE VARIANCE; OR

(II) AFFORDABLE UNITS ARE TO BE PROVIDED OFF-SITE UNDER PART V OF THIS SUBTITLE.

(3) THE HOUSING COMMISSIONER MUST ISSUE A WRITTEN DECISION ON THE REQUEST WITHIN 45 DAYS OF ITS RECEIPT.

(4) THE HOUSING COMMISSIONER MUST PERIODICALLY REPORT TO THE INCLUSIONARY HOUSING BOARD ON ALL APPLICATIONS MADE UNDER THIS SUBSECTION AND THEIR DISPOSITION.

§ 2B-34. RIGHT OF FIRST REFUSAL.

(A) *IN GENERAL.*

~~THE HOUSING COMMISSIONER~~ CITY AND DESIGNATED HOUSING PROVIDERS HAVE A RIGHT OF FIRST REFUSAL TO PURCHASE OR RENT UP TO ONE-THIRD OF AFFORDABLE UNITS PROVIDED IN A RESIDENTIAL PROJECT UNDER THIS SUBTITLE.

(B) *DESIGNATED HOUSING PROVIDERS.*

(1) FROM TIME TO TIME, THE HOUSING COMMISSIONER MAY DESIGNATE HOUSING PROVIDERS AUTHORIZED TO PURCHASE OR RENT AFFORDABLE UNITS UNDER THIS SECTION, ACCORDING TO REGULATION AND PROCEDURES ADOPTED BY THE COMMISSIONER.

(2) ~~TO BE ELIGIBLE FOR THIS DESIGNATION, A HOUSING PROVIDER MUST DEMONSTRATE ITS FINANCIAL ABILITY TO ACQUIRE AND TO SATISFACTORILY OPERATE, MAINTAIN, AND MANAGE AFFORDABLE UNITS ON A LONG-TERM BASIS.~~ THE CITY OR DESIGNATED HOUSING PROVIDERS MAY RENT OR RESELL UNITS ACQUIRED UNDER THIS SECTION TO ELIGIBLE HOUSEHOLDS.

(C) TIME FOR EXERCISE.

THE CITY OR DESIGNATED HOUSING PROVIDER MUST DECIDE WHETHER TO EXERCISE ITS RIGHT OF FIRST REFUSAL WITHIN 45 DAYS OF SUBMISSION BY A DEVELOPER, PURSUANT TO THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE, OF AN OFFER TO SELL THE AFFORDABLE UNITS.

~~(3) IN SELECTING AMONG VARIOUS HOUSING PROVIDERS, THE HOUSING COMMISSIONER MAY CONSIDER:~~

- ~~(i) THE RELATIVE NEEDS AND REQUIREMENTS OF THE PROVIDERS AND THEIR CLIENTELE;~~
- ~~(ii) THE READINESS AND ABILITY OF A HOUSING PROVIDER TO ACQUIRE AND OPERATE, MAINTAIN, AND MANAGE AFFORDABLE UNITS; AND~~
- ~~(iii) THE NUMBER OF UNITS PREVIOUSLY OBTAINED BY A HOUSING PROVIDER.~~

~~(C) OFFERING AGREEMENT.~~

~~(1) THE DEVELOPER OF A RESIDENTIAL PROJECT PROVIDING AFFORDABLE UNITS UNDER THIS SUBTITLE MUST PROVIDE THE HOUSING COMMISSIONER WITH AN OFFERING AGREEMENT THAT CONTAINS DETAILED INFORMATION ABOUT THE DEVELOPMENT AND THE AFFORDABLE UNITS.~~

~~(2) ON RECEIPT OF THIS INFORMATION, THE COMMISSIONER MUST:~~

- ~~(i) NOTIFY ALL DESIGNATED HOUSING PROVIDERS OF THE OFFERING; AND~~
- ~~(ii) PROVIDE THEM WITH A COPY OF OFFERING AGREEMENT RECEIVED FROM THE DEVELOPER.~~

~~(D) INITIAL RESERVATION.~~

~~(1) WITHIN 21 CALENDAR DAYS FROM RECEIPT OF AN OFFERING AGREEMENT, THE HOUSING COMMISSIONER MUST IDENTIFY TO THE DEVELOPER ANY UNITS THAT THE COMMISSIONER OR DESIGNATED HOUSING PROVIDERS WANT TO RESERVE FOR POSSIBLE ACQUISITION.~~

~~(2) THIS TIME PERIOD MAY BE EXTENDED, AT THE COMMISSIONER'S DISCRETION, IF THE COMMISSIONER REQUIRES MORE TIME IN WHICH TO MAKE A DECISION.~~

~~(E) NOTICE TO ACQUIRE.~~

~~(1) WITHIN 45 DAYS FROM RECEIPT OF AN OFFERING AGREEMENT, THE HOUSING COMMISSIONER AND DESIGNATED HOUSING PROVIDERS MUST NOTIFY THE DEVELOPER OF THEIR RESPECTIVE DECISIONS ON THE ACQUISITION OF THE UNITS THAT HAD BEEN RESERVED.~~

~~(2) DURING THIS 45-DAY PERIOD, THE HOUSING COMMISSIONER IS RESPONSIBLE FOR:~~

- ~~(i) ALL DECISIONS ON UNIT SELECTIONS AND ON THE READINESS AND PRIORITY OF DESIGNATED HOUSING PROVIDERS;~~
- ~~(ii) RESOLUTION OF DISPUTES AMONG DESIGNATED HOUSING PROVIDERS; AND~~
- ~~(iii) COMMUNICATIONS WITH THE DEVELOPER.~~

~~(F) ACQUISITION:~~

- ~~(1) ON RECEIPT OF A NOTICE TO ACQUIRE, THE DEVELOPER MUST DELIVER SALES CONTRACTS OR LEASE AGREEMENTS AT LEAST 90 DAYS BEFORE THE ESTIMATED DELIVERY OF THE UNITS.~~
- ~~(2) THE HOUSING COMMISSIONER AND DESIGNATED HOUSING PROVIDERS MUST EXECUTE AND RETURN THE CONTRACTS OR AGREEMENTS WITHIN 30 DAYS OF THEIR RECEIPT BUT NO LATER THAN 60 DAYS BEFORE THE ESTIMATED DATE OF DELIVERY OF THE UNIT.~~

~~(G) LIMITATIONS ON OPTIONS:~~

- ~~(1) THE HOUSING COMMISSIONER AND DESIGNATED HOUSING PROVIDERS, COLLECTIVELY, MAY NOT:~~
 - ~~(i) PURCHASE OR LEASE MORE THAN ONE-THIRD OF ALL AFFORDABLE UNITS BEING PROVIDED; OR~~
 - ~~(ii) PURCHASE OR LEASE MORE THAN ONE-THIRD OF EACH TYPE OF AFFORDABLE UNIT BEING PROVIDED, UNLESS THE DEVELOPER AND THE COMMISSIONER AGREE TO ANOTHER PERCENTAGE.~~
- ~~(2) FOR PURPOSES OF THIS SUBSECTION, "TYPE OF UNIT" REFERS TO UNITS WITH SUBSTANTIAL DIFFERENCES, SUCH AS:~~
 - ~~(i) END OR INTERIOR UNIT PLACEMENT;~~
 - ~~(ii) NUMBER OF BEDROOMS; AND~~
 - ~~(iii) ARCHITECTURAL FEATURES.~~

~~(H) REPORTS—By COMMISSIONER:~~

~~IF THE HOUSING COMMISSIONER OPTS NOT TO PURCHASE OR LEASE UNITS FOR WHICH HE OR SHE HAS A RIGHT OF FIRST REFUSAL, THE COMMISSIONER MUST SUBMIT TO THE INCLUSIONARY HOUSING BOARD AN EXPLANATION OF WHY HE OR SHE DID NOT EXERCISE THAT RIGHT.~~

~~(I) REPORTS—By DESIGNATED PROVIDERS:~~

- ~~(1) EVERY DESIGNATED HOUSING PROVIDERS MUST SUBMIT A BIENNIAL REPORT TO THE HOUSING COMMISSIONER ON ITS ACTIVITIES UNDER THIS SUBTITLE.~~
- ~~(2) THE REPORT MUST INCLUDE:~~
 - ~~(i) NUMBER OF UNITS CURRENTLY IN THE DESIGNATED HOUSING PROVIDER'S PROGRAM;~~
 - ~~(ii) THE MONTHLY RENTAL RATE FOR EACH UNIT;~~
 - ~~(iii) THE GROSS HOUSEHOLD INCOME AND HOUSEHOLD COMPOSITION OF TENANTS; AND~~
 - ~~(iv) THE NUMBER OF UNITS THAT HAVE BEEN RESOLD AND, FOR EACH OF THESE, THE CIRCUMSTANCES OF THE SALE, THE SALES PRICE OF THE UNIT, AND THE PURCHASER.~~

§ 2B-35. ELIGIBILITY TO PURCHASE OR RENT.**(A) *IN GENERAL.***

THE RULES AND REGULATIONS ADOPTED BY THE HOUSING COMMISSIONER UNDER THIS SUBTITLE MUST INCLUDE PROVISIONS FOR DETERMINING ELIGIBILITY TO PURCHASE OR RENT AFFORDABLE UNITS.

(B) *COUNSELING.*

THESE PROVISIONS MUST REQUIRE APPROPRIATE HOUSING COUNSELING FROM A HUD QUALIFIED COUNSELING AGENCY IN A MANNER DETERMINED BY THE HOUSING COMMISSIONER.

(C) ~~(B)~~ *FIRST PREFERENCE FOR NEIGHBORS, ETC.*

THESE PROVISIONS ~~MUST~~ SHALL ATTEMPT, CONSISTENT WITH OTHER GOVERNING REQUIREMENTS, TO PROVIDE SPECIAL PRIORITY FOR OTHERWISE-QUALIFIED INDIVIDUALS WHO:

- (1) WERE DISPLACED BY THE PROJECT; OR
- (2) RESIDE WITHIN THE SAME NEIGHBORHOOD IN WHICH THE RESIDENTIAL PROJECT IS LOCATED.

§ 2B-36. OWNER-OCCUPANCY OF OWNERSHIP UNITS.

AN AFFORDABLE UNIT THAT IS SOLD UNDER THIS SUBTITLE ~~AT AN AFFORDABLE OWNERSHIP COST TO AN ELIGIBLE HOUSEHOLD~~ MUST BE OWNER-OCCUPIED.

§ 2B-37. MANAGEMENT OF RENTAL UNITS.

AN AFFORDABLE RENTAL UNIT PROVIDED UNDER THIS SUBTITLE MUST BE MANAGED UNDER THE SAME MANAGEMENT STANDARDS AS ALL MARKET-RATE RENTAL UNITS IN THE DEVELOPMENT.

§§ 2B-38 TO 2B-40. *{RESERVED}****PART V. OFF-SITE SUBSTITUTION*****§ 2B-41. “OFF-SITE” DEFINED.**

IN THIS PART V, “OFF-SITE” MEANS OUTSIDE THE METES AND BOUNDS OF THE PROPERTY ON WHICH A RESIDENTIAL PROJECT IS LOCATED.

~~§ 2B-42. SCOPE OF PART.~~

~~THIS PART V APPLIES ONLY TO A RESIDENTIAL PROJECT THAT IS SUBJECT TO:~~

- ~~(1) § 2B-22 {“PROJECT BENEFITTING FROM SIGNIFICANT RAZORING”}; OR~~
- ~~(2) § 2B-23 {“OTHER PROJECTS — 30 OR MORE UNITS”}.~~

§ 2B-42. § 2B-43. IN GENERAL.

THE DEVELOPER OF A RESIDENTIAL PROJECT MAY APPLY TO PROVIDE OFF-SITE AFFORDABLE RESIDENTIAL UNITS IN WHOLE OR PARTIAL SUBSTITUTION FOR THE UNITS REQUIRED BY § 2B-22 {“PROJECT BENEFITTING

FROM SIGNIFICANT LAND-USE AUTHORIZATION OR RAZORING”} OR § 2B-23 {“OTHER PROJECTS – 30 OR MORE UNITS}, AS THE CASE MAY BE.

§ 2B-43. § 2B-44. APPLICATION.

(A) *IN GENERAL.*

THE APPLICATION FOR OFF-SITE UNITS MUST BE MADE TO THE ~~INCLUSIONARY HOUSING BOARD~~
HOUSING COMMISSIONER.

(B) *ACCOMPANYING REPORT.*

THE APPLICATION MUST BE ACCOMPANIED BY A REPORT THAT INCLUDES:

- (1) CONDITIONS AFFECTING THE PROJECT THAT PREVENT THE DEVELOPER FROM MEETING THE REQUIREMENTS OF § 2B-22 {“ PROJECT BENEFITTING FROM SIGNIFICANT LAND USE AUTHORIZATION OR RAZORING”} OR § 2B-23 {“OTHER PROJECTS – 30 OR MORE UNITS}, AS THE CASE MAY BE;
- (2) INDEPENDENT DATA, INCLUDING APPROPRIATE FINANCIAL INFORMATION, THAT SUPPORT THE DEVELOPER’S POSITION THAT CONSTRUCTING THE REQUIRED AFFORDABLE UNITS ON SITE IS NOT FEASIBLE; AND
- (3) AN ANALYSIS OF HOW THE OFF-SITE SUBSTITUTION WILL FURTHER MIXED-INCOME HOUSING OPPORTUNITIES IN THE NEIGHBORHOOD IN WHICH THE RESIDENTIAL PROJECT IS LOCATED.

§ 2B-44. § 2B-45. MINIMUM CRITERIA.

OFF-SITE UNITS MAY BE ALLOWED UNDER THIS PART V ONLY IF:

- (1) THEY WILL BE PROVIDED AT ANOTHER LOCATION IN THE SAME NEIGHBORHOOD OR COMPARABLE CONTIGUOUS GEOGRAPHIC AREA AS THE RESIDENTIAL PROJECT TO WHICH THEY ARE BEING CREDITED, AS DETERMINED BY THE PLANNING DIRECTOR, OR IN A RESIDENTIAL PROJECT APPROVED BY THE HOUSING COMMISSIONER WITHIN 2,000 FEET OF A RAPID TRANSIT STOP; AND
- (2) IN THE AGGREGATE, THE OFF-SITE UNITS AND ANY AFFORDABLE UNITS PROVIDED ON-SITE AT THE RESIDENTIAL PROJECT ARE NO FEWER THAN THE NUMBER OF AFFORDABLE UNITS REQUIRED BY § 2B-22 {“ PROJECT BENEFITTING FROM SIGNIFICANT LAND USE AUTHORIZATION OR RAZORING”} OR § 2B-23 {“OTHER PROJECTS – 30 OR MORE UNITS}, AS THE CASE MAY BE.

§ 2B-45. § 2B-46. BOARD REVIEW REVIEW.

(A) ~~IN GENERAL.~~

~~THE INCLUSIONARY HOUSING BOARD MUST REVIEW EACH REQUEST MADE UNDER THIS PART V.~~

(B) ~~CRITERIA FOR APPROVAL.~~

~~THE BOARD MAY APPROVE A REQUEST IF IT DETERMINES, IN ITS SOLE DISCRETION, THAT THE REQUESTED VARIANCE WILL PROMOTE MIXED-INCOME HOUSING OPPORTUNITIES IN BALTIMORE CITY TO AN EXTENT EQUAL TO OR GREATER THAN COMPLIANCE WITH THIS SUBTITLE.~~

THE HOUSING COMMISSIONER, WITH APPROVAL BY THE BOARD OF ESTIMATES, MAY APPROVE A REQUEST IF THE REQUESTED VARIANCE WILL PROMOTE MIXED-INCOME HOUSING OPPORTUNITIES IN BALTIMORE CITY TO AN EXTENT EQUAL TO OR GREATER THAN COMPLIANCE WITH THIS SUBTITLE.

§§ ~~2B-46 2B-47~~ TO 2B-50. {RESERVED}

PART VI. CONTINUED AFFORDABILITY

§ 2B-51. RENTAL UNITS.

(A) *AFFORDABILITY PERIOD.*

EVERY AFFORDABLE RENTAL UNIT SUBJECT TO THIS SUBTITLE MUST REMAIN AT AN AFFORDABLE RENT, AS PROVIDED IN THIS SECTION, FOR A PERIOD OF NOT LESS THAN 30 YEARS FROM THE DATE OF ITS INITIAL OCCUPANCY.

(B) *LEASE AND SUBLEASE RESTRICTIONS.*

DURING THE AFFORDABILITY PERIOD, THE OWNER OF THE RENTAL PROPERTY MAY NOT RENT OR LEASE ~~THE ANY AFFORDABLE~~ UNIT AND A TENANT MAY NOT SUB-RENT OR SUBLEASE THE UNIT EXCEPT:

~~(1) TO AN ELIGIBLE HOUSEHOLD; AND~~

~~(2) AT A RENT THAT DOES NOT EXCEED AN AFFORDABLE RENT, LOW OR MODERATE, APPLICABLE TO THAT UNIT.~~

(C) *RENT INCREASES.*

(1) DURING THE AFFORDABILITY PERIOD, RENT INCREASES MAY BE IMPOSED ONLY AS PROVIDED IN THIS SECTION.

(2) THE PERCENTAGE INCREASE IN ANNUAL RENT MAY NOT EXCEED:

(I) THE PERCENTAGE INCREASE IN THE COST OF LIVING, BASED ON AN APPROPRIATE INFLATOR INDEX AS DETERMINED BY THE HOUSING COMMISSIONER; OR

(II) A GREATER AMOUNT TO THE EXTENT:

(A) NECESSITATED BY DOCUMENTED HARDSHIP OR OTHER EXCEPTIONAL CIRCUMSTANCES; AND

(B) APPROVED IN WRITING BY THE HOUSING COMMISSIONER.

~~(3) IN ANY EVENT, THE RENT AS INCREASED MAY NOT EXCEED THE AFFORDABLE RENT, LOW OR MODERATE, APPLICABLE TO THAT UNIT.~~

(D) *OWNER'S MAINTENANCE.*

THE OWNER OF AN AFFORDABLE RENTAL UNIT:

(1) AT ALL TIMES MUST COMPLY WITH ALL BUILDING, FIRE, SAFETY, AND OTHER CODES APPLICABLE TO RENTAL UNITS; AND

- (2) IN PROVIDING MAINTENANCE AND OTHER SERVICES TO RENTAL UNITS IN THE RESIDENTIAL PROJECT, MAY NOT DISCRIMINATE IN ANY WAY AGAINST AFFORDABLE UNITS.

(E) *REPORTS TO COMMISSIONER.*

- (1) OWNERS OF AFFORDABLE RENTAL UNITS SUBJECT TO THIS SUBTITLE MUST PERIODICALLY REPORT TO THE HOUSING COMMISSIONER ON THEIR COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION.
- (2) THESE REPORTS MUST BE MADE IN THE FORM AND WITH THE FREQUENCY THAT THE HOUSING COMMISSIONER REQUIRES.

§ 2B-52. OWNERSHIP UNITS.

~~(A) AFFORDABILITY PERIOD:~~

- ~~(1) EVERY UNIT SOLD AT AN AFFORDABLE COST UNDER THIS SUBTITLE MUST REMAIN AT AN AFFORDABLE COST, AS PROVIDED IN THIS SECTION, FOR AN INITIAL PERIOD OF NOT LESS THAN 10 YEARS FROM THE DATE OF ITS INITIAL OCCUPANCY.~~
- ~~(2) IF THE UNIT IS RESOLD DURING THIS INITIAL 10-YEAR PERIOD, THE AFFORDABILITY PERIOD RESETS FOR AN ADDITIONAL 10 YEARS FROM TIME OF PURCHASE, REGARDLESS OF WHO PURCHASES THE UNIT.~~

~~(B) REALES DURING AFFORDABILITY PERIOD—PRICE LIMITATIONS:~~

~~DURING THE AFFORDABILITY PERIOD, THE OWNER OF THE UNIT MAY RESELL IT ONLY AT A PRICE THAT DOES NOT EXCEED THE AGGREGATE OF:~~

- ~~(1) THE ORIGINAL AFFORDABLE COST FOR WHICH THE UNIT WAS PURCHASED;~~
- ~~(2) A PERCENTAGE INCREASE EQUAL TO THE PERCENTAGE INCREASE IN THE CONSUMER PRICE INDEX FOR THE BALTIMORE METROPOLITAN STATISTICAL AREA; AND~~
- ~~(3) THE VALUE OF ANY DOCUMENTED IMPROVEMENTS TO THE UNIT.~~

~~(C) REALES DURING AFFORDABILITY PERIOD—FIRST REFUSAL:~~

- ~~(1) IF A UNIT IS RESOLD DURING THE AFFORDABILITY PERIOD, THE HOUSING COMMISSIONER AND DESIGNATED HOUSING PROVIDERS, SELECTED AS PROVIDED IN § 2B-34 (“RIGHT OF FIRST REFUSAL”), HAVE A RIGHT OF FIRST REFUSAL TO PURCHASE THE UNIT.~~
- ~~(2) IF NEITHER THE COMMISSIONER NOR ELIGIBLE HOUSING PROVIDERS EXERCISE THIS RIGHT, THE HOUSING COMMISSIONER MAY EXTEND THE OPTION TO ELIGIBLE HOUSEHOLDS.~~
- ~~(3) THE HOUSING COMMISSIONER’S RULES AND REGULATION MUST INCLUDE PROVISIONS GOVERNING THE PERIOD AND PROCEDURES FOR EXERCISING THIS RIGHT.~~

~~(D) REALES AFTER AFFORDABILITY PERIOD:~~

- ~~(1) AFTER THE AFFORDABILITY PERIOD EXPIRES, THE UNIT MAY BE SOLD AT MARKET PRICE, BUT THERE IS A SHARED INTEREST IN THE PROCEEDS OF SALE.~~

~~(2) THE SELLER IS ENTITLED TO RETAIN:~~

~~(i) THAT PORTION OF THE SALES PRICE THAT EQUALS THE AMOUNT CALCULATED UNDER SUBSECTION (B) OF THIS SECTION; PLUS~~

~~(ii) 50% OF THE PORTION OF THE SALES PRICE THAT EXCEEDS THE AMOUNT CALCULATED UNDER SUBSECTION (B) OF THIS SECTION.~~

~~(3) THE BALANCE OF THE SALES PRICE MUST BE DEPOSITED IN THE INCLUSIONARY HOUSING TRUST FUND, TO BE USED TO FURTHER THE PURPOSES OF THIS SUBTITLE.~~

(A) CITY'S RIGHT OF FIRST REFUSAL.

THE CITY HAS THE RIGHT OF FIRST REFUSAL TO PURCHASE AT MARKET RATE ANY AFFORDABLE UNIT INITIALLY PROVIDED UNDER THIS SUBTITLE.

(B) IDENTIFYING PUBLIC INVESTMENT.

(1) AT THE TIME OF INITIAL SALE, THE HOUSING COMMISSIONER SHALL IDENTIFY THE AMOUNT OF PUBLIC INVESTMENT IN THE UNIT.

(2) FOR UNITS BENEFITTING FROM SIGNIFICANT RAZORING OR BONUS UNITS, THE PUBLIC INVESTMENT IS DEEMED TO BE AN AMOUNT EQUAL TO THE OWNER'S INITIAL PURCHASE PRICE.

(C) ALLOCATION OF PROCEEDS.

AT THE TIME OF ANY SUBSEQUENT SALE, THE PROCEEDS OF THE SALE SHALL BE ALLOCATED AS FOLLOWS:

(1) THE OWNER RECEIVES THE INITIAL PURCHASE PRICE PAID BY THE OWNER PLUS THE VALUE OF DOCUMENTED IMPROVEMENTS.

(2) THE CITY RECEIVES AN AMOUNT EQUAL TO ITS PUBLIC INVESTMENT IN THE AFFORDABLE UNIT, BUT ONLY TO THE EXTENT THAT THE PROCEEDS OF THE SALE EXCEED THE INITIAL PURCHASE PRICE AND THE VALUES OF DOCUMENTED IMPROVEMENTS.

(3) ANY PROCEEDS OF SALE BEYOND THE PURCHASE PRICE AND THE INITIAL CITY INVESTMENT SHALL BE ALLOCATED TO THE OWNER AND THE CITY IN THE SAME PROPORTION AS THE OWNER'S INITIAL PURCHASE PRICE COMPARED TO THE INITIAL PUBLIC INVESTMENT. HOWEVER, IF THE SALE OCCURS WITHIN 10 YEARS OF THE OWNER'S PURCHASE, THE OWNER'S SHARE OF THESE PROCEEDS IS LIMITED TO 10% OF THE OWNER'S PROPORTIONAL SHARE FOR EACH FULL YEAR OF THE OWNER'S OWNERSHIP.

~~(D) AFFORDABLE HOUSING AGREEMENT.~~

THE HOUSING COMMISSIONER'S RULES AND REGULATIONS MUST INCLUDE PROVISIONS FOR THE EXECUTION AND FILING IN THE LAND RECORDS OF AFFORDABILITY HOUSING AGREEMENTS THAT EMBODY THE REQUIREMENTS OF THIS SECTION.

§§ 2B-53 TO 2B-60. {RESERVED}

PART VII. INCLUSIONARY HOUSING ~~TRUST-OFFSET~~ FUND**§ 2B-61. FUND ESTABLISHED.****(A) *IN GENERAL.***

THERE IS A BALTIMORE CITY INCLUSIONARY HOUSING ~~TRUST-OFFSET~~ FUND.

(B) *NATURE OF FUND.*

THE BALTIMORE CITY INCLUSIONARY HOUSING ~~TRUST-OFFSET~~ FUND IS A CONTINUING, NONLAPSING FUND ESTABLISHED BY AUTHORITY OF CITY CHARTER ARTICLE I, § 10.

§ 2B-62. REVENUE SOURCES.**~~(A) *IN GENERAL.*~~**

THE ~~TRUST-OFFSET~~ FUND COMPRISES:

- (1) MONEY APPROPRIATED TO THE ~~TRUST-OFFSET~~ FUND IN THE ANNUAL ORDINANCES OF ESTIMATES, AND
- (2) GRANTS OR DONATIONS MADE TO THE ~~TRUST-OFFSET~~ FUND.

~~(B) *TAX REVENUES.*~~

~~IT IS THE INTENT OF THE MAYOR AND CITY COUNCIL OF BALTIMORE THAT, IN EACH FISCAL YEAR, AT LEAST 20% OF THE REVENUES DERIVED FROM THE CITY'S RECORDATION TAX (CITY CODE ARTICLE 28, SUBTITLE 16) AND TRANSFER TAX (CITY CODE ARTICLE 28, SUBTITLE 17) BE APPROPRIATED TO THE TRUST FUND IN THE ANNUAL ORDINANCE OF ESTIMATES.~~

§ 2B-63. USE OF FUND – GENERAL.

MONEY DEPOSITED IN THE ~~TRUST-OFFSET~~ FUND, ALONG WITH ANY INTEREST EARNED ON THAT MONEY, MAY BE USED ONLY FOR THE FOLLOWING PURPOSES:

- (1) TO FINANCE THE IMPLEMENTATION AND ADMINISTRATION OF THIS SUBTITLE, INCLUDING THE PROVISION OF COST OFFSETS UNDER THIS SUBTITLE; AND
- (2) OTHERWISE TO PROMOTE ECONOMICALLY DIVERSE HOUSING IN CITY NEIGHBORHOODS, INCLUDING:
 - (I) PROVIDING ASSISTANCE, BY LOAN, GRANT, OR OTHERWISE, FOR THE PLANNING, PRODUCTION, MAINTENANCE, OR EXPANSION OF AFFORDABLE HOUSING IN THE CITY;
 - (II) PROVIDING ASSISTANCE, BY LOAN, GRANT, OR OTHERWISE, TO PERSONS UNABLE TO OBTAIN AFFORDABLE HOUSING; AND
 - (III) OTHERWISE INCREASING HOUSING OPPORTUNITIES FOR WORKING FAMILIES AND OTHER PERSONS OF LOW AND MODERATE INCOME.

§ 2B-64. USE OF FUND – ADMINISTRATION.

NO MORE THAN 5% OF THE MONEY IN THE ~~TRUST-OFFSET~~ FUND MAY BE USED IN ANY FISCAL YEAR FOR PERSONNEL OR OTHER COSTS OF ADMINISTERING THE ~~TRUST-OFFSET~~ FUND.

§ 2B-65. USE OF FUND – PUBLIC ASSISTANCE.

AT LEAST HALF OF THE HOUSEHOLDS THAT RECEIVE ASSISTANCE FROM THE ~~TRUST-OFFSET~~ FUND MUST HAVE EARNINGS OF NOT MORE THAN 60% OF THE AMI.

§ 2B-66. ADMINISTRATION.

(A) ~~COMMISSIONER TO ADMINISTER~~ MAY PRESCRIBE PROCEDURES.

~~(1) THE TRUST FUND IS ADMINISTERED BY THE HOUSING COMMISSIONER CONSISTENT WITH THIS SUBTITLE.~~

~~(2) THE HOUSING COMMISSIONER MAY PRESCRIBE PROCEDURES FOR ADMINISTERING THE TRUST~~
OFFSET FUND.

(B) *BOARD TO ADVISE.*

THE INCLUSIONARY HOUSING BOARD ADVISES THE HOUSING COMMISSIONER THROUGH ITS ANNUAL REPORT AND AS REQUESTED BY THE COMMISSIONER ON THE ACTIVITIES AND PRIORITIES FOR WHICH ~~TRUST-OFFSET~~ FUND MONEY IS BEST USED TO PROMOTE ECONOMICALLY DIVERSE HOUSING IN THE CITY.

§ 2B-67. REPORTING TO BOARD.

(A) *IN GENERAL.*

THE HOUSING COMMISSIONER MUST PROVIDE THE INCLUSIONARY HOUSING BOARD, ON A REGULAR BASIS, INFORMATION ON THE USES AND IMPACT OF THE ~~TRUST-OFFSET~~ FUND.

(B) *INCLUSIONS.*

THE INFORMATION MUST INCLUDE:

- (1) EXPENDITURES FROM THE ~~TRUST-OFFSET~~ FUND;
- (2) A LIST OF PROJECTS FUNDED THROUGH THE ~~TRUST-OFFSET~~ FUND;
- (3) THE NUMBER AND INCOME LEVELS OF HOUSEHOLDS ASSISTED BY THE ~~TRUST-OFFSET~~ FUND;
- (4) FUNDS LEVERAGED BY ~~TRUST-OFFSET~~ FUND FUNDS;
- (5) NUMBER OF AFFORDABLE UNITS PRODUCED OR PRESERVED;
- (6) ~~NUMBER OF HOUSEHOLDS PREVENTED FROM BECOMING OR REMAINING HOMELESS~~
INFORMATION AS TO HOW FUND MONEY MAY BE USED FOR DEVELOPMENT EFFORTS ASSISTING
THE HOMELESS; AND

- (7) OTHER INFORMATION THAT THE BOARD REQUESTS ABOUT THE ~~TRUST-OFFSET~~ FUND'S IMPACT.

§§ 2B-68 TO 2B-70. {RESERVED}

PART VIII. ADMINISTRATIVE AND JUDICIAL REVIEW

§ 2B-71. ADMINISTRATIVE APPEALS.

(A) *RIGHT OF APPEAL.*

ANY PERSON AGGRIEVED BY A DECISION OR RULING OF ~~THE INCLUSIONARY HOUSING BOARD, THE HOUSING COMMISSIONER, OR THE PLANNING DIRECTOR~~ UNDER THIS SUBTITLE MAY APPEAL THAT DECISION OR RULING TO THE BOARD OF ~~MUNICIPAL AND ZONING APPEALS~~ ESTIMATES.

(B) *HOW AND WHEN TAKEN.*

THE APPEAL MUST BE TAKEN IN WRITING WITHIN 15 DAYS FROM THE DATE OF NOTICE OF THE DECISION OR RULING.

(C) *HEARING AND DECISION.*

THE BOARD:

- (1) MUST HOLD A HEARING ON THE APPEAL AS SOON AS PRACTICABLE; AND
- (2) MAY AFFIRM, MODIFY, OR REVERSE THE ACTION FROM WHICH THE APPEAL WAS TAKEN.

§ 2B-72. JUDICIAL AND APPELLATE REVIEW.

(A) *JUDICIAL REVIEW.*

A PARTY AGGRIEVED BY A FINAL DECISION OF THE BOARD OF ~~MUNICIPAL AND ZONING APPEALS~~ ESTIMATES UNDER § 2B-71 {"ADMINISTRATIVE APPEALS"} OF THIS SUBTITLE MAY SEEK JUDICIAL REVIEW OF THAT DECISION BY PETITION TO THE CIRCUIT COURT FOR BALTIMORE CITY IN ACCORDANCE WITH THE MARYLAND RULES OF PROCEDURE.

(B) *APPELLATE REVIEW.*

A PARTY TO THE JUDICIAL REVIEW MAY APPEAL THE COURT'S FINAL JUDGMENT TO THE COURT OF SPECIAL APPEALS IN ACCORDANCE WITH THE MARYLAND RULES OF PROCEDURE.

Article 28. Taxes

~~Subtitle 10. Credits~~

~~§ 10-16. INCLUSIONARY HOUSING CREDIT.~~

~~(A) QUALIFICATIONS:~~

~~THE OWNER OF A RENTAL RESIDENTIAL DEVELOPMENT MAY QUALIFY FOR THE TAX CREDIT AUTHORIZED BY THIS SECTION BY:~~

- ~~(1) PROVIDING AFFORDABLE UNITS AS REQUIRED BY CITY CODE ARTICLE 13, SUBTITLE 2B;~~
- ~~(2) FILING AN APPLICATION FOR THE CREDIT NO LATER THAN 90 DAYS AFTER A CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE AFFORDABLE UNITS; AND~~
- ~~(3) SATISFYING ALL OTHER CONDITIONS IMPOSED BY THE REGULATIONS OF THE DIRECTOR OF FINANCE.~~

~~(b) AMOUNT OF CREDIT:~~

- ~~(1) FOR DEVELOPMENTS PROVIDING RENTAL UNITS AT OR BELOW A MODERATE AFFORDABLE RENT, AS DEFINED IN CITY CODE ARTICLE 13, SUBTITLE 2B, THE PROPERTY TAX CREDIT GRANTED UNDER THIS SECTION EQUALS THE REDUCTION IN NET OPERATING INCOME ATTRIBUTABLE TO AFFORDABLE HOUSING UNITS, UP TO A MAXIMUM OF 20% OF THE AFFORDABLE HOUSING UNITS.~~
- ~~(2) FOR DEVELOPMENTS PROVIDING RENTAL UNITS AT OR BELOW A LOW AFFORDABLE RENT, AS DEFINED IN CITY CODE ARTICLE 13, SUBTITLE 2B, THE PROPERTY TAX CREDIT GRANTED UNDER THIS SECTION EQUALS 110% OF THE REDUCTION IN NET OPERATING INCOME ATTRIBUTABLE TO AFFORDABLE HOUSING UNITS, UP TO A MAXIMUM OF 20% OF THE AFFORDABLE HOUSING UNITS.~~
- ~~(3) IN ANY EVENT, A PROPERTY TAX CREDIT GRANTED UNDER THIS SECTION MAY NOT EXCEED THE AMOUNT OF PROPERTY TAX IMPOSED ON THE REAL PROPERTY LESS THE AMOUNT ON ANY OTHER CREDIT APPLICABLE IN THAT YEAR.~~

~~(c) DETERMINATION OF AMOUNT OF CREDIT:~~

- ~~(1) THE HOUSING COMMISSIONER SHALL DETERMINE THE AMOUNT OF THE CREDIT BASED ON A REASONABLE APPRAISAL OF THE PROJECTED RETURN ON THE DEVELOPMENT.~~
- ~~(2) THE OWNER SHALL PROVIDE TO THE COMMISSIONER THE APPRAISAL OR APPRAISALS ON WHICH FINANCING WAS OBTAINED FOR THE DEVELOPMENT.~~
- ~~(3) IN DETERMINING THE AMOUNT OF THE CREDIT, THE COMMISSIONER IN HIS OR HER DISCRETION MAY MAKE USE OF THAT APPRAISAL OR OBTAIN A SEPARATE APPRAISAL.~~

~~(d) CREDIT CONTINGENT OF STATE AUTHORIZATION:~~

~~THE PROPERTY TAX CREDIT GRANTED BY THE SECTION IS CONTINGENT ON ENACTMENT BY THE MARYLAND GENERAL ASSEMBLY OF ENABLING LEGISLATION TO AUTHORIZE THE credit.~~

Subtitle 9. Exemptions

§ 9-6. PROPERTY TAX EXEMPTION –AFFORDABLE AND INCLUSIONARY HOUSING.

(A) DEFINITIONS.

(1) IN GENERAL.

IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(2) AFFORDABLE RENT.

“AFFORDABLE RENT” MEANS RENT THAT DOES NOT EXCEED 30% OF A HOUSEHOLD’S INCOME.

(3) AREA MEDIAN INCOME.

“AREA MEDIAN INCOME” MEANS THE MEDIAN HOUSEHOLD INCOME, ADJUSTED FOR HOUSEHOLD SIZE, FOR THE METROPOLITAN REGION ENCOMPASSING BALTIMORE CITY, AS PUBLISHED AND ANNUALLY UPDATED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

(4) QUALIFYING DEVELOPMENT.

“QUALIFYING DEVELOPMENT” MEANS:

(I) A REDEVELOPMENT PROJECT OF 30 OR MORE RESIDENTIAL RENTAL UNITS THAT WILL SET ASIDE 10% OR MORE OF THE DEVELOPMENT’S TOTAL UNITS TO BE RENTED AT AN AFFORDABLE RENT TO A HOUSEHOLD EARNING NOT MORE THAN 60% OF THE AREA MEDIAN INCOME; OR

(II) A NEW RESIDENTIAL RENTAL DEVELOPMENT PROJECT THAT:

(A) IS NEW CONSTRUCTION OR IS A CONVERSION OF A NONRESIDENTIAL STRUCTURE THAT WILL PROVIDE 30 OR MORE UNITS OF HOUSING;

(B) HAS A COMBINED PRIVATE CAPITAL INVESTMENT OF EQUITY AND DEBT OF AT LEAST \$10,000,000;

(C) SETS ASIDE AT LEAST 10% OF THE DEVELOPMENT’S TOTAL UNITS TO BE RENTED AT AN AFFORDABLE RENT TO A HOUSEHOLD EARNING NOT MORE THAN 60% OF THE AREA MEDIAN INCOME; AND

(D) HAS NOT OBTAINED SITE PLAN APPROVAL ON OR BEFORE JUNE 30, 2007.

(5) SITE PLAN APPROVAL.

“SITE PLAN APPROVAL” MEANS APPROVAL FROM THE PLANNING COMMISSION OF THE LAND DEVELOPMENT PROPOSAL OF A QUALIFIED DEVELOPMENT TO ENSURE ITS CONSISTENCY WITH LAND DEVELOPMENT POLICIES AND REGULATIONS AND ACCEPTED LAND DESIGN PRACTICES.

(B) RULES AND REGULATIONS.

(1) IN GENERAL.

THE DIRECTOR OF FINANCE, AFTER CONSULTATION WITH THE HOUSING COMMISSIONER, MUST ADOPT RULES AND REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION.

(2) FILING WITH LEGISLATIVE REFERENCE.

A COPY OF ALL RULES AND REGULATIONS ADOPTED UNDER THIS SECTION MUST BE FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY BECOME EFFECTIVE.

(C) EXEMPTION GRANTED.

A REDEVELOPMENT PROJECT OR NEW RESIDENTIAL RENTAL DEVELOPMENT PROJECT IS EXEMPT FROM BALTIMORE CITY REAL PROPERTY TAXES IF, IN ACCORDANCE WITH THE RULES AND REGULATIONS ADOPTED UNDER THIS SECTION:

- (1) THE OWNER OR OWNERS OF THE PROJECT HAVE FILED AN APPLICATION FOR THE EXEMPTION WITHIN THE TIME PERIOD SPECIFIED BY THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE;
- (2) THE CITY DETERMINES THAT THE PROJECT IS A QUALIFYING DEVELOPMENT MEETING THE REQUIREMENTS OF THIS SECTION;
- (3) THE CITY DETERMINES THAT THE EXEMPTION IS NECESSARY TO OFFSET THE OWNER'S OR OWNERS' ADDITIONAL COSTS OF PROVIDING AFFORDABLE UNITS AT THE QUALIFYING DEVELOPMENT;
- (4) THE OWNER OR OWNERS OF THE QUALIFYING DEVELOPMENT SATISFY A FINANCIAL REVIEW ADMINISTERED BY THE CITY THAT INCLUDES:
 - (I) A DETAILED DESCRIPTION OF THE PROJECT AND THE DEVELOPMENT BUDGET FOR THE PROJECT, INCLUDING THE IDENTIFICATION OF ALL SOURCES OF DEBT AND EQUITY FINANCING;
 - (II) A MULTIYEAR PRO FORMA CASH FLOW ANALYSIS OF THE PROJECT DETAILING ALL INCOMING AND OUTGOING CASH FLOW INCLUDING REVENUES, OPERATING EXPENSES, DEBT SERVICE, TAXES, CAPITAL EXPENDITURES, AND ANY OTHER CASH OUTLAYS;
 - (III) THE PROJECTED RETURN ON INVESTMENT FOR THE OWNER OR OWNERS;
 - (IV) THE AMOUNT OF POTENTIAL REVENUE THAT MAY BE LOST THROUGH THE PROVISION OF AFFORDABLE HOUSING; AND
 - (V) ANY ADDITIONAL INFORMATION SPECIFIED IN THE RULES AND REGULATIONS ADOPTED UNDER THIS SECTION; AND
- (5) THE OWNER OR OWNERS OF THE QUALIFYING DEVELOPMENT AND THE CITY ENTER INTO AN AGREEMENT, APPROVED BY THE BOARD OF ESTIMATES, THAT:
 - (I) PROVIDES THAT THE OWNER OR OWNERS OF THE QUALIFYING DEVELOPMENT MUST PAY TO THE CITY A NEGOTIATED AMOUNT IN LIEU OF THE PAYMENT OF CITY REAL PROPERTY TAXES;
 - (II) SPECIFIES AN AMOUNT THAT THE OWNER OR OWNERS MUST PAY TO THE CITY EACH YEAR IN LIEU OF THE PAYMENT OF CITY REAL PROPERTY TAXES DURING THE TERM OF THE AGREEMENT THAT IS NOT LESS THAN 75% OF THE ANNUAL PROPERTY TAXES THAT WOULD OTHERWISE BE DUE TO THE CITY FOR THE QUALIFYING DEVELOPMENT IN THE INITIAL YEAR OF THE AGREEMENT; AND
 - (III) IS LIMITED TO A TERM OF NOT MORE THAN 10 YEARS.

(D) EXTENSIONS OF THE AGREEMENT.(1) IN GENERAL.

AT THE COMPLETION OF THE TERM OF THE AGREEMENT, THE QUALIFYING DEVELOPMENT MAY SEEK, AND THE BOARD OF ESTIMATES MAY GRANT, AN EXTENSION OF THE AGREEMENT.

(2) 10-YEAR LIMIT.

EACH EXTENSION IS LIMITED TO A TERM OF NOT MORE THAN 10 YEARS.

(E) MAXIMUM AGGREGATE TAX REDUCTION.

THE BOARD OF ESTIMATES MAY NOT APPROVE AN AGREEMENT FOR PAYMENT OF A NEGOTIATED AMOUNT IN LIEU OF TAXES UNDER THIS SECTION IF THE AGREEMENT WOULD CAUSE THE TOTAL REDUCTION IN PROPERTY TAX REVENUES FROM ALL AGREEMENTS ENTERED INTO UNDER THIS SECTION TO EXCEED \$2,000,000 IN ANY TAXABLE YEAR.

(F) STATE AUTHORIZATION.

THE PROPERTY TAX EXEMPTION GRANTED BY THIS SECTION IS CONTINGENT ON THE ENACTMENT AND CONTINUATION OF STATE LEGISLATION THAT AUTHORIZES THE EXEMPTION.

Baltimore City Revised Code**Article – Zoning****Title 3. General Rules for Use, Bulk, and Other Regulations****Subtitle 2. Bulk Regulations****§ 3-206. INCLUSIONARY HOUSING ADJUSTMENT.**

FOR A RESIDENTIAL PROJECT THAT, UNDER CITY CODE ARTICLE 13, ~~§ 2B-23(C)(4)~~ § 2B-22(C) {“PROJECT BENEFITTING FROM SIGNIFICANT LAND USE AUTHORIZATION OR RAZORING”} OR § 2B-23(C)(1) {“30 OR MORE UNITS: COST-OFFSETS”}, IS ENTITLED TO BONUS UNITS, THE LOT AREA PER DWELLING UNIT OTHERWISE REQUIRED BY THIS ARTICLE IS REDUCED TO THE EXTENT NEEDED TO ACCOMMODATE THOSE BONUS UNITS.

Title 8. Overlay Districts**SUBTITLE 5. INCLUSIONARY HOUSING OVERLAY****§ 8-501. ~~“INCREASED-CAPACITY RAZORING” DEFINED.~~**

~~IN THIS SUBTITLE, “INCREASED-CAPACITY RAZORING” MEANS ANY RAZORING OR OTHER LAND USE ACTION, INCLUDING A CHANGE IN A PLANNED UNIT DEVELOPMENT OR IN AN URBAN RENEWAL PLAN, THAT INCREASES THE NUMBER OF DWELLINGS ALLOWED.~~

§ 8-501. § 8-502. DESIGN.**(A) *IN GENERAL.***

THE INCLUSIONARY HOUSING OVERLAY CLASSIFICATION IS DESIGNED TO FORMALLY DESIGNATE THOSE PARCELS THAT ~~HAVE BENEFITTED FROM INCREASED-CAPACITY RAZORING FROM TIME TO TIME~~ BENEFIT FROM SIGNIFICANT RAZORING, AS DEFINED IN CITY CODE ARTICLE 13, § 2B-1. THE OVERLAY CLASSIFICATION TERMINATES AUTOMATICALLY ON THE REPEAL OF ARTICLE 13, SUBTITLE 2B.

(B) *PUBLIC NOTICE.*

THE INTENT OF THE DESIGNATION IS TO PROVIDE A FORMAL METHOD OF PUBLIC NOTICE THAT RESIDENTIAL DEVELOPMENT ON THE PROPERTY COULD BE SUBJECT TO THE REQUIREMENTS OF CITY CODE ARTICLE ~~5~~ 13, SUBTITLE 2B {"INCLUSIONARY HOUSING REQUIREMENTS"}.

§ 8-502. § 8-503. CLASSIFICATION.

ALL PROPERTIES THAT ARE THE SUBJECT OF ~~AN INCREASED-CAPACITY RAZORING SIGNIFICANT RAZORING,~~ AS DEFINED IN CITY CODE ARTICLE 13, § 2B-1, FOR WHATEVER PURPOSE, RETAIN THEIR NEW ZONING CLASSIFICATION WITH THE ADDITION OF THE SUFFIX "I".

§§ ~~8-503~~ ~~8-504~~ TO 8-505. {RESERVED}**§ 8-506. DEVELOPER ON NOTICE.**

THE PURCHASER OR DEVELOPER OF PROPERTY WITH AN INCLUSIONARY HOUSING OVERLAY CLASSIFICATION IS ON NOTICE THAT RESIDENTIAL DEVELOPMENT ON THE PROPERTY COULD BE SUBJECT TO AND LIMITED BY THE REQUIREMENTS OF CITY CODE ARTICLE ~~5~~ 13, SUBTITLE 2B {"INCLUSIONARY HOUSING REQUIREMENTS"}.

Title 9. Planned Unit Developments***Subtitle 2. Residential Planned Unit Developments*****§ 9-210. Gross density premiums.****(a) *In general.***

To the extent specifically provided in the approved Development Plan, the maximum gross densities specified in § 9-209 {"Gross density"} of this subtitle may be increased by:

- (1) up to 25% in accordance with one or more of the following subsections; AND
- (2) AN ADDITIONAL 20% FOR A RESIDENTIAL PROJECT THAT PROVIDES AT LEAST THE NUMBER OF AFFORDABLE UNITS REQUIRED BY CITY CODE ARTICLE ~~5~~ 13, ~~SUBTITLE 2B-§ 2B-22~~ {"INCLUSIONARY HOUSING REQUIREMENTS: PROJECTS BENEFITTING FROM SIGNIFICANT LAND USE AUTHORIZATION OR RAZORING"}

Subtitle 3. Office-Residential Planned Unit Developments

§ 9-310. Gross density premiums.

(a) *In general.*

To the extent specifically provided in the approved Development Plan, the maximum gross densities specified in § 9-309 {"Gross density"} of this subtitle may be increased by:

- (1) up to 25% in accordance with one or more of the following subsections; AND
- (2) AN ADDITIONAL 20% FOR A RESIDENTIAL PROJECT THAT PROVIDES AT LEAST THE NUMBER OF AFFORDABLE UNITS REQUIRED BY CITY CODE ARTICLE 5 13, SUBTITLE 2B-§ 2B-22 {"INCLUSIONARY HOUSING REQUIREMENTS; PROJECTS BENEFITTING FROM SIGNIFICANT LAND USE AUTHORIZATION OR RAZORING"}

Subtitle 4. Business Planned Unit Developments

§ 9-410. Gross density premiums.

(a) *In general.*

To the extent specifically provided in the approved Development Plan, the maximum gross densities specified in § 9-409 {"Gross density"} of this subtitle may be increased by:

- (1) up to 25% in accordance with one or more of the following subsections; AND
- (2) AN ADDITIONAL 20% FOR A RESIDENTIAL PROJECT THAT PROVIDES AT LEAST THE NUMBER OF AFFORDABLE UNITS REQUIRED BY CITY CODE ARTICLE 5 13, SUBTITLE 2B-§ 2B-22 {"INCLUSIONARY HOUSING REQUIREMENTS; PROJECTS BENEFITTING FROM SIGNIFICANT LAND USE AUTHORIZATION OR RAZORING"}

SECTION 2. AND BE IT FURTHER ORDAINED, That, within 120 days of the effective date of this Ordinance, the Commissioner of Housing and Community Development shall adopt rules and regulations to implement this Ordinance.

SECTION 3 2. AND BE IT FURTHER ORDAINED, That:-(a)- within 42 months of the effective date of this Ordinance, the Commissioner of Housing and Community Development and the Director of Planning shall:

- (1) (i) present to the Mayor and City Council an evaluation of the effectiveness of this Ordinance during its first 3 years of operation; and
- (2) (ii) recommend its continuance, modification, or termination;~~and.~~

~~(b) present a similar report annually for each subsequent year during which this Ordinance is in effect.~~

SECTION 4 3. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 5 4. AND BE IT FURTHER ORDAINED, That Article ~~5-13~~, § 2B-21 {"Projects receiving major public subsidy"}, as enacted by this Ordinance, does not apply if the subsidy in question:

- (1) is a transfer of land for which the request for proposals, invitation to bid, or similar document was issued before the ~~effective date of adoption of rules and regulations to implement~~ this Ordinance;
- (2) is a payment in lieu of taxes or tax increment financing for which the authorizing legislation was ~~enacted introduced~~ before the ~~effective date of adoption of rules and regulations to implement~~ this Ordinance; or
- (3) is a grant or loan for which the notice of funding availability or similar notice was published before the ~~effective date of adoption of rules and regulations to implement~~ this Ordinance.

SECTION 6 5. AND BE IT FURTHER ORDAINED, That Article ~~5-13~~, § 2B-22 {“ Project benefitting from significant land use authorization or razoring”}, as enacted by this Ordinance, does not apply if:

- (1) the significant land use authorization or razoring in question was approved within 18 months after the effective date of this Ordinance; or
- (2) the development has had a Pre-Development Meeting with the Department of Planning before the adoption of rules and regulations to implement this Ordinance.

SECTION 7 6. AND BE IT FURTHER ORDAINED, That:

- (a) (1) Article ~~5-13~~, § 2B-23 {“Other projects – 30 or more units} and § 2B-24 {“Other projects – Less than 30 units”}, as enacted by this Ordinance, do not take effect until: 120 days after the Housing Commissioner certifies that, in the previous year, ¾ of arms-length home sales (excluding homes sold for minimal sales price) had a sales price greater than the level affordable to a household at 80% AMI.
 - (2) Within 60 days of the end of the calendar year, the Commissioner shall publish this certification online and by report to the City Council and the Inclusionary Housing Board.
 - (3) For the first calendar year after the effective date of this Ordinance “minimal sales price” means \$50,000. The “minimal sales price” may be adjusted by the Commissioner in subsequent years to a larger amount that corresponds to the average sales price of homes requiring major rehabilitation to be habitable. This adjustment will be made according to methodology determined and published by the Commissioner.
 - (b) Article 13, § 2B-23 {“Other projects – 30 or more units} and § 2B-24 {“Other projects – Less than 30 units”}, as enacted by this Ordinance, do not apply to any development that has had a Pre-Development Meeting with the Department of Planning before:
 - (1) the taking effect of those sections; or
 - (2) the adoption of rules and regulations to implement this Ordinance.
- ~~(1) 18 months after the effective date of this Ordinance; and~~
- ~~(2) either:~~
- ~~(i) the Housing Commissioner certifies that an amount equal to \$10,000,000 is available in the Inclusionary Housing Trust Fund established by this Ordinance; or~~

~~(ii) the Housing Commissioner certifies that sufficient funds are available for the use of cost offsets for projects that voluntarily include affordable units, in which case the Housing Commissioner may approve that use of cost offsets.~~

SECTION 87. AND BE IT FURTHER ORDAINED, That Zoning Code § 8-503 {"Classification"}, as enacted by this Ordinance, takes effect 18 months after the effective date of this Ordinance.

SECTION 98. AND BE IT FURTHER ORDAINED, That, except as provided in Sections 4 5 through 7 8 of this Ordinance, this Ordinance takes effect on the 30th day after the date it is enacted. It will remain effective for 5 years, and at the end of that period, with no further action by the Mayor and City Council, this Ordinance will be abrogated and of no further effect.

Approved June 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-475
(Council Bill 07-565)**

AN ORDINANCE CONCERNING

**City Streets – Closing –
A 6-Foot Wide Portion of Maryland Avenue**

FOR the purpose of condemning and closing a 6-foot wide portion of Maryland Avenue, contiguous to the west side thereof, and extending from the north side of Mt. Royal Avenue, Northerly 200.8 feet, more or less, as shown on Plat 347-A-62A in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of
Article I - General Provisions
Section 4
and
Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close a 6-foot wide portion of Maryland Avenue, contiguous to the west side thereof, and extending from the north side of Mt. Royal Avenue, Northerly 200.8 feet, more or less, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the north side of Mt. Royal Avenue, 125 feet wide, and the west side of Maryland Avenue, 66 feet wide, and running thence binding on the west side of said Maryland Avenue, Northerly 200.8 feet, more or less; thence by a straight line, Easterly 6.0 feet to intersect a line drawn parallel with and distant 6.0 feet measured at a right angle to the west side of said Maryland Avenue; thence binding on said line, so drawn, Southerly 200.8 feet, more or less, to intersect the north side of said Mount Royal Avenue, and thence binding on the north side of said Mt. Royal Avenue, Westerly 6.0 feet to the place of beginning.

As delineated on Plat 347-A-62A, prepared by the Survey Control Section and filed in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of a 6-foot wide portion of Maryland Avenue and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-476
(Council Bill 07-566)**

AN ORDINANCE CONCERNING

Sale of Property – A 6-Foot Wide Portion of Maryland Avenue

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in a certain parcel of land known as a 6-foot wide portion of the former bed of Maryland Avenue, contiguous to the west side thereof, extending from West Mt. Royal Avenue,

Northerly 200.8 feet, more or less, and no longer needed for public use; and providing for a special effective date.

BY authority of

Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in a certain parcel of land known as a 6-foot wide portion of the former bed of Maryland Avenue, contiguous to the west side thereof, extending from West Mt. Royal Avenue, Northerly 200.8 feet, more or less, and more particularly described as follows:

Beginning for Parcel No.1 at the point formed by the intersection of the north side of West Mt. Royal Avenue, 125 feet wide, and the west side of the former bed of Maryland Avenue, 66 feet wide, as condemned and closed, and running thence binding on the west side of the former bed of said Maryland Avenue, Northerly 200.8 feet, more or less, to intersect the south side of Maryland Avenue, as now laid out, varying in width; thence binding on the south side of last said Maryland Avenue, Easterly 6.0 feet to intersect the west side of Maryland Avenue, as now laid out, 60 feet wide; thence binding on the west side of last said Maryland Avenue, Southerly 200.8 feet, more or less, to intersect the north side of said West Mount Royal Avenue, and thence binding on the north side of said West Mt. Royal Avenue, Westerly 6.0 feet to the place of beginning.

Subject to a full width Perpetual Easement for all Municipal Utilities and Services, not to be abandoned, over the entire herein above described parcel of land.

This property being no longer needed for public use.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-477
(Council Bill 07-586)**

AN ORDINANCE CONCERNING

**Razoring – Ward 28, Section 02, Block 4264 (Portions of Lots 1 through 12),
Ward 28, Section 02, Block 4265 (Portions of Lots 1 through 15),
Ward 28, Section 02, Block 4267 (Portions of Lots 17 through 25),
Ward 28, Section 02, Block 4275 (Portions of Lots 12 through 21)
and Portions of Public Right-of-Ways of Wabash Avenue, Vincennes Avenue,
Ridge Avenue, Spring Avenue, and Armstrong Avenue**

FOR the purpose of changing the zoning for the properties known as Ward 28, Section 02, Block 4264 (portions of Lots 1 through 12), Ward 28, Section 02, Block 4265 (portions of Lots 1 through 15), Ward 28, Section 02, Block 4267 (portions of Lots 17 through 25), Ward 28, Section 02, Block 4275 (portions of Lots 12 through 21) and portions of public right-of-ways of Wabash Avenue, Vincennes Avenue, Ridge Avenue, Spring Avenue, and Armstrong Avenue, as outlined in red on the accompanying plat, from the M-1-1 Zoning District to the R-4 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 11
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet 11 of the Zoning District Maps is amended by changing from the M-1-1 Zoning District to the R-4 Zoning District the properties known as Ward 28, Section 02, Block 4264 (portions of Lots 1 through 12), Ward 28, Section 02, Block 4265 (portions of Lots 1 through 15), Ward 28, Section 02, Block 4267 (portions of Lots 17 through 25), Ward 28, Section 02, Block 4275 (portions of Lots 12 through 21) and portions of public right-of-ways of Wabash Avenue, Vincennes Avenue, Ridge Avenue, Spring Avenue, and Armstrong Avenue, as outlined in red on the plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved June 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-478
(Council Bill 07-593)**

AN ORDINANCE CONCERNING

**City Streets – Closing – Certain Streets Lying Within the
Freedom and Claremont Homes Project**

FOR the purpose of condemning and closing certain streets lying within the area bounded by Sinclair Lane, Erdman Avenue, Federal Street, the Baltimore Gas and Electric Company Right-of-Way, and Shannon Drive, as shown on Plat 114-A-16 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close certain streets lying within the area bounded by Sinclair Lane, Erdman Avenue, Federal Street, the Baltimore Gas and Electric Company Right-of-Way, and Shannon Drive, and more particularly described as follows:

Beginning for Parcel No. 1 at a point on the west side of Freedomway North, 60 feet wide, distant Northerly 166.7 feet, more or less, measured along the west side of said Freedomway North from the north side of Federal Street, 80 feet wide, and running thence binding on the west side of said Freedomway North, Northerly 39.0 feet, more or less, to intersect the southwest side of Freedomway West, varying in width; thence binding on the southwest side of said Freedomway West, Northwesternly by a line curving to the left with a radius of 150.00 feet the distance of 125.0 feet, more or less, to intersect the southwest side of Freedomway West, 50 feet wide, there situate; thence binding on last said Freedomway West, the two following courses and distances; namely, by a tangent line, Northwesternly 443.7 feet, more or less, and Northeastly by a line curving to the right with a radius of 90.00 feet the distance of 207.7 feet, more or less, to intersect the north side of Freedomway North, 50 feet wide; thence binding on the north and northeast sides of last said Freedomway North, the three following courses and distances; namely, by a tangent line, Easterly 314.5 feet, more or less, Southeasterly by a line curving to the right with a radius of 175.00 feet the distance of 190.1 feet, more or less, and by a tangent line, Southeasterly 282.8 feet, more or less, to intersect the northwest side of said Freedomway North, mentioned firstly herein; and thence binding on the northwest side of said Freedomway North, mentioned firstly herein, Southwesterly 50.6 feet, more or less, to intersect the southwest side of Freedomway North, mentioned secondly herein; thence binding on the southwest and south sides of Freedomway North, mentioned secondly herein, the three following courses and distances; namely, Northwesternly 290.4 feet, more or less, Northwesternly by a line curving to the left with a radius of 125.00 feet the distance of 135.9 feet, more or less, and Westerly 314.5 feet, more or less, to intersect the northeast side of last said Freedomway West; thence binding on the northeast side of last said Freedomway West, Southwesterly by a line curving to the left with a radius of 40.00 feet the distance of 94.9 feet, more or less, and thence binding in part on the northeast side of last said Freedomway West, in part on the northeast side of said Freedomway West, mentioned firstly herein, and in all, by a tangent line, Southeasterly 561.2 feet, more or less, to intersect the northwest side of said Freedomway North, mentioned firstly herein, and thence binding on the northwest side of said Freedomway North, mentioned firstly herein, Southwesterly by a line curving to the left with a radius of 160.00 feet, the distance of 129.2 feet, more or less, to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the southeast side of Sinclair Lane, 60 feet wide, and the northeast side of Clareway, varying in width, and running thence binding on the northeast side of said Clareway by a tangent arc curving to the left with a radius of 30.00 feet the distance of 40.13 feet which arc is subtended by a chord bearing South 16° 25' 05" West 37.20 feet to intersect the northeast side of Clareway, 60 feet wide; thence binding on the northeast, east and southeast sides of last said Clareway, the nine following courses and distances; namely, by a tangent line, South 21° 54' 00" East 23.86 feet, by a tangent arc curving to the right with a radius of 250.00 feet the distance of 193.83 feet which arc is subtended by a chord bearing South 00° 18' 40" West 189.01 feet, by a tangent line, South 22° 31' 20" West 253.91 feet, by a tangent arc curving to the left with a radius of 545.00 feet the distance

of 491.40 feet which arc is subtended by a chord bearing South 03° 18' 30" East 474.93 feet, by a tangent line, South 29° 08' 20" East 90.46 feet, by a tangent arc curving to the right with a radius of 870.00 feet the distance of 357.23 feet which arc is subtended by a chord bearing South 17° 22' 33.35" East 354.72 feet, by a tangent arc curving to the right with a radius of 245.00 feet the distance of 213.03 feet which arc is subtended by a chord bearing, South 19° 17' 48.5" West 206.39 feet, by a tangent line, South 47° 53' 34" West 31.50 feet and South 53° 05' 48" West 80.54 feet to the southwesternmost extremity of last said Clareway, there situate; thence binding on the southwesternmost extremity of last said Clareway, North 36° 54' 12" West 60.00 feet to intersect the northwest side of last said Clareway; thence binding on the northwest, west and southwest sides of last said Clareway, the eight following courses and distances; namely, North 53° 05' 48" East 74.05 feet, by a tangent arc curving to the left with a radius of 185.00 feet the distance of 189.57 feet which arc is subtended by a chord bearing, North 23° 44' 30.65" East 181.38 feet, by a tangent arc curving to the left with a radius of 810.00 feet the distance of 332.59 feet which arc is subtended by a chord bearing, North 17° 22' 33.35" West 330.26 feet, by a tangent line, North 29° 08' 20" West 90.46 feet, by a tangent arc curving to the right with a radius of 605.00 feet the distance of 545.50 feet which arc is subtended by a chord bearing, North 03° 18' 30" West 527.21 feet, by a tangent line, North 22° 31' 20" East 253.91 feet, by a tangent arc curving to the left with a radius of 190.00 feet the distance of 147.31 feet which arc is subtended by a chord bearing, North 00° 18' 40" East 143.65 feet and by a tangent line, North 21° 54' 00" West 39.12 feet to intersect the southeast side of said Sinclair Lane, and thence binding on the southeast side of said Sinclair Lane, North 58° 34' 58" East 84.22 feet to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the southeast side of Clareway, 60 feet wide, and the northeast side of Southclare Road, varying in width, and running thence binding on the northeast side of said Southclare Road by a non-tangent arc curving to the left with a radius of 25.00 feet the distance of 37.96 feet which arc is subtended by a chord bearing South 20° 44' 25.5" East 34.42 feet to intersect the north side of Southclare Road, 50.0 feet wide; thence binding on the north and northwest sides of last said Southclare Road, the two following courses and distances; namely, by a tangent arc curving to the left with a radius of 138.00 feet the distance of 151.31 feet which arc is subtended by a chord bearing, North 84° 20' 57.5" East 143.84 feet and by a tangent line, North 52° 56' 19" East 508.73 feet to intersect the southwest side of Southclare Road, varying in width; thence binding on the southwest and northwest sides of last said Southclare Road, the three following courses and distances; namely, by a tangent arc curving to the left with a radius of 20.00 feet the distance of 26.97 feet which arc is subtended by a chord bearing North 14° 18' 49" East 24.97 feet, by a tangent line, North 24° 18' 41" West 28.78 feet and by a tangent arc curving to the right with a radius of 50.00 feet the distance of 157.08 feet which arc is subtended by a chord bearing North 65° 41' 19" East 100.00 feet to the northeasternmost extremity of last said Southclare Road, there situate; thence binding on the northeasternmost extremity of last said Southclare Road, South 24° 18' 41" East 73.39 feet to intersect the southeast side of last said Southclare Road; thence binding in part on the southeast side of last said Southclare Road, in part on the southeast side of said Southclare Road, mentioned secondly herein, and in all, the two following courses and distances; namely, by a non-tangent line, South 52° 56' 19" West 615.93 feet and by a tangent arc curving to the right with a radius of 188.00 feet the distance of 218.06 feet which arc is subtended by a chord bearing South 86° 10' 00" West 206.04 feet to intersect the southwest side of said Southclare Road, mentioned firstly herein; thence binding on the southwest side of said Southclare Road, mentioned firstly herein, by a tangent arc curving to the left with a radius of 25.00 feet the distance of 32.81 feet which arc is subtended by a chord bearing South 81° 48' 03.5" West 30.50 feet to intersect the southeast side of said Clareway, and thence binding on the southeast side of said Clareway, by a non-tangent arc curving to the left with a radius of 245.00 feet the distance of 91.71 feet which arc is subtended by a chord bearing North 33° 28' 57.5" East 91.18 feet to the place of beginning.

As delineated on Plat 114-A-16, prepared by the Survey Control Section and filed on January 10, 2007, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of the streets and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-479
(Council Bill 07-595)**

AN ORDINANCE CONCERNING

City Property - Grant of Easements

FOR the purpose of authorizing the Mayor and City Council of Baltimore to grant Perpetual Easements for a proposed 115 KV Underground Duct Bank through the parcels of land known as Lot 4/5 of Block 7427, Lot ½ and 2A of Block 828, and Block 812 as shown on plats numbered R.W. 20-36215, R.W. 20-36216 and R.W. 20-36217, prepared by Dewberry & Davis LLC, and filed in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of
Article 5 - Comptroller
Section 5(b)
Baltimore City Charter (1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City is hereby authorized to grant to the Baltimore Gas & Electric Company Four Perpetual Easements for a proposed 115 KV Underground Duct Bank in accordance with Article V, Section 5(b) of the Baltimore City Charter, on the parcels of land situate in Baltimore City known as Lot 4/5 of Block 7427, Lot ½ and 2A of Block 828 and Block 812, and described as follows:

Beginning for Perpetual Easement for proposed 115 KV Underground Duct Bank No. 1 at a point on the southeast side of the Gwynns Falls, and the third line of a parcel of land conveyed by J.R.S. Transportation Services, Inc. to the Mayor and City Council of Baltimore by deed dated April 16, 1998, and recorded among the Land Records of Baltimore City in Liber P.M.B. No.7324, Folio 76, and having a coordinate value of West 4,914.204 feet and South 11,313.161 feet, and running thence binding on the southeast side of said Gwynns Falls, and on part on the third line of the parcel of land described in said deed, North 65° 31' 03" East 10.79 feet; thence by lines through the property now or formerly owned by the Mayor and City Council of Baltimore, the five following courses and distances; namely, South 46° 32' 42" East 60.43 feet, by a tangent arc curving to the right with a radius of 205.00 feet the distance of 24.79 feet which arc is subtended by a chord bearing South 43° 04' 51" East 24.77, South 39° 37' 01" East 122.26 feet, by a tangent arc curving to the right with a radius of 205.00 feet the distance of 20.39 feet which arc is subtended by a chord bearing South 36° 46' 02" East 20.38 feet and South 33° 55' 03" East 16.61 feet to intersect the northeast side of a 20.0 foot wide Right of Way for Easement No.1 for the Baltimore Gas and Electric Company and recorded among the Land Records of Baltimore City in Liber M.L.P. No.10259, Folio 315, there situate; thence binding on the northeast side of said 20.0 foot Right of Way, North 45° 18' 18" West 74.03 feet, and thence by lines through said property, the three following courses and distances; namely, North 39° 37' 01" West 85.48 feet, by a non-tangent arc curving to the left with a radius of 195.00 feet the distance of 23.58 feet which arc is subtended by a chord bearing North 43° 04' 51" West 23.57 feet and North 46° 32' 42" West 64.48 feet to the place of beginning.

Containing 2,150.360 square feet or 0.04937 acre of land, more or less.

Beginning for Perpetual Easement for proposed 115 KV Underground Duct Bank No. 2 at a point on the southeast side of CSX Transportation, Inc, Variable Width Right of Way and the fourth line of a parcel of land conveyed by The Real Estate and Improvement Company of Baltimore City to The Mayor and City Council of Baltimore by deed dated November 25, 1991, and recorded among the Land Records of Baltimore City in Liber S.E.B. No.3100, Folio 482, said point of beginning being distant South 41° 58' 55" West 133.09 feet measured along the southeast side of said CSX Transportation, Inc. Right of Way Line, from the end of the fourth line of said deed, and having a coordinate value of West 6,329.995 feet and South 10,241.374 feet, and running thence by lines through the property now or formerly owned by the Mayor and City Council of Baltimore, the sixteen following courses and distances; namely, South 46° 16' 37" East 44.81 feet, by a tangent arc curving to the left with a radius of 95.00 feet the distance of 49.73 feet which arc is subtended by a chord bearing South 61° 16' 21" East 49.16 feet, by a tangent line, South 76° 16' 05" East 25.78 feet, North 13° 43' 55" East 2.00 feet, South 76° 16' 05" East 49.81 feet, by a tangent arc curving to the right with a radius of 407.00 feet the distance of 13.42 feet which arc is subtended by a chord bearing South 75° 19' 24" East 13.42 feet, South 15° 37' 17" West 2.00 feet, by a non-tangent arc curving to the right with a radius of 405.00 feet the distance of 21.06 feet which arc is subtended by a chord bearing South 72° 53' 19" East 21.06 feet, by a tangent line South 71° 23' 55" East 102.83 feet, by a tangent arc curving to the right with a radius of 305.00 feet the distance of 162.72 feet which arc is subtended by a chord bearing South 56° 06' 52" East 160.80 feet, by a tangent line, South 40° 49' 49" East 46.45 feet, by a tangent arc curving to the right with a radius of 205.00 feet the distance of 55.29 feet which arc is subtended by a chord bearing South 33° 06' 14" East 55.12 feet, by a tangent line,

South 25° 22' 39" East 37.06 feet, by a tangent arc curving to the left with a radius of 195.00 feet the distance of 101.63 feet which arc is subtended by a chord bearing South 40° 18' 30" East 100.49 feet, by a tangent line, South 55° 14' 21" East 79.15 feet and by a tangent arc curving to the left with a radius of 195.00 feet the distance of 9.25 feet which arc is subtended by a chord bearing South 56° 35' 50" East 9.24 feet to intersect the west side of Russell Street, Variable Width Right of Way; thence binding on the west side of said Russell Street, South 00° 57' 10" West 11.58 feet; thence by lines through the property now or formerly owned by the Mayor and City Council of Baltimore the sixteen following courses and distances; namely, by a non-tangent arc curving to the right with a radius of 205.00 feet the distance of 15.70 feet which arc is subtended by a chord bearing of North 57° 25' 58" West 15.69 feet, by a tangent line, North 55° 14' 21" West 79.15 feet, by a tangent arc curving to the right with a radius of 205.00 feet the distance of 106.84 feet which arc is subtended by a chord bearing North 40° 18' 30" West 105.64 feet, by a tangent line, North 25° 22' 39" West 37.06 feet, by a tangent arc curving to the left with a radius of 195.00 feet the distance of 52.59 feet which arc is subtended by a chord bearing North 33° 06' 14" West 52.43 feet, by a tangent line, North 40° 49' 49" West 46.45 feet, by a tangent arc curving to the left with a radius of 295.00 feet the distance of 157.39 feet which arc is subtended by a chord bearing North 56° 06' 52" West 155.53 feet, by a tangent line North 71° 23' 55" West 102.83 feet, by a tangent arc curving to the left with a radius of 395.00 feet the distance of 20.54 feet which arc is subtended by a chord bearing North 72° 53' 19" West 20.54 feet, by a non-tangent line, South 15° 37' 17" West 2.00 feet, by a non-tangent arc curving to the left with a radius of 393.00 feet the distance of 12.96 feet which arc is subtended by a chord bearing North 75° 19' 24" West 12.96 feet, by a tangent line, North 76° 16' 05" West 49.81 feet, North 13° 43' 55" East 2.00 feet, North 76° 16' 05" West 25.78 feet, by a tangent arc curving to the right with a radius of 105.00 feet the distance of 54.96 feet which arc is subtended by a chord bearing North 61° 16' 21" West 54.34 feet and by a tangent line, North 46° 16' 38" West 44.51 feet, to intersect the southeast side of said CSX Transportation, Inc. Right of Way, and thence binding on the southeast side of said CSX Transportation, Inc. Right of Way, North 41° 58' 55" East 10.00 feet to the place of beginning.

Containing 8,279.885 square feet or 0.19008 acre of land, more or less.

Beginning for Perpetual Easement for proposed 115 KV Underground Duct Bank No. 3 at a point on the west side of the CSX Variable Width Right of Way Line, as shown on Right of Way Plat Nos. I-95-136A & 238A, and filed in the Office of the Department of Transportation, said point of beginning being distant by a non-tangent arc curving to the right with a radius of 305.27 feet the distance of 30.32 feet which arc is subtended by a chord bearing South 00° 03' 26" East 30.31 feet measured along the west side of said CSX Variable Width Right of Way from the south Right of Way Line of Through Highway for Interstate Route No. 95, and having a coordinate value of West 6,427.859 feet and South 10,094.798 feet, and running thence binding on the west side of said CSX Variable Width Right of Way Line, by a tangent arc curving to the right with a radius of 305.27 feet the distance of 38.62 feet which arc is subtended by a chord bearing South 06° 24' 44" West 38.59 feet, and thence through the property now or formerly owned by the Mayor and City Council of Baltimore by a non-tangent arc curving to the right with a radius of 80.00 feet the distance of 38.98 feet which arc is subtended by a chord bearing N 06° 24' 44" East 38.59 feet to the place of beginning.

Containing 76.657 square feet or 0.00176 acre of land, more or less.

All courses and distances in the above description are referred to the true meridian as adopted by the Baltimore Survey Control System.

Subject to the following conditions:

1. The plans and specifications for the use of the Perpetual Easements shall be approved in writing by the City before construction.

2. The City and its employees or agents shall have access to the Perpetual Easement areas at all time when necessary for public purposes.
3. Grantee shall maintain the Perpetual Easements at its sole cost and expense.
4. The City shall be protected, indemnified, and saved harmless from all legal action, losses, and damages resulting from injury to persons or damage to property caused by the use of the Perpetual Easements by the Grantee, its assigns and invitees.
5. No structures shall be erected by the Grantee over the Perpetual Easements area except for facilities approved in advance by the City.

SECTION 2. AND BE IT FURTHER ORDAINED, That no easement or easements shall be granted under this Ordinance until the same has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-480
(Council Bill 07-600)**

AN ORDINANCE CONCERNING

Sale of Property – Freedomway North and Freedomway West

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in a certain parcel of land known as the former beds of Freedomway North and Freedomway West and no longer needed for public use; and providing for a special effective date.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in a certain parcel of land known as the former beds of Freedomway North and Freedomway West, and more particularly described as follows:

Beginning for the same at a point on the west side of Freedomway North, 60 feet wide, distant Northerly 166.7 feet, more or less, measured along the west side of said Freedomway North from the north side of Federal Street, 80 feet wide, and running thence binding on the west side of the former bed of Freedomway North, varying in width, Northerly 39.0 feet, more or less, to intersect the southwest side of the former bed of Freedomway West, varying in width; thence binding on the southwest side of the former bed of said Freedomway West, Northwesterly by a line curving to the left with a radius of 150.00 feet the distance of 125.0 feet, more or less, to intersect the southwest side of the former bed of Freedomway

West, 50 feet wide, there situate; thence binding on the southwest side of the former bed of last said Freedomway West, the two following courses and distances; namely, by a tangent line, Northwesterly 443.7 feet, more or less, and Northeasterly by a line curving to the right with a radius of 90.00 feet the distance of 207.7 feet, more or less, to intersect the north side of the former bed of Freedomway North, 50 feet wide; thence binding on the north and northeast sides of the former bed of last said Freedomway North, the three following courses and distances; namely, by a tangent line, Easterly 314.5 feet, more or less, Southeasterly by a line curving to the right with a radius of 175.00 feet the distance of 190.1 feet, more or less, and by a tangent line, Southeasterly 282.8 feet, more or less, to intersect the northwest side of said Freedomway North, mentioned firstly herein; and thence binding on the northwest side of said Freedomway North, mentioned firstly herein, Southwesterly 50.6 feet, more or less, to intersect the southwest side of the former bed of Freedomway North, mentioned thirdly herein; thence binding on the southwest and south sides of the former bed of Freedomway North, mentioned thirdly herein, the three following courses and distances; namely, Northwesterly 290.4 feet, more or less, Northwesterly by a line curving to the left with a radius of 125.00 feet the distance of 135.9 feet, more or less, and Westerly 314.5 feet, more or less, to intersect the northeast side of the former bed of last said Freedomway West; thence binding on the northeast side of the former bed of last said Freedomway West, Southwesterly by a line curving to the left with a radius of 40.00 feet the distance of 94.9 feet, more or less; thence binding in part on the northeast side of the former bed of last said Freedomway West, in part on the northeast side of the former bed of said Freedomway West, mentioned firstly herein, and in all, by a tangent line, Southeasterly 561.2 feet, more or less, to intersect the northwest side of said Freedomway North, mentioned firstly herein, and thence binding on the northwest side of said Freedomway North, mentioned firstly herein, Southwesterly by a line curving to the left with a radius of 160.00 feet, the distance of 129.2 feet, more or less, to the place of beginning.

Subject to a full width Perpetual Easement for all Municipal Utilities and Services, not to be abandoned, over the entire herein above described parcel of land.

This property being no longer needed for public use.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-481
(Council Bill 07-604)**

AN ORDINANCE CONCERNING

**Zoning – Conditional Use Convalescent, Nursing, and Rest Home
(Assisted Living) – 643 Tunbridge Road**

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a convalescent, nursing, and rest home (assisted living) on the property known as 643 Tunbridge Road, as outlined in red on the accompanying plat.

BY authority of

Article - Zoning
Section(s) 4-604 and 14-102
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of a convalescent, nursing, and rest home (assisted living) on the property known as 643 Tunbridge Road, as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 4-604 and 14-102, subject to the ~~condition that~~ the following conditions:

1. The maximum number of resident clients is 11.
2. There may be no more than 2 persons per sleeping room.
3. Sleeping rooms for clients may not be in the basement.
4. 24-hour supervision must be provided.
5. There may be no exterior sign on the facility other than a nameplate no larger than 12 inches wide by 12 inches high.
6. The convalescent, nursing, and rest home (assisted living) ~~complies~~ must comply with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved June 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-482
(Council Bill 07-629)**

AN ORDINANCE CONCERNING

Planned Unit Development – Amendment 1 – Harbor East

FOR the purpose of approving certain amendments to the Development Plan of the Harbor East Planned Unit Development.

BY authority of

Article - Zoning
Title 9, Subtitles 1 and 4
Baltimore City Revised Code
(Edition 2000)

Recitals

By Ordinance 06-179, the Mayor and City Council approved the application of Harbor East Parcel D - Hotel, LLC, and Harbor East Parcel D - Residential, LLC, (both members of Harbor East Parcel D - Acquisition, LLC) to have certain property located in the Inner Harbor East Urban Renewal Area (the "Property"), consisting of ~~2.31~~ 3.27 acres, more or less, designated as a Business Planned Unit Development and approved the Development Plan submitted by the applicant.

The current owner of the Property, Harbor East Parcel D - Acquisition, LLC, wishes to amend the Development Plan, as previously approved by the Mayor and City Council, to modify the floor area ratio and the heights of certain structures depicted in the Development Plan and to modify the site plan and proposed conditions and make any other amendments or modifications as necessary to accommodate additional office space and off-street parking on the Property.

On February 27, 2007, representatives of Harbor East Parcel D - Acquisition, LLC, met with the Department of Planning for a preliminary conference to explain the scope and nature of the proposed amendments to the Development Plan.

The representatives of Harbor East Parcel D - Acquisition, LLC, have now applied to the Baltimore City Council for approval of these amendments, and they have submitted amendments to the Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the amended Development Plan submitted by Harbor East Parcel D - Acquisition, LLC, as attached to and made part of this Ordinance, consisting of PUD 1, "Title Sheet", dated ~~March 16, 2007~~ May 1, 2007; PUD 2, "Existing Conditions", dated ~~March 16, 2007~~ May 1, 2007; PUD 3, "Proposed Conditions", dated ~~March 16, 2007~~ May 1, 2007; PUD 4, 5, 6, and 7, "Height Diagrams," dated ~~March 16, 2007~~ May 1, 2007; PUD 8, "Concept Site Plan", dated ~~March 12, 2007~~ May 1, 2007; and PUD 9, "Concept Landscape Plan", dated ~~March 16, 2007~~ May 1, 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the property are subject to final design approval by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying amended Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the amended Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the amended Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved June 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-483
(Council Bill 07-690)**

AN ORDINANCE CONCERNING

**Franchise – Structural Projections into the South Potomac Street
Right-of-Way**

FOR the purpose of granting a franchise to Randolph and Marisa Capone to construct, use, and maintain structural projections into a portion of the South Potomac Street right-of-way, subject to certain terms, conditions, and reservations; and providing for a special effective date.

BY authority of
Article VIII - Franchises
Baltimore City Charter
(1996 Edition)

Recitals

Randolph and Marisa Capone are the owners of the property known as 3000 Hudson Street. The property is a vacant end-of-row building of 3 stories. The property was operated as a bar at one time, but has been vacant since 1999.

The owners' planned renovation will convert the building to a single family home, with a brick exterior. The design will include a curving exterior turret wall of 3 stories, projecting from the west wall of the building and encroaching into a portion of the South Potomac Street right-of-way. A 1 story extension will also project from the west wall into a portion of the South Potomac Street right-of-way, beginning at the rear of the property and aligning with an existing curb cut. This addition will permit useable space for a two car garage. The sidewalk area is 14 feet wide at this location.

The described additions to the renovated building will project into portions of public rights-of-way.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That a franchise or right is granted to Randolph and Marisa Capone, their tenants, successors, and assigns (collectively, the "Grantee") to construct, use, and maintain, at Grantee's own cost and expense, and subject to the terms and conditions of this Ordinance, structural projections on the building located at the northeastern corner of Hudson Street and South Potomac Street, and known as 3000 Hudson Street, located within easement areas more particularly described as follows:

Located along the western property line of 3000 Hudson Street, along South Potomac Street at the First, Second, and Third floors of the building is a projecting, curving turret wall. The projection into the South Potomac Street right-of-way begins approximately 16.3 feet from the southwestern corner of the building. The semi-circular structure will extend approximately 10 feet north, with the center of the arc located

approximately 21.3 feet from the said corner of the building. The 3 story structure will have an approximately 5 foot radius.

The projection contains approximately 39 square feet in plane for each of the 3 floors, for a total of 117 square feet.

Located along the western property line of 3000 Hudson Street, along South Potomac Street, is a 1 story rectangular projection. The 1 story projection into the South Potomac Street right-of-way begins approximately 48.8 feet from the southwestern corner of the building, projecting approximately 4 feet from the western property line, extending north and parallel to the property line, for a distance of approximately 23.2 feet, to an existing 8 foot wide alley.

The projection contains approximately 92.8 square feet in plane.

SECTION 2. AND BE IT FURTHER ORDAINED, That to become effective, the franchise or right granted by this Ordinance (the "Franchise") must be executed and enjoyed by the Grantee within 6 months after the effective date of this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That as compensation for the Franchise, the Grantee shall pay to the Mayor and City Council of Baltimore a franchise charge of \$996.30 a year, subject to increase or decrease as provided in Section 5 of this Ordinance. The franchise charge must be paid annually, at least 30 days before the initial and each renewal term of the Franchise.

SECTION 4. AND BE IT FURTHER ORDAINED, That:

(a) The initial term of the Franchise is 1 year, commencing on the effective date of this Ordinance. Unless sooner terminated as provided in this Ordinance, the Franchise will automatically renew, without any action by either the Mayor and City Council of Baltimore or the Grantee, for 24 consecutive 1-year renewal terms. Except as otherwise provided in this Ordinance, each renewal term will be on the same terms and conditions as the initial term. The maximum duration for which the Franchise may operate, including the initial and all renewal terms, is 25 years.

(b) Either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the Grantee may cancel the Franchise as at the end of the initial or any renewal term by giving written notice of cancellation to the other at least 90 days before the end of that term.

SECTION 5. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the annual franchise charge by giving written notice of the increase or decrease to the Grantee at least 150 days before the end of the original or renewal term immediately preceding the renewal term to which the increase or decrease will first apply. The new franchise charge will apply to all subsequent annual renewal terms, unless again increased or decreased in accordance with this section.

SECTION 6. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore expressly reserves the right at all times to exercise, in the interest of the public, full municipal superintendence, regulation, and control over and in respect to all matters connected with the Franchise and not inconsistent with the terms of this Ordinance.

SECTION 7. AND BE IT FURTHER ORDAINED, That the Grantee, at its own cost and expense, shall maintain in good condition and in compliance with all applicable laws and regulations of Baltimore City, all structures for which the Franchise is granted. The maintenance of these structures shall be at all times subject to the regulation and control of the Commissioner of Housing and Community Development and the Director

of Public Works. If any structure for which the Franchise is granted must be readjusted, relocated, protected, or supported to accommodate a public improvement, the Grantee shall pay all costs and expenses in connection with the readjustment, relocation, protection, or support.

SECTION 8. AND BE IT FURTHER ORDAINED, That at the option of the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, the Grantee's failure to comply with any term or condition of this Ordinance constitutes a forfeiture of the Franchise. Immediately on written notice to the Grantee of the exercise of this option, the Franchise terminates. Once so terminated, only an ordinance of the Mayor and City Council of Baltimore may waive the forfeiture or otherwise reinstate the Franchise.

SECTION 9. AND BE IT FURTHER ORDAINED, That at any time and without prior notice, the Mayor of Baltimore City may revoke the Franchise if, in the Mayor's judgment, the public interest, welfare, safety, or convenience so requires. Immediately on written notice to the Grantee of the exercise of this right, the Franchise terminates.

SECTION 10. AND BE IT FURTHER ORDAINED, That on cancellation, expiration, forfeiture, revocation, or other termination of the Franchise for any reason, the Grantee shall remove all structures for which the Franchise is granted. The removal of these structures shall be (i) undertaken at the cost and expense of the Grantee, without any compensation from the Mayor and City Council of Baltimore, (ii) made in a manner satisfactory to the Commissioner of Housing and Community Development and the Director of Public Works, and (iii) completed within the time specified in writing by the Director of Public Works.

SECTION 11. AND BE IT FURTHER ORDAINED, That the Grantee is liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against all suits, losses, costs, claims, damages, or expenses to which the Mayor and City Council of Baltimore is at any time subjected on account of, or in any way resulting from, (i) the presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of any of the structures for which the Franchise is granted, or (ii) any failure of the Grantee, its officers, employees, or agents, to perform promptly and properly any duty or obligation imposed on the Grantee by this Ordinance.

SECTION 12. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved July 27, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-484
(Council Bill 06-506)**

AN ORDINANCE CONCERNING

Baltimore City Office of Sustainability

FOR the purpose of establishing the Baltimore City Office of Sustainability; ~~providing for the appointment of an Executive Director and staff for the Office; providing for the establishment and implementation of an Environmental Management Program~~ a sustainability and environmental management program; specifying the powers and duties of the Office ~~and the Executive Director; providing for a special effective date;~~ and generally relating to an Office of Sustainability.

BY adding

Article 1 - Mayor, City Council, and Municipal Agencies
 Section(s) 34-1 through 34-12, to be under the new subtitle,
 "Subtitle 34. Office of Sustainability"
 Baltimore City Code
 (Edition 2000)

~~BY adding~~

~~Article 8 - Ethics
 Section(s) 7-8(39)
 Baltimore City Code
 (Edition 2000)~~

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

SUBTITLE 34. BALTIMORE CITY OFFICE OF SUSTAINABILITY

§ 34-1. DEFINITIONS.

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) *DIRECTOR.*

"DIRECTOR" MEANS THE ~~EXECUTIVE DIRECTOR OF THE OFFICE OR THE EXECUTIVE~~ DIRECTOR OF PLANNING OR THE DIRECTOR'S DESIGNEE.

(C) *"INCLUDES"; "INCLUDING".*

"INCLUDES" OR "INCLUDING" MEANS BY WAY OF ILLUSTRATION AND NOT BY WAY OF LIMITATION.

(D) *OFFICE.*

"OFFICE" MEANS THE BALTIMORE CITY OFFICE OF SUSTAINABILITY.

§ 34-2. {RESERVED}

§ 34-3. OFFICE ESTABLISHED.

(A) *IN GENERAL.*

THERE IS A BALTIMORE CITY OFFICE OF SUSTAINABILITY.

(B) *DIVISION OF PLANNING.*

THE OFFICE IS A DIVISION IN THE DEPARTMENT OF PLANNING.

~~§ 34-4. APPOINTMENT OF DIRECTOR.~~

~~THE EXECUTIVE DIRECTOR OF THE OFFICE IS APPOINTED BY THE MAYOR IN ACCORDANCE WITH ARTICLE IV, § 6 OF THE CITY CHARTER.~~

§ 34-4. SUSTAINABILITY MANAGER.

THE DIRECTOR OF PLANNING SHALL EMPLOY A SUSTAINABILITY MANAGER.

§ 34-5. STAFF AND CONSULTANTS.

THE DIRECTOR MAY EMPLOY A STAFF AND MAY CONTRACT FOR CONSULTANTS AND OTHER EXPERTS AS PROVIDED IN THE ORDINANCE OF ESTIMATES.

§ 34-6. {RESERVED}

§ 34-7. MISSION OF OFFICE.

(A) *"SUSTAINABLE COMMUNITY" DEFINED.*

A SUSTAINABLE COMMUNITY IS ONE IN WHICH ECONOMIC, ECOLOGICAL, AND SOCIAL WELL-BEING ARE INTEGRATED TO ENSURE ALL LIVE WELL, WITHIN NATURE'S MEANS.

(B) *PROGRAMS, POLICIES, AND ACTIONS.*

- (1) THE MISSION OF THE OFFICE IS TO DEVELOP AND ADVOCATE FOR PROGRAMS, POLICIES, AND ACTIONS BY GOVERNMENT, CITIZENS, AND BUSINESSES THAT LEAD TO SUSTAINABLE COMMUNITIES IN THE CITY.
- (2) THESE PROGRAMS, POLICIES, AND ACTIONS INCLUDE THOSE THAT:
 - (I) SUPPORT A DIVERSE AND VIBRANT ECONOMY;
 - (II) PROMOTE AN EQUITABLE DISTRIBUTION OF RESOURCES;
 - (III) PROTECT AND RESTORE THE INTEGRITY OF THE NATURAL SYSTEMS THAT SUPPORT LIFE, INCLUDING AIR, WATER, AND LAND;
 - (IV) PRESERVE THE DIVERSITY OF PLANT AND ANIMAL LIFE; AND
 - (V) REDUCE HUMAN IMPACTS ON LOCAL AND WORLDWIDE ECOSYSTEMS.

§ 34-8. {RESERVED}

§ 34-9. SUSTAINABILITY AND ENVIRONMENTAL MANAGEMENT PROGRAM.

(A) *OFFICE TO DEVELOP.*

THE OFFICE SHALL DEVELOP ~~AN~~ A SUSTAINABILITY AND ENVIRONMENTAL MANAGEMENT PROGRAM FOR THE CITY.

(B) *COMPONENTS.*

(1) THE PROGRAM SHALL INCORPORATE THE SUSTAINABILITY PLAN DEVELOPED BY THE COMMISSION ON SUSTAINABILITY AND ANY OTHER RECOMMENDATIONS MADE BY THE COMMISSION.

(2) THE PROGRAM SHALL INCLUDE APPROPRIATE MEASURES FOR:

- (I) ~~(1)~~ DEVELOPING OR COORDINATING CITY POLICIES AND PROGRAMS THAT WILL IMPROVE ENVIRONMENTAL PERFORMANCE IN CITY OPERATIONS;
- (II) ~~(2)~~ FACILITATING THE CITY'S COMPLIANCE WITH FEDERAL, STATE, AND LOCAL ENVIRONMENTAL REGULATIONS;
- (III) ~~(3)~~ ADVANCING THE CITY'S ENVIRONMENTAL PRIORITIES;
- (IV) ~~(4)~~ INTEGRATING SUSTAINABILITY AND ENVIRONMENTAL VALUES INTO CITY PLANS, PROGRAMS, AND POLICIES; AND
- (V) ~~(5)~~ SETTING SUSTAINABILITY AND ENVIRONMENTAL TARGETS AND OBJECTIVES FOR THE CITY.

(C) *IMPLEMENTATION.*

THE OFFICE SHALL OVERSEE IMPLEMENTATION OF THE PROGRAM.

§ 34-10. SUPPORT FOR OTHER PROGRAMS AND POLICIES.(A) *IN GENERAL.*

THE OFFICE SHALL SEEK TO ASSURE PROPER CITY SUPPORT FOR THE CITY'S GREEN BUILDING, ENERGY POLICY, AND SOLID WASTE AND RECYCLING PROGRAMS.

(B) *SPECIFIC DUTIES.*

TO THIS END, THE OFFICE SHALL:

- (1) DIRECT AND EVALUATE ENERGY POLICY AND GLOBAL WARMING ACTION PLAN IMPLEMENTATION;
- (2) ADMINISTER AND MONITOR DIRECT CITY GOVERNMENT ENERGY EFFICIENCY ACTIVITIES;
- (3) REVIEW CITY POLICIES AND PROGRAMS FOR CONSISTENCY WITH THE POLICY;
- (4) MAKE RECOMMENDATIONS TO THE CITY COUNCIL ON THE POLICIES AND PROGRAMS; AND
- (5) ADMINISTER AND MONITOR PROGRAMS IN SUPPORT OF GREEN BUILDING AND SUSTAINABLE DEVELOPMENT PRINCIPLES; ~~AND~~
- ~~(6) ADMINISTER THE CITY'S SOLID WASTE AND RECYCLING PROGRAMS.~~

§ 34-11. DIRECTOR'S POWERS AND DUTIES – IN GENERAL.

THE DIRECTOR SHALL:

- (1) PREPARE AND UPDATE ANNUALLY A SUSTAINABILITY AND ENVIRONMENTAL MANAGEMENT PLANNING AGENDA FOR THE CITY;
- (2) REPORT TO THE MAYOR AND CITY COUNCIL ON THE PERFORMANCE IN MEETING SUSTAINABILITY AND ENVIRONMENTAL TARGETS AND OBJECTIVES OF:
 - (I) EACH CITY AGENCY; AND
 - (II) THE CITY OVERALL;
- ~~(3) NEGOTIATE AND ADMINISTER CONTRACTS WITH AND CITY FUNDING OF ORGANIZATIONS ASSOCIATED WITH SUSTAINABILITY AND ENVIRONMENTAL PLANNING, PROGRAMS, COMPLIANCE, PERFORMANCE, AND ADVOCACY;~~
- (3) ~~(4)~~ SERVE, IN CONJUNCTION WITH OTHER AFFECTED AGENCY HEADS, AS THE CITY'S REPRESENTATIVE TO BOARDS, COMMISSIONS, AND ORGANIZATIONS ENGAGED IN ISSUES RELATING TO SUSTAINABILITY AND ENVIRONMENTAL MANAGEMENT;
- (4) ~~(5)~~ MANAGE THE ACTIVITIES, AS DESCRIBED IN CITY CODE ARTICLE 5, SUBTITLE 34, OF THE COMMISSION ON ~~RESOURCE CONSERVATION AND RECYCLING~~ SUSTAINABILITY;
- (5) ~~(6)~~ REGULARLY REVIEW AND PROPOSE APPROPRIATE CHANGES TO THE ENVIRONMENTAL MANAGEMENT PROGRAM; AND
- (6) ~~(7)~~ PERFORM ANY OTHER DUTIES PRESCRIBED BY LAW.

§ 34-12. DIRECTOR'S POWERS AND DUTIES – RULES AND REGULATIONS.

(A) *DIRECTOR MAY ADOPT.*

THE DIRECTOR MAY ADOPT RULES AND REGULATIONS TO CARRY OUT THIS SUBTITLE.

(B) *FILING WITH LEGISLATIVE REFERENCE.*

A COPY OF ALL RULES AND REGULATIONS MUST BE FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY TAKE EFFECT.

Article 8. Ethics

~~§ 7-8. Persons required to file – Agency officials and staff.~~

~~Except as provided in § 7-10 ("Person filing with State") of this subtitle, the following officials and employees must file the financial disclosure statements required by this subtitle:~~

~~(39) SUSTAINABILITY, OFFICE OF.~~

~~(i) EXECUTIVE DIRECTOR.~~

~~(ii) ALL NON-CLERICAL EMPLOYEES OF OFFICE.~~

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on ~~the 30th day after the~~ date it is enacted.

Approved August 14, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-485
(Council Bill 07-567)**

AN ORDINANCE CONCERNING

**Franchise – Private Communications Ductbanks Under the Beds of
North Wolfe Street and Ashland Avenue**

FOR the purpose of granting a franchise to Forest City - New East Baltimore Partnership, LLC, to construct, use, and maintain private communications ductbanks under and across the 900 block of North Wolfe Street, the 800 block of North Wolfe Street, and the 1900 block of Ashland Avenue, subject to certain terms, conditions, and reservations; and providing for a special effective date.

BY authority of
Article VIII - Franchises
Baltimore City Charter
(1996 Edition)

Recitals

An overall plan for portions of East Baltimore near Johns Hopkins Hospital is under construction for creation of a biotechnological and residential redevelopment, known as the East Baltimore Development Initiative. As part of the redevelopment, Forest City - New East Baltimore Partnership, LLC, will be participating in Phase I of the New East Baltimore Community.

Forest City - New East Baltimore Partnership, LLC, owns property located on opposite sides of N. Wolfe Street and Ashland Avenue.

Forest City - New East Baltimore Partnership, LLC, wishes to link data and voice networks through a fiber optic cable connection from its building and throughout Phase I of the New East Baltimore Community.

Portions of the private communications ductbanks will be located beneath the beds of the 900 block of N. Wolfe Street, the 800 block of N. Wolfe Street, and the 1900 block of Ashland Avenue public rights-of-way. At no point will the ductbanks be less than 30 inches below the finished grade of the rights-of-way.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That a franchise or right is granted to Forest City - New East Baltimore, LLC, its tenants, successors, and assigns (collectively, the "Grantee") to construct, use, and maintain, at Grantee's own cost and expense, and subject to the terms and conditions of this Ordinance, private communications ductbanks that will connect buildings located in the New East Baltimore Community, by crossing beneath the N. Wolfe Street and Ashland Avenue rights-of-way, located within easement areas more particularly described as follows:

Beginning for the same at a point on the existing easterly right-of-way line of North Wolfe Street, said point being North 02 degrees 46 minutes 39 seconds West 302.29 feet from the corner formed by the existing northerly right-of-way line of Ashland Avenue and the existing easterly right-of-way line of North Wolfe Street and having Baltimore Survey Control System coordinates of North 1,464.6791 and East 6,986.3323, and with all bearings and distances being referenced to the said Baltimore City Control System, thence leaving the aforesaid existing easterly right-of-way line of North Wolfe Street and running in a westerly direction, (1) South 87 degrees 12 minutes 06 seconds West 51.00 feet to a point in North Wolfe Street, thence (2) by a curve to the left having a radius of 4.50 feet and an arch length of 7.07 feet and being subtended by a chord bearing South 42 degrees 12 minutes 06 seconds West 6.36 feet to a point in North Wolfe Street, thence running in a southerly direction, (3) South 02 degrees 47 minutes 54 seconds East 69.00 feet to a point in North Wolfe Street, thence (4) by a curve to the right having a radius of 7.50 feet and an arch length of 11.78 feet, and being subtended by a chord bearing South 42 degrees 12 minutes 06 seconds West 10.61 feet and crossing over the existing westerly right-of-way line of North Wolfe Street to a point, thence (5) North 02 degrees 47 minutes 54 seconds West 3.00 feet to a point, thence (6) by a curve to the left having a radius of 4.50 feet and an arch length of 7.07 feet and being subtended by a chord bearing North 42 degrees 12 minutes 06 seconds East 6.36 feet and crossing over the existing westerly right-of-way line of North Wolfe Street to a point in North Wolfe Street, thence (7) North 02 degrees 47 minutes 54 seconds West 69.00 feet to a point in North Wolfe Street, thence (8) by a curve to the right having a radius of 7.50 feet and an arch length of 11.78 feet and being subtended by a chord bearing North 42 degrees 12 minutes 06 seconds East 10.61 feet to a point in North Wolfe Street, thence (9) North 87 degrees 12 minutes 06 seconds East 52.00 feet crossing over the aforesaid existing easterly right-of-way line of North Wolfe Street to a point, thence (10) South 02 degrees 47 minutes 54 seconds East 3.00 feet to a point, thence (11) South 87 degrees 12 minutes 06 seconds to the place of beginning.

Containing approximately 419.55 square feet in plane, or 0.10 acres, more or less.

Beginning for the same at a point South 87 degrees 10 minutes 15 seconds West 33.08 feet from the corner formed by the existing northerly right-of-way line of Ashland Avenue and the existing westerly right-of-way line of North Chapel Street, said point having Baltimore City Survey Control System coordinates of North 1,168.2948 and East 7,113.2649, and with all bearings and distances being referenced to the Baltimore City Survey Control System, thence leaving the aforesaid existing northerly right-of-way line of Ashland Avenue and running in a northerly direction, (1) North 02 degrees 53 minutes 13 seconds West 1.00 feet to a point, thence (2) South 87 degrees 06 minutes 47 seconds West 3.00 feet to a point, thence (3) South 02 degrees 53 minutes 13 seconds East 55.00 feet, and crossing over the aforesaid existing northerly right-of-way line of Ashland Avenue, to a point, thence (4) by a curve to the left having a radius of 13.50 feet and an arch length of 7.07 feet and being subtended by a chord bearing South 17 degrees 53 minutes 30 seconds East 6.99 feet to a point, thence (5) by a curve to the right having a radius of 10.50 feet and an arch length of 5.50 feet and being subtended by a chord bearing South 17 degrees 53 minutes 30 seconds East 5.44 feet to intersect the existing southerly right-of-way line of Ashland Avenue, thence leaving the aforesaid right-of-way line and running in a southerly direction South 02 degrees 53 minutes 13 seconds East 1.00 feet to a point, thence (6) North 87 degrees 06 minutes 47 seconds East 3.00 feet to a point, thence (7) North 02 degrees 53 minutes 13 seconds West 1.00 feet, to intersect the existing southerly right-of-way line of Ashland Avenue, thence (8) by a curve to the left having a radius of 13.50 feet and an arch length of 7.07 feet, and being subtended by a chord bearing North 17 degrees 53 minutes 30 seconds West 6.99 feet, to a point, thence (9) by a curve to the right having a radius of 10.50 feet and an arch length of 5.50 feet, and being subtended by a chord bearing North 17 degrees 53 minutes 30 seconds West 5.44 feet to a point, thence (10) North 02 degrees 53 minutes 13 seconds West 54.00 feet to the place of beginning.

Containing approximately 204.20 square feet in plane, or 0.005 acres, more or less.

Beginning for the same at a point on the existing westerly right-of-way line of North Wolfe Street, said point being North 02 degrees 48 minutes 50 seconds West 113.05 feet from the corner formed by the existing northerly right-of-way line of East Madison Street and the existing westerly right-of-way line of North Wolfe Street, with all bearings and distances being referenced to the Baltimore City Survey Control System and having coordinates of North 886.151 and East 6948.641, thence running in an easterly direction, across North Wolfe Street and crossing over the proposed new easterly right-of-way line of North Wolfe Street, (1) North 87 degrees 12 minutes 06 seconds East 69.00 feet to a point, said point being 1.00 feet east of the proposed new easterly right-of-way line of North Wolfe Street, thence running parallel to the aforesaid proposed new easterly right-of-way line (2) North 02 degrees 47 minutes 54 seconds West 3.00 feet to a point, thence in a westerly direction and crossing over the proposed new easterly right-of-way line of North Wolfe Street and also the westerly right-of-way line of the aforesaid North Wolfe Street, (3) South 87 degrees 12 minutes 06 seconds West 70.00 feet to a point, said point being 1.00 feet west of the existing westerly right-of-way line of North Wolfe Street, thence running parallel to the westerly right-of-way line of the said North Wolfe Street, (4) South 02 degrees 47 minutes 54 seconds East 3.00 feet to a point, thence running in an easterly direction (5) North 87 degrees 12 minutes 06 seconds East 1.00 feet to the place of beginning.

Containing approximately 210.00 square feet in plane, or 0.004 acres, more or less.

SECTION 2. AND BE IT FURTHER ORDAINED, That to become effective, the franchise or right granted by this Ordinance (the "Franchise") must be executed and enjoyed by the Grantee within 6 months after the effective date of this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That as compensation for the Franchise, the Grantee shall pay to the Mayor and City Council of Baltimore a franchise charge of \$6,856.42 a year, subject to increase or decrease as provided in Section 5 of this Ordinance. The franchise charge must be paid annually, at least 30 days before the initial and each renewal term of the Franchise.

SECTION 4. AND BE IT FURTHER ORDAINED, That:

(a) The initial term of the Franchise is 1 year, commencing on the effective date of this Ordinance. Unless sooner terminated as provided in this Ordinance, the Franchise will automatically renew, without any action by either the Mayor and City Council of Baltimore or the Grantee, for 24 consecutive 1-year renewal terms. Except as otherwise provided in this Ordinance, each renewal term will be on the same terms and conditions as the initial term. The maximum duration for which the Franchise may operate, including the initial and all renewal terms, is 25 years.

(b) Either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the Grantee may cancel the Franchise as at the end of the initial or any renewal term by giving written notice of cancellation to the other at least 90 days before the end of that term.

SECTION 5. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the annual franchise charge by giving written notice of the increase or decrease to the Grantee at least 150 days before the end of the original or renewal term immediately preceding the renewal term to which the increase or decrease will first apply. The new franchise charge will apply to all subsequent annual renewal terms, unless again increased or decreased in accordance with this section.

SECTION 6. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore expressly reserves the right at all times to exercise, in the interest of the public, full municipal superintendence, regulation, and control over and in respect to all matters connected with the Franchise and not inconsistent with the terms of this Ordinance.

SECTION 7. AND BE IT FURTHER ORDAINED, That the Grantee, at its own cost and expense, shall maintain in good condition and in compliance with all applicable laws and regulations of Baltimore City, all structures for which the Franchise is granted. The maintenance of these structures shall be at all times subject to the regulation and control of the Commissioner of Housing and Community Development and the Director of Public Works. If any structure for which the Franchise is granted must be readjusted, relocated, protected, or supported to accommodate a public improvement, the Grantee shall pay all costs and expenses in connection with the readjustment, relocation, protection, or support.

SECTION 8. AND BE IT FURTHER ORDAINED, That at the option of the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, the Grantee's failure to comply with any term or condition of this Ordinance constitutes a forfeiture of the Franchise. Immediately on written notice to the Grantee of the exercise of this option, the Franchise terminates. Once so terminated, only an ordinance of the Mayor and City Council of Baltimore may waive the forfeiture or otherwise reinstate the Franchise.

SECTION 9. AND BE IT FURTHER ORDAINED, That at any time and without prior notice, the Mayor of Baltimore City may revoke the Franchise if, in the Mayor's judgment, the public interest, welfare, safety, or convenience so requires. Immediately on written notice to the Grantee of the exercise of this right, the Franchise terminates.

SECTION 10. AND BE IT FURTHER ORDAINED, That on cancellation, expiration, forfeiture, revocation, or other termination of the Franchise for any reason, the Grantee shall remove all structures for which the Franchise is granted. The removal of these structures shall be (i) undertaken at the cost and expense of the Grantee, without any compensation from the Mayor and City Council of Baltimore, (ii) made in a manner satisfactory to the Commissioner of Housing and Community Development and the Director of Public Works, and (iii) completed within the time specified in writing by the Director of Public Works.

SECTION 11. AND BE IT FURTHER ORDAINED, That the Grantee is liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against all suits, losses, costs, claims, damages, or expenses to which the Mayor and City Council of Baltimore is at any time subjected on account of, or in any way resulting from, (i) the presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of any of the structures for which the Franchise is granted, or (ii) any failure of the Grantee, its officers, employees, or agents, to perform promptly and properly any duty or obligation imposed on the Grantee by this Ordinance.

SECTION 12. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved August 14, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-486
(Council Bill 07-568)**

AN ORDINANCE CONCERNING

**Franchise – Private Bridgeway and Foundation
Above and Within the Bed of East Madison Street**

FOR the purpose of granting a franchise to 855 N. Wolfe Street, LLC, to construct, use, and maintain a private pedestrian bridgeway above and across East Madison Street right-of-way and a portion of the bridgeway

foundation within East Madison Street right-of-way, subject to certain terms, conditions, and reservations; and providing for a special effective date.

BY authority of
Article VIII - Franchises
Baltimore City Charter
(1996 Edition)

Recitals

An overall plan for portions of East Baltimore near Johns Hopkins Hospital is under construction for creation of a biotechnological and residential development known as the East Baltimore Development Initiative. As part of the redevelopment, 855 N. Wolfe Street, LLC, is constructing a new 7 story, 300,000 square foot building to house professional offices and laboratory space to be known as the Life Science building.

The Life Science building will be constructed on the block bounded by North Wolfe Street, the former bed of North Chapel Street, East Madison Street, and Ashland Avenue. The new building will be located on the north side of East Madison Street.

An existing Basic Science building at 725 N. Wolfe Street is located on the south side of Madison Street, opposite the location of the new Life Science building.

The 855 N. Wolfe Street, LLC, will construct a private single story pedestrian bridgeway above East Madison Street, connecting the new Life Science building with the existing Basic Science building, and the bridgeway will provide a safe and convenient means for staff and researchers to travel between the buildings.

Portions of the private bridgeway will be located above and across the public right-of-way, and a portion of the bridgeway foundation will project into and below the public right-of-way.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That a franchise or right is granted to 855 N. Wolfe Street, LLC, its tenants, successors, and assigns (collectively, the “Grantee”) to construct, use, and maintain, at Grantee’s own cost and expense, and subject to the terms and conditions of this Ordinance, a private single story pedestrian bridgeway that will connect the building being constructed by the Grantee on the north side of East Madison Street to an existing building located on the south side of East Madison Street, by crossing the East Madison Street right-of-way, located within an aerial easement area more particularly described as follows:

Beginning for the same at a point on the existing northerly right-of-way line of East Madison Street, said point being 108.69 feet east of the corner formed by the intersection of the existing northerly right-of-way line of East Madison Street, 66 feet wide, and the existing easterly right-of-way line of North Wolfe Street, 70 feet wide, with all the bearings and distances being referenced to the Baltimore Survey Control System and having coordinates of North 776.6497 and East 7025.1104, thence running with and binding on the aforesaid existing northerly right-of-way line of East Madison Street, (1) North 87 degrees 15 minutes 17 seconds East 15.67 feet to a point in the aforesaid existing northerly right-of-way line of East Madison Street, thence leaving said right-of-way and running in a southerly direction across East Madison Street to the existing southerly right-of-way line of East Madison Street (2) South 02 degrees 44 minutes 53 seconds East 66.00 feet, to intersect the aforesaid existing southerly right-of-way line of East Madison Street, thence running with and binding on the aforesaid existing southerly right-of-way line, (3) South 87 degrees 15 minutes 17 seconds West 15.67 feet to a point on the aforesaid existing southerly right-of-way

line, thence leaving the said right-of-way and running in a northerly direction across East Madison Street, (4) North 02 degrees 44 minutes 53 seconds West 66.00 feet to the place of beginning.

The easement shall be approximately 15.67 feet wide by 66 feet long and shall be approximately 41 feet above the street bed at its lowest point and shall have a maximum top elevation of 58 feet, more or less.

Containing approximately 1,034 square feet in plane, or 0.0237 acres, more or less.

No signage or banners may be attached to the bridgeway as part of this agreement.

A franchise or right is also granted to the Grantee to construct, use, and maintain, at Grantee's own cost and expense, and subject to the terms and conditions of this Ordinance, a foundation to support the pedestrian bridgeway, a portion of which will project into and beneath the southern right-of-way of East Madison Street, located within an easement area more particularly described as follows:

Beginning for the same at a point on the existing southerly right-of-way line of East Madison Street, said point being 108.83 feet east of the corner formed by the intersection of the easterly right-of-way line of North Wolfe Street, 70 feet wide, and the southerly right-of-way line of East Madison Street, 66 feet wide, said point also having Baltimore City coordinates of North 715.9383 and East 7136.9793 and with all bearings and distances being referenced to the Baltimore City Survey Control System, thence running with and binding on the aforesaid existing southerly right-of-way line of East Madison Street, (1) North 87 degrees 15 minutes 17 seconds East 27.17 feet to a point in the aforesaid right-of-way, thence leaving said right-of-way and running in a northerly direction, (2) North 02 degrees 44 minutes 43 seconds West 4.53 feet to a point in the right-of-way of East Madison Street, thence (3) South 87 degrees 15 minutes 17 seconds West 27.17 feet to a point in the right-of-way, thence (4) South 02 degrees 44 minutes 43 seconds East 4.53 feet to the place of beginning.

Containing approximately 123.08 square feet in plane, or 0.0028 acres, more or less.

A franchise or right is also granted to the Grantee to construct, use, and maintain, at Grantee's own cost and expense, and subject to the terms and conditions of this Ordinance, 2 columns to support the pedestrian bridgeway along with steel pipe bollards, which will project into the right-of-way of East Madison Street vertically between the existing sidewalk and the bridge above, located within easement areas more particularly described as follows:

First, Beginning for the same at a point on the existing southerly right-of-way line of East Madison Street, said point being 110.83 feet east of the corner formed by the intersection of the easterly right-of-way line of North Wolfe Street, 70 feet wide, and the southerly right-of-way line of East Madison Street, 66 feet wide, said point also having Baltimore City coordinates of North 716.016 and East 7138.977 and with all bearings and distances being referenced to the Baltimore City Survey Control System, thence running with and binding on the aforesaid existing southerly right-of-way line of East Madison Street, (1) North 87 degrees 15 minutes 17 seconds East 4.00 feet to a point on the aforesaid right-of-way, thence leaving said right-of-way and running in a northerly direction, (2) North 02 degrees 44 minutes 43 seconds West 4.00 feet to a point in the right-of-way of East Madison Street, thence (3) South 87 degrees 15 minutes 17 seconds West 4.00 feet to a point in the right-of-way, thence (4) South 02 degrees 44 minutes 43 seconds East 4.00 feet to the place of the beginning.

Containing approximately 16.00 square feet in plane, or 0.0004 acres, more or less.

Second, Beginning for the same at a point on the existing southerly right-of-way line of East Madison Street, said point being 129.97 feet east of the corner formed by the intersection of the easterly right-of-way line of North Wolfe Street, 70 feet wide, and the southerly right-of-way line of East Madison Street, 66 feet wide, said point also having Baltimore City coordinates of North 716.770 and East 7158.123 and

with all bearings and distances being referenced to the Baltimore City Survey Control System, thence running with and binding on the aforesaid existing southerly right-of-way line of East Madison Street, (1) North 87 degrees 15 minutes 17 seconds East 4.00 feet to a point on the aforesaid right-of-way, thence leaving said right-of-way and running in a northerly direction, (2) North 02 degrees 44 minutes 43 seconds West 4.00 feet to a point in the right-of-way of East Madison Street, thence (3) South 87 degrees 15 minutes 17 seconds West 4.00 feet to a point in the right-of-way, thence (4) South 02 degrees, 44 minutes 43 seconds East 4.00 feet to the place of the beginning.

Containing approximately 16.00 square feet in plane, or 0.0004 acres, more or less.

SECTION 2. AND BE IT FURTHER ORDAINED, That to become effective, the franchise or right granted by this Ordinance (the "Franchise") must be executed and enjoyed by the Grantee within 6 months after the effective date of this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That as compensation for the Franchise, the Grantee shall pay to the Mayor and City Council of Baltimore a franchise charge of \$10,353.34 a year, subject to increase or decrease as provided in Section 5 of this Ordinance. The franchise charge must be paid annually, at least 30 days before the initial and each renewal term of the Franchise.

SECTION 4. AND BE IT FURTHER ORDAINED, That:

(a) The initial term of the Franchise is 1 year, commencing on the effective date of this Ordinance. Unless sooner terminated as provided in this Ordinance, the Franchise will automatically renew, without any action by either the Mayor and City Council of Baltimore or the Grantee, for 24 consecutive 1-year renewal terms. Except as otherwise provided in this Ordinance, each renewal term will be on the same terms and conditions as the initial term. The maximum duration for which the Franchise may operate, including the initial and all renewal terms, is 25 years.

(b) Either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the Grantee may cancel the Franchise as at the end of the initial or any renewal term by giving written notice of cancellation to the other at least 90 days before the end of that term.

SECTION 5. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the annual franchise charge by giving written notice of the increase or decrease to the Grantee at least 150 days before the end of the original or renewal term immediately preceding the renewal term to which the increase or decrease will first apply. The new franchise charge will apply to all subsequent annual renewal terms, unless again increased or decreased in accordance with this section.

SECTION 6. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore expressly reserves the right at all times to exercise, in the interest of the public, full municipal superintendence, regulation, and control over and in respect to all matters connected with the Franchise and not inconsistent with the terms of this Ordinance.

SECTION 7. AND BE IT FURTHER ORDAINED, That the Grantee, at its own cost and expense, shall maintain in good condition and in compliance with all applicable laws and regulations of Baltimore City, all structures for which the Franchise is granted. The maintenance of these structures shall be at all times subject to the regulation and control of the Commissioner of Housing and Community Development and the Director of Public Works. If any structure for which the Franchise is granted must be readjusted, relocated, protected, or supported to accommodate a public improvement, the Grantee shall pay all costs and expenses in connection with the readjustment, relocation, protection, or support.

SECTION 8. AND BE IT FURTHER ORDAINED, That at the option of the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, the Grantee's failure to comply with any term or condition of this Ordinance constitutes a forfeiture of the Franchise. Immediately on written notice to the Grantee of the exercise of this option, the Franchise terminates. Once so terminated, only an ordinance of the Mayor and City Council of Baltimore may waive the forfeiture or otherwise reinstate the Franchise.

SECTION 9. AND BE IT FURTHER ORDAINED, That at any time and without prior notice, the Mayor of Baltimore City may revoke the Franchise if, in the Mayor's judgment, the public interest, welfare, safety, or convenience so requires. Immediately on written notice to the Grantee of the exercise of this right, the Franchise terminates.

SECTION 10. AND BE IT FURTHER ORDAINED, That on cancellation, expiration, forfeiture, revocation, or other termination of the Franchise for any reason, the Grantee shall remove all structures for which the Franchise is granted. The removal of these structures shall be (i) undertaken at the cost and expense of the Grantee, without any compensation from the Mayor and City Council of Baltimore, (ii) made in a manner satisfactory to the Commissioner of Housing and Community Development and the Director of Public Works, and (iii) completed within the time specified in writing by the Director of Public Works.

SECTION 11. AND BE IT FURTHER ORDAINED, That the Grantee is liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against all suits, losses, costs, claims, damages, or expenses to which the Mayor and City Council of Baltimore is at any time subjected on account of, or in any way resulting from, (i) the presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of any of the structures for which the Franchise is granted, or (ii) any failure of the Grantee, its officers, employees, or agents, to perform promptly and properly any duty or obligation imposed on the Grantee by this Ordinance.

SECTION 12. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved August 14, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-487
(Council Bill 07-577)**

AN ORDINANCE CONCERNING

**Zoning – Parking Lot District – Conditional Use
Parking Lot – 1205 Maryland Avenue**

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of an open off-street parking area on the property known as 1205 Maryland Avenue, as outlined in red on the accompanying plat.

BY authority of

Article - Zoning
Section(s) 6-509(1), 10-504, and 16-102
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of an open off-street parking area on the property known as 1205 Maryland Avenue, as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 6-509(1), 10-504, and 16-102, subject to the condition that the parking area complies with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved August 14, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-488
(Council Bill 07-582)**

AN ORDINANCE CONCERNING

Resource Sustainability

~~FOR the purpose of renaming the Commission on Resource Conservation and Recycling to be the Commission on Resource Sustainability; reconstituting the Commission's membership; restating and modifying the Commission's duties; expanding the information to be included by City agencies in their annual energy consumption reports; requiring City agencies to submit an annual greenhouse gas emissions reduction report; providing for the Commission to develop a comprehensive recycling plan for the City; and generally relating to resource conservation, recycling, and sustainability.~~

~~BY repealing and reordaining, with amendments~~

~~Article 5 - Finance, Property, and Procurement~~

~~Section(s) 34-1 to 34-4, to be under the amended subtitle heading;~~

~~"Subtitle 34. Commission on Resource Sustainability"~~

~~Baltimore City Code
(Edition 2000)~~

Commission on Sustainability

FOR the purpose of establishing a Commission on Sustainability to develop a Sustainability Plan for the City of Baltimore; providing for the Commission's membership; requiring a public process in development of the Plan; specifying the Commission's duties; providing for City agencies' responsibilities to the Commission; conditioning the effectiveness of the Plan on approval by the City Council; abolishing the Commission on Resource Conservation and Recycling; providing for a special effective date; and generally relating to resource conservation, recycling, and sustainability.

BY repealing

Article 5 - Finance, Property, and Procurement
Section(s) 34-1 to 34-4, and the subtitle designation,
“Subtitle 34. Commission on Resource Conservation and Recycling”
Baltimore City Code
(Edition 2000)

BY adding

Article 5 - Finance, Property, and Procurement
Section(s) 34-1 to 34-8, to be under the new subtitle designation,
“Subtitle 34. Commission on Sustainability”
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article 5 - Finance, Property, and Procurement
Section(s) 45-2
Baltimore City Code
(Edition 2000)

~~BY adding~~

~~Article 5 - Finance, Property, and Procurement~~
~~Section(s) 46-1, to be under the subtitle heading,~~
~~“Subtitle 46. Emissions Reduction”~~
~~Baltimore City Code~~
~~(Edition 2000)~~

BY repealing and reordaining, with amendments

Article 23 - Sanitation
Section(s) 16-1 to 16-5, to be under the amended subtitle heading,
“Subtitle 16. Recyclable Material and Compostable Yard Waste”
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Article 5, §§ 34-1 to 34-4 of the Code are repealed, together with the subtitle designation “Subtitle 34. Commission on Resource Conservation and Recycling”.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 5. Finance, Property, and Procurement

~~Subtitle 34. Commission on Resource [Conservation and Recycling]~~ SUSTAINABILITY

~~§ 34-1. Commission created; members.~~**~~(a) Created.~~**

~~There is [hereby created] a Commission on Resource [Conservation and Recycling] SUSTAINABILITY, to consist of 17 members, 16 of whom [shall be] ARE appointed by the Mayor in the manner prescribed by Article IV, § 6 of the City Charter.~~

~~(b) Appointed members.~~

~~The [members] appointed MEMBERS shall represent [the interests of utilities, business, community organizations, mass transit and petroleum industry, private recycling industries, environmental groups, labor unions, the Mayor's Office, and persons who have a general interest in energy and resource conservation, recycling, and waste reduction as well as the age, sex, and race of the City population].~~

- ~~(1) THE RESTAURANT AND BAR BUSINESS COMMUNITY;~~
- ~~(2) COMMUNITY ASSOCIATIONS;~~
- ~~(3) CURRENT AND POTENTIAL APPLICANTS AND AWARDEES OF CITY SANITATION, COMPOSTING, AND RECYCLING CONTRACTS;~~
- ~~(4) THE POLYSTYRENE PRODUCT AND PACKAGING INDUSTRY;~~
- ~~(5) PROVIDERS OF RECYCLING, COMPOSTING, AND BIODEGRADABLE, POLYSTYRENE-ALTERNATIVE PRODUCT SERVICES;~~
- ~~(6) THE U.S. GREEN BUILDING COUNCIL - BALTIMORE REGION;~~
- ~~(7) LABOR UNIONS;~~
- ~~(8) THE MAYOR'S OFFICE;~~
- ~~(9) THE DEPARTMENT OF PUBLIC WORKS;~~
- ~~(10) THE DEPARTMENT OF FINANCE;~~
- ~~(11) THE DEPARTMENT OF RECREATION AND PARKS;~~
- ~~(12) THE PUBLIC SCHOOL SYSTEM;~~
- ~~(13) THE HEALTH DEPARTMENT; AND~~
- ~~(14) SUSTAINABILITY ADVOCATES WHO HAVE A GENERAL INTEREST IN ENERGY AND RESOURCE CONSERVATION, RECYCLING, AND WASTE REDUCTION.~~

~~(c) City Council representative.~~

~~The 17th member shall be a member of the City Council appointed [to the Commission] by the COUNCIL President [of the Council].~~

~~§ 34-2. Terms, Chair.~~~~(a) Terms of members.~~

~~The terms of each member [shall be] IS 4 years, concurrent with the Mayor's term of office, [or] AND until a successor qualifies and takes office.~~

~~(b) Commission Chair.~~

~~The Commission shall appoint one member as its Chair.~~

~~§ 34-3. Compensation, expenses.~~

~~No member of the Commission [shall] MAY receive any compensation for services, but each member may be reimbursed for necessary and proper expenses incurred in the performance of his OR HER duties [as such].~~

~~§ 34-4. Commission duties.~~

~~THE DUTIES OF THE COMMISSION ARE:~~

- ~~(1) to [study] ESTABLISH CRITERIA AND PERFORMANCE MEASURES FOR, REVIEW, and make recommendations to the Mayor[, the] AND City Council[, and appropriate City agencies of methods by which the City can conserve energy, water and other vital resources and reduce and recycle solid waste within City government;]~~
- ~~[(2) to make recommendations of methods by which the City can establish appropriate incentives, standards, and goals for the purchase of products made from recycled materials and to encourage and enable vendors to sell recycled products to the City;]~~
- ~~[(3) to develop an information and referral system for City agencies and the general public related to conservation of energy, waste reduction, and recycling;]~~
- ~~[(4) to cooperate with state and federal energy conservation, waste reduction, and recycling agencies;]~~
- ~~[(5) to produce and distribute educational materials and create educational programs which will inform citizens, business, industry, and other organizations of the City's resource conservation, recycling, and energy conservation programs, laws, and goals;]~~
- ~~[(6) to make recommendations to the Mayor and the City Council for a plan to expand and attract to the City recycling, resource, and energy conservation businesses and industries;]~~
- ~~[(7) to make recommendations to the Mayor and the City Council] regarding:~~
 - ~~(i) REQUESTS FOR PROPOSALS FOR THE CITY'S GARBAGE, MIXED REFUSE, RECYCLING, COMPOSTING, AND WATER AND SEWERAGE CONTRACTS;~~
 - ~~(ii) THE CITY'S ANNUAL ENERGY CONSUMPTION REPORTS, REQUIRED BY § 45-2 OF THIS ARTICLE;~~
 - ~~(iii) THE CITY'S ANNUAL GREENHOUSE GAS EMISSIONS REDUCTION REPORTS, REQUIRED BY § 46-1 OF THIS ARTICLE; AND~~

~~(IV) COMPLIANCE WITH City, state, and federal legislation, and regional agreements concerning:~~

~~(A) [(i)] energy or resource conservation, waste reduction, recycling, and the marketing of recyclables; and~~

~~(B) [(ii)] the development of energy conservation, resource conservation, recycling, and waste reduction businesses and industry;~~

~~(2) TO PREPARE AND IMPLEMENT:~~

~~(i) A COMPREHENSIVE RECYCLING AND COMPOSTING PLAN, AS PRESCRIBED IN CITY CODE ARTICLE 23, § 16-3;~~

~~(ii) A PLAN BY WHICH THE CITY CAN RECYCLE WASTE AND CONSERVE ENERGY AND WATER IN ALL OF ITS BUILDINGS AND FACILITIES;~~

~~(iii) A PLAN TO EXPAND AND ATTRACT TO THE CITY BUSINESSES AND INDUSTRIES PROVIDING WASTE REDUCTION, ENERGY CONSERVATION, AND RECYCLING SERVICES;~~

~~(iv) A COMPREHENSIVE PLAN FOR FOOD SERVICE ESTABLISHMENTS AND INDUSTRIES TO UTILIZE ALTERNATIVES TO PLASTIC, POLYSTYRENE, AND OTHER TOXIC, NON-BIODEGRADABLE SYNTHETIC MATERIALS;~~

~~(v) INCENTIVES, STANDARDS, AND GOALS TO ENCOURAGE CITIZENS AND BUSINESSES TO RECYCLE FOOD AND CONSTRUCTION AND OTHER WASTE MATERIALS AND TO UTILIZE BIODEGRADABLE PACKAGING AND STORAGE PRODUCTS;~~

~~(vi) INCENTIVES, STANDARDS, AND GOALS FOR THE CITY TO PURCHASE, MARKET, AND SELL PRODUCTS MADE FROM RECYCLED MATERIALS;~~

~~(3) TO DEVELOP AN INFORMATION AND REFERRAL SYSTEM FOR CITY AGENCIES AND THE GENERAL PUBLIC RELATED TO CONSERVATION OF ENERGY, WASTE REDUCTION, AND RECYCLING;~~

~~(4) TO PRODUCE AND DISTRIBUTE EDUCATIONAL MATERIALS AND CREATE EDUCATIONAL PROGRAMS THAT WILL INFORM CITIZENS, BUSINESS, INDUSTRY, AND OTHER ORGANIZATIONS OF THE CITY'S RESOURCE CONSERVATION, RECYCLING, AND ENERGY CONSERVATION PROGRAMS, LAWS, AND GOALS;~~

~~(5) [(8)] to [make] PRESENT a written report to the City Council in January of each year, summarizing Commission activities of the previous year; AND~~

~~[(9) to review the City's water and sewerage plans that are required by the State of Maryland;]~~

~~[(10) to examine alternative methods of waste reduction, resource conservation, and recycling;]~~

~~[(11) to make recommendations to the Mayor and the City Council regarding:~~

~~(i) the need for an Office of Recycling;~~

~~(ii) implementation of the state-mandated recycling plan; and~~

(iii) establishment of a plan to market recycled materials utilized by the City of Baltimore; and}

(6) ~~[(12)] to perform [such] ANY other duties [as may be deemed] CONSIDERED necessary to carry out the City's RECYCLING PLAN, AS PRESCRIBED IN CITY CODE ARTICLE 23, § 16-3, THE CITY's energy and resource conservation plans, and [its] THE CITY's recycling and waste reduction efforts.~~

SUBTITLE 34. COMMISSION ON SUSTAINABILITY

§ 34-1. COMMISSION CREATED; MEMBERS.

(A) CREATED.

(1) THERE IS A COMMISSION ON SUSTAINABILITY

(2) THE COMMISSION CONSISTS OF 21 MEMBERS, 20 OF WHOM ARE APPOINTED BY THE MAYOR IN THE MANNER PRESCRIBED BY ARTICLE IV, § 6 OF THE CITY CHARTER.

(B) APPOINTED MEMBERS.

THE 20 APPOINTED MEMBERS SHALL REPRESENT:

(1) COMMUNITY ORGANIZATIONS;

(2) ENVIRONMENTAL GROUPS REPRESENTING ALL ELEMENTS OF ENVIRONMENTAL SUSTAINABILITY, INCLUDING BUT NOT LIMITED TO AIR QUALITY, WATER QUALITY, GREEN BUILDING TECHNIQUES, ENERGY CONSERVATION, AND ALTERNATE TRANSPORTATION;

(3) LABOR UNIONS;

(4) PUBLIC HEALTH AND ENVIRONMENTAL JUSTICE;

(5) PRIVATE INDUSTRY, TO INCLUDE BUT NOT LIMITED TO RESTAURANTS AND BARS, PACKAGING INDUSTRY, AND RECYCLING INDUSTRY;

(6) THE MAYOR'S OFFICE;

(7) CITY AGENCIES; AND

(8) PERSONS WITH A GENERAL INTEREST IN ENVIRONMENTAL ISSUES.

(C) CITY COUNCIL REPRESENTATIVE.

THE 21ST MEMBER SHALL BE A MEMBER OF THE CITY COUNCIL APPOINTED BY THE COUNCIL PRESIDENT.

§ 34-2. TERMS; CHAIR.

(A) TERMS OF MEMBERS.

THE TERMS OF EACH MEMBER IS 4 YEARS, CONCURRENT WITH THE MAYOR'S TERM OF OFFICE, AND UNTIL A SUCCESSOR QUALIFIES AND TAKES OFFICE.

(B) COMMISSION CHAIR.

THE MAYOR SHALL APPOINT ONE MEMBER AS CHAIR OF THE COMMISSION.

§ 34-3. COMPENSATION; EXPENSES.

NO MEMBER OF THE COMMISSION MAY RECEIVE ANY COMPENSATION FOR SERVICES, BUT EACH MEMBER MAY BE REIMBURSED FOR NECESSARY AND PROPER EXPENSES INCURRED IN THE PERFORMANCE OF HIS OR HER DUTIES.

§ 34-4. DUTIES.

(A) COMPREHENSIVE PLAN.

THE COMMISSION SHALL PREPARE A COMPREHENSIVE SUSTAINABILITY PLAN AND, FROM TIME TO TIME, RECOMMEND APPROPRIATE AMENDMENTS TO THE PLAN.

(B) MONITOR OFFICE OF SUSTAINABILITY.

THE COMMISSION SHALL MONITOR THE OFFICE OF SUSTAINABILITY AND THAT OFFICE'S INCORPORATION AND IMPLEMENTATION OF THE COMPREHENSIVE SUSTAINABILITY PLAN.

(C) REPORT TO COUNCIL.

THE COMMISSION SHALL REPORT ANNUALLY TO THE CITY COUNCIL ON ITS ACTIVITIES.

§ 34-5. COMPREHENSIVE SUSTAINABILITY PLAN.

THE COMMISSION'S COMPREHENSIVE SUSTAINABILITY PLAN SHALL:

- (1) DISCUSS ALL ELEMENTS OF SUSTAINABILITY, INCLUDING AIR QUALITY, WATER QUALITY, RESOURCE CONSERVATION AND RECYCLING, ENERGY, PUBLIC HEALTH, ENVIRONMENTAL JUSTICE, REDUCTION OF GREENHOUSE EMISSIONS, AND INCREASING USE OF ALTERNATIVE MEANS OF TRANSPORTATION;
- (2) ESTABLISH 3-, 5-, AND 10-YEAR SUSTAINABILITY TARGETS;
- (3) CREATE PUBLIC AND PRIVATE SUSTAINABILITY INITIATIVES, TO INCLUDE BUT NOT LIMITED TO STANDARDS FOR CITY PURCHASING, INCENTIVES FOR CITIZENS AND BUSINESSES TO RECYCLE AND PURCHASE RECYCLED GOODS, INCENTIVES FOR ENERGY CONSERVATION, AND WATER QUALITY IMPROVEMENTS;
- (4) DESCRIBE THE RESOURCES AND RESPONSIBLE AGENCIES AND OTHERS NEEDED TO IMPLEMENT THE PLAN;
- (5) INCLUDE A PUBLIC INFORMATION COMPONENT;
- (6) ESTABLISH KEY SUSTAINABILITY INDICATORS TO TRACK PROGRESS OF PLAN IMPLEMENTATION; AND
- (7) SET CRITERIA AND RECOMMEND MANDATORY MEASURES FOR ANNUAL REPORTING TO THE CITY COUNCIL ON;

- (I) ENERGY CONSUMPTION REPORTS, AS REQUIRED IN CITY CODE ARTICLE 5, § 45-2;
- (II) COMPREHENSIVE RECYCLING AND COMPOSTING PLAN, AS PRESCRIBED IN CITY CODE ARTICLE 23, § 16-2; AND
- (III) GREENHOUSE GAS EMISSIONS REDUCTION REPORTS.

§ 34-6. COMMISSION STAFF.

(A) PLANNING DEPARTMENT.

THE DEPARTMENT OF PLANNING WILL PROVIDE STAFF FOR COMMISSION IN THE DEVELOPMENT AND IMPLEMENTATION OF THE PLAN.

(B) CONSULTANTS.

THE COMMISSION MAY EMPLOY, AS PROVIDED IN THE ORDINANCE OF ESTIMATES, CONSULTANTS AND OTHER PERSONNEL NECESSARY FOR THE PROPER PERFORMANCE OF ITS DUTIES.

§ 34-7. ADOPTION OF PLAN.

TO BE BECOME EFFECTIVE, THE SUSTAINABILITY PLAN OR AN AMENDMENT TO IT MUST BE APPROVED BY AN ORDINANCE OF THE MAYOR AND CITY COUNCIL.

§ 34-8. EFFECT OF PLAN.

THE SUSTAINABILITY PLAN WILL BE INCORPORATED INTO THE CITY'S COMPREHENSIVE MASTER PLAN AS AN APPENDIX.

Subtitle 45. Energy Costs

§ 45-2. Annual energy consumption report.

(a) Agency reports to Finance.

- (1) On or before January 1 of every year, each City agency shall provide the Department of Finance with an energy consumption [item] REPORT.
- (2) This [item] REPORT shall state:
 - (I) HOW THE AGENCY HAS COMPLIED TO DATE WITH THE CRITERIA AND PERFORMANCE MEASURES ESTABLISHED BY THE COMMISSION ON ~~RESOURCE~~ SUSTAINABILITY;
 - (II) the amount budgeted for energy consumption in the current fiscal year; [and]
 - (III) the amount budgeted for ENERGY CONSUMPTION IN the next fiscal year; AND
 - (IV) A PLAN TO REDUCE ENERGY CONSUMPTION IN THE NEXT FISCAL YEAR IN ACCORDANCE WITH THE CRITERIA AND PERFORMANCE MEASURES ESTABLISHED BY THE COMMISSION ON ~~RESOURCE~~ SUSTAINABILITY.
- (3) The amounts shall be stated in:

- (I) the units of energy [as] billed by the sources, such as gallons, kilowatt-hours, or therms;
- (II) the energy equivalent per year in the International System of Units (joules per year) or BTU's by each energy source; AND
- (III) the cost of each type of energy; and the total cost of energy for each agency.

(B) *FINANCE REPORT TO COUNCIL.*

This information shall be transmitted BY THE DEPARTMENT OF FINANCE to the City Council on or before March 1 of the same year.

SUBTITLE 46. EMISSIONS REDUCTION

~~§ 46-1. ANNUAL GREENHOUSE GAS EMISSIONS REDUCTION REPORT.~~

~~(A) AGENCY REPORTS TO PUBLIC WORKS:~~

- ~~(1) ON OR BEFORE JANUARY 1 OF EVERY YEAR, EACH CITY AGENCY SHALL PROVIDE THE DEPARTMENT OF PUBLIC WORKS WITH A GREENHOUSE GAS EMISSIONS REDUCTION REPORT.~~
- ~~(2) THIS REPORT SHALL STATE:~~
 - ~~(I) HOW THE AGENCY HAS COMPLIED TO DATE WITH THE CRITERIA AND PERFORMANCE MEASURES ESTABLISHED BY THE COMMISSION ON RESOURCE SUSTAINABILITY;~~
 - ~~(II) TO THE EXTENT KNOWN OR ASCERTAINABLE, THE AMOUNT OF GREENHOUSE GAS EMISSIONS PRODUCED BY THE AGENCY IN 1990;~~
 - ~~(III) THE AMOUNT OF GREENHOUSE GAS EMISSIONS PRODUCED IN THE CURRENT FISCAL YEAR;~~
 - ~~(IV) THE AMOUNT OF GREENHOUSE GAS EMISSIONS THAT WOULD BE PRODUCED IN THE NEXT FISCAL YEAR AT THE CURRENT RATE;~~
 - ~~(V) A PLAN TO REDUCE GREENHOUSE GAS EMISSIONS TO 7 % BELOW 1990 LEVELS BY 2012; AND~~
 - ~~(VI) THE AMOUNT OF GREENHOUSE GAS EMISSIONS PROJECTED TO BE PRODUCED IN THE NEXT FISCAL YEAR IN ACCORDANCE WITH THE PLAN.~~
- ~~(3) THE AMOUNTS SHALL BE STATED IN UNITS OF METRIC TONS OF CO₂ EQUIVALENT, IN COMPLIANCE WITH PARAMETERS SET BY THE U.S. DEPARTMENT OF ENERGY AS PART OF ITS "VOLUNTARY REPORTING OF GREENHOUSE GASES PROGRAM".~~

~~(B) REPORT TO COUNCIL.~~

~~THIS INFORMATION SHALL BE TRANSMITTED BY THE DEPARTMENT OF PUBLIC WORKS TO THE CITY COUNCIL ON OR BEFORE MARCH 1 OF THE SAME YEAR.~~

Article 23. Sanitation**Subtitle 16. RECYCLABLE MATERIALS AND Compostable Yard Waste****[§ 16-1. “Yard waste” defined.]**

[“Yard waste” includes grass, leaves, tree limbs, wood, and other natural byproducts of land maintenance operation.]

§ 16-1. [§ 16-2.] No disposal at Quarantine Landfill.

[After March 1, 1993,] RECYCLABLE MATERIALS, AS DEFINED IN § 11-1 OF THIS ARTICLE, AND compostable yard waste [shall] MAY not be disposed of at the Quarantine Landfill.

§ 16-2. [§ 16-3.] Recycling plan.

(a) [Public Works] COMMISSION ON ~~RESOURCE~~ SUSTAINABILITY to develop.

The [Director of Public Works] COMMISSION ON ~~RESOURCE~~ SUSTAINABILITY shall prepare AND IMPLEMENT a comprehensive recycling plan for RECYCLING AND composting at facilities operated by the City, individuals, and corporations, AS PRESCRIBED IN CITY CODE ARTICLE 5, SUBTITLE 34.

(b) *Scope of plan.*

The plan shall include:

- (1) provisions for a City RECYCLING AND composting facility;
- (2) standards for the operation of private individual and corporate RECYCLING AND composting facilities;
- (3) PROVISIONS FOR RESIDENTIAL AND FOOD AND BEVERAGE BUSINESS RECYCLING PROGRAMS, INCLUDING:
 - (I) AN EXPANSION OF THE SCOPE OF RECYCLABLE MATERIALS TO BE COLLECTED FROM RESIDENTIAL AND FOOD AND BEVERAGE BUSINESS LOCATIONS;
 - (II) IMPROVEMENTS IN FREQUENCY AND SCHEDULING OF PICKUP OF RECYCLABLE MATERIALS FROM RESIDENTIAL AND FOOD AND BEVERAGE BUSINESS LOCATIONS;
 - (III) PERFORMANCE MEASURES FOR EVALUATING RECYCLING SERVICES;
 - (IV) AN ANALYSIS OF THE FISCAL IMPACT OF COMPLYING WITH THIS RECYCLING PLAN;
- (4) PROVISIONS FOR A LOCAL FOOD WASTE COMPOSTING PROGRAM FOR FOOD AND BEVERAGE BUSINESSES;
- (5) AN ANALYSIS OF THE FISCAL IMPACT OF COMPLYING WITH THE RECYCLING AND COMPOSTING PLAN; and
- (6) [(3)] any other provisions relating to the process of providing for a comprehensive RECYCLING AND composting plan for the City of Baltimore.

§ 16-3. [§ 16-4.] Rules and regulations.

The Director of Public Works [is authorized to] MAY adopt rules and regulations to [enforce] CARRY OUT THE provisions of this subtitle, SUBJECT TO REVIEW BY THE COMMISSION ON ~~RESOURCE~~ SUSTAINABILITY.

[§ 16-5. Penalties.

The Director of Public Works shall recommend to the City Council penalties for the violations of the provisions of this subtitle, on or before 3 months after the date of passage of this subtitle.]

SECTION 2 3. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED, That the Commission on Sustainability shall complete the Comprehensive Sustainability Plan required by City Code Article 5, §§ 34-4 and 34-5, as enacted by this Ordinance, and submit it for approval to the Mayor and City Council within 6 months of the Commission's initial appointment under this Ordinance.

SECTION 3 5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on ~~the 30th day after the~~ date it is enacted.

Approved August 14, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-489
(Council Bill 07-596)**

AN ORDINANCE CONCERNING

1% for Public Art

FOR the purpose of establishing a Public Art Commission; providing for its composition, functions, powers, and duties; requiring the allocation of certain construction-project funds to be used for artwork; defining certain terms; abolishing the Civic Design Commission; and generally relating to public construction projects.

BY repealing

Article 5 - Finance, Property, and Procurement
Section(s) 21-1 through 21-8, inclusive, and the subtitle
"Subtitle 21. Ornamentation on Municipal Projects"
Baltimore City Code
(Edition 2000)

BY adding

Article 5 - Finance, Property, and Procurement
Section(s) 21-1 through 21-31, inclusive, to be under the new subtitle
"Subtitle 21. Public Art"
Baltimore City Code
(Edition 2000)

BY repealing

Article 8 - Ethics
Section(s) 7-8(5)
Baltimore City Code

BY renumbering

Article 8 - Ethics
Section(s) 7-8(35) to be Section 7-8(36)
Baltimore City Code

BY adding

Article 8 - Ethics
Section(s) 7-8(35)
Baltimore City Code

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following provisions of the City Code are repealed:

Article 5 - Finance, Property, and Procurement
Section(s) 21-1 through 21-8, inclusive, and the subtitle
“Subtitle 21. Ornamentation on Municipal Projects”
Baltimore City Code
(Edition 2000)

SECTION 2. AND BE IT FURTHER ORDAINED, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 5. Finance, Property, and Procurement

SUBTITLE 21. PUBLIC ART

PART I. GENERAL PROVISIONS

§ 21-1. FINDINGS; PURPOSE.

(A) *FINDINGS.*

PUBLIC ART HAS ENABLED PEOPLE IN ALL SOCIETIES TO UNDERSTAND BETTER THEIR COMMUNITIES AND INDIVIDUAL LIVES.

(B) *PURPOSE.*

THE CITY OF BALTIMORE, NAMED THE “MONUMENTAL CITY” OVER 175 YEARS AGO, WISHES TO EXPAND PUBLIC EXPERIENCE WITH VISUAL ART BY CREATING A PUBLIC ARTWORK PROGRAM THAT:

- (1) ENCOURAGES THE DIRECT COMMISSION OF ARTWORK FOR MUNICIPALLY SUPPORTED PROJECTS; AND

- (2) ENGAGES THE INDIVIDUAL AND COLLECTIVE IMAGINATION OF ARTISTS WHO CREATE ARTWORK FOR PUBLIC PLACES.

(C) *INTENT.*

TO THAT END, IT IS INTENDED THAT:

- (1) THE PUBLIC ARTWORK PROGRAM ENCOMPASS THE BROADEST POSSIBLE RANGE AND VARIETY OF EXPRESSION, MEDIA, AND MATERIALS; AND
- (2) SELECTIONS OF ARTISTS AND ARTWORK REFLECT A STANDARD OF EXCELLENCE AND THE CULTURAL AND ETHNIC DIVERSITY OF THE CITY.

§ 21-2. DEFINITIONS.

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) *ARTWORK ALLOCATION.*

“ARTWORK ALLOCATION” MEANS THE AMOUNT REQUIRED BY § 21-16 OF THIS SUBTITLE TO BE ALLOCATED TO ARTWORK.

(C) *ARTWORK.*

“ARTWORK” MEANS WORKS OF ART THAT ARE:

- (1) PRODUCED BY PROFESSIONAL VISUAL ARTISTS; AND
- (2) AFFIXED TO, MADE A FUNCTIONAL PART OF, OR SITED IN, ON, OR NEAR A PUBLIC WORK.

(D) *BID.*

“BID” MEANS A RESPONSE TO:

- (1) AN INVITATION TO BID; OR
- (2) A REQUEST FOR PROPOSALS.

(E) *COMMISSION.*

“COMMISSION” MEANS THE PUBLIC ART COMMISSION.

(F) *CONSTRUCTION COSTS.*

(1) *GENERAL.*

“CONSTRUCTION COSTS” MEANS, EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE TOTAL APPROPRIATION FOR A CONSTRUCTION PROJECT.

(2) *INCLUSIONS.*

“CONSTRUCTION COSTS” INCLUDES:

- (I) DEMOLITION COSTS; AND
- (II) EQUIPMENT COSTS.

(3) *EXCLUSIONS.*

“CONSTRUCTION COSTS” DOES NOT INCLUDE:

- (I) REAL PROPERTY ACQUISITION COSTS;
- (II) SOIL REMEDIATION COSTS; OR
- (III) ARCHITECTURAL OR ENGINEERING FEES.

(G) *CONSTRUCTION PROJECT; PROJECT.*

“CONSTRUCTION PROJECT” OR “PROJECT” MEANS, EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, ANY CAPITAL IMPROVEMENT PROJECT THAT:

- (1) INVOLVES THE CONSTRUCTION, RECONSTRUCTION, OR RENOVATION OF ALL OR PART OF ANY PUBLICLY-OWNED PROPERTY IN THE CITY, INCLUDING ANY BUILDING, PARKING FACILITY, PARK, UTILITY, BRIDGE, STREET, HIGHWAY, FOOTWAY, BIKEWAY, OR OTHER STRUCTURE OR PUBLIC WORK;
- (2) EXCEEDS \$100,000 IN ~~ELIGIBLE~~ CONSTRUCTION COSTS;
- (3) IS REQUIRED BY LAW TO BE PUBLICLY BID; AND
- (4) IS TO BE PAID FOR WHOLLY OR IN PART BY THE CITY.

(H) *ELIGIBLE FUNDS.*

“ELIGIBLE FUNDS” MEANS ANY FUNDS THAT ARE AVAILABLE FOR CONSTRUCTION COSTS AND ARE NOT PRECLUDED BY RESTRICTIONS ON THE SOURCE OF FUNDING FOR THE PROJECT, INCLUDING LIMITATIONS ON THE USE OF CITY BOND FUNDS, STATE OR FEDERAL GRANTS OR LOANS, OR DONATIONS, FROM BEING USED FOR ARTWORK.

(I) ~~(H)~~ *INCLUDES; INCLUDING.*

“INCLUDES” OR “INCLUDING” MEANS BY WAY OF ILLUSTRATION AND NOT BY WAY OF LIMITATION.

(J) ~~(I)~~ *MAINTENANCE OF ARTWORK.*

“MAINTENANCE OF ARTWORK” MEANS THE MAINTENANCE, PRESERVATION, AND CONSERVATION OF, INCLUDING CURATORIAL SERVICES FOR, ARTWORK OWNED BY THE CITY, WHETHER CREATED UNDER THIS SUBTITLE OR OTHERWISE OBTAINED.

§§ 21-3 TO 21-5. {RESERVED}

PART II. PUBLIC ART COMMISSION

§ 21-6. COMMISSION ESTABLISHED.

THERE IS A PUBLIC ART COMMISSION.

§ 21-7. COMPOSITION.

(A) *IN GENERAL.*

THE COMMISSION CONSISTS OF 9 MEMBERS, AS FOLLOWS:

- (1) 8 APPOINTED BY THE MAYOR AND APPROVED BY THE CITY COUNCIL UNDER ARTICLE IV, § 6 OF THE CITY CHARTER; AND
- (2) 1 APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL.

(B) *QUALIFICATIONS.*

(1) OF THE MEMBERS APPOINTED BY THE MAYOR:

- (I) 1 MUST BE A PROFESSIONAL VISUAL ARTIST;
- (II) 1 MUST BE A CURATOR OR ART HISTORIAN FROM AN ESTABLISHED BALTIMORE ARTS OR EDUCATIONAL INSTITUTION;
- (III) 1 MUST BE A LICENSED ARCHITECT;
- (IV) 1 MUST BE A LICENSED ENGINEER; AND
- (V) 4 MUST BE PERSONS CHOSEN FROM RELATED DISCIPLINES, SUCH AS LANDSCAPE ARCHITECTS, DESIGN PROFESSIONALS, URBAN PLANNERS, CONSERVATORS, ART EDUCATORS, ART ADMINISTRATORS, AND CITIZENS INTERESTED IN CIVIC IMPROVEMENT.

(2) ALL MEMBERS MUST RESIDE OR WORK IN THE CITY.

§ 21-8. COMPENSATION AND EXPENSES; STAFF.*(A) COMPENSATION; EXPENSES.*

THE MEMBERS OF THE COMMISSION:

- (1) RECEIVE NO COMPENSATION FOR THEIR SERVICE ON THE COMMISSION; BUT
- (2) ARE ENTITLED TO REIMBURSEMENT FOR NECESSARY AND PROPER EXPENSES INCURRED IN PERFORMING THEIR DUTIES ON THE COMMISSION.

(B) STAFF.

THE COMMISSION AND ITS PROGRAMS SHALL BE STAFFED BY THE BALTIMORE OFFICE OF PROMOTION & THE ARTS.

§ 21-9. GENERAL FUNCTIONS AND DUTIES.

THE COMMISSION SHALL:

- (1) ADMINISTER THE PUBLIC ARTWORK PROGRAM ESTABLISHED BY THIS SUBTITLE;
- (2) GENERALLY PROMOTE AND ENCOURAGE PUBLIC ART IN THE CITY OF BALTIMORE; AND
- (3) WORK COOPERATIVELY WITH STATE AND FEDERAL OFFICES TO ENCOURAGE PUBLIC ART.

§ 21-10. RULES AND REGULATIONS.*(A) COMMISSION TO ADOPT.*

THE COMMISSION SHALL ADOPT RULES AND REGULATIONS TO CARRY OUT THIS SUBTITLE.

(B) REQUIRED COVERAGE.

THE COMMISSION'S RULES AND REGULATIONS SHALL INCLUDE PROCEDURES AND GUIDELINES FOR:

- (1) DETERMINING WHETHER AND TO WHAT EXTENT ARTWORK IS APPROPRIATE FOR A PARTICULAR CONSTRUCTION PROJECT;.
- (2) SELECTING ARTISTS AND ARTWORK FOR A PARTICULAR PROJECT;
- (3) SUBMITTING ARTWORK PROPOSALS TO THE COMMISSION FOR APPROVAL; AND
- (4) ALLOCATING ELIGIBLE FUNDS FOR:
 - (I) THE CREATION OF NEW ARTWORK;
 - (II) THE MAINTENANCE OF EXISTING ARTWORK; AND

(III) THE PERFORMANCE OF THE COMMISSION'S OTHER FUNCTIONS AND DUTIES UNDER THIS SUBTITLE.

(C) *FILING WITH LEGISLATIVE REFERENCE.*

A COPY OF ALL RULES AND REGULATIONS MUST BE FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY TAKE EFFECT.

§ 21-11. AGENCY LIAISONS.

(A) *DESIGNATION.*

EACH OF THE FOLLOWING AGENCIES SHALL DESIGNATE AN AGENCY LIAISON TO THE COMMISSION:

- (1) BALTIMORE DEVELOPMENT CORPORATION.
- (2) PARKING AUTHORITY.
- (3) PLANNING DEPARTMENT.
- (4) PUBLIC WORKS DEPARTMENT.
- (5) RECREATION AND PARKS DEPARTMENT.
- (6) TRANSPORTATION DEPARTMENT.

(B) *PERIODIC REVIEW.*

EACH AGENCY LIAISON SHALL MEET PERIODICALLY WITH THE COMMISSION STAFF TO REVIEW THE AGENCY'S ONGOING AND PROPOSED ~~CAPITAL~~ CONSTRUCTION PROJECTS.

§§ 21-12 TO 21-15. {RESERVED}

PART III. ARTWORK ALLOCATION

§ 21-16. AMOUNT REQUIRED.

~~(A) "ELIGIBLE FUNDS" DEFINED.~~

~~IN THIS SECTION, "ELIGIBLE FUNDS" MEANS ANY FUNDS AVAILABLE FOR CONSTRUCTION COSTS AND NOT PRECLUDED FROM BEING USED FOR ARTWORK.~~

(A) ~~(B)~~ *MINIMUM ALLOCATION – GENERAL.*

EXCEPT AS PROVIDED IN SUBSECTION ~~(C)~~ (B) OF THIS SECTION, AT LEAST 1% OF ALL ELIGIBLE FUNDS FOR A CONSTRUCTION PROJECT SHALL BE ALLOCATED FOR:

- (1) ARTWORK FOR THAT PROJECT; OR

- (2) OTHER PUBLIC ART USES AS AUTHORIZED BY THIS SUBTITLE.

(B) ~~(C)~~ *MINIMUM ALLOCATION – WATER AND WASTEWATER UTILITY WORK.*

FOR WATER OR WASTEWATER UTILITY PROJECTS, THE COMMISSION SHALL DETERMINE, ON A CASE-BY-CASE BASIS AFTER CONSULTATION WITH THE DEPARTMENT OF PUBLIC WORKS, WHETHER AND TO WHAT EXTENT ELIGIBLE FUNDS FOR THAT PROJECT MAY BE ALLOCATED FOR ARTWORK OR OTHER PUBLIC ART USES. IF THE COMMISSION AND THE DEPARTMENT OF PUBLIC WORKS DISAGREE AS TO WHETHER OR TO WHAT EXTENT ELIGIBLE FUNDS MAY BE ALLOCATED, THE DIRECTOR OF PUBLIC WORKS MAKES THE FINAL DECISION.

§ 21-17. GRANT AND OTHER FUNDING REQUESTS.

IN APPLYING FOR GRANTS OR OTHER FUNDING FOR A CONSTRUCTION PROJECT, A CITY AGENCY SHALL REQUEST THAT:

- (1) TO THE FULLEST EXTENT PRACTICABLE, THE GRANT OR OTHER FUNDING BE IN THE FORM OF “ELIGIBLE FUNDS”, ~~AS THAT TERM IS DEFINED IN § 21-16 OF THIS SUBTITLE;~~ AND
- (2) THE GRANT OR OTHER FUNDING INCLUDE AN ADDITIONAL 1% OF THOSE ELIGIBLE FUNDS FOR ARTWORK.

§ 21-18. PRELIMINARY DETERMINATIONS.

(A) *CONSULTATION WITH AGENCY.*

- (1) EACH CITY AGENCY SHALL CONSULT WITH THE COMMISSION ON THE APPLICATION OF THIS SUBTITLE TO ANY CONSTRUCTION PROJECT BEING PROPOSED BY THAT AGENCY.
- (2) THIS CONSULTATION SHALL OCCUR:
 - (I) AS EARLY AS POSSIBLE IN THE DESIGN STAGE; AND
 - (II) IN ANY EVENT, BEFORE THE PROJECT IS ADVERTISED FOR BID.

(B) *DETERMINATION.*

BASED ON THE CONSULTATION, THE COMMISSION SHALL DETERMINE WITHIN 90 DAYS:

- (1) THE AGGREGATE AMOUNT OF THE ARTWORK ALLOCATION REQUIRED BY § 21-16 OF THIS SUBTITLE; AND
- (2) AT LEAST PRELIMINARILY, THE EXTENT TO WHICH ALL OR PART OF THAT AGGREGATE AMOUNT CAN AND SHOULD BE USED FOR:
 - (I) ARTWORK FOR THAT PROJECT; OR

(II) OTHER PUBLIC ART USES AS AUTHORIZED BY THIS SUBTITLE.

§ 21-19. INCORPORATION INTO CONTRACT SPECIFICATIONS.

THE CONTRACT SPECIFICATIONS IN THE INVITATION TO BID OR REQUEST FOR PROPOSALS SHALL INCORPORATE:

- (1) THE REQUIREMENTS OF THIS SUBTITLE; AND
- (2) THE COMMISSION'S DETERMINATIONS UNDER § 21-18(B)(1) AND (2) OF THIS SUBTITLE.

§ 21-20. ALLOCATION OF FUNDS.

ON THE AWARD OF A CONTRACT FOR THE PROJECT, THE CONTRACTING AGENCY SHALL NOTIFY THE DEPARTMENT OF FINANCE THAT THE AGGREGATE AMOUNT OF THE ARTWORK ALLOCATION, AS DETERMINED UNDER § 21-18(B) OF THIS SUBTITLE, SHALL BE TRANSFERRED AS IT BECOME AVAILABLE TO A CAPITAL ACCOUNT TO BE USED FOR PURPOSES OF THIS SUBTITLE.

§§ 21-21 TO 21-25. {RESERVED}

PART IV. ARTWORK FOR PROJECT

§ 21-26. SCOPE OF PART.

THIS PART IV APPLIES TO THE EXTENT THAT SOME OR ALL OF AN ARTWORK ALLOCATION IS USED FOR ARTWORK FOR THE PROJECT THAT GENERATED THE ALLOCATION.

§ 21-27. PREPARATION OF PROPOSAL.

(A) *ARTIST AND SITE SELECTION.*

- (1) AS SOON AS PRACTICABLE, THE COMMISSION SHALL CONSULT WITH THE CONTRACTING AGENCY ABOUT ARTIST AND SITE SELECTION.
- (2) THE COMMISSION THEN SHALL:
 - (I) IDENTIFY, APPROVE, AND ENGAGE AN APPROPRIATE ARTIST OR ARTISTS THROUGH AN RFQ OR RFP PROCESS; AND
 - (II) DETERMINE AN APPROPRIATE SITE FOR THE ARTWORK.

(B) *PROPOSAL.*

THE ARTIST SHALL PREPARE A PROPOSAL AND SUBMIT IT TO THE COMMISSION FOR ITS REVIEW AND APPROVAL.

§ 21-28. COMMISSION REVIEW AND ACTION.*(A) COMMISSION TO REVIEW.*

THE COMMISSION SHALL REVIEW THE PROPOSAL IN AN OPEN SESSION AT WHICH THE PUBLIC IS INVITED TO ATTEND AND COMMENT.

(B) COMMISSION ACTION.

THE COMMISSION MAY:

- (1) PRELIMINARILY APPROVE THE PROPOSAL, SUBJECT TO MODIFICATIONS;
- (2) FINALLY APPROVE THE PROPOSAL AS SUBMITTED OR AS LATER MODIFIED;
- (3) DISAPPROVE THE PROPOSAL, WITH OR WITHOUT PREJUDICE TO SUBMIT A NEW PROPOSAL; OR
- (4) TAKE ANY OTHER ACTION IT CONSIDERS NECESSARY OR APPROPRIATE UNDER THE CIRCUMSTANCES.

§ 21-29. DISPOSITION OF ARTWORK ALLOCATION.*(A) APPROVED PROPOSAL.*

- (1) ON APPROVAL OF AN ARTWORK PROPOSAL, THE COMMISSION SHALL AUTHORIZE PAYMENTS TO THE ARTIST FOR THE COST FOR THE ARTWORK, AND TO PROVIDE OTHER NECESSARY SERVICES, AS APPROVED AND CONTRACTED FOR BY THE COMMISSION.
- (2) THE BALANCE, IF ANY, OF THE ARTWORK ALLOCATION FROM THAT PROJECT SHALL BE RETAINED FOR OTHER PUBLIC ART USES AS AUTHORIZED BY THIS SUBTITLE.

(B) DISAPPROVED PROPOSAL.

IF THE COMMISSION DISAPPROVES A PROPOSAL AND DETERMINES NOT TO CONSIDER ANY NEW ONE FOR THE PROJECT, THE FULL REMAINING AMOUNT OF THE ARTWORK ALLOCATION FROM THAT PROJECT SHALL BE RETAINED FOR OTHER PUBLIC ART USES AS AUTHORIZED BY THIS SUBTITLE.

§ 21-30. {RESERVED}***PART V. PUBLIC ART USES*****§ 21-31. COMMISSION TO DETERMINE.**

THE COMMISSION IS RESPONSIBLE FOR DETERMINING THE USE OF ALL ELIGIBLE FUNDS.

§ 21-32. PRIORITIES.

IN MAKING ITS DETERMINATIONS, THE COMMISSION SHALL BE GUIDED BY THE FOLLOWING PRIORITIES:

- (1) FIRST, TO PROVIDE ARTWORK FOR THE PROJECT THAT GENERATES AN ARTWORK ALLOCATION;
- (2) SECOND, TO PROVIDE SUPPORT FOR:
 - (I) NEW ARTWORK FOR OTHER PUBLIC WORKS; AND
 - (II) THE MAINTENANCE OF EXISTING ARTWORK; AND
- (3) THIRD, TO PROVIDE SUPPORT FOR THE COMMISSION'S OTHER FUNCTIONS AND DUTIES UNDER THIS SUBTITLE.

§ 21-33. AUTHORIZED USES.

THE USES TO WHICH ELIGIBLE FUNDS MAY BE USED INCLUDE, BUT ARE NOT RESTRICTED TO:

- (1) THE SELECTION, ACQUISITION, COMMISSIONING, FABRICATION, PLACEMENT, INSTALLATION, DISPLAY, AND MAINTENANCE OF ARTWORK;
- (2) THE DEVELOPMENT OF DESIGN CONCEPTS AND MODELS;
- (3) ARTIST DESIGN SERVICES;
- (4) ADMINISTRATIVE SERVICES FOR STAFFING THE COMMISSION AND ITS PROGRAMS;
- (5) OTHER PROFESSIONAL SERVICES;
- (6) PUBLICATIONS AND OTHER EDUCATIONAL ACTIVITIES;
- (7) DEDICATIONS, PLAQUES, AND LABELS; AND
- (8) SUPPORT FOR THE COMMISSION'S OTHER FUNCTIONS AND DUTIES UNDER THIS SUBTITLE.

Article 8. Ethics

Subtitle 7. Financial Disclosure

§ 7-8. Persons required to file – Agency officials and staff.

Except as provided in § 7-10 {"Person filing with State"} of this subtitle, the following officials and employees must file the financial disclosure statements required by this subtitle:

- (5) [*Civic Design Commission.*] {RESERVED}

[(i) Members of Commission.

(ii) Director.]

(35) *PUBLIC ART COMMISSION.*

(I) MEMBERS OF COMMISSION.

(II) DIRECTOR.

(36) [(35)] *Public Works Department.*

(i) Director of Public Works.

(ii) Deputy Director of Public Works.

(iii) All Bureau Heads, Division Chiefs, and Assistant Division Chiefs.

(iv) All General Superintendents.

(v) All inspectors.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance applies to any construction projects for which an invitation to bid or a request for proposals is issued on or after the effective date of this Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved August 14, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-490
(Council Bill 07-602)**

AN ORDINANCE CONCERNING

Building Code – Green Building Requirements

FOR the purpose of requiring certain non-residential buildings and certain multi-family residential buildings to achieve certain standards for energy efficiency and environmental design; requiring certain applicants for building permits to submit certain plans relating to energy efficiency and environmental design; requiring that compliance with certain energy efficiency and environmental design standards be a condition of certain building permits and occupancy permits; requiring certain regulations to implement these requirements; defining certain terms; providing for a special effective date; and generally relating to the construction of buildings.

BY adding

Article - Building, Fire, and Related Codes
 Section(s) 2-103 (IBC Chapter 34C)
 Baltimore City Revised Code
 (Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Revised Code

Article – Building, Fire, and Related Codes

Part II. International Building Code

§ 2-103. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

CHAPTER 34C. ENERGY EFFICIENCY AND ENVIRONMENTAL DESIGN

34C01 POLICY; SHORT TITLE

34C01.1. POLICY. THIS CHAPTER IS INTENDED TO PROTECT THE PUBLIC HEALTH AND WELFARE BY REQUIRING AN INTEGRATED APPROACH TO PLANNING, DESIGN, CONSTRUCTION, AND OPERATION OF A COVERED BUILDING AND ITS SURROUNDING LANDSCAPE, HELPING TO MITIGATE THE ENERGY AND ENVIRONMENTAL IMPACTS OF THE BUILDING SO THAT IT IS ENERGY EFFICIENT, SUSTAINABLE, SECURE, SAFE, COST-EFFECTIVE, ACCESSIBLE, FUNCTIONAL, AND PRODUCTIVE.

34C01.2. SHORT TITLE. THIS CHAPTER MAY BE CITED AS THE BALTIMORE CITY GREEN BUILDINGS LAW.

SECTION 34C02 DEFINITIONS

34C02.1 GENERAL. IN THIS CHAPTER, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

34C02.1.1 CITY BUILDING. “CITY BUILDING” MEANS ANY COVERED BUILDING THAT IS OWNED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE ~~FOR WHICH THE CITY GOVERNMENT FINANCES AT LEAST 25% OF:~~

- ~~1. THE COST OF CONSTRUCTION, FOR A NEWLY CONSTRUCTED BUILDING, OR~~
- ~~2. THE COST OF MODIFICATION, FOR A BUILDING THAT IS EXTENSIVELY MODIFIED.~~

34C02.1.2 CITY-SUBSIDIZED BUILDING. “CITY-SUBSIDIZED BUILDING” MEANS ANY COVERED BUILDING FOR WHICH THE CITY OR ANY OF ITS AGENTS OR CONTRACTORS PROVIDES FUNDS, RESOURCES, OR FINANCIAL ASSISTANCE, INCLUDING:

1. THE SALE OR TRANSFER OF LAND SUBSTANTIALLY BELOW ITS APPRAISED VALUE;
2. PAYMENT IN LIEU OF TAXES;
3. TAX INCREMENT FINANCING;

4. GRANTS OR LOANS THAT EQUAL OR EXCEED 15% OF TOTAL PROJECTED PROJECT COSTS; OR
5. INSTALLATION OR REPAIR OF PHYSICAL INFRASTRUCTURE DIRECTLY RELATED TO THE PROJECT AND WITH VALUE EQUAL TO OR EXCEEDING 5% OF TOTAL PROJECTED PROJECT COSTS.

34C02.1.3 ~~34C02.1.2~~ COVERED BUILDING. “COVERED BUILDING” MEANS A NEWLY CONSTRUCTED OR EXTENSIVELY MODIFIED NON-RESIDENTIAL OR MULTI-FAMILY RESIDENTIAL BUILDING THAT HAS OR WILL HAVE AT LEAST 10,000 SQUARE FEET OF GROSS FLOOR AREA.

34C02.1.4 ~~34C02.1.3~~ EXTENSIVELY MODIFIED. “EXTENSIVELY MODIFIED” REFERS TO A STRUCTURAL MODIFICATION THAT ALTERS MORE THAN 50% OF A BUILDING’S GROSS FLOOR AREA, AS INDICATED ON THE APPLICATION FOR A BUILDING PERMIT.

34C02.1.4.1 ~~34C02.1.3.1~~ EXCLUSIONS. “EXTENSIVELY MODIFIED” DOES NOT INCLUDE ANY MODIFICATION THAT IS LIMITED TO 1 OR MORE OF THE FOLLOWING BUILDING SYSTEMS:

1. MECHANICAL,
2. ELECTRICAL,
3. PLUMBING,
4. HEATING, VENTILATION, AND AIR CONDITIONING, AND
5. FIRE PROTECTION.

34C02.1.5 ~~34C02.1.4~~ GREEN BUILDING COUNCIL. “GREEN BUILDING COUNCIL” MEANS THE U.S. GREEN BUILDING COUNCIL, AN ORGANIZATION THAT HAS DEVELOPED AND PUBLISHED THE LEED RATING SYSTEM TO MEASURE THE ENERGY AND ENVIRONMENTAL PERFORMANCE OF A BUILDING.

34C02.1.6 ~~34C02.1.5~~ LEED. “LEED” MEANS THE LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN RATING SYSTEM DEVELOPED BY THE GREEN BUILDING COUNCIL.

34C02.1.7 ~~34C02.1.6~~ LEED RATING SYSTEM. “LEED RATING SYSTEM” MEANS THE PARTICULAR LEED RATING SYSTEM THAT APPLIES TO A COVERED BUILDING, AS SPECIFIED IN THE REGULATIONS ADOPTED UNDER THIS CHAPTER..

34C02.1.8 ~~34C02.1.7~~ MULTI-FAMILY RESIDENTIAL BUILDING. “MULTI-FAMILY RESIDENTIAL BUILDING” MEANS:

- (1) ANY MULTI-FAMILY RESIDENTIAL BUILDING THAT CONTAINS 5 OR MORE DWELLING UNITS AND IS TALLER THAN 3 STORIES; OR
- (2) ANY MIXED-USE BUILDING THAT CONTAINS A RESIDENTIAL COMPONENT AND IS TALLER THAN 3 STORIES.

34C02.1.9 ~~34C02.1.8~~ NEWLY CONSTRUCTED. “NEWLY CONSTRUCTED” REFERS TO A NEW, STAND-ALONE BUILDING OR AN ADDITION TO AN EXISTING BUILDING.

34C02.1.9.1 ~~34C02.1.8.1~~ EXCLUSIONS. “NEWLY CONSTRUCTED” DOES NOT INCLUDE ANY CHANGE TO AN EXISTING PORTION OF A BUILDING.

34C02.1.10 34C02.1.9 NON-RESIDENTIAL BUILDING. “NON-RESIDENTIAL BUILDING” MEANS A BUILDING NOT USED AS A DWELLING.

34C03 REGULATIONS

34C03.1 IN GENERAL. THE BUILDING OFFICIAL MUST ISSUE REGULATIONS TO ADMINISTER THIS CHAPTER.

34C03.2 REQUIRED ELEMENTS. THOSE REGULATIONS MUST SPECIFY:

1. THE LEED RATING SYSTEM, AND ANY EQUIVALENT ENERGY AND ENVIRONMENTAL DESIGN STANDARD, THAT APPLIES TO EACH TYPE OF COVERED BUILDING UNDER § 34C05,
2. THE PROCESS BY WHICH TO VERIFY COMPLIANCE WITH ANY APPLICABLE STANDARD, INCLUDING THE TYPES OF PERSONS WHO ARE QUALIFIED TO VERIFY COMPLIANCE,
3. STANDARDS AND PROCEDURES UNDER WHICH THE WAIVERS MAY BE REQUESTED UNDER § 34C08, AND
4. STANDARDS AND PROCEDURES FOR ANY ENFORCEMENT MECHANISM, SUCH AS PERFORMANCE BONDS, THAT THE ~~DEPARTMENT~~ BUILDING OFFICIAL FINDS NECESSARY TO ACCOMPLISH THE PURPOSES OF THIS CHAPTER.

34C04 {RESERVED}

34C05 STANDARDS AND REQUIREMENTS

34C05.1 FOR CITY BUILDINGS. EVERY CITY BUILDING MUST ACHIEVE: A RATING AS PROVIDED IN THIS § 34C05.1.

1. ~~A SILVER-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM, AS CERTIFIED BY THE GREEN BUILDING COUNCIL,~~
2. ~~A SILVER-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM, AS VERIFIED BY THE BUILDING OFFICIAL OR A QUALIFIED PERSON APPROVED BY THE BUILDING OFFICIAL, OR~~
3. ~~ENERGY AND ENVIRONMENTAL DESIGN STANDARDS THAT THE BUILDING OFFICIAL IDENTIFIES AS EQUIVALENT TO A SILVER-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM, AS VERIFIED BY THE BUILDING OFFICIAL OR A QUALIFIED PERSON APPROVED BY THE BUILDING OFFICIAL.~~

34C05.2 FOR OTHER COVERED BUILDINGS. EVERY OTHER COVERED BUILDING MUST ACHIEVE:

1. ~~A CERTIFIED-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM, AS CERTIFIED BY THE GREEN BUILDING COUNCIL,~~
2. ~~A CERTIFIED LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM, AS VERIFIED BY THE BUILDING OFFICIAL OR A QUALIFIED PERSON APPROVED BY THE BUILDING OFFICIAL, OR~~
3. ~~ENERGY AND ENVIRONMENTAL DESIGN STANDARDS THAT THE BUILDING OFFICIAL IDENTIFIES AS EQUIVALENT TO A SILVER-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM, AS~~

~~VERIFIED BY THE BUILDING OFFICIAL OR A QUALIFIED PERSON APPROVED BY THE BUILDING OFFICIAL.~~

34C05.1.1. FISCAL YEAR 2009. FOR A CITY BUILDING INCLUDED IN THE CAPITAL BUDGET FOR FISCAL YEAR 2009 OR FOR WHICH A BUILDING PERMIT APPLICATION IS FILED DURING FISCAL YEAR 2009, THE BUILDING MUST ACHIEVE:

1. A CERTIFIED-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM, AS CERTIFIED BY THE GREEN BUILDING COUNCIL, OR
2. ENERGY AND ENVIRONMENTAL DESIGN STANDARDS THAT THE BUILDING OFFICIAL IDENTIFIES AS EQUIVALENT TO A CERTIFIED-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM.

34C05.1.2. FISCAL YEAR 2010 AND AFTER. FOR A CITY BUILDING INCLUDED IN THE CAPITAL BUDGET FOR FISCAL YEAR 2010 OR LATER OR FOR WHICH A BUILDING PERMIT APPLICATION IS FILED ON OR AFTER JULY 1, 2009, THE BUILDING MUST ACHIEVE:

1. A SILVER-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM, AS CERTIFIED BY THE GREEN BUILDING COUNCIL, OR
2. ENERGY AND ENVIRONMENTAL DESIGN STANDARDS THAT THE BUILDING OFFICIAL IDENTIFIES AS EQUIVALENT TO A SILVER-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM.

34C05.2 FOR CITY-SUBSIDIZED BUILDINGS. EVERY CITY-SUBSIDIZED BUILDING MUST ACHIEVE A RATING AS PROVIDED IN THIS § 34C05.2.

34C05.2.1. FISCAL YEAR 2009. FOR A CITY-SUBSIDIZED BUILDING FOR WHICH A BUILDING PERMIT APPLICATION IS FILED ON OR AFTER JANUARY 1, 2009, AND ON OR BEFORE JUNE 30, 2009, THE BUILDING MUST ACHIEVE:

1. A CERTIFIED-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM, AS CERTIFIED BY THE GREEN BUILDING COUNCIL, OR
2. ENERGY AND ENVIRONMENTAL DESIGN STANDARDS THAT THE BUILDING OFFICIAL IDENTIFIES AS EQUIVALENT TO A CERTIFIED-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM.

34C05.2.2. FISCAL YEAR 2010 AND AFTER. FOR A CITY-SUBSIDIZED BUILDING FOR WHICH A BUILDING PERMIT APPLICATION IS FILED ON OR AFTER JULY 1, 2009, THE BUILDING MUST ACHIEVE:

1. A SILVER-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM, AS CERTIFIED BY THE GREEN BUILDING COUNCIL, OR
2. ENERGY AND ENVIRONMENTAL DESIGN STANDARDS THAT THE BUILDING OFFICIAL IDENTIFIES AS EQUIVALENT TO A SILVER-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM.

34C05.3. FOR OTHER COVERED BUILDINGS. EVERY OTHER COVERED BUILDING FOR WHICH A BUILDING PERMIT APPLICATION IS FILED ON OR AFTER JULY 1, 2009, MUST ACHIEVE:

1. A SILVER-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM, AS CERTIFIED BY THE GREEN BUILDING COUNCIL, OR
2. ENERGY AND ENVIRONMENTAL DESIGN STANDARDS THAT THE BUILDING OFFICIAL IDENTIFIES AS EQUIVALENT TO A SILVER-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM.

34C05.4 ~~34C05.3~~ EXCEPTIONS. FOR ANY BUILDING FOR WHICH ALL APPLICATIONS FOR ALL NECESSARY BUILDING PERMITS WERE FILED ON OR BEFORE SEPTEMBER 1, 2008-JUNE 30, 2009, ANY LATER ADDITION TO THAT BUILDING NEED ONLY MEET THE REQUIREMENTS OF § 34C05.1, ~~OR § 34C05.2, OR § 34C05.3~~, IF THE ADDITION WOULD:

1. INCREASE THE BUILDING'S LAND COVERAGE BY 100% OR MORE, ~~AND OR~~
2. INCREASE THE BUILDING'S GROSS FLOOR AREA BY AT LEAST 10,000 SQ. FT.

34C06 BUILDING PERMITS; OCCUPANCY PERMITS; CERTIFICATES OF COMPLETION.

34C06.1 APPLICATION FOR BUILDING PERMIT. IN ADDITION TO ALL OTHER SUBMISSIONS REQUIRED BY THIS ARTICLE, THE APPLICANT FOR A BUILDING PERMIT FOR A COVERED BUILDING MUST SUBMIT TO THE ~~DEPARTMENT~~ BUILDING OFFICIAL:

1. DESIGN PLANS FOR THE BUILDING THAT ARE LIKELY TO ACHIEVE THE APPLICABLE STANDARD REQUIRED BY § 34C05, ~~AS CERTIFIED OR OTHERWISE APPROVED BY THE GREEN BUILDING COUNCIL OR VERIFIED BY THE BUILDING OFFICIAL OR A QUALIFIED PERSON APPROVED BY THE BUILDING OFFICIAL, AND~~
2. ANY OTHER DOCUMENT OR INFORMATION THE ~~DEPARTMENT~~ BUILDING OFFICIAL FINDS NECESSARY TO DECIDE WHETHER THE BUILDING WILL ACHIEVE THE APPLICABLE STANDARD REQUIRED BY § 34C05.

34C06.2 COMPLIANCE AS CONDITION OF BUILDING PERMIT. THE ~~DEPARTMENT~~ BUILDING OFFICIAL MUST REQUIRE COMPLIANCE WITH § 34C05 AS A CONDITION OF ANY BUILDING PERMIT ISSUED FOR A COVERED BUILDING.

34C06.3 OCCUPANCY PERMITS; CERTIFICATES OF COMPLETION. THE ~~DEPARTMENT~~ BUILDING OFFICIAL MAY NOT ISSUE A FINAL OCCUPANCY PERMIT OR CERTIFICATE OF COMPLETION FOR A COVERED BUILDING UNLESS ~~IF THE~~ THE BUILDING OFFICIAL FINDS THAT THE BUILDING HAS ACHIEVED THE APPLICABLE STANDARD REQUIRED BY § 34C05.

34C07 {RESERVED}

34C08 WAIVERS.

34C08.1 WHEN AUTHORIZED. THE BUILDING OFFICIAL MAY APPROVE FULL OR PARTIAL WAIVERS OF THE REQUIREMENTS OF THIS CHAPTER ~~IF~~ TO THE EXTENT THAT:

1. COMPLIANCE WOULD BE IMPRACTICAL OR UNDULY BURDENSOME, AND
2. THE PUBLIC INTEREST WOULD BE SERVED BY THE WAIVER.

34C08.2 CONDITIONS, ETC. THE BUILDING OFFICIAL MAY IMPOSE ANY CONDITIONS, RESTRICTIONS, OR LIMITATIONS ON A WAIVER THAT THE BUILDING OFFICIAL CONSIDERS NECESSARY OR APPROPRIATE IN THE CIRCUMSTANCES.

34C08.3 REPORT OF WAIVERS. THE BUILDING OFFICIAL MUST SUBMIT TO THE MAYOR AND THE CITY COUNCIL, NOT LATER THAN MARCH 1 OF EACH YEAR, A LIST OF EACH WAIVER OF THIS CHAPTER THAT THE BUILDING OFFICIAL APPROVED DURING THE PRECEDING CALENDAR YEAR AND ANY CONDITIONS, RESTRICTIONS, OR LIMITATIONS THAT WERE ATTACHED TO THAT WAIVER.

SECTION 2. AND BE IT FURTHER ORDAINED, That:

- (a) ~~This Ordinance applies to any covered building, other than a City building, for which a building permit application is filed on or after 1 year after the regulations submitted under subsection (c) of this section take effect.~~
- (b) ~~(1) This Ordinance applies to any City building:~~
- ~~(i) for which design funding is first included in the appropriate capital budget for fiscal year 2009 or any later fiscal year; or~~
 - ~~(ii) if design funding is not directly included in the capital budget, for which a building permit application is filed on or after 1 year after the regulations submitted under subsection (c) of this section take effect.~~
- ~~(2) Notwithstanding Building Code § 34C05, as enacted by this Ordinance, the Building Official may issue a building permit for a City building for which design funding is first included in the appropriate capital budget for fiscal year 2009 if that building, while not achieving a silver-level rating, does achieve a certified-level rating or equivalent.~~
- (c) ~~Regulations that specify, for each type of covered building, the applicable LEED rating system or any equivalent energy and environmental design standard, must be issued to take effect no later than 6 months after the effective date of this Ordinance.~~

SECTION 2. AND BE IT FURTHER ORDAINED, That:

- (a) By July 1, 2008, the City of Baltimore must develop a Green Building Systems Policy for integrating LEED standards into building systems modifications that affect more than 50% of the gross floor area of any City building. The Green Building Systems Policy applies to the building systems identified in § 34C02.1.4.1.
- (b) The Green Building Systems Policy applies to any covered building systems modification beginning on or after July 1, 2009.

SECTION 3. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED, That on enactment of Council Bill 07-632 {"Building, Fire, and Related Codes – 2007 Edition"}, the provisions of this Ordinance shall be codified in the new Building, Fire, and Related Codes as IBC Chapter 37 and, before publication, the Director of Legislative Reference shall conform all section and subsection numbers accordingly.

SECTION 4-5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved August 14, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-491
(Council Bill 07-620)**

AN ORDINANCE CONCERNING

**Metropolitan District of Baltimore County –
Extension 152**

FOR the purpose of consenting to and approving a petition to extend the Metropolitan District of Baltimore County to a certain tract of land; and providing for a special effective date.

BY authority of
Chapter 539
Acts of the General Assembly of 1924
and
Chapter 515
Acts of the General Assembly of 1955

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council of Baltimore consents to and approves the petition to extend the Metropolitan District of Baltimore County to a tract of land, consisting of approximately 14.038 acres, located in the 2C4 Election District of Baltimore County in the vicinity of the end of Watts Road, east of Runnymede Road, as more particularly shown on the plat labeled Extension 152 and filed with the Department of Public Works of Baltimore County.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved August 14, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-492
(Council Bill 07-621)**

AN ORDINANCE CONCERNING

**Metropolitan District of Baltimore County –
Extension 155**

FOR the purpose of consenting to and approving a petition to extend the Metropolitan District of Baltimore County to a certain tract of land; and providing for a special effective date.

BY authority of
Chapter 539
Acts of the General Assembly of 1924
and
Chapter 515
Acts of the General Assembly of 1955

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council of Baltimore consents to and approves the petition to extend the Metropolitan District of Baltimore County to a tract of land, consisting of approximately 12.269 acres, located in the 2C4 Election District of Baltimore County in the vicinity of the west side of Deer Park Road, north of Liberty Road, as more particularly shown on the plat labeled Extension 155 and filed with the Department of Public Works of Baltimore County.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved August 14, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-493
(Council Bill 07-622)**

AN ORDINANCE CONCERNING

**Metropolitan District of Baltimore County –
Extension 156**

FOR the purpose of consenting to and approving a petition to extend the Metropolitan District of Baltimore County to a certain tract of land; and providing for a special effective date.

BY authority of
Chapter 539
Acts of the General Assembly of 1924
and
Chapter 515
Acts of the General Assembly of 1955

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council of Baltimore consents to and approves the petition to extend the Metropolitan District of Baltimore County to a tract of land, consisting of approximately 5.076 acres, located in the 2C4 Election District of Baltimore County in the vicinity of the northeast side of Liberty Road and Deer Park Road, as more particularly shown on the plat labeled Extension 156 and filed with the Department of Public Works of Baltimore County.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved August 14, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-494
(Council Bill 07-625)**

AN ORDINANCE CONCERNING

**Zoning – Health-Care Facilities – Conditional Use Hospital –
On Certain Property Bounded by Calvert Street to the East, St. Paul Street
to the West, Orleans Street to the North, and Pleasant Street to the South**

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a hospital on certain property bounded by Calvert Street to the east, St. Paul Street to the west, Orleans Street to the north, and Pleasant Street to the south, as outlined in red on the accompanying plat.

BY authority of

Article - Zoning

Section(s) 6-509 and 14-102

and

Article - Health

Section 3-102

Baltimore City Revised Code

(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of a hospital on certain property bounded by Calvert Street to the east, St. Paul Street to the west, Orleans Street to the north, and Pleasant Street to the south, as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 6-509 and 14-102 and Health Code §3-102, subject to the condition that the hospital complies with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved August 14, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-495
(Council Bill 07-664)**

AN ORDINANCE CONCERNING

Hotel Room Tax – Clarification

FOR the purpose of clarifying certain provisions; defining certain terms to clarify and conform certain provisions; providing for a special effective date; and generally related to the application of the hotel room tax.

BY repealing and reordaining, with amendments

Article 28 - Taxes

Section(s) 21-1, 21-2, and 21-4(a)

Baltimore City Code

(Edition 2000)

Preamble

The obvious intent of the original and existing Hotel Room Tax law is to levy the tax on all payments by transient hotel guests or tenants made in furtherance of the rental of ~~hotel rooms~~ sleeping accommodations. The purpose of this technical amendment is to affirm that intent by clarifying the technical scope of certain terms used in the law, thus facilitating the full and proper collection of the tax as originally intended.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 28. Taxes

Subtitle 21. Hotel Room Tax

§ 21-1. Definitions.

(a) *In general.*

[As used in] IN this subtitle[:], THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) *GROSS AMOUNTS OF MONEY.*

“GROSS AMOUNTS OF MONEY” MEANS THE TOTAL GROSS PAYMENTS OF ANY KIND OR CHARACTER (INCLUDING CASH, CREDIT, PROPERTY, AND SERVICES), RECEIVED IN A RETAIL TRANSACTION FOR WHICH REAL PROPERTY IS RENTED, WHETHER RECEIVED IN MONEY OR OTHERWISE, WITHOUT ANY DEDUCTION FOR CHARGES OR OTHER AMOUNTS FOR ANY SERVICES NECESSARY TO COMPLETE THE TRANSACTION.

(C) [(b)] *Hotel.*

“Hotel” [shall mean] MEANS a building containing sleeping accommodations for more than 5 persons and open to the transient public.

(D) *OWNERS OR OPERATORS OF HOTELS.*

“OWNERS OR OPERATORS OF HOTELS” MEANS ANY PERSON:

- (1) POSSESSING OR HAVING AN OWNERSHIP INTEREST IN A HOTEL;
- (2) ENGAGED IN THE BUSINESS OF OPERATING A HOTEL; OR
- (3) RECEIVING ANY CONSIDERATION FOR THE RENTAL OF A HOTEL ROOM FOR SLEEPING ACCOMMODATIONS, INCLUDING, WITHOUT LIMITATION, ANY BROKER, SERVICE PROVIDER, OR OTHER INTERMEDIARY:
 - (I) WITH WHICH A HOTEL HAS CONTRACTED TO ARRANGE FOR THE RENTAL OF A HOTEL ROOM FOR SLEEPING ACCOMMODATIONS; OR
 - (II) THAT HAS ACQUIRED ANY HOTEL ROOM FOR SUBSEQUENT RENTAL FROM THE HOTEL FOR SLEEPING ACCOMMODATIONS.

(E) [(c)] *Transient guest or tenant.*

“Transient guest or tenant” [shall mean] MEANS a person or persons renting, using, or occupying a room or rooms in a hotel FOR SLEEPING ACCOMMODATIONS for less than 90 consecutive days.

§ 21-2. Tax imposed.

There is levied and imposed a tax of 7.5% on all gross amounts of money paid to the owners or operators of hotels in the City by transient guests or tenants for renting, using, or occupying a room or rooms in those hotels FOR SLEEPING ACCOMMODATIONS, to be paid and collected as provided in this subtitle.

§ 21-4. Collections.(a) *Hotel to collect and remit.*

Every person, firm, association, or corporation owning or operating any hotel in Baltimore City:

- (1) shall collect the [taxes herein] TAX levied and imposed BY THIS SUBTITLE from the persons paying the rental or other charges for the use or occupancy of any room or rooms FOR SLEEPING ACCOMMODATIONS in his or its hotel; and
- (2) shall pay the [same] TAX to the Director of Finance on or before [February 10, 1958, and on or before] the 25th day of each month [thereafter].

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That if any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid for any reason, the invalidity does not affect any

other provision or any other application of this Ordinance, and for this purpose the provisions of this Ordinance are declared severable.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved August 14, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-496
(Council Bill 07-665)**

AN ORDINANCE CONCERNING

Eviction Chattels

FOR the purpose of providing for the disposition of certain eviction chattels; requiring certain notice prior to execution of a warrant of restitution; ~~providing for a tenant's right to reclaim property within a certain period; providing for a postponement of the execution of a warrant of restitution under certain circumstances; providing for a discount of charges imposed by a City landfill or solid waste facility, under certain circumstances;~~ providing that unclaimed property is deemed abandoned under certain circumstances; prohibiting the placement of eviction chattels in certain public ways; defining certain terms; imposing certain penalties; providing for a special effective date; and generally relating to the removal and disposition of property from leased dwellings.

BY adding

Article 13 - Housing and Urban Renewal
Section(s) 8A-1 through 8A-9, to be under the new subtitle,
"Subtitle 8A. Eviction Chattels"
Baltimore City Code
(Edition 2000)

BY repealing

Article 19 - Police Ordinances
Section(s) 50-12
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 13. Housing and Urban Renewal

SUBTITLE 8A. EVICTION CHATTELS

§ 8A-1. DEFINITIONS.*(A) IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) EVICTION CHATTELS.

“EVICTION CHATTELS” MEANS ANY PROPERTY REMOVED FROM A LEASED DWELLING UNDER A WARRANT OF RESTITUTION.

(C) LEASED DWELLING.

“LEASED DWELLING” MEANS ANY DWELLING UNIT, ROOMING UNIT, EFFICIENCY UNIT, OR OTHER LIVING QUARTERS, WHETHER IN A SINGLE-FAMILY DWELLING, A MULTIPLE-FAMILY DWELLING, AN APARTMENT COMPLEX, OR OTHERWISE, THAT WAS OCCUPIED UNDER A LEASE BETWEEN A TENANT AND A LANDLORD.

§ 8A-2. NOTICE OF PENDING DISPOSSESSION.*(A) SCOPE.*

THE REQUIREMENT TO PROVIDE NOTICE UNDER SUBSECTION (B) OF THIS SECTION DOES NOT APPLY TO ANY JUDGMENT ENTERED IN FAVOR OF A LANDLORD FOR POSSESSION OF A LEASED DWELLING UNDER ONE OF THE FOLLOWING SECTIONS OF THE STATE REAL PROPERTY ARTICLE:

- (1) § 14-120 {“ABATEMENT OF NUISANCE; DANGEROUS SUBSTANCES”};
- (2) § 14-123 {“BALTIMORE CITY NUISANCE ACTIONS”};
- (3) § 8-402 {“TENANT HOLDING OVER”};
- (4) § 8-402.1 {“BREACH OF LEASE [AFTER WRITTEN NOTICE AND SHOW CAUSE HEARING]”}; OR
- (5) § 8-402.4 {“WRONGFUL DETAINER”}.

(B) ~~(A)~~ NOTICE REQUIRED.

WHENEVER A JUDGMENT IS ENTERED IN FAVOR OF THE LANDLORD FOR POSSESSION OF A LEASED DWELLING, THE LANDLORD SHALL:

- (1) NOTIFY THE TENANT OF THE ~~SCHEDULED~~-DATE ON WHICH THE WARRANT OF RESTITUTION ~~WILL~~ IS FIRST SCHEDULED TO BE EXECUTED BY THE SHERIFF; OR
- (2) IF THE SHERIFF HAS AGREED TO PROVIDE NOTICES OF THIS SORT, ARRANGE FOR THE SHERIFF TO NOTIFY THE TENANT OF THE ~~SCHEDULED~~-DATE ON WHICH THE WARRANT OF RESTITUTION ~~WILL~~ IS FIRST SCHEDULED TO BE EXECUTED.

(C) ~~(B)~~ HOW GIVEN.

THE NOTICE SHALL BE:

- (1) ~~MAILED BY FIRST-CLASS AND CERTIFIED MAIL AT LEAST 5 BUSINESS DAYS BEFORE THE SCHEDULED DATE OF EXECUTION MAILED BOTH BY CERTIFIED MAIL AND BY FIRST-CLASS MAIL WITH CERTIFICATE OF MAILING AT LEAST 14 DAYS BEFORE THE FIRST SCHEDULED DATE OF EXECUTION; AND~~
- (2) POSTED ON THE PREMISES AT LEAST ~~2-BUSINESS-7~~ DAYS BEFORE THE FIRST SCHEDULED DATE OF EXECUTION.

(D) ~~(C)~~ *CONTENTS.*

THE NOTICE SHALL:

- (1) STATE THE DISTRICT COURT SUMMARY EJECTMENT CASE NUMBER, THE TENANT'S NAME, AND THE ADDRESS OF THE LEASED DWELLING;
- (2) SPECIFY THE DATE ON WHICH THE EVICTION IS FIRST SCHEDULED TO BE EXECUTED;
- (3) STATE THAT THE EVICTION WILL BE EXECUTED ON THAT DATE UNLESS:
 - (I) THE TENANT MOVES OUT AND RETURNS ~~THE KEYS AND~~ CONTROL OF THE PROPERTY TO THE LANDLORD, OR
 - (II) THE TENANT EXERCISES THE RIGHT TO REDEMPTION UNDER STATE REAL PROPERTY ARTICLE § 8-401(E), UNLESS THE RIGHT TO REDEEM HAS BEEN FORECLOSED OR OTHERWISE IS INAPPLICABLE;
- (4) PROMINENTLY WARN THE TENANT THAT ANY PROPERTY LEFT IN THE LEASED DWELLING WILL BE CONSIDERED ABANDONED AND MAY BE DISPOSED OF ~~IF IT IS NOT RECLAIMED WITHIN 3 BUSINESS DAYS AFTER THE DATE ON WHICH ON EXECUTION OF THE WARRANT OF RESTITUTION IS EXECUTED~~;
- ~~(5) INSTRUCT THE TENANT ON HOW THE TENANT MAY EXERCISE THE RIGHT TO RECLAIM THAT PROPERTY; AND~~
- (5) ~~(6)~~ STATE THAT IT IS THE FINAL NOTICE ~~THE TENANT WILL RECEIVE OF THE DATE OF THE~~ EVICTION, EVEN IF THE EVICTION DATE IS POSTPONED BY THE SHERIFF OR THE COURT.

(E) ~~(D)~~ *CHARGE FOR NOTICE.*

A LANDLORD MAY CHARGE THE TENANT FOR EXPENSES INCURRED IN PROVIDING THIS NOTICE, UP TO A MAXIMUM OF ~~\$5~~ \$10.

~~(E) EFFECT OF FAILURE TO GIVE OR RECEIVE NOTICE:~~

- ~~(1) FAILURE OF THE LANDLORD TO GIVE THE NOTICE REQUIRED BY THIS SECTION DOES NOT IMPAIR THE EFFECTIVENESS OF THE EVICTION ITSELF.~~
- ~~(2) THAT THE TENANT DID NOT ACTUALLY RECEIVE NOTICE DOES NOT ESTABLISH A LANDLORD'S MALICE OR GROSS NEGLIGENCE AS LONG AS THE LANDLORD ESTABLISHES THAT IT MAILED THE NOTICE BY AT LEAST ONE METHOD AND MADE REASONABLE ATTEMPTS TO POST THE NOTICE ON THE PREMISES.~~

§ 8A-3. TENANT'S RIGHT TO RECLAIM.**(A) IN GENERAL.**

~~THE TENANT HAS THE RIGHT TO RECLAIM ANY PROPERTY LEFT IN THE LEASED DWELLING UNTIL 4 P.M. OF THE THIRD BUSINESS DAY AFTER THE DATE ON WHICH THE WARRANT OF RESTITUTION IS EXECUTED.~~

(B) LANDLORD'S STORAGE OPTIONS.

~~DURING THE RECLAMATION PERIOD, THE LANDLORD MAY:~~

- ~~(1) LEAVE THE PROPERTY IN THE LEASED DWELLING, AFTER CHANGING THE LOCKS AND SECURING THE PREMISES;~~
- ~~(2) MOVE THE PROPERTY TO ANOTHER RENTAL UNIT OR TO AN INDOOR STORAGE AREA, IF THE UNIT OR INDOOR AREA IS UNDER THE LANDLORD'S CONTROL, SECURED, AND WITHIN 1/2 MILE OF THE LEASED DWELLING; OR~~
- ~~(3) MOVE THE PROPERTY TO A PUBLIC WAREHOUSE THAT IS WITHIN 1/2 MILE OF THE LEASE DWELLING.~~

(C) LIABILITIES.

~~NEITHER THE LANDLORD, A WAREHOUSE, NOR SOMEONE ACTING ON THEIR BEHALF IS LIABLE FOR ANY LOSS OR DAMAGE TO THE PROPERTY DURING THE RECLAMATION PERIOD, EXCEPT IN INSTANCES OF MALICE OR GROSS NEGLIGENCE.~~

(D) TENANT'S EXERCISE OF RIGHT TO RECLAIM.

- ~~(1) DURING THE RECLAMATION PERIOD, THE LANDLORD SHALL ALLOW THE TENANT TO MAKE REASONABLE ARRANGEMENTS FOR OBTAINING AND MOVING THE PROPERTY.~~
- ~~(2) THE LANDLORD MAY NOT, DIRECTLY OR INDIRECTLY, CHARGE ANY FEE OR IMPOSE ANY CONDITION ON THE TENANT'S RIGHT TO RECLAIM THE PROPERTY.~~

§ 8A-3. POSTPONMENT OF EXECUTION OF WARRANT OF RESTITUTION.**(A) BY DISTRICT COURT.**

THE DISTRICT COURT SHALL STAY THE EXECUTION OF THE WARRANT OF RESTITUTION FOR A PERIOD OF 15 DAYS IF THE COURT FINDS THAT THE LANDLORD DID NOT PROVIDE THE NOTICE TO THE TENANT REQUIRED BY § 8A-2 OF THIS SUBTITLE.

(B) BY THE SHERIFF.

THE SHERIFF SHALL STAY THE EXECUTION OF THE WARRANT OF RESTITUTION FOR A PERIOD OF 15 DAYS IF THE SHERIFF REASONABLY DETERMINES THAT THE LANDLORD DID NOT PROVIDE THE NOTICE TO THE TENANT REQUIRED BY § 8A-2 OF THIS SUBTITLE.

(C) PRESUMPTION – RECEIPT OF NOTICE.

IF THE LANDLORD PROVIDES A COPY OF THE NOTICE, A CERTIFIED MAIL RECEIPT, CERTIFICATE OF MAILING, AND SIGNED AFFIDAVIT BY THE PERSON WHO POSTED THE PROPERTY, ALL OF WHICH ARE

DATED WITHIN THE PROPER TIME PERIODS REQUIRED BY § 8A-2 OF THIS SUBTITLE, THERE IS A PRESUMPTION THAT THE NOTICE WAS ACTUALLY RECEIVED BY THE TENANT.

§ 8A-4. UNCLAIMED PROPERTY IS ABANDONED.

(A) IN GENERAL.

ALL PROPERTY ~~LEFT UNCLAIMED~~ IN OR ABOUT THE LEASED PREMISES AT THE ~~END OF THE RECLAMATION PERIOD~~ TIME THAT THE WARRANT OF RESTITUTION IS EXECUTED IS ABANDONED.

(B) NO LIABILITY ~~TO TENANT~~.

NEITHER THE LANDLORD, ~~A WAREHOUSE,~~ NOR SOMEONE ACTING ON ~~THEIR~~ THE LANDLORD'S BEHALF IS LIABLE ~~TO~~ FOR ANY LOSS OR DAMAGE TO ~~THESE UNCLAIMED EVICTION CHATTELS~~ ABANDONED PROPERTY.

§ 8A-5. PERMITTED DISPOSITION OF ABANDONED PROPERTY.

(A) DISPOSITION BY LANDLORD.

THE LANDLORD SHALL DISPOSE OF ABANDONED EVICTION CHATTELS BY:

- (1) TRANSPORTING THEM TO A LICENSED LANDFILL OR SOLID WASTE FACILITY;
- (2) DONATING THEM TO CHARITY; OR
- (3) SOME OTHER LEGAL MEANS.

(B) DISCOUNT FOR USING CITY LANDFILL OR SOLID WASTE FACILITY.

- (1) A LANDLORD WHO DISPOSES OF EVICTION CHATTELS AT A CITY-OWNED OR OPERATED LANDFILL OR SOLID WASTE FACILITY MAY BE CHARGED NO MORE THAN THE SAME FEES CHARGED TO THE HOUSING AUTHORITY OF BALTIMORE CITY (HABC).
- (2) TO BE ELIGIBLE FOR HABC RATES, THE LANDLORD OR LANDLORD'S AGENT MUST PRESENT AT THE FACILITY AT THE TIME OF DISPOSAL:
 - (I) A COPY OF THE WARRANT OF RESTITUTION ISSUED FOR THE LEASED DWELLING; AND
 - (II) PROOF THAT THE LEASED DWELLING IS REGISTERED OR LICENSED UNDER CITY CODE ARTICLE 13, SUBTITLE 4 {"[REGISTRATION OF] NON-OWNER-OCCUPIED DWELLINGS"} OR SUBTITLE 5 {"LICENSING OF MULTIPLE-FAMILY DWELLINGS AND ROOMING HOUSES"}.
- (3) THE DEPARTMENT OF PUBLIC WORKS MAY ADOPT RULES AND REGULATIONS TO CARRY OUT THIS SUBSECTION.
- (4) A PERSON MAY NOT MAKE ANY FALSE OR MISLEADING REPRESENTATION IN CONNECTION WITH THE FEE RATE AUTHORIZED BY THIS SUBSECTION.

§ 8A-6. PROHIBITED PLACEMENT IN PUBLIC WAY.

UNDER NO CIRCUMSTANCES MAY EVICTION CHATTELS, ABANDONED OR OTHERWISE, BE PLACED IN A PUBLIC RIGHT-OF-WAY OR ON ANY PUBLIC PROPERTY.

§§ 8A-7 TO 8A-8. {RESERVED}**§ 8A-9. PENALTIES.****(A) IN GENERAL.**

ANY PERSON WHO VIOLATES ANY PROVISION OF § 8A-5 OR § 8A-6 OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 FOR EACH OFFENSE.

(B) EACH DAY A SEPARATE OFFENSE.

EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

Article 19. Police Ordinances**Subtitle 50. Street Regulations****Part 1. Obstructions****[§ 50-12. Eviction chattels.****(a) Director to hold for 10 days.**

Whenever the obstructions removed by the Director of Public Works in accordance with the provisions of § 50-11 are the chattels removed from a dwelling in an eviction by judicial process, the Director shall, upon timely request by the tenant, retain the chattels for at least 10 days, during which time the tenant may reclaim them.

(b) Disposition on failure to reclaim.

If the tenant fails to make such request in timely fashion or fails to claim the chattels during the 10-day period of storage, the Director is empowered to dispose of the chattels.

(c) Rules and regulations.

The Director shall promulgate rules and regulations to carry out the provisions of this section.]

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on ~~the 30th day after the date it is enacted:~~ October 1, 2007. All warrants of restitution scheduled to be executed on or after October 1, 2007, shall be in compliance with this Ordinance.

Approved August 14, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-497
(Council Bill 07-697)**

AN ORDINANCE CONCERNING

Indoor Smoking Ban – Conforming Effective Date

FOR the purpose of conforming the effective date of Ordinance 07-392 {“Health – Indoor Smoking”} to that of the State’s Clean Indoor Act of 2007; and providing for a special effective date.

BY repealing and reordaining
Ordinance 07-392
Section 4

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Ordinance 07-392

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on [January] FEBRUARY 1, 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved August 14, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-498
(Council Bill 06-476)**

AN ORDINANCE CONCERNING

Urban Renewal – Oldtown – Amendment 9

FOR the purpose of amending the Urban Renewal Plan for Oldtown to authorize the acquisition by purchase or by condemnation of certain properties for urban renewal purposes, close certain rights-of-way, create new disposition lots, propose certain land use and zoning changes, revise exhibits to reflect the changes in the Plan, making minor technical changes in the Plan, delete and replace an existing Appendix, and revise and clarify land use categories; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

BY authority of
Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

Recitals

The Urban Renewal Plan for Oldtown was originally approved by the Mayor and City Council of Baltimore by Ordinance 70-760 and last amended by Ordinance 99-509.

An amendment to the Urban Renewal Plan for Oldtown is necessary to authorize the acquisition by purchase or condemnation of certain properties for urban renewal purposes, close certain rights-of-way, create new disposition lots, propose certain land use and zoning changes, revise exhibits to reflect the changes in the Plan, make minor technical changes in the Plan, delete and replace an existing Appendix, and revise and clarify land use categories.

Under Article 13, § 2-6 of the Baltimore City Code, no substantial change may be made in any approved renewal plan unless the change is approved in the same manner as that required for the approval of a renewal plan.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following changes in the Urban Renewal Plan for Oldtown are approved:

- (1) In the Plan, in B.1., after the boundary description, delete the last sentence.

[A map illustrating boundaries of the project area is given below as Exhibit No. 1, Project Area Boundary.]

- (2) In the Plan, amend B.2. and B.3. to read as follows:

2. Urban Renewal Plan Objectives

THE OBJECTIVES OF THE OLDTOWN URBAN RENEWAL PLAN (HEREINAFTER REFERRED TO AS "RENEWAL PLAN") AS DETERMINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE (HEREINAFTER REFERRED TO AS "CITY"), ACTING BY AND THROUGH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HEREINAFTER REFERRED TO AS "DEPARTMENT") AND THE COMMISSIONER THEREOF (HEREINAFTER REFERRED TO AS "COMMISSIONER") ARE AS FOLLOWS:

- a. To achieve a good residential neighborhood, as determined by the residents of the Oldtown Project Area, for the residents of the Oldtown Project Area and people with similar economic and social characteristics as documented in the report, The People of Oldtown, dated 1969.
- b. To remove and or rehabilitate substandard buildings and to eliminate blighting influences [upon the Oldtown Project Area and upon the surrounding area including Latrobe, Somerset and Douglas Homes].
- c. To provide [a substantial number of] housing units at BOTH MARKET RATE AND low and moderate cost on land to be disposed of for residential purposes.
- d. To provide maximum opportunities for home ownership through the use of all available programs.
- e. To provide land for open space, recreation areas, educational and other public facilities.
- f. To revitalize the Gay Street Shopping Area through rehabilitation of existing stores and new construction [and through the conversion of Gay Street to a shopping mall].

- g. To maximize employment opportunities through redevelopment of land for retail commercial, wholesale/service commercial, and industrial purposes.
 - h. ~~To channel through traffic onto arterial streets and to discourage through traffic from entering local streets~~ TO PROMOTE GAY STREET AS THE SPINE OF THE COMMERCIAL AND HISTORIC DISTRICT BY PRESERVING VIEWS AND CREATING VEHICULAR ACCESS.
 - i. To protect the neighborhood from future blighting influences.
 - [j. To rehabilitate the houses in the 600 block of Stirling Street in accordance with their architectural and historical significance as part of Baltimore's heritage.]
 - [k. To develop a strategic planning process for the revitalization of the south shed of the Belair Market, known as Block 1273, lot 4/5.]
3. Types of Proposed Renewal Action

Actions proposed for the [project area] PROJECT AREA will consist of the following:

- a. Clearance and redevelopment
- b. Rehabilitation
- c. Provision of public facilities such as street, [and] utility, AND STREETSCAPE improvements, parks[, AND plazas[, street and sidewalk furniture].

(3) In the Plan, Amend C. to read as follows:

C. Land Use Plan

1. Land Use Plan Map

A Land Use PLAN Map is attached as Exhibit ~~2~~ 1.

- a. Residential, ~~COMMUNITY BUSINESS, Retail Commercial, BUSINESS-Wholesale/Service~~ COMMUNITY Commercial, and Industrial, AND PUBLIC uses are shown on the Land Use Plan Map, Exhibit ~~2~~ 1.
- b. Public uses including schools, fire houses, AND parks[, and a mall proposed or existing-to-remain] within the [project area] PROJECT AREA are shown on Exhibit ~~2~~ 1. All proposed public easements within the [project area] PROJECT AREA are shown on Land Disposition Map, Exhibit ~~4~~ 3.
- c. Streets, all other public rights-of-way and vehicular access easements proposed or existing to remain within the [project area] PROJECT AREA are shown on Exhibit ~~2~~ 1.

2. Land Use Provisions and Standards

a. Permitted Uses

Only the use categories shown on the Land Use Plan, Exhibit ~~2~~ 1, [shall be] ARE [permitted] ALLOWED within the [project area] PROJECT AREA. The use categories are: Residential, COMMUNITY BUSINESS (~~Retail Commercial, Wholesale/Service~~

~~Commercial~~), COMMUNITY COMMERCIAL, Industrial, and Public. In addition, certain existing uses, identified as [non-conforming] NONCONFORMING on the Land Use Plan and in Appendix A, and [non-complying] NONCOMPLYING [land uses] STRUCTURES identified in Appendix B [will be permitted] ARE ALLOWED to continue operations subject to the provisions governing [non-conforming] NONCONFORMING uses set forth below in [section] SECTION C.2.a.(6) and [non-complying uses] NONCOMPLYING STRUCTURES set forth below in [section] SECTION C.2.a.(7) of this [plan] PLAN. The specific uses [permitted] ALLOWED ARE AS follows:

(1) Residential

In the area designated Residential on the Land Use Plan, USES INCLUDE THOSE AS ALLOWED IN THE UNDERLYING R-8, R-9, AND R-10 ZONING DISTRICT CATEGORIES OF THE ZONING CODE OF BALTIMORE CITY.[Map, the permitted uses shall be as follows:

dwellings; private schools, and other educational facilities; libraries; religious facilities of any denomination, sect or rite; clubs and lodges; and public utility facilities. Subject to the regulations of the Zoning Ordinance of Baltimore City: convalescent homes; homes for the care of the aged; day nurseries and nursery schools; other public service uses; professional offices for not more than four physicians or dentists in a structure designed for residential use; and housing for the elderly.]

(2) ~~BUSINESS-Retail Commercial~~ COMMUNITY BUSINESS

- [(a) Uses designated with an asterisk (*) shall not be located on the ground level along the street frontage.
- (b) Antique shops; art galleries; art supply stores; automobile accessory stores (with no repair or installation services); bakeries (where baked goods prepared on the premises are sold on the premises); banks; barber and beauty shops; bicycle sales, rental and repair stores; blood donor centers(*); blueprinting and photostating establishments; book stores; bowling establishments(*); building and loan associations; subject to the approval of the Board of Municipal and Zoning Appeals, bus and transit passenger shelters; camera and photographic supply stores; candy and ice cream stores; card shops; carpet and rug stores, carry out food shops; check cashing agencies; china and glassware stores; clothes pressing establishments; clothing and costume rental stores; non-profit clubs and lodges(*); coin and philatelic stores; communications systems (sales and services); data processing service(*); department stores; delicatessens; display rooms for mail order sales; drive-through carry out restaurants; drug stores; dry cleaning establishments (engaged only in neighborhood retail trade); dry cleaning and laundry receiving stations; dwellings(*); electrical stores; employment agencies(*); exhibit rooms(*); exterminators shops(*); fabric shops; financial institutions; florist shops; food and grocery stores; furniture stores (including upholstering, when conducted as an accessory use); garden supply, tool, and seed stores; gift shops; hardware stores; hobby shops; household appliance stores; interior decorating shops (including upholstering and making of draperies, slip covers, and other similar articles, when conducted as an accessory use); jewelry stores (including watch repair); laundrettes (not more than four employees on the

premises in addition to one manager); leather goods and luggage stores; libraries; locksmith shops; lunch rooms; meat markets; medical and dental clinics(*); medical appliance stores; meeting and banquet halls(*); millinery shops; musical instrument sales and repair; newspaper distribution agencies; newsstands; novelty shops; offices (private and public); offices for philanthropic institutions not to include direct services; office supply stores; subject to the authorization of the Mayor and City Council, off-street parking facilities; optician sales; orthopedic stores; paint; pet shops; pharmacies; phonograph and sheet music stores; photocopying services; photographers; physical culture and health services (reducing salons, and gymnasiums)(*); picture framing shops (when conducted for retail trade on the premises); pool halls and billiard parlors(*); post offices; public facilities; radio and television sales and service; radio and television stations and studios(*); recording studios(*); restaurants without licenses to dispense alcoholic beverages, schools and studios (music, dance, and business)(*); school supply stores; second-hand stores; secretarial and telephone answering services(*); sewing machine sales and service (household appliances * only); shoe and hat repair stores; shoe shine parlors; sporting and athletic goods stores; stationery stores; tailor or dressmaking shops, for custom work or repairs; telegraph offices; theaters; ticket agencies; tobacco shops; toy stores; trading stamp redemption centers; travel bureaus; variety stores; vending machine outlets (for the retail sale of ice and milk); venetian blind and window shade sales and services; video stores; wallpaper stores; watch and clock sales and repair services; wearing apparel shops; wig shops.]

~~(A) IN THE AREA DESIGNATED RETAIL COMMERCIAL COMMUNITY BUSINESS ON THE LAND USE PLAN, USES INCLUDE THOSE AS ALLOWED IN THE UNDERLYING B-2 ZONING DISTRICT CATEGORY OF THE ZONING CODE OF BALTIMORE CITY, WITH THE EXCEPTION OF THE FOLLOWING USES, WHICH ARE PROHIBITED:~~

~~(B) THE FOLLOWING USES THAT ARE PERMITTED USES IN THE B-2 ZONING DISTRICT ARE PROHIBITED IN THIS PLAN:~~

~~FRATERNITY AND SORORITY HOUSES: OFF-CAMPUS
LIQUOR STORES: PACKAGE GOODS
MOTELS
ROOMING HOUSES — WITH 11 OR MORE UNITS
SKATING RINKS~~

~~(C) ADDITIONALLY, THE FOLLOWING USES THAT ARE PERMITTED USES IN THE B-2 ZONING DISTRICT ARE CONDITIONAL USES THAT REQUIRE BOARD OF MUNICIPAL AND ZONING APPEALS APPROVAL IN THIS PLAN:~~

~~CHECK CASHING AGENCIES
CLINICS: MEDICAL AND DENTAL
CLUBS AND LODGES: PRIVATE NONPROFIT
HOTELS
ROOMING HOUSES — UP TO 10 UNITS
TAVERNS — NO LIVE ENTERTAINMENT OR DANCING~~

~~(D) IN THE AREA DESIGNATED RETAIL COMMERCIAL ON THE LAND USE PLAN, CONDITIONAL USES ARE LIMITED TO THOSE AUTHORIZED BY THE ZONING CODE OF BALTIMORE CITY AS CONDITIONAL USES IN A B-2 ZONING DISTRICT. HOWEVER, THE FOLLOWING USES THAT ARE CONDITIONAL USES IN THE B-2 ZONING DISTRICT ARE PROHIBITED USES IN THIS PLAN:~~

CHECK CASHING AGENCIES

COMMUNITY CORRECTION CENTERS

DRY CLEANING ESTABLISHMENTS: DRIVE-IN

FIREARM SALES, AMMUNITION SALES, OR BOTH — WHEN IN A BUSINESS ESTABLISHMENT THAT IS PERMITTED IN A BUSINESS DISTRICT AND LOCATED AT LEAST 100 YARDS FROM THE BOUNDARY LINE OF A PARK, RELIGIOUS INSTITUTION, EDUCATIONAL INSTITUTION, PUBLIC BUILDING, OR OTHER PLACE OF PUBLIC ASSEMBLY

GARAGES, OTHER THAN ACCESSORY, FOR STORAGE, REPAIR AND SERVICING OF MOTOR VEHICLES OVER 1½-TONS CAPACITY — BUT NOT INCLUDING BODY REPAIR, PAINTING, AND ENGINE REBUILDING

FRATERNITY AND SORORITY HOUSES: OFF-CAMPUS

GASOLINE SERVICE STATIONS

HOTELS AND MOTELS

LIQUOR STORES: PACKAGE GOODS

MASSAGE SALONS

PAROLE AND PROBATION FIELD OFFICES

PAWNSHOPS

POULTRY — AND RABBIT KILLING ESTABLISHMENTS

ROOMING HOUSES

SKATING RINKS

TRAVEL TRAILERS, RECREATIONAL VEHICLES, AND SIMILAR CAMPING EQUIPMENT: PARKING OR STORAGE

~~(E) THE FOLLOWING USES MUST NOT BE LOCATED ON THE GROUND LEVEL ALONG THE STREET FRONTAGE:~~

~~BLOOD DONOR CENTERS~~

~~BOWLING ESTABLISHMENTS~~

~~CLINICS: MEDICAL AND DENTAL~~

~~CLUBS AND LODGES: PRIVATE NONPROFIT~~

~~EXHIBIT ROOMS~~

~~EXTERMINATORS' SHOPS~~

~~MEETING AND BANQUET HALLS~~

~~POOL HALLS AND BILLIARD PARLORS~~

~~SECRETARIAL AND TELEPHONE ANSWERING SERVICES~~

~~SEWING MACHINES: SALES AND SERVICE — HOUSEHOLD APPLIANCES ONLY~~

~~(F) Upon its rezoning to B-3 Community Commercial by separate ordinance, and subject to Planning Department approval of final designs for signage, landscaping and screening and site access, the following additional uses shall be permitted on Disposition Lot 29, that parcel bounded by Orleans Street, N. Central Avenue, Mullikin Street and Lewis Street, known as 1241-1255 Orleans Street and 300-312 N. Central Avenue, reclassified herein as "Retail Commercial": (i) "Restaurants, drive-in", with drive-through windows, if approved by AN ORDINANCE OF the Mayor and City Council pursuant to THE ZONING CODE OF BALTIMORE CITY [Article 30;~~

Sections 6.3-1.d.3 and 11.0-6.d, Baltimore City Code (1983 Replacement Volume, as amended)); (ii) "Outdoor table service where accessory to a restaurant use", if approved by the Baltimore City Board of Municipal and Zoning Appeals pursuant to THE ZONING CODE OF BALTIMORE CITY [Article 30, Sections 6.3-1.c. and 6-2-1.c.4b, Baltimore City Code (1983 Replacement Volume, as amended)]; and (iii), notwithstanding any other provision of this Plan to the contrary, restaurant signage as generally permitted for THE B-3 [zoning districts] ZONING DISTRICT by [Article 30, Baltimore City Code (1983 Replacement Volume, as amended), Sections 10.0-1 and 10.0-3.]" THE ZONING CODE OF BALTIMORE CITY.

(G) ~~[(e)] Subject to the approval of the Board of Liquor License Commissioners, those liquor outlets existing at the time of adoption of Amendment No. 5 to this Plan in the Retail Commercial area [shall be] ARE permitted to continue indefinitely at their existing location or any other location within the Retail Commercial area.~~

~~(H) Landscaping, loading facilities, and parking facilities related to the above listed retail commercial uses are also permitted. No use [shall be] IS permitted [which] THAT is noxious or offensive by reason of emission of odor, dust, smoke, gas fumes, vibrations or noise.~~

(3) ~~BUSINESS-Wholesale/Service Commercial~~ COMMUNITY COMMERCIAL

[(a) With the exception of dwellings, all uses permitted in Retail Commercial areas shall be permitted in Wholesale/Service Commercial areas: such uses shall be permitted on the ground level or any other level. In addition, the following uses shall be permitted: Ambulance service; animal hospitals; artisans' and craft shops; auction rooms; automobile accessory stores (including repair and installation services); automobile glass and mirror shops; subject to the approval of the Board of Municipal and Zoning Appeals, automobile laundries; automobile painting shops; automobile seat cover and convertible top establishments; subject to the approval of the Board of Municipal and Zoning Appeals, automobile service stations; awnings, storm windows, and doors sales and service establishments; bakeries (including the sale of bakery products to restaurants, hotels, clubs, and other similar establishments); battery and tire sales and service establishments; boat sales, rental, and repair establishments; bookbinding establishments; building material sales establishments; bus stations and terminals; carpet and rug cleaning establishments, cartage and express facilities; computer centers; dry cleaning establishments; feed stores; food commissaries; frozen food lockers; fuel and ice sales; furniture making shops (custom); subject to the approval of the Board of Municipal and Zoning Appeals, garages for storage, repair and servicing of motor vehicles; greenhouses; hiring halls and work distribution centers; industrial suppliers; laboratories; laundrettes; laundries; linen, diaper, and other similar supply establishments; lunch rooms; machinery sales, rental, and services establishments; mail order houses; meat markets (including the sale of meats to restaurants and other similar establishments); milk products processing and distribution establishments; model slot car racing centers, monument sales establishments; motor vehicle rental establishments; moving and storage establishments; newspaper distribution agencies; off-street parking facilities; parcel collection and delivery stations; pay

distribution centers; photographic printing and developing establishments; plumbing, heating, and electrical equipment showrooms and shops; printing and publishing establishments; religious institutions; repeater, transformer, pumping, booster, switching, conditioning, regulating stations, and other public utility installations; drive-in restaurants, subject to the approval of the Board of Municipal and Zoning appeals, and other restaurants with or without liquor licenses; schools (commercial and trade); sign painting shops; skating rinks; store fixture sales establishments; swimming pools; taverns; trailer sales and rental establishments; undertaking establishments and funeral parlors; union halls; upholstering shops; vending machines for the retail sale of products; warehousing and wholesale establishments; welding equipment suppliers; woodworking, custom shops.]

- (A) IN THE AREA DESIGNATED ~~WHOLESALE/SERVICE COMMUNITY~~ COMMERCIAL ON THE LAND USE PLAN, USES INCLUDE THOSE AS ALLOWED IN THE UNDERLYING B-3 ZONING DISTRICT CATEGORY OF THE ZONING CODE OF BALTIMORE CITY, WITH THE EXCEPTION OF THE FOLLOWING USES, WHICH ARE PROHIBITED: ~~ALL USES ALLOWED IN RETAIL COMMERCIAL AREAS IN THIS PLAN SHALL BE ALLOWED IN WHOLESALE/SERVICE COMMERCIAL AREAS. ALL WHOLESALE/SERVICE COMMERCIAL LAND USES ARE ALLOWED ON THE GROUND LEVEL OR ANY OTHER LEVEL.~~

- (B) ~~THE FOLLOWING USES THAT ARE PERMITTED USES IN THE B-3 ZONING DISTRICT ARE PROHIBITED USES IN THIS PLAN:~~

HIGHWAY MAINTENANCE SHOPS AND YARDS
MILK AND DAIRY PRODUCTS: PROCESSING AND DISTRIBUTION
MOBILE HOMES: SALES
MOVING AND STORAGE ESTABLISHMENTS
STABLES FOR HORSES

- (C) ~~ADDITIONALLY, THE FOLLOWING USES THAT ARE PERMITTED USES IN THE B-3 ZONING DISTRICT ARE CONDITIONAL USES THAT REQUIRE BOARD OF MUNICIPAL AND ZONING APPEALS APPROVAL IN THIS PLAN:~~

ANIMAL HOSPITALS
AUTOMOBILE PAINTING SHOPS
CARPET AND RUG CLEANING ESTABLISHMENTS
CONTRACTOR AND CONSTRUCTION SHOPS AND YARDS
HOSPITALS
MEAT MARKETS — INCLUDING SALE OF MEATS AND MEAT PRODUCTS TO RESTAURANTS, HOTELS, CLUBS, AND SIMILAR ESTABLISHMENTS
PALMISTS
REPEATER, TRANSFORMER, PUMPING, BOOSTER, SWITCHING, CONDITIONING, AND REGULATING STATIONS, AND SIMILAR INSTALLATIONS
TRAILERS: SALES AND RENTAL

- (D) ~~IN THE AREA DESIGNATED WHOLESALE/SERVICE COMMERCIAL ON THE LAND USE PLAN, CONDITIONAL USES ARE LIMITED TO THOSE AUTHORIZED BY THE ZONING CODE OF BALTIMORE CITY AS CONDITIONAL USES IN A B-3 ZONING DISTRICT. HOWEVER, THE FOLLOWING USES THAT ARE CONDITIONAL USES IN THE B-3 ZONING DISTRICT ARE PROHIBITED USES IN THIS PLAN:~~

ALL OF THOSE USES LISTED IN THE COMMUNITY BUSINESS SECTION ABOVE,
PLUS:

AFTER-HOURS ESTABLISHMENTS
 AMUSEMENT ARCADES
 AMUSEMENT PARKS AND PERMANENT CARNIVALS
ANIMAL HOSPITALS
AUTOMOBILE PAINTING SHOPS
CARPET AND RUG CLEANING ESTABLISHMENTS
CONTRACTOR AND CONSTRUCTION SHOPS AND YARDS
GARAGES, OTHER THAN ACCESSORY, FOR STORAGE, REPAIR, AND SERVICING
 OF MOTOR VEHICLES NOT OVER 1½-TONS CAPACITY – INCLUDING BODY
 REPAIR, PAINTING, AND ENGINE REBUILDING
 HELIPORTS
HIGHWAY MAINTENANCE SHOPS AND YARDS
HOSPITALS
MEAT MARKETS - INCLUDING SALE OF MEATS AND MEAT PRODUCTS TO
 RESTAURANTS, HOTELS, CLUBS, AND SIMILAR ESTABLISHMENTS
MILK AND DAIRY PRODUCTS: PROCESSING AND DISTRIBUTION
MOBILE HOME: SALES
MOVING AND STORAGE ESTABLISHMENTS
PALMISTS
REPEATER, TRANSFORMER, PUMPING, BOOSTER, SWITCHING, CONDITIONING,
 AND REGULATING STATIONS, AND SIMILAR INSTALLATIONS
RESTAURANTS - INCLUDING LIVE ENTERTAINMENT AND DANCING
RESTAURANTS: DRIVE-IN - INCLUDING PICK-UP DRIVES WITH WINDOW
 SERVICE
STABLES FOR HORSES
TAVERNS - INCLUDING LIVE ENTERTAINMENT AND DANCING
TRAILERS: SALES AND RENTAL

~~(E) [(b)] Landscaping, loading facilities, and parking facilities related to the
 above listed Wholesale/Service Commercial uses are also permitted. No use
 [shall be] is permitted [which] THAT is noxious or offensive by reason of
 emission of odor, dust, smoke, gas fumes, vibrations or noise.~~

(4) Industrial

[Subject to the approval of the Board of Municipal and Zoning Appeals, animal hospitals, antennas for microwave relay radio and television; apparel manufacturing; artisans and craftsmen's workshops; automobile laundries; subject to the approval of the Board of Municipal and Zoning Appeals, automobile service stations; automotive parts manufacturing; bakeries; battery manufacturing and rebuilding; battery and tire sales and service; beverage manufacturing; blueprinting and photostating establishments; boat manufacturing and repairing; bookbinding; bottle manufacturing; bottling works; box manufacturing; broom manufacturing; brush manufacturing; building material sales establishments; bus and transit passenger stations and terminals; cameras and other photographic equipment manufacturing; candy manufacturing; canvas products manufacturing; carpet and rug cleaning establishments; carpet manufacturing; carry out food shops; catering establishments; cereal manufacturing; check cashing agencies; chemical apparatus manufacturing; coffee roasting; communications systems, sales and service; computer centers; confectionery manufacturing; contractor shops and yards; cosmetics manufacturing;

cork products manufacturing and processing; cotton processing; data processing; die casting; distribution and sales of industrial supplies; drug manufacturing; dry cleaning establishments; dyeing establishments; electrical appliances manufacturing; electronic instruments manufacturing; electroplating; employment agencies; extracts manufacturing (food and flavor); fence manufacturing; fermented fruits and vegetable products processing; flour manufacturing; food commissaries; food products manufacturing and processing; fuel and ice sales; furniture and fixture manufacturing; fur and leather processing; galvanizing; garages, for storage and repair; gases, non-combustible and non-toxic, manufacturing and storage; gelatin and casein manufacturing; glass manufacturing; glass products manufacturing (from previously prepared materials); greenhouses; hardware and tool manufacturing; highway maintenance shops and yards; hiring halls and work distribution centers; ice manufacturing; ice cream manufacturing; ink manufacturing; inked products manufacturing; instruments manufacturing (professional, scientific and controlling); insulating materials manufacturing; jewelry manufacturing; laboratory apparatus manufacturing; laundries; leather products manufacturing; linen, diaper and similar supply establishments; lithographing; luggage manufacturing; lumber yards; machinery and machine manufacturing, sales, rental and service; machine shops; machine tools manufacturing; mail order distribution centers; malting; maritime suppliers and servicing; match manufacturing; mattress manufacturing; medical and dental clinics; medical equipment manufacturing; metal products manufacturing (medium and light); milk and dairy products processing and distribution; mirror manufacturing; monument works; motorcycles and similar motorized vehicles manufacturing; motor freight terminals; motor vehicle rental establishments; moving and storage establishments; musical instruments manufacturing; newsstands; non-profit clubs and lodges only; novelty products manufacturing; subject to the approval of the Board of Municipal and Zoning Appeals, offices (business and professional directly related to industrial activities); off-street parking facilities; optical equipment manufacturing; orthopedic and medical appliance manufacturing; paper products, manufactured from previously prepared materials; parcel collection and delivery stations; perfume manufacturing; pharmaceutical manufacturing; photocopying service; photoengraving; photographers; photography film manufacturing and processing; pickling of metal; plastic products manufacturing (from previously prepared materials); polish manufacturing; porcelain enamel products manufacturing; porcelain enamels and glazes manufacturing; post offices; pottery and chinaware manufacturing; printing and publishing establishments; subject to the approval of the Board of Municipal and Zoning Appeals, public utility services (including electric distribution centers and substations; repeater, transformer, pumping, booster, switching, conditioning, regulating stations and other similar installations; and telephone exchanges); recording studios; restaurants and lunchrooms; rope manufacturing; rubber products manufacturing (from previously prepared materials); rug manufacturing; salt manufacturing and processing; schools (commercial and trade); serum, toxin and virus manufacturing and processing; ship chandlers; sign manufacturing sales and service; silverware manufacturing; sodium compound manufacturing and processing; spice manufacturing and processing; sporting and athletic goods manufacturing; starch manufacturing; statuary production; stone cutting; stone manufacturing (synthetic); sugar refineries; taverns; terra cotta manufacturing; textile products manufacturing; tile manufacturing; tire manufacturing; tobacco products manufacturing; toiletries manufacturing; tool, die or pattern making shop; toy manufacturing; trailer manufacturing; trucks and truck trailer sales and rental; umbrella manufacturing; union halls; upholstering shops; vending machines (for retail sale of ice and milk); warehouses; wax and wax products manufacturing; welding shops; wholesale establishments; window blinds,

shades and awnings manufacturing; wire manufacturing; wood products manufacturing; wool processing.]

IN THE AREA DESIGNATED INDUSTRIAL ON THE LAND USE PLAN, USES INCLUDE THOSE AS ALLOWED IN THE UNDERLYING M-2 ZONING DISTRICT CATEGORY OF THE ZONING CODE OF BALTIMORE CITY.

(5) Public

Schools; parks; plazas; [malls;] neighborhood centers; fire stations; offices; libraries, and other public facilities; and landscaping, parking and loading facilities related to the above uses.

[(6) Non-Conforming Uses

A non-conforming uses is any legally existing use of land, buildings or structures that does not conform to the regulations for the use district of the Zoning Ordinance of Baltimore City. The non-conforming uses listed in Appendix A are existing non-conforming uses or are uses which will become non-conforming as a result of the enactment of an Ordinance adopting the Zoning proposals contained in this Plan. The non-conforming uses listed in Appendix A, and other non-conforming uses which may be established between the date of the survey on which the list in appendix A is based and the date of the approval of this Plan by the Mayor and City Council of Baltimore shall be permitted to continue operations subject to the provisions of the Zoning Ordinance of Baltimore City governing non-conforming uses.]

(6) NONCONFORMING USE

A LAWFULLY EXISTING USE OF A BUILDING OR OTHER STRUCTURE OR OF LAND THAT DOES NOT CONFORM TO THE APPLICABLE USE REGULATIONS OF THE ZONING CODE OF BALTIMORE CITY MAY BE CONTINUED AS A "NONCONFORMING USE" ONLY AS PROVIDED IN TITLE 13 OF THE ZONING CODE. A LAWFULLY EXISTING USE OF A BUILDING OR OTHER STRUCTURE OF LAND THAT DOES NOT COMPLY WITH THE LAND USE REGULATIONS OF THIS RENEWAL PLAN IS ALLOWED TO CONTINUE FOR AN INDEFINITE PERIOD OF TIME. THE NONCONFORMING USES LISTED IN APPENDIX A ARE PERMITTED TO CONTINUE, SUBJECT TO ALL OF THE PROVISIONS OF TITLE 13 OF THE ZONING CODE OF BALTIMORE CITY ENTITLED "NONCONFORMANCE".

[(7) Non-complying Land Uses

A non-complying land use is any existing use of land that, although it conforms to the Zoning Ordinance of Baltimore City, does not comply to the land use regulations of this Plan. A list of non-complying land uses is contained in appendix B. The non-complying land uses listed in Appendix B, and non-complying land uses which may be established between the date of the survey on which the list in Appendix B is based and the date of the approval of this Plan by the Mayor and City Council of Baltimore shall be permitted to continue for an indefinite period of time, except that:

- (a) Any non-complying land use which is discontinued for a period exceeding 12 months shall not be reestablished.

(b) No change in the permanent physical members of a structure, such as bearing walls, columns, beams, or girders, or no substantial change in the roof or in the exterior walls shall be made in or to a building or structure except those required by law or except to make the building and use thereof conform to the regulations of this plan.

(c) No non-complying land use shall be changed to any other non-complying use.]

(7) NONCOMPLYING STRUCTURE

A LAWFULLY EXISTING STRUCTURE THAT DOES NOT COMPLY WITH THE BULK REGULATIONS OF THE ZONING CODE OF BALTIMORE CITY MAY BE CONTINUED AS A "NONCOMPLYING STRUCTURE" ONLY AS PROVIDED IN TITLE 13 OF THE ZONING CODE. THE NONCOMPLYING STRUCTURES LISTED IN APPENDIX B ARE PERMITTED TO CONTINUE, SUBJECT TO THE PROVISIONS REGULATED BY TITLE 13 OF THE ZONING CODE OF BALTIMORE CITY.

b. Regulations, Controls and Restrictions on Land to be Acquired[.]

The following regulations, controls, and restrictions will be implemented where applicable by covenants or other provisions in the agreements for land disposition and instruments of conveyance executed pursuant thereto.[, Such] THE regulations, controls, and restrictions are for the benefit of the City of Baltimore and [shall be] ARE enforced solely by the City of Baltimore, except as noted in sub-section C.2.b.(1)(d) below:

(1) General provisions applicable to all land and property to be acquired[:]

- (a) The Redeveloper [shall] MUST devote the land to those uses specified in [the] THIS Plan and to no other uses.
- (b) The Department [of Housing and Community Development] specifically reserves the right to review and approve the Developer's plans and specifications for development or rehabilitation with respect to their conformance with the provisions of the Renewal Plan and in order to achieve harmonious development of the [project area] PROJECT AREA. The Department also reserves the right to refuse to approve any [such] drawings, plans, or specifications that are not suitable or desirable, in its opinion, for aesthetic or functional reasons; and in so passing upon [such] THE drawings, plans and specifications, it [shall have] HAS the right to take into consideration, but [shall] IS not [be] limited to, the suitability of the site plan, architectural treatment, building plans, elevations, materials and color, construction details, access, parking, loading, landscaping, identification signs, exterior lighting, refuse collection details, streets, sidewalks and the harmony of the plans with the surroundings. Approval of plans for residential development [shall be] IS based, upon an evaluation of the degree to which they meet the following general criteria and any detailed standards that may, at a later time, be derived from them.
 - i. All residential units [shall] MUST be designed so as to provide a reasonable degree of protection from visual intrusion and noise between one unit and another and between each unit and its immediate environment. Such protection should be achieved while maintaining an acceptable standard of internal lighting and ventilation wherever possible.

- ii. All residential units [shall] MUST be provided with access to an area for the storage of garbage. This area [should] MUST be suitable for [such] THE use and appropriately located in relation to surrounding uses. Access [shall] MUST be reasonably direct and entirely within the boundaries of a single site. The storage area [shall] MUST be large enough to contain the garbage can and a reasonable amount of additional space for bulky items and spillage. Storage areas in new construction and multiple dwelling units [should] MUST be permanently screened from general view.
 - iii. All residential sites [shall] MUST be developed in toto for uses permitted in this [plan] PLAN, and any division of space for separate functions [should] MUST be shown on the development plans. This refers not only to space within the dwelling unit, but also to open areas of the plans (for example, access path, storage area, drying yard, play lot, garden,) together with proposals for effective site modification (for example, paving, screening, planting, terracing). Functional areas [should] MUST be suitable for the uses proposed on the basis of location, site development, access, size, visibility and relationship to adjoining uses.
 - iv. All residential units [shall] MUST have adequate cross ventilation. Where units are not equipped with air conditioning or other effective mechanical ventilating system, natural cross ventilation [should] MUST be provided wherever possible.
- (c) The Department [of Housing and Community Development shall] MUST submit to [Model Cities Council A, or its successor] THE OLDTOWN COUNCIL "A" PAC AND THE OLDTOWN MERCHANTS' ASSOCIATION, OR THEIR SUCCESSORS, for [its] THEIR review and comment the Preliminary Plans and the Proposed Final Construction Plans for each Disposition Lot designated in this Plan. The written comments and recommendations from this review [shall] MUST be transmitted to the Department [of Housing and Community Development] no later than three weeks after the plans have been submitted to [Model Cities Council A,] THE OLDTOWN COUNCIL "A" PAC AND THE OLDTOWN MERCHANTS' ASSOCIATION; otherwise it is presumed that the plans are acceptable. The Commissioner [of the Department of Housing and Community Development] retains final authority to [approved] APPROVE or disapprove all plans.
- (d) The Redeveloper will not enter into, execute, or be a party to any covenant, agreement, lease, deed, assignment, conveyance, or any other written instrument, which restricts the sale, lease, use or occupancy of the [Property] PROPERTY, or any part thereof, or any [Improvements] IMPROVEMENTS placed thereon, upon the basis of ~~national origin, race, religion, sex or color~~ RACE, COLOR, RELIGION, ANCESTRY, NATIONAL ORIGIN, SEX, GENDER IDENTITY, SEXUAL ORIENTATION, MARITAL STATUS, AGE, OR PHYSICAL OR MENTAL DISABILITY. The Redeveloper [will] MUST comply with all State and local laws, in effect from time to time, prohibiting discrimination or segregation, and will not discriminate, by reason of national origin, race, religion, sex or color in the sale, lease, use or occupancy of the [Property] PROPERTY.
- (2) Provisions applicable to all land to be acquired within areas proposed for clearance and redevelopment
- (a) General Provisions

- i. No building, structure, or parking area [shall] MAY be constructed over an easement within the [project area] PROJECT AREA without the prior written consent of the Commissioner [of the Department of Housing and Community Development] and the Director of the Department of Public Works.
- ii. In computing building coverage, land occupied by open pavilions, cabanas, canopies, and covered or weatherproof walkways [shall] MUST not be included; however, all other structures, including accessory structure, [shall] MUST be included.
- iii. All land not covered by structures; paved parking, loading, or related service areas; paved areas for pedestrian circulation; or decorative surfacing treatments [shall] MUST be provided with landscape treatment. Landscape treatment includes planting any, all, or a combination of the following: trees, shrubs, ground cover, grass, flowers. The amount of landscape treatment [should] MUST be determined by the nature of the development[;], and [should] MUST serve to improve the utility of the site, soften and relieve the effects of structure and pavement and provide a visual harmony. All landscaping is to be maintained in good condition by the property owner as specified by disposition instruments.
- iv. Off-street loading spaces [shall] MUST not be less than 12 feet wide, [and] 40 feet deep, and 14 feet high. This space, plus adequate maneuvering space, [shall] MUST be provided entirely within lot lines. Except as specified below in subsections C.2.b.(2)(d)iv. and C.2.b.(2)(e)iii., no loading spaces [shall be] ARE required.
- v. No refuse or garbage [shall be] IS permitted to remain outside of buildings [constructed therein], except as permitted by the Baltimore City regulations regarding containers for garbage. The areas for [such] THE containers [shall] MUST be properly screened.
- [vi. No vehicular access shall be permitted from Orleans Street to Disposition Lots 26, 28, and 30. No vehicular access shall be permitted from Ensor Street to Disposition Lots 8, 9, 19, and 24.]
- VI. [vii.] It is the intent of this Plan that vehicular access to adjacent disposition lots from Greenmount Avenue, Central Avenue, Madison, Hillen, and Monument Streets be minimized.
- VII. [viii.] No signs other than those identifying the property where they are installed or identifying the use conducted thereon [shall be] ARE permitted; except [that on proposed Disposition Lot 50 one free standing sign] SIGNAGE indicating the [location of the] PRESENCE OF A MULTI-TENANT shopping [mall] CENTER [shall be] IS permitted, the location of which will be determined through Site Plan Review; [such] THE signs [shall] MUST [not exceed 20 square feet in area per face and 18 feet in height above grade level] COMPLY WITH PROVISIONS OF THE ZONING CODE OF BALTIMORE CITY. No sign [shall] may extend above the parapet wall or roofline of the building to which it is attached, EXCEPT WITH THE PRIOR APPROVAL OF THE

COMMISSIONER. No animated or pulsating sign [shall be] IS permitted. All signs [shall] MUST be located entirely within lot lines.

Notwithstanding any other provision of this Plan to the contrary, the standards for restaurant signage within Disposition Lot 29, that parcel bounded by Orleans Street, N. Central Avenue, Mullikin Street and Lewis Street, known as 1241-1255 Orleans Street and 300-312 N. Central Avenue, reclassified herein as "Retail Commercial", [shall] MUST be as generally permitted for THE B-3 [zoning districts by Article 30, Baltimore City Code (1983 Replacement Volume, as amended), Sections 10.0-1 and 10.0-3, subject to Planning Department approval of final designs for signage, landscaping and screening and site access] ZONING DISTRICT BY THE ZONING CODE OF BALTIMORE CITY.

- VIII. [ix.] Setback areas [shall] MUST be used only for landscaping, walkways, and access drives to parking and loading areas.

The immediately foregoing restriction [shall] DOES not apply to Disposition Lot 29, that parcel bounded by Orleans Street, N. Central Avenue, Millikin Street and Lewis Street, and known as 1241-1255 Orleans Street and 300-312 N. Central Avenue.

- [x. It is the intent of the Plan that, wherever possible, the bed of Gay Street, be developed as open space for pedestrian circulation.]

(b) Off-Street Parking Requirements

Off-street parking requirements are as established in the Zoning [Ordinance] CODE of Baltimore City or in such lesser amount as may be authorized by the Board of Municipal and Zoning Appeals as a Special Exception or a Variance.

Off-street parking and loading areas [shall] MUST be visually screened from the public streets and adjacent properties in accordance with specifications in the Zoning [Ordinance] CODE of Baltimore City.

(c) Residential Disposition Lots

- i. Within the areas designated Residential on the Land Use Plan Map, Exhibit 2 1, residential uses [shall be] ARE limited to the following types of dwellings: Row houses, Walk-up apartments, and Elevator apartments. Standards are set forth in the schedule below. If a combination of types of dwellings is constructed, each portion of the Disposition Lot [shall be] IS governed by the specific requirements applicable to each type of dwelling.
- ii. Except where in the sole judgment of the Commissioner [of the Department of Housing and Community Development] a lesser setback or no setback is justified, a minimum setback of 15 feet [shall be] IS required from Orleans Street, and a minimum setback of 10 feet [shall be] IS required from Ensor, Madison and Monument Streets and Central and Greenmount Avenues. No setback [shall be] IS required from other streets.
- [iii. Except for Disposition Lot 15, development shall be limited to row houses and walk-up apartments; it is the intent of the Plan that a minimum of one-

fourth of all dwelling units constructed on each lot shall be row houses, arranged so that individual house lots could be sold. Such house lots shall abut a public street or a common right-of-way.]

- III. [iv.] The [commissioner] COMMISSIONER [of the Department of Housing and Community Development] may authorize the sale of individual house lots [which] THAT exceed the maximum density or the maximum building coverage or both, provided that the Disposition Lot of which the individual house lot is a portion [shall] DOES not exceed the density and building coverage standards, and, provided further, that no codes or ordinances of Baltimore City [shall be] ARE violated.
- IV. [v.] On Disposition Lot 15, the predominant residential use [shall be] IS elevator apartments for the elderly; however, row houses and walk-up apartments are also permitted. Commercial uses customarily accessory to elevator apartments are also permitted provided:
 - (a') [Such] THE uses [shall be] ARE conducted entirely within the structure and are limited to the first floor and basement of the building, except for restaurants [which] THAT are permitted on the top floor or roof.
 - (b') [Such] THE uses in the aggregate [shall] MUST not exceed [seven] 7 percent of gross floor area of the structure.
 - (c') Only [one] 1 exterior advertising sign is permitted for each establishment. No sign [shall] MAY project more than [eight] 8 inches from the building, and no sign [shall] MAY exceed [three] 3 square feet in gross area, provided that the sign be non-illuminated or indirectly-illuminated. A MINOR PRIVILEGE PERMIT IS REQUIRED FOR PROJECTING SIGNS AND AWNINGS.
- V. [vi.] On Disposition Lot 26, a paved walkway [eight] 8 feet in width shall be constructed by the redeveloper to connect a point on McElderry Street approximately 400 feet from the intersection of Forrest and McElderry Streets and a point on Aisquith Street opposite Jefferson Court of Somerset Homes.
- VI. [vii.] Within Disposition Lots 3 and 26, Disposition Lots 3A and 26A for Public Parks [shall] MUST be delineated by the Department [of Housing and Community Development] in cooperation with redevelopers of the remainder of Disposition Lots 3 and 26. The approximate size of the Disposition Lots for Public PARKS [Park shall] MUST be 10,000 square feet in [disposition] DISPOSITION Lot 3 and 15,000 square feet in Lot 26.
- VII. [viii.] Disposition Lots 15A and 16 and 27
 - (A') [i.] Maximum percentage of building coverage [shall] MUST be [ninety] 90 percent [(90%)].
 - (B') [ii] Maximum height of the main structures [shall] MUST be [twenty-five] 25 feet [(25')], except for 15A – [thirty-five] 35 feet [(35')].

(C') [iii.] A minimum setback of [ten] 10 feet [shall be] is required from Monument Street on Disposition Lot 15A and from Aisquith Street on Disposition Lot 16. A minimum setback of [thirty] 30 feet [shall be] is required from Aisquith Street on Disposition Lot 27.

(D') [iv.] Automobile parking [shall] MUST be appropriately screened from Somerset Homes through the use of masonry walls, fences, trees or shrubs planted at an appropriate interval or a combination of these.

(E') [v.] Signs

One flat sign, extending no further than 12 inches from the building, and not exceeding [twenty] 20 square feet in area [shall be] is permitted. One sign, not to exceed [six] 6 square feet in area [shall be] is permitted to project a maximum of 3 feet. A MINOR PRIVILEGE PERMIT IS REQUIRED FOR PROJECTING SIGNS AND AWNINGS.

VIII. ~~[vi.] Disposition Lots 612A, 630A, 634A, 638A, 640A, 655A, 659A, 665A, 667A and 669A [shall be] ARE limited to parking, landscaping and other residential uses related to properties designated for rehabilitation on Stirling Street~~ ON LOT 49, ACCESS IS NOT PERMITTED FROM MOTT STREET OR STIRLING STREET.

(d) ~~Retail~~ COMMUNITY BUSINESS AND COMMUNITY Commercial Disposition Lots

i. Disposition Lot 15C

In addition to the General provisions of [the Oldtown] THIS Plan ([Sec.] SECTION C.2.b.(2)(a)) and off-street parking requirements of the Zoning [Ordinance] CODE, the following [shall apply] APPLY:

(a') Permitted uses [shall be] ARE limited to offices for business, governmental, professional and related uses; pharmacies; medical and dental clinics; and medical laboratories.

(b') Maximum height of structures [shall be] is 35 feet.

(c') A minimum setback of [ten] 10 feet [shall be] is required from Monument Street, except when in the sole judgment of the Commissioner [of the Department of Housing and Community Development] a lesser or no setback is justified.

ii. On Disposition Lot 13A, no setback [shall be] is required. Subject to the approval of the Board of Municipal and Zoning Appeals, no rear yard [shall be] is required. No projecting signs and no flat signs [which] THAT exceed in area [three] 3 feet times the width in feet of the frontage of a building [shall be] ARE permitted. A MINOR PRIVILEGE PERMIT IS REQUIRED FOR PROJECTING SIGNS AND AWNINGS. No signs other than a sign [six] 6 square feet or less in area identifying the occupant at the side or rear door [shall be] is permitted on the side or rear facades of a building.

iii. The Floor Area Ratio [shall] MUST not exceed 2.5 subject to required setbacks, parking and proper vehicle sight distances.

iv. ~~On Lot 49, access [shall] is not [be] permitted from Mott Street or Stirling Street.~~

(e) ~~Wholesale/Service~~ COMMUNITY Commercial and Industrial DISPOSITION LOTS

fi. [The Floor Area Ratio shall not exceed 2.5 in Wholesale/Service Commercial areas or 8.0 in Industrial areas; subject to required setbacks, parking, and proper vehicle sight distance.] ON DISPOSITION LOTS 25A AND 25B, DEVELOPMENT MUST ESTABLISH PEDESTRIAN AND VEHICULAR CONNECTIVITY WITH THE OLDTOWN HISTORIC DISTRICT. FURTHERMORE, NEW DEVELOPMENT IS ENCOURAGED TO ESTABLISH GAY STREET AS AN ACTUAL THOROUGHFARE. GAY STREET MUST ALSO BE MAINTAINED AS A VIEW CORRIDOR IN ORDER TO PRESERVE VIEWS OF BOTH CITY HALL AND THE OLDTOWN HISTORIC DISTRICT. THE VIEW CORRIDOR MUST BE UNOBSTRUCTED, WITH THE EXCEPTION OF AWNINGS, SIGNAGE, LIGHT FIXTURES, OTHER SIMILAR BUILDING FEATURES, AND MINOR STRUCTURAL COMPONENTS THAT MAY PROJECT INTO THE VIEW CORRIDOR, SUBJECT TO INTERPRETATION BY THE DEPARTMENT OF PLANNING. NEW DEVELOPMENT ON THESE LOTS IS ALSO ENCOURAGED TO FACE THE VIEW CORRIDOR AND PROVIDE ENTRANCES, WINDOWS, AND VISUAL ARTICULATION ALONG THE BUILDING WALL.

~~fi.ii.~~ Outdoor storage areas and loading areas [shall] MUST be appropriately screened from all adjacent streets. Appropriate screening [shall] MUST include, but is not necessarily limited to, solid and perforated masonry walls at least [five] 5 feet high, solid fences, trees and shrubs planted at appropriate intervals, or a combination of these.

~~fi.iii.~~ One off-street loading space [shall be] IS required for any establishment [which] THAT exceeds 10,000 square feet of gross floor area. Existing establishments [which] THAT redevelop [one] 1 or more Disposition Lots [shall] MUST provide an off-street loading space only if a building is constructed on a Disposition Lot [which] THAT exceeds 10,000 square feet of gross floor area.

[iv. Signs

(a') Flat signs not extending more than twelve inches from the primary surface of the building and painted signs shall not exceed in area three times the frontage in feet of the building provided that in no case shall total area of such signs exceed 200 square feet.

(b') Each establishment shall be permitted one projecting sign or one free standing sign not to exceed forty square feet per face.

(c') Maximum height of a free standing sign shall be thirty-six feet above grade level.

(d') Anything herein to the contrary notwithstanding, the total area of all signs for service stations shall not exceed 80 square feet.

(e') Delivery Signs

One or more signs shall be permitted for the identification of delivery entrances. Each delivery sign shall be not more than six square feet in area.

(f') Secondary Signs

Non-illuminated secondary signs shall be permitted for the identification of commercial tenants occupying the upper floors of a building. Such signs shall not exceed one (1) square foot in area and shall not project more than three inches beyond the primary surface of the building.

(g') Painted or inlaid signs on cloth awnings are permitted.]

~~IV. III. [v.]~~ Subject to the approval of the Board of Municipal and Zoning Appeals, no setback [shall be] is required in Industrial areas. No setback [shall be] is required in Wholesale/Service Commercial Areas.

~~IV. SIGNAGE IN THE WHOLESALE/SERVICE COMMERCIAL AND INDUSTRIAL AREAS IS GOVERNED BY THE ZONING CODE OF BALTIMORE CITY.~~

(f) Public Disposition Lots

i. Parks and Plazas

(a') It is the intent of this [plan] PLAN that Disposition Lot 9 be used for active recreation for all age groups.

(b') Only maintenance structures, equipment and ornamental structures and other structures appropriate to park and recreation use [shall] MAY be constructed in areas designated for Public Parks on the Land Use Plan Map, Exhibit 2 1. No parking or loading facilities [shall be] ARE required for Public [parks] PARKS.

(c') As specified above in subsection C.2.b.(2)(c)viii., Disposition Lots 3A and 26A for Public Parks [shall] MUST be delineated by the Department [of Housing and Community Development] in cooperation with redevelopers of the remainder of Disposition Lots 3 and 26. The approximate size of the Disposition Lots for Public Parks shall be 10,000 square feet in Disposition Lot 3 and 15,000 square feet in Disposition Lot 26.

(d') It is the intent of [the] THIS [plan] PLAN that Lots 31 and 38 be used for landscaping and recreation.

ii. Schools

It is the intent of [the plan] THIS PLAN that the southern edge of Disposition Lot 10 be delineated by means of building facades, solid walls, trees and bushes planted at close interval or a combination of these. No setback [shall

be] IS required. The Floor Area Ratio [shall] MUST not exceed 3.0, subject to required setbacks, parking, and proper vehicle sight distances.

[iii. Disposition Lot 21 (Mall)

Kiosks, sales booths, display cases, and other commercial activities may be placed on Disposition Lot 21A with the permission of the Department of Housing and Community Development, the Department of Recreation and Parks, and other applicable departments and agencies.

Signs for the identification of the shopping area and the occupants of kiosks, directories, bulletin boards, directional signs and other signs which may be approved by the Department of Housing and Community Development shall be permitted.]

III. [iv.] Disposition Lot 12 (Fire Station)

(a') A minimum setback of [fifteen] 15 feet [shall be] IS required from Hillen and Ensor Streets.

(b') The Floor Area Ratio [shall] MUST not exceed 2.5, subject to required setbacks, parking, and proper vehicle sight distances.

(3) Provisions applicable to land to be acquired within rehabilitation areas[:]

(a) Properties to be cleared and redeveloped

Certain properties in rehabilitation areas may be found to contain structures in such poor condition that they can be treated feasibly only by clearance and redevelopment rather than by rehabilitation. [Such] THESE properties may be acquired by the [Mayor and] City [Council of Baltimore] and sold to private redevelopers for redevelopment for uses in accordance with [the] THIS Plan.

(b) Other properties to be acquired and resold[:]

For properties acquired by the [Mayor and] City [Council of Baltimore] for resale for rehabilitation, the rehabilitation standards in this [plan] PLAN for the use category of [such] THE properties as designated on the Land Use Plan Map, Exhibit ~~2~~ 1, will apply.

c. Duration of Provisions and Requirements

[The land use provisions and standards specified in paragraphs C.2.a. and C.2.b. above shall be in effect for a period of not less than 40 years following the date of the approval of this Plan by the Mayor and City Council of Baltimore.] THE PROVISIONS AND REQUIREMENTS OF THIS RENEWAL PLAN, AS IT MAY BE AMENDED FROM TIME TO TIME, REMAIN IN FULL FORCE AND EFFECT FOR A PERIOD OF 40 YEARS FROM THE DATE THE RENEWAL PLAN IS LAST AMENDED BY THE CITY.

d. Applicability of Provisions and Requirements to Property Not to Be Acquired[:]

The provisions of Section C.2.a. (Permitted Uses) above ~~shall~~ apply to all properties not to be acquired within the [project area] PROJECT AREA as specified in [Sub-sections]

SUBSECTIONS C.2.a.(6) and C.2.a.(7). The provisions of Section C.2.b. [shall] apply as appropriate to properties now currently proposed to be acquired by this Plan if the owners thereof acquire adjacent project land made available by the Department [of Housing and Community Development] under the provisions of this Plan.

(4) In the Plan, amend D. to read as follows:

D. Project Proposals

1. Property Acquisition

A Property Acquisition Map is attached as Exhibit 3 2.

a. Properties within the Project Area (including parts thereof or interests therein) will be acquired for the following purposes[:]

(1) Clearance and Redevelopment

Properties to be acquired for clearance and redevelopment are identified on the Property Acquisition Map, Exhibit 3 2.

(2) Rehabilitation

[Properties to be acquired for rehabilitation are identified on the Property Acquisition Map, Exhibit 3 2. Definitive] A DEFINITIVE determination as to acquisition of [other] properties for rehabilitation will be made during execution in accordance with the provisions of this Plan.

(3) Public Facilities

Properties to be acquired for provision of public facilities are also identified on the Property Acquisition Map, Exhibit 3 2.

b. Conditions Under which Properties [Not] NOT Designated for Acquisition May Be Acquired[:]

(1) Non-Salvable and Non-Compliance with Provisions

(a) It may be necessary to acquire by purchase or by condemnation for Urban Renewal purposes the fee simple interest or any lesser interest in and to such of the remaining properties or portions thereof in the [Oldtown] Project AREA not specifically designated for acquisition on the Property Acquisition Map, Exhibit 3 2, as may be deemed necessary and proper by the Commissioner [of the Department of Housing and Community Development] to effect the proper implementation of [the Project] THIS PLAN. This may include:

- i. Any property in the [project area] PROJECT AREA containing a non-salvable structure, i.e., a structure [which] THAT in the opinion of the Commissioner [of the Department of Housing and Community Development] cannot be economically rehabilitated.

- ii. Any property the owner of which is unable or unwilling to comply or conform to the Property Rehabilitation Standards set forth in this [Urban Renewal] Plan within 12 months from the date of written notice of the required improvements, the Department, [of Housing and Community Development] after due consideration that the property owner has failed to achieve substantial conformity with the Property Rehabilitation Standards, may acquire [such] THE property pursuant to the Eminent Domain Law of this State as if the property has originally been planned for acquisition after 90 days written notice to the owner. The Department of [Housing and Community Development] reserves the right to acquire [any such non-complying] THE NONCOMPLYING property for a period of [two (2)] 2 years from the date of [said] THE written 90 days notice by the Department [of Housing and Community Development].

(2) Designated or undesignated properties for acquisition for rehabilitation by the Department of Housing and Community Development

It may be necessary to acquire by purchase or by condemnation for Urban Renewal purposes the fee simple interest, or any lesser interest, in and to such of the remaining properties or portions thereof in the [Oldtown] Project AREA not designated for acquisition, in addition to those properties enumerated in Section D.1.b.(1) above, in order to carry out rehabilitation by the Department [of Housing and Community Development] because:

- (a) Rehabilitation on a structure-by-structure basis is infeasible, and assemblage of a group of properties is required to carry out the objectives set forth in this Plan[, and].
- (b) It is necessary to make residential structures available for use of low or moderate-income families.
- (c) Rehabilitation of individual, scattered properties is necessary in order to remove blighting influences from otherwise sound residential blocks.
- ~~(D) IT IS NECESSARY TO MINIMIZE THE EFFECTS OF SLUM AND BLIGHTING INFLUENCES ON THE COMMERCIAL AREA.~~
- ~~(E) REHABILITATION OF PROPERTIES WILL ENHANCE THE GOODS AND SERVICES BEING PROVIDED TO THE SURROUNDING RESIDENTIAL AREA.~~

~~{(3) Properties to be acquired will be listed in Appendix C, "Properties for Acquisition and Disposition" for Residential Rehabilitation"}~~

c. Actions to be Followed by the Department of Housing and Community Development Upon Acquisition of Properties for Residential Rehabilitation

- (1) Rehabilitate the property in conformance with the codes and ordinances of Baltimore City and the rehabilitation standards and objectives set forth in this Plan and dispose of property in accordance with applicable regulations. If sale cannot be consummated by the time rehabilitation is accomplished, units [shall] ~~MAY~~ MUST be rented pending continuing sale efforts; or

- (2) Sell or lease the property subject to rehabilitation in conformance with the codes and ordinances of Baltimore City and the rehabilitation standards and objectives set forth in this Plan; or
- (3) ~~Demolish the structure or structures thereon and dispose of land for redevelopment for uses in accordance with this Plan.~~ PROPERTIES TO BE ACQUIRED WILL BE LISTED IN APPENDIX C, "PROPERTIES FOR ACQUISITION AND DISPOSITION".

2. Rehabilitation

a. Residential Rehabilitation Standards

Over and above the codes and ordinances of the City of Baltimore, the following additional standards [shall] MUST be applied to all residential uses within the [project] PROJECT AREA other than those structures within clearance areas:

- (1) Every dwelling unit [shall] MUST contain within a room [which] THAT affords privacy, a bathtub or shower, water closet and lavatory basin in good working condition, which [shall] MUST be properly connected to the public sanitary sewer or to an approved sewage disposal system. The bathtub or shower and lavatory basin [shall] MUST be properly connected to both hot and cold water lines, and the water closet [shall] MUST be properly connected to a cold water line. All facilities [shall] MUST be within and accessible from within the dwelling units.
- (2) Heat producing equipment [which] THAT requires venting [shall] MUST be properly vented to the outdoors. Utility spaces containing unvented heat producing equipment [shall] MUST be vented to the outdoors. Natural ventilation of spaces such as attics and enclosed basementless space [shall] MUST be provided by openings of sufficient size to overcome dampness and minimize the effect of conditions conducive to decay and deterioration of the structure. Exterior ventilation openings [shall] MUST be effectively screened where needed.
- (3) All lead base paint [shall] MUST be removed from interior surfaces of dwellings before repainting. Good repair [shall] MUST include keeping properly painted or wallpapered all interior surfaces [which] THAT are painted or wallpapered in normal practice.
- (4) All windows must be tight-fitting and have sashes of proper size and design. Sashes with rotten wood, broken joints, or broken or loose mullions or muntins [shall] MUST be replaced. Windows [shall] MUST be equipped with proper cords, pulleys, and hardware and be maintained in operating condition.
- (5) Floors or floor covering in kitchen and bathrooms [shall] MUST be of durable, waterproof, non-absorptive material, such as asphalt, vinyl-asbestos, vinyl-plastic, rubber or ceramic tiles, terrazzo or linoleum. Wood finish flooring for these rooms is not acceptable.
- (6) Unvented, open flame gas space heaters [shall] ARE not [be] permitted.

- (7) Every habitable room of every structure [shall] MUST contain at least [two] 2 separate duplex convenience electrical outlets, except that any room other than a sleeping room or dining room with a perimeter of over 50 feet [shall] MUST contain at least [three] 3 separate duplex convenience electrical outlets.
- (8) All of the provisions set forth herein and in Ordinance No. 902, approved December 22, 1966, [shall] MUST be complied with whether the property is occupied or vacant.

b. Additional Residential Rehabilitation Standards[:]

In addition to the enforcement of the codes and ordinances of the City of Baltimore and the required standards of this Plan, the personnel engaged in inspectional, estimating and financing activities for all residential uses within the [project] PROJECT AREA and other than those structures within clearance areas will be directed to seek the attainment of the objectives of the following:

- (1) A degree of privacy [shall] MUST be provided commensurate with suitable living conditions by means of the proper location of exterior openings to exterior conditions, and by the interior arrangement of rooms, particularly with reference to access to bathrooms from bedrooms.

Access to each dwelling unit [shall] MUST be provided without passing any other dwelling unit and access to all parts of the dwelling unit [shall] MUST be possible without passing through a public hall. A bathroom [shall] MUST not be used as a passageway to a habitable room, basement or to the exterior. In dwelling units having more than one bedroom, the only access to a single bathroom is not acceptable through any bedroom.

A bathroom [shall] MUST not be separated from all bedrooms of a dwelling unit by locating it more than a full story above or below the bedrooms. A bedroom [shall] MUST not be used as the only means of access to another bedroom or habitable room.

- (2) Existing required exterior stairways may be repaired in kind, or, if in safe and sound condition, may continue to be used. Replacement or new installation of [such] THE stairways must be accomplished by use of non-combustible materials in accordance with the codes and ordinances of the City of Baltimore.

c. ~~Retail Commercial, Wholesale/Service~~ COMMUNITY BUSINESS, COMMUNITY Commercial and Industrial Rehabilitation Standards

- (1) In areas designated as Retail Commercial, Wholesale/Service Commercial and Industrial on the Land Use Plan Map, Exhibit ~~2~~ 1, the following additional standards [shall] MUST be applied over and above the codes and ordinances of the City of Baltimore to all structures other than those which are to be acquired for demolition:
 - (a) Floors and floor covering in kitchen, toilet or wash rooms [shall] MUST be durable, waterproof, non-absorptive material, such as asphalt, vinyl-asbestos, vinyl-plastic, rubber or ceramic tiles, terrazzo or linoleum. Finished wood flooring in these rooms is not acceptable.

- i. Windows in non-residential structures not in the front of buildings [shall] MUST be kept properly repaired, or, with Fire Department approval, the openings may be closed, in which case sills, lintels and frames must be removed and the opening properly closed to match the materials, design and finish of the adjacent wall.
- ii. All windows must be tight-fitting and have sashes of proper size and design. Sashes with rotten wood, broken joints, or broken or loose mullions or muntins [shall] MUST be replaced. All broken and missing windows [shall] MUST be replaced with glass or Plexiglas. All exposed wood [shall] MUST be repaired and painted.
- iii. Window openings in upper floors of the front of the building [shall] MAY not be filled or boarded-up. Windows in unused areas of the upper floors may be backed by a solid surface on the inside of the glass. Window panes [shall] MUST not be painted.

(b) Building Fronts and Sides Abutting Streets

- i. All structural and decorative elements of building fronts and sides abutting streets [shall] MUST be repaired or replaced in a workmanlike manner to match as closely as possible the original materials and construction techniques.
- ii. All cornices [shall] MUST be made structurally sound, and rotten or weakened portions [shall] MUST be removed and repaired or replaced to match as closely as possible the original patterns. All exposed wood [shall] MUST be painted.
- iii. A show window as a part of the building façade [shall be] IS defined to include the building face and the entrance area leading to the door, the door and sidelights and transoms, and all display platforms and devices including lighting and signing designed to be viewed from the public right-of-way and/or the areas visible to the public prior to entering the interior portion of the structure.

Show windows, entrances, signs, lighting, sun protection, security grilles, etc., [shall] MUST be designed to be compatible and harmonious and consistent with the original scale and character of the structures. All show windows elements must be located within 13 feet of grade.

Enclosures and housings for security grilles and screens [should] MUST be as inconspicuous as possible and compatible with other elements of the facade.

All exposed portions of the grille, screen, or enclosure [which] THAT are painted in normal practice and all portions [which] THAT require painting to preserve, protect, or renovate the surface [shall] MUST be painted.

All screens and grilles must be constructed so they can be opened or removed.

NEW SECURITY GRILLES MUST BE LOCATED ON THE INSIDE OF ~~THE~~ WINDOWS ~~AND, BE~~ LIGHT IN COLOR OR TRANSLUCENT, AND WINDOWS MUST ALSO BE LIGHT IN COLOR OR TRANSLUCENT.

Show windows [shall] MAY not be painted for advertising purposes nor as identification of the place of business, except as permitted under "Secondary Signs."

Likewise, no temporary or permanent sign affixed or placed against the inside surface of a show window [shall] MAY exceed 20% of the area of that show window.

Decalcomanias [one] 1 square foot or less in area may be affixed to show windows or entrance door windows when same are supplied by national and local credit card companies and carry no text or message other than the identification of [such] THE companies.

- iv. Solid or permanently enclosed or covered store fronts [shall] ARE not be permitted, unless treated as an integral part of the building façade using wall materials and window detailing compatible with the upper floors.

All damaged, sagging, or otherwise deteriorated store fronts, show windows, or entrances [shall] MUST be repaired or replaced at the direction of the [Agency] DEPARTMENT.

- v. Soft retractable awnings and rigid awnings or canopies are permitted at the first floor only. Awnings [shall] ARE not [be] permitted on the upper floors. Awnings must be flame proofed. Awnings [shall] MAY not project more than [seven (7)] 7 feet from the building front and [shall] MUST otherwise conform with the provisions of City ordinances. A MINOR PRIVILEGE PERMIT IS REQUIRED FOR PROJECTING SIGNS AND AWNINGS. Awnings [shall] MUST terminate against the building at a height not to exceed [thirteen (13)] 13 feet above the pavement, or [one] 1 inch below the second floor window sill, whichever is lower.

- vi. Buildings or groups of buildings being used by a single tenant [shall] MUST be rehabilitated in a unified and harmonious manner.

Each building [shall] MUST be rehabilitated and repaired with materials and in a manner consistent with the original construction techniques where possible.

- vii. All exterior front or side walls [which] THAT have not been wholly or partially resurfaced or built over [shall] MUST be repaired and cleaned or painted in an acceptable manner. Brick walls [shall] MUST be pointed where necessary. Painted masonry walls [shall] MUST have loose material removed and be painted a single color except for trim [which] THAT may be another color. Patched walls [shall] MUST match the existing adjacent surfaces as to materials, color, bond and joining.
- viii. In the case of front walls [which] THAT have been wholly or partially resurfaced or built over with formstone, wood, structural glass veneer, or other materials, these surfacing materials [shall] MUST be removed,

and the building front repaired in the manner described above. If restoration of the original materials is determined by the Commissioner [of the Department of Housing and Community Development] to be unfeasible, the front [shall] MUST be improved in a manner acceptable to [him] THE COMMISSIONER.

- ix. Dormer windows on roofs sloping toward the shopping street [shall] MUST be treated in accordance with the same criteria as building fronts.
- x. Existing miscellaneous elements on the building fronts, such as empty electrical or other conduits, unused sign brackets, etc., [shall] MUST be eliminated.
- xi. Sheet metal gutters and downspouts [shall] MUST be repaired or replaced as necessary and [shall] MUST be neatly located and securely installed. Gutters and downspouts [shall] MUST be painted to harmonize with the other building front colors.

(c) Rear and Side Walls

- i. Rear and side walls [shall] MUST be repaired and painted to present a neat and fresh appearance. Rear walls [should] MUST be painted to cover evenly all miscellaneous patched and filled areas or be stuccoed to present an even and uniform surface.
- ii. Side walls, where visible from the mall, [shall] MUST be finished or painted so as to be harmonious with the front of the building.

(d) Roofs

- i. Chimneys, elevator penthouses or any other auxiliary structures on the roofs [shall] MUST be repaired and cleaned as required for rear and side walls. Any construction visible from the street or from other buildings [shall] MUST be finished so as to be harmonious with other visible building walls.
- ii. Any mechanical equipment placed on a roof [shall] MUST be so located as to be hidden from view from the shopping streets, and to be as inconspicuous as possible from other viewpoints. Equipment [shall] MUST be screened with suitable elements of a permanent nature, finished so as to harmonize with the rest of the building. Where [such] THE screening is impossible or impractical, equipment [shall] MUST be installed in a neat, presentable manner and [shall] MUST be painted in such a manner as to minimize its visibility.
- iii. Television and radio antennae [shall] MUST be located so as to be as inconspicuous as possible.
- iv. Roofs [shall] MUST be kept free of trash, debris, or any other element [which] THAT is not a permanent part of the building or a functioning element of its mechanical or electrical system.

(e) Auxiliary Structures

Structures at the rears of buildings attached or unattached to the principal commercial structure, which are found by the Commissioner [of the Department of Housing and Community Development] to be structurally deficient, [shall] MUST be properly repaired or demolished.

(f) Rear yards

Where a rear yard exists or is created through the demolition of structures, the owner [shall] MUST condition the open area in one of the following ways as outlined below. The owner [shall] MUST submit his proposal for use of space to the Commissioner [of the Department of Housing and Community Development] for approval.

i. Enclosure of Yards

A rear yard [shall] MUST be enclosed along side and rear property lines by a masonry wall at least [five] 5 feet [six] 6 inches in height consistent and harmonious with the rear walls of the building and solid doors or solid gates for access and delivery to the extent necessary. Use of barbed wire or broken glass on top of walls [shall] IS NOT [be] permitted.

ii. Provision of Parking Area

An unenclosed rear yard may be used as a parking or loading area providing that is properly paved, illuminated, and maintained. A sign not exceeding [six (6)] 6 square feet may be used to identify and control parking and loading. Merchants [shall be] ARE responsible for the maintenance of parking area in a neat and clean manner. No storage of trash containers [shall be] IS allowed in this area, except when housed in permanent structures of acceptable design. The parking area may terminate at the rear of the building[,] or at an enclosed rear yard conforming with the provisions of (f)i. above.

(g) Signs

i. General

No signs other than those identifying the property where they are installed or identifying the use conducted therein [shall be] ARE permitted. Advertising by material or product manufacturers and suppliers [shall] IS NOT [be] permitted except as primary identification of an establishment.

All lighting and electrical elements, such as wires, conduits, junction boxes, transformers, ballasts, switches and panel boxes, [shall] MUST be concealed from view as much as possible.

ii. Flat Signs

Flat signs [shall] MUST be placed parallel to the building face and [shall] MUST not project more than 12["] INCHES from the surface of the building. A MINOR PRIVILEGE PERMIT IS REQUIRED FOR PROJECTING SIGNS AND AWNINGS. Signs on the front and side facades [shall] MUST not exceed in area [three] 3 feet times the width in feet of the frontage of the building[,] and [shall] MAY be placed no higher than the bottom of the second story window where windows exist or 13 feet above grade level whichever is lower. In the case of corner properties, each facade is to be calculated separately as to size allowed for each.

Lettering applied to ground-floor show windows or entrance doors [shall be] IS permitted, providing that THE characters do not exceed [two and one-half (2 ½)] 2½ inches in height[,] and the text is limited to identification of business. Signs identifying the occupant [shall be] ARE permitted at delivery entrance doors but [shall] MUST not exceed [six] 6 square feet in size.

Signs [shall be] ARE permitted on the rear of buildings [which] THAT are not within 100 feet of a residential area. [Such] THE signs [shall] MAY not exceed in area [three] 3 feet times the length in feet of the rear façade unless a larger sign is approved by the Commissioner [of the Department of Housing and Community Development].

iii. Projecting Signs

Projecting signs [shall] MAY not extend more than 7 feet beyond the building surface. A MINOR PRIVILEGE PERMIT IS REQUIRED FOR PROJECTING SIGNS AND AWNINGS. A projecting sign [shall] MAY not extend higher than 13 feet above grade level or below 10 feet above grade level. There [shall] MUST be no more than [one] 1 projecting sign for each establishment, and that sign [shall] MUST be perpendicular to the building face. No projecting sign [shall] MAY exceed 4 square feet in area or be within 3 feet of a side property line.

iv. Painted Signs and Cut-Out Letters

Painted signs on building surfaces or use of separate cutout letters [shall be] ARE permitted in accordance with the above limits for flat signs.

v. Secondary Signs

Non-illuminated secondary signs [shall be] ARE permitted for the identification of commercial tenants occupying the upper floors of a building. [Such] THESE signs [shall] MAY not exceed [one (1)] 1 square foot in area and [shall] MAY not project more than [one] 1 inch beyond the surface of the building, nor [shall] MAY they be placed higher than 13 feet above grade level. A MINOR PRIVILEGE PERMIT IS REQUIRED FOR PROJECTING SIGNS AND AWNINGS.

VI. [iv.] Roof Top Signs and Billboards

Roof top signs, signs above the parapet of a building, billboards, or outdoor advertising signs painted or mounted on structures other than billboards, except as otherwise herein [provide] PROVIDED, [shall] ARE not [be] permitted.

vii. Awning Signs

Painted, flat, or inlaid signs, awnings and canopies are permitted. A MINOR PRIVILEGE PERMIT IS REQUIRED FOR PROJECTING SIGNS AND AWNINGS.

viii. Flashing or Moving Signs

Flashing or moving signs other than barber poles [shall] ARE not [be] permitted.

ix. Non-conforming Signs

All signs not conforming to the above regulations [shall] MUST be removed within [three] 3 years from THE date of enactment of this Plan by the [Mayor and] City [Council of Baltimore], except billboards larger than [sixty] 60 square feet, which [shall] MUST be removed within [five] 5 years from the date of enactment of the Plan.

All minor privilege permits for existing signs [shall] MUST be rescinded by the Board of Estimates to take effect [three] 3 years from the date of enactment of this Plan, and no future minor privilege permits for signs [shall] MAY be approved in the [Oldtown Urban Renewal] Project [area] AREA, except upon certification by the Commissioner [of the Department of Housing and community Development] that [such] THE signs meet project design criteria.

- x. All of the provisions set forth herein and in Ordinance No. 92, approved June 10, 1968, [shall] MUST be complied with whether the property is occupied or vacant. No private signs [shall be] ARE permitted in the [Oldtown Urban Renewal] Project Area, except herein provided or as otherwise permitted by the Commissioner [of the Department of Housing and Community Development] for temporary purposes not exceeding [thirty] 30 days.
- xi. Notwithstanding any other provision of this Plan to the contrary, the standards for restaurant signage within Disposition Lot 29, that parcel bounded by Orleans Street, N. Central Avenue, Mullikin Street and Lewis Street, known as 1241-1255 Orleans Street and 300-312 N. Central Avenue, reclassified herein as “Retail Commercial COMMUNITY BUSINESS”, [shall] MUST be as generally permitted for THE B-3 [zoning districts] ZONING DISTRICT by THE ZONING CODE OF BALTIMORE CITY [Article 30, Baltimore City Code (1983 Replacement Volume, as amended), Sections 10.0-1 and 10.0-3, subject to Planning Department approval of final designs for signage, landscaping and screening and site access].

(h) Period of Compliance

[To the extent that rehabilitation requirements for commercial uses are specifically applicable to the Oldtown Urban Renewal Project and are not generally required elsewhere, the work necessary to meet such requirements shall be undertaken within two (2) years from the date of construction of the parking facility bounded by Gay, Mott, Forrest and Ensor Streets, and shall be completed promptly in accordance with notice from the Commissioner of the Department of Housing and Community Development. However, no] No work, alterations, or improvements [shall] MAY be undertaken after enactment of this Plan [which] THAT do not conform with the requirements herein.

Nothing herein [shall be] IS construed to permit any sign, construction, alteration, change, repair, use, or any other matter otherwise forbidden or restricted or controlled by any other public law.

(i) Design Review and Approval

- i. Designs for all building improvements, modifications, repair, rehabilitation, or painting concerning the exterior of the existing buildings, their yards or their show windows, and for all signs[, shall] MUST be submitted to the Commissioner [of the Department of Housing and Community Development], and written approval by the Department [shall be] IS required before proceeding the work.
- ii. The Commissioner [of the Department of Housing and Community Development shall be] IS concerned with all aspects of the designs affecting exterior appearance and in particular with the following:
 - Colors to be used on buildings and signs;
 - Design of show windows and entrance area, including choice of materials and types of security devices;
 - Design of signs, methods of illumination, colors, materials, methods of suspension;
 - Conditioning of rear yard spaces; location of delivery signs.
- iii. Prior to preparing designs, the owner [shall] MUST request an inspection of the property by the Department [of Housing and Community Development] to determine the minimum improvements [which] THAT must be undertaken to provide safe, sound and sanitary conditions. The Department [of Housing and Community Development] will also advise the owner of the necessary external improvements [which] THAT will be required to attain compliance with the objectives of the Renewal Plan.

(2) ~~Wholesale/Service~~ COMMUNITY Commercial and Industrial Rehabilitation Standards

In areas designated as ~~Wholesale/Service~~ COMMUNITY Commercial or Industrial on the Land Use Plan Map, Exhibit ~~2~~ 1, the following modifications [shall] apply to the Commercial Rehabilitation Standards above:

- (a) Outdoor storage areas and loading areas [shall] MUST be appropriately screened from all adjacent streets. Appropriate screening [shall] MUST include, but is not necessarily limited to, solid and perforated masonry walls at least [five] 5 feet [six] 6 inches in height, solid fences and trees, and shrubs planted at appropriate intervals or a combination of these.
- (b) Windows in the front of buildings, with Fire Department approval, may be closed, provided the sills and frames are removed and the opening is properly closed to match the material, design, and finish of the adjacent wall. Permanent grills and screens are permitted.
- (c) Flat signs may be placed at any location not covering window openings.
- (d) A free standing sign entirely on private property not exceeding 18 feet above grade or a projecting sign not exceeding 18 feet above grade [shall be] IS permitted for each separate establishment, not to exceed [forty] 40 square feet per face.
- (e) Painted signs showing symbols of shapes representing the establishment or the use conducted on the property, in existence [one] 1 year prior to the [passage] ENACTMENT of this Plan by the [Mayor and] City [Council of Baltimore shall], ARE not [be] subject to the above area limitations.
- (f) Delivery Signs

One or more signs [shall be] ARE permitted for the identification of delivery entrances. Each delivery sign [shall be] MAY not BE more than [six] 6 square feet in area.

Except as modified above, all requirements specified under ~~RETAIL COMMERCIAL AND WHOLESALE/SERVICE~~ COMMUNITY BUSINESS AND COMMUNITY Commercial Rehabilitation Standards [shall] apply to the entire [project area] PROJECT AREA.

3. Statement of Proposals to Provide [Low and Moderate] MIXED-Income Housing, INCLUDING HOUSING FOR LOW AND MODERATE-INCOME FAMILIES[:]

- a. {On project land to be disposed of BY THE CITY for residential uses, [all dwelling units permitted by this Plan shall be for low and moderate income families. The Department of Housing and Community Development, in overseeing the development of this low and moderate income housing, shall utilize all applicable Federal programs for assisting in its construction.] ~~FIFTEEN~~ FIFTEEN PERCENT OF ALL UNITS MUST BE PRICED TO BE AFFORDABLE TO HOUSEHOLDS WITH INCOMES BETWEEN 80 AND 120 PERCENT OF THE AREA MEDIAN INCOME IN THE YEAR IN WHICH UNITS ARE FIRST OFFERED TO THE PUBLIC, AS DEFINED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ADJUSTED FOR HOUSEHOLD SIZE. THE UNITS MUST

INCLUDE A RANGE IN THE TENURE OF UNITS AND NUMBER OF BEDROOMS WITHIN EACH TENURE COMPARABLE TO THE REST OF THE DEVELOPMENT. SUCH AFFORDABILITY MUST BE MAINTAINED FOR A PERIOD OF 99 YEARS THROUGH A COVENANT RUNNING WITH THE LAND THAT SHALL SURVIVE SUBSEQUENT RE-SALE OR OTHER CHANGE IN OWNERSHIP OR OCCUPANCY. THE HOUSING COMMISSIONER SHALL HAVE THE AUTHORITY TO AMEND THE COVENANTS TO ACCOUNT FOR CHANGES IN AREA MEDIAN INCOME.

- b. [On project land to be disposed of for construction of new residential units, approximately 60% of the new units provided should be offered to low income families as public housing units through the combined use of the leased public housing program, the conventional public housing construction on scattered sites, or any other public housing program.] THIS SECTION APPLIES TO ANY DEVELOPMENT, CREATED BY NEW CONSTRUCTION, WITH 10 DWELLING UNITS OR MORE. THIS SECTION APPLIES TO TOWN HOUSES, ROW HOUSES, SINGLE FAMILY UNITS, AND MULTI-FAMILY UNITS.

4. Redeveloper's Obligations

- a. No covenant, agreement, lease, conveyance or other instrument [shall] MAY be effected or executed by the Department [of Housing and Community Development] or by a Redeveloper or any of his successors or assigns, whereby land in the [Urban] Renewal Area is restricted by the Department, the Redevelopers, or any successors and assigns [upon] ON the basis of ~~race, creed, color, or national origin~~ RACE, COLOR, RELIGION, ANCESTRY, NATIONAL ORIGIN, SEX, GENDER IDENTITY, SEXUAL ORIENTATION, MARITAL STATUS, AGE, OR PHYSICAL OR MENTAL DISABILITY in the sale, lease, use or occupancy thereof. Appropriate covenants running with the land forever, which prohibit such restrictions, [shall] MUST be included in the disposition instruments, and the United States [shall be] IS deemed a beneficiary of [such] THESE covenants and [shall be] IS entitled to enforce them.
- ~~b. The Redeveloper [shall] MUST agree to retain the interest he acquires in the property transferred to him until he has completed the improvements, construction, and development in the area required by this Plan and the disposition instruments, and he [shall] MUST further agree not to sell, lease or otherwise transfer the interest he acquires or any part thereof without the prior written consent of the Department [of Housing and Community Development] or until the Department [shall have] HAS certified in writing that the Redeveloper has completed the improvements, construction, and development in the area.~~
- ~~B. c.~~ The Redeveloper [shall] MUST begin and complete the development of land for the uses required in [the] THIS Plan and the construction of improvements agreed upon in the disposition instruments within a reasonable time as determined by [said] THE instruments.
- [d. In implementing Section D.3. above, the Department of Housing and Community Development, under procedures developed by it, in the disposition of project land to redevelopers, will insure that all of the housing is made available at a sales price or rental that low and moderate income persons and families can afford.]

5. Priorities

- a. The Department [of Housing and Community Development shall] MUST submit to [Model Cities Council A, or its successor] THE OLDTOWN COUNCIL "A" PAC AND THE OLDTOWN MERCHANTS' ASSOCIATION, OR THEIR SUCCESSORS, for [its] THEIR review and comment, the form and content of all proposals to redevelop land to be disposed of.

[The Model Cities Council A; or its successor, shall] THE OLDTOWN COUNCIL "A" PAC AND THE OLDTOWN MERCHANTS' ASSOCIATION, OR THEIR SUCCESSORS, MUST advise the Department [of Housing and Community Development] of [its] THEIR recommendations regarding the acceptability and priority of all proposals.

- b. The written comments [shall] MUST be transmitted to the Department [of Housing and Community Development] no later than 3 weeks after the proposals have been submitted to [Model Cities Council A, or its successor] THE OLDTOWN COUNCIL "A" PAC AND THE OLDTOWN MERCHANTS' ASSOCIATION, OR THEIR SUCCESSORS; otherwise it is presumed that the proposals are acceptable. The Commissioner [of the Department of Housing and Community Development], however, retains the final authority with respect to granting or withholding development priorities and [shall] MUST dispose of redevelopment land through procedures established by the Department based [upon] ON Federal guidelines.
- c. [The Model Cities Council A; or its successor,] THE OLDTOWN COUNCIL "A" PAC AND OLDTOWN MERCHANTS' ASSOCIATION, OR THEIR SUCCESSORS, in reviewing commercial redevelopment proposals, [shall] ~~MUST~~ MAY give favorable consideration to businesses displaced because of the requirements of this Plan[,] and to proposals [which] THAT will further the objectives of neighborhood ownership of commercial enterprises. The Department [of Housing and Community Development], when disposing of land for new retail commercial, wholesale/service commercial and industrial development wherever possible, [shall] MUST give priority to neighborhood ownership. NEIGHBORHOOD OWNERSHIP MEANS A BUSINESS THAT IS AT LEAST 51% OWNED BY AN INDIVIDUAL WHO LIVES IN THE OLDTOWN URBAN RENEWAL PLAN AREA.
- d. Residents located within the Project Area, as of the date of approval of this Plan, if displaced through the requirements of [the] THIS Plan, [shall] MUST be given a priority by the Department [of Housing and Community Development] under procedures developed by it in renting or purchasing such residential living space as will become available within the Project [area] AREA.

6. Relocation

{a.} The acquisition, demolition and construction of new facilities [shall] MAY be undertaken in stages with an aim to minimize the disruption of the population of the [Oldtown] Project Area.

- {b.} The Department of Housing and Community Development assures that before individuals or families are displaced from their dwelling units due to the requirements of the Plan, standard housing within the displacees' financial means shall be provided. [Such standard housing if it is desired by the displacees shall be provided either within the Oldtown project or within an area surrounding Oldtown as would be defined by approximately a one mile distance from the project.

- c. Except when specifically approved by the Commissioner of the Department of Housing and Community Development after consultation with Model Cities Council A, or its successor, initially no more than 80 households shall be required to relocate before new housing units are available for relocation within the Oldtown Project Area.]

7. New Construction in Rehabilitation Areas

All plans for new construction on any property located in rehabilitation areas and where [said] THE property is not to be acquired under the provisions of this Plan [shall] MUST be submitted to the Department [of Housing and Community Development] for review. Upon finding that the proposed plans are consistent with the objectives of the [Urban] Renewal Plan, the Commissioner [of the Department of Housing and Community Development shall] MUST authorize the processing of the plans for issuance of a building permit. The provisions of this section are in addition to and not in lieu of all other applicable laws and ordinances relating to new construction.

(5) In the Plan, amend E. to read as follows:

E. Other Provisions Necessary to Meet State and Local Requirements

The following information is required by Ordinance No. 152 of the Mayor and City Council of Baltimore, approved June 28, 1968.

1. Land Disposition

- a. Land and property interests acquired by the [Mayor and] City [Council] within the [project area] PROJECT AREA will be disposed of by sale, lease, conveyance, or transfer or other means available to the City, in accordance with Exhibit # 3, Land Disposition Map.
- b. The parcels shown on the Exhibit # 3, Land Disposition Map, as available for disposition are schematic and approximate. The Department [of Housing and Community Development shall have] HAS the right, in its discretion, to fix their precise boundaries and size. For purposes of disposition, the parcels, or lots, as shown on Exhibit # 3, Land Disposition Map, may be subdivided or combined.

2. Zoning

All appropriate provisions of the Zoning [Ordinance] CODE of Baltimore City [shall] apply to [Properties] PROPERTIES in the [Oldtown] Project Area as shown on the Zoning Districts Map, Exhibit 5 4. In order to implement the [Urban] Renewal Plan, Zoning District changes as designated on Exhibit 5 4 will be required. These changes require AN amendment [o] TO the Zoning [Ordinance] CODE. Action to this effect will be initiated during the execution of [the] THIS Plan.

3. Reasons for the Various Provisions of this Plan

- a. Existing land use within the [project] PROJECT AREA is commercial and residential. Renewal objectives can best be achieved by the rehabilitation and redevelopment of the area [primarily] for COMMERCIAL AND residential use.

- b. Clearance and redevelopment areas are proposed in order to remove concentrations of blight and to curtail deteriorating influences.
- c. Structures are proposed for rehabilitation where survey data have indicated that they are basically sound and in accordance with the Land Use Plan.
- d. Open space and recreational facilities within the [project] PROJECT AREA have been shown to be deficient. [The] THIS Plan proposes significant increases in public park land and, through coverage and landscaping requirements, will insure the provision of open space within disposition lots.
- e. Rehabilitation and new construction improvements are proposed for the shopping area to provide a strong commercial center [in the vicinity of the Belair Market].

(6) In the Plan, amend F. to read as follows:

F. Procedures for Changes in Approved Plan

1. The Department [of Housing and Community Development shall] MUST submit to the [Urban Services Council A, or its successor] OLDTOWN COUNCIL "A" PAC AND THE OLDTOWN MERCHANTS' ASSOCIATION, OR THEIR SUCCESSORS, for [its] THEIR review and comments all proposed amendments to the [urban renewal plan] RENEWAL PLAN no later than the time the proposed amendments are submitted to the City Planning Commission by the Department [of Housing and Community Development]. The written comments and recommendations from this review [shall] MUST be transmitted to the Department [of Housing and Community Development] no later than [three (3)] 3 weeks after they have been submitted to the [Urban Services Council A, or its successor] OLDTOWN COUNCIL "A" PAC AND THE OLDTOWN MERCHANTS' ASSOCIATION OR THEIR SUCCESSORS; otherwise, it is presumed the proposed changes are satisfactory. Prior to passage of any ordinance amending the [urban renewal plan] RENEWAL PLAN, a public hearing [shall] MUST be held, and the [Urban Services Council A, or its successor] OLDTOWN COUNCIL "A" PAC AND THE OLDTOWN MERCHANTS' ASSOCIATION, OR THEIR SUCCESSORS, [shall] MUST receive at least [ten (10)] 10 days prior to [such] THE hearing, written notice of the time and place of [such] THE hearing.
2. The [Urban] Renewal Plan may be amended from time to time upon compliance with the requirements of law, provided that, prior to passage of any ordinance amending the [Urban] Renewal Plan, a public hearing [shall] MUST be held, and providing further, that with respect to any land in the [project area] PROJECT AREA previously disposed of by the Department for use in accordance with the [Urban] Renewal Plan, the then owner of [such] THE land [shall] MUST receive, at least [ten (10)] 10 days prior to [such] THE hearing, written notice of the time and place of [such] THE hearing and information as to where a copy of the proposed amendments may be inspected and providing further, that the Department [of Housing and Community Development shall] MUST receive the written consent of the then owner of [such] THE land whose interests therein are materially affected by [such] THE amendment.

(7) In the Plan, amend G. to read as follows:

G. Separability

In the event it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of this Plan, or the application thereof to any person or circumstances is

invalid, the remaining provisions and the application of such provisions to other persons or circumstances [shall] MUST not be affected thereby, it being hereby declared that the remaining provisions of [the] THIS Plan without the word, phrase, clause, sentence, paragraph, section or part, or the application thereof, so held invalid would have been adopted and approved.

(8) In the Plan, amend the title of Appendix A to read as follows:

Appendix A

[Non-conforming] NONCONFORMING Uses

(9) In the Plan, amend the title of Appendix B to read as follows:

Appendix B

[Non-complying Land Uses] NONCOMPLYING STRUCTURES

(10) In the Plan, delete Appendix C in its entirety; and replace with new Appendix C to read as follows:

APPENDIX C

PROPERTIES FOR ACQUISITION AND DISPOSITION

<u>BLOCK 1272</u>	<u>LOT 1, 426 OLDTOWN MALL</u>
	<u>LOT 2, 428 OLDTOWN MALL</u>
	<u>LOT 3, 430 OLDTOWN MALL</u>
	<u>LOT 4, 432 OLDTOWN MALL</u>
	<u>LOT 5, 434 OLDTOWN MALL</u>
	<u>LOT 6, 436-38 OLDTOWN MALL</u>
	<u>LOT 7, 440-42 OLDTOWN MALL</u>
	<u>LOT 8, 444 OLDTOWN MALL</u>
	<u>LOT 9, 450 OLDTOWN MALL</u>
<u>BLOCK 1286</u>	<u>LOT 2, 425 OLDTOWN MALL</u>
	<u>LOT 3, 427 OLDTOWN MALL</u>
	<u>LOT 4, 429/31 OLDTOWN MALL</u>
	<u>LOT 5/6, 433 OLDTOWN MALL</u>
	<u>LOT 7, 437 OLDTOWN MALL</u>
	<u>LOT 8, 439 OLDTOWN MALL</u>
	<u>LOT 9, 441 OLDTOWN MALL</u>
	<u>LOT 10, 447 OLDTOWN MALL</u>
	<u>LOT 19, 418 OLDTOWN MALL</u>
	<u>LOT 20, 420 OLDTOWN MALL</u>
	<u>LOT 21, 422 OLDTOWN MALL</u>
	<u>LOT 22, 424 OLDTOWN MALL</u>
<u>BLOCK 1288</u>	<u>LOT 94/95, 501-03 OLDTOWN MALL</u>
	<u>LOT 92/93, 505-07 OLDTOWN MALL</u>
	<u>LOT 91, 509 OLDTOWN MALL</u>
	<u>LOT 88/90, 511-513½ OLDTOWN MALL</u>
	<u>LOT 87, 515-17 OLDTOWN MALL</u>

LOT 86, 519 OLDTOWN MALL

LOTS THAT HAVE ALREADY BEEN ACQUIRED AND DISPOSED OF ARE INCLUDED AS REFERENCE ONLY ON EXHIBITS 2 AND 3.

SECTION 2. AND BE IT FURTHER ORDAINED, That Exhibit ~~2~~ 1, "Land Use Plan", Exhibit ~~3~~ 2, "Property Acquisition", Exhibit ~~4~~ 3, "Land Disposition", and Exhibit ~~5~~ 4, "Zoning Districts", all dated ~~January 20~~ July 10, 2006, are amended to reflect the changes in the Renewal Plan.

SECTION 3. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Oldtown, as amended by this Ordinance and identified as "Urban Renewal Plan, Oldtown, revised to include Amendment 9, dated July 10, 2006", is approved. ~~The Department of Planning~~ Baltimore Development Corporation shall file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record, available for public inspection and information.

SECTION 4. AND BE IT FURTHER ORDAINED, That it is necessary to acquire, by purchase or by condemnation, for urban renewal purposes, the fee simple interest or any lesser interest in and to the following properties or portions thereof, together with all right, title, interest and estate that the owner or owners of the property interests may have in all streets, alleys, ways or lanes, public or private, both abutting the whole area described and/or contained within the perimeter of said area, situate in Baltimore City, Maryland, and described as follows:

418 Oldtown Mall
 420 Oldtown Mall
 422 Oldtown Mall
 424 Oldtown Mall
 425 Oldtown Mall
 426 Oldtown Mall
 427 Oldtown Mall
 428 Oldtown Mall
 429-31 Oldtown Mall
 430 Oldtown Mall
 432 Oldtown Mall
 433 Oldtown Mall
 434 Oldtown Mall
 436-38 Oldtown Mall
 437 Oldtown Mall
 439 Oldtown Mall
 440-42 Oldtown Mall
 441 Oldtown Mall
 444 Oldtown Mall
 447 Oldtown Mall
 450 Oldtown Mall
 501-03 Oldtown Mall
 505-07 Oldtown Mall
 509 Oldtown Mall
 511-13 Oldtown Mall
 515-17 Oldtown Mall
 519 Oldtown Mall

East Street between Ensor and Orleans Street (excluding portion already closed for Oldtown Mall)

Forrest Street between Oldtown Mall and Orleans Street

SECTION 5. AND BE IT FURTHER ORDAINED, That if the amended Urban Renewal Plan approved by this Ordinance in any way fails to meet the statutory requirements for the content of a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal plan, those requirements are waived and the amended Urban Renewal Plan approved by this Ordinance is exempted from them.

SECTION 6. AND BE IT FURTHER ORDAINED, That if any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid for any reason, the invalidity does not affect any other provision or any other application of this Ordinance, and for this purpose the provisions of this Ordinance are declared severable.

SECTION 7. AND BE IT FURTHER ORDAINED, That if a provision of this Ordinance concerns the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or safety law or regulation, the applicable provisions shall be construed to give effect to each. However, if the provisions are found to be in irreconcilable conflict, the one that establishes the higher standard for the protection of the public health and safety prevails. If a provision of this Ordinance is found to be in conflict with an existing provision of any other law or regulation that establishes a lower standard for the protection of the public health and safety, the provision of this Ordinance prevails and the other conflicting provision is repealed to the extent of the conflict.

SECTION 8. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved September 20, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-499
(Council Bill 07-590)**

AN ORDINANCE CONCERNING

**Razoring – Block 7027D, Lots 9-12 (100 Block of Riverside Road)
and Block 7027D, Lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23,
24, 25, 26/28, 29, 30, 31, 32, 33, 34, and 35**

FOR the purpose of changing the zoning for the ~~property properties~~ known as Block 7027D, Lots 9-12 (100 block of Riverside Road) and Block 7027D, Lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26/28, 29, 30, 31, 32, 33, 34, and 35, as outlined in red on the accompanying amended plat, from the M-2-1 Zoning District to the R-6 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 96
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet 96 of the Zoning District Maps is amended by changing from the M-2-1 Zoning District to the R-6 Zoning District the ~~property properties~~ known as Block 7027D, Lots 9-12 (100 block of Riverside Road) and Block 7027D, Lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26/28, 29, 30, 31, 32, 33, 34, and 35, as outlined in red on the amended plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved September 20, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-500
(Council Bill 07-605)**

AN ORDINANCE CONCERNING

**Planned Unit Development – Amendment 3 –
York Road and Belvedere Avenue (Belvedere Square)**

FOR the purpose of approving certain amendments to the Development Plan of the York Road and Belvedere Avenue (Belvedere Square) Planned Unit Development.

BY authority of

Article - Zoning
Title 9, Subtitles 1 and 4
Baltimore City Revised Code
(Edition 2000)

Recitals

By Ordinance 74-771, as amended by Ordinance 84-187 and Ordinance 04-858, the Mayor and City Council approved the application to have certain property located east of York Road, south of Northern Parkway, west of Clearspring Road, and north of Orkney Road designated as a Business Planned Unit Development and approved the Development Plan submitted by the applicant.

Belvedere Holdings, LLC, the owner of Belvedere Square, wishes to amend the Development Plan, as previously approved by the Mayor and City Council, to allow outdoor seating and table service at Belvedere Square.

On February 7, 2007, representatives of Belvedere Holdings, LLC, met with the Department of Planning for a preliminary conference to explain the scope and nature of the proposed amendments to the Development Plan.

The representatives of Belvedere Holdings, LLC, have now applied to the Baltimore City Council for approval of these amendments, and they have submitted amendments to the Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the amendments to the Development Plan submitted by the Developer, as attached to and made part of this Ordinance, including Exhibit B, "Seating Plan", dated ~~February 14~~ May 16, 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That Section 5 of Ordinance 84-187 is amended to read as follows:

SECTION 5. AND BE IT FURTHER ORDAINED, That only the following uses are allowed on the site:

- (1) those permitted in the B-1 and B-2 Zoning Districts as listed in §§ 6-206 and 6-306 of the Zoning Code.[]; and]
- (2) Restaurants and lunchrooms - including live entertainment and dancing in Area A only, with hours not exceeding 11:00 a.m. to 11:00 p.m. on Sunday through Thursday, 11:00 a.m. to 1:00 a.m. on Fridays and Saturdays, and 11:00 a.m. to 1:30 a.m. on days for special events, the maximum number is 5 per year. THE LIVE ENTERTAINMENT AND DANCING ALLOWED FOR AREA A (RYAN'S DAUGHTER LOCATION) SHALL BE INSIDE THE PREMISES ONLY.
- (3) OUTDOOR SEATING AND OUTDOOR TABLE SERVICE AS ACCESSORY TO ANY PERMITTED USE IN THE PUD IS PERMITTED UPON THE FOLLOWING CONDITIONS:
 - (A) THE PATH OF TRAVEL ADJACENT TO THE OUTDOOR AREAS FOR SEATING AND TABLE SERVICE COMPLIES WITH LAW.
 - (B) EXHIBIT B, "SEATING PLAN", DATED ~~FEBRUARY 14~~ MAY 16, 2007, PROVIDES THE MAXIMUM NUMBER OF TABLES AND SEATS PERMITTED AND SHOWS THE OUTDOOR TABLE AND SEATING PLAN AT BELVEDERE SQUARE. THE PLAN WOULD ALLOW THE RELOCATION OF TABLES AND SEATS WITHIN THE PUD PROVIDED THAT THE MAXIMUM NUMBER OF TABLES AND SEATS AS SET FORTH IN THE PLAN IS NOT EXCEEDED.
 - (C) ANY ADDITIONAL TABLES AND SEATS EXCEEDING THE MAXIMUM NUMBER OF TABLES AND SEATS IN THE PLAN IS PERMITTED SUBJECT TO FINAL DESIGN APPROVAL BY THE PLANNING COMMISSION. THE PLANNING COMMISSION'S APPROVAL IS LIMITED TO THE USE AT THE SPECIFIC LOCATION ADJOINING THE ADDITIONAL TABLES AND SEATS. WHEN SUCH USE CHANGES, THE APPROVAL FOR THE ADDITIONAL TABLES AND SEATS TERMINATES. ANY REQUEST FOR ADDITIONAL TABLES AND SEATS FOR THE NEW USE WOULD REQUIRE FINAL DESIGN APPROVAL OF THE PLANNING COMMISSION IN THE MANNER DESCRIBED ABOVE.
 - (D) THERE WILL BE NO OUTDOOR BAR BY TENANTS AT BELVEDERE SQUARE.
 - (E) THE HOURS FOR OUTDOOR SEATING AND OUTDOOR TABLE SERVICE WOULD BE LIMITED AS FOLLOWS: SUNDAY THROUGH THURSDAY - UP TO 10:00 P.M.; FRIDAY AND SATURDAY - UP TO 11:30 P.M.
 - (F) EXCEPT FOR TABLES AND SEATS ADJOINING A RETAIL LOCATION IN BELVEDERE SQUARE FRONTING ON YORK ROAD OR A LOCATION WITH AN ALCOHOLIC BEVERAGES LICENSE, THE OUTDOOR TABLES AND SEATS MAY BE USED BY PATRONS OF BELVEDERE SQUARE IN ANY LOCATION.

SECTION 3. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the property are subject to final design approval by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED, That the Planning Department may determine what constitutes minor or major modifications of the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

SECTION 5. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying amended Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the amended Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the amended Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved September 20, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-501
(Council Bill 07-617)**

AN ORDINANCE CONCERNING

Baltimore City Landmark List – Johnny Eck House

FOR the purpose of designating the Johnny Eck House, 622 North Milton Avenue, as a historical landmark.

BY adding

Article 6 - Historical and Architectural Preservation
Section(s) 12-20
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 6. Historical and Architectural Preservation

Subtitle 12. Landmark List 2000s

§ 12-20. JOHNNY ECK HOUSE.

JOHNNY ECK HOUSE, 622 NORTH MILTON AVENUE.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved September 20, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-502
(Council Bill 07-618)**

AN ORDINANCE CONCERNING

**Baltimore City Landmark List –
Christ Church United Church of Christ**

FOR the purpose of designating Christ Church United Church of Christ, 1308 Beason Street, as a historical landmark.

BY adding

Article 6 - Historical and Architectural Preservation
Section(s) 12-20
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 6. Historical and Architectural Preservation

Subtitle 12. Landmark List - 2000s

§ 12-20. CHRIST CHURCH UNITED CHURCH OF CHRIST.

CHRIST CHURCH UNITED CHURCH OF CHRIST, 1308 BEASON STREET.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved September 20, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-503
(Council Bill 07-619)**

AN ORDINANCE CONCERNING

Baltimore City Landmark List – Ruscombe Mansion

FOR the purpose of designating the Ruscombe Mansion, 4901 Greenspring Avenue - 4901 Springarden Drive, as a historical landmark.

BY adding

Article 6 - Historical and Architectural Preservation
Section(s) 12-20
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 6. Historical and Architectural Preservation

Subtitle 12. Landmark List - 2000s

§ 12-20. RUSCOMBE MANSION.

RUSCOMBE MANSION, 4901 GREENSPRING AVENUE - 4901 SPRINGARDEN DRIVE.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved September 20, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-504
(Council Bill 07-633)**

AN ORDINANCE CONCERNING

Corrective Bill 2007

FOR the purpose of correcting certain technical errors and omissions in the City Code and other enactments; repealing certain obsolete provisions; correcting, clarifying, and conforming certain language; and providing for a special effective date.

BY repealing

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 5-1 through 5-5, inclusive, and the subtitle designation
“Subtitle 5. Compensation Commission for Elected Officials”
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article - Building, Fire, and Related Codes
Section(s) 2-103 (IBC § 34A05.1)
Baltimore City Revised Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article - Health
Section(s) 3-101(a)
Baltimore City Revised Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article 13 - Housing and Urban Renewal
Section(s) 2-7(f)(1)
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article 19 - Police Ordinances
Section(s) 40-1 and 43-8
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article 31 - Transit and Traffic
Section(s) 31-106(a)
Baltimore City Code
(Edition 2000)

BY repealing and reordaining

Ordinance 05-124
Section(s) 1(2), (4), and (5)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following provisions of the Code are repealed:

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 5-1 through 5-5, inclusive, and the subtitle designation
“Subtitle 5. Compensation Commission for Elected Officials”

COMMENT: Repeals provision made obsolete by ratification of new Charter Article VII, §§ 117 to 125.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Laws of Baltimore City read as follows:

Baltimore City Revised Code

Article – Building, Fire, and Related Codes

Part II. International Building Code

§ 2-103. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 34A. Visitability Requirements for Publicly Assisted Dwellings

Section 34A05 Relationship to other laws.

34A05.1 Federal and state laws. Federal and state laws also govern multiple-family dwellings and public accommodations. Newly constructed multiple-family DWELLINGS may also be subject to the federal Americans with Disabilities Act and the federal Fair Housing Act and their respective guidelines.

COMMENT: Corrects inadvertent omission.

Article – Health

Title 3. Health Facilities

Subtitle 1. Ordinance Required to Establish

§ 3-101. “Health facility” defined.

(a) *In general.*

In this subtitle, “health facility” means:

- (1) any hospital or similar facility for the care, custody, or treatment of 2 or more unrelated patients suffering mental or physical ailments; AND
- (2) any home for the rehabilitation of non-bedridden alcoholics, as that term is used in the Zoning Code of Baltimore City; and
- (3) any substance abuse treatment center, as defined in the Zoning Code of Baltimore City].

COMMENT: Ord. 06-342 {Bill 05-220} repealed the separate Zoning Code classification for (and definition of) “substance abuse treatment center”. It also broadened the classification for clinics to encompass treatment centers and the like. Under the Zoning Code, these clinics do not require an ordinance for approval. The residual reference here is thus obsolete.

Baltimore City Code**Article 13. Housing and Urban Renewal****§ 2-7. Specific powers.***(f) Disposing of property.*

- (1) In accordance with applicable Renewal Plans or Conservation Plans, to sell at public or private sale, lease, convey, transfer, or otherwise dispose of any land or property, or any interest [therein] IN THEM, acquired by it regardless of whether or not it has been developed, redeveloped, altered, or improved and irrespective of the manner or means in or by which it may have been acquired, to the United States of America, the Housing Authority of Baltimore City, [or] the State of Maryland, or any department or agency [thereof] OF THEM, or [of] TO any private, public, or quasi-public corporation, partnership, association, person, or other legal entity, for conservation, development, or redevelopment, including but not limited to [the] renovation or rehabilitation [thereof].

COMMENT: Corrects a misleading preposition. Specifically, the phrase “of any private ... entity” should read “to any private ... entity”. Cf. Charter Article II, § 15(c) and § 15A(b). Also removes some archaisms.

Article 19. Police Ordinances**Subtitle 40. Unregistered Motorcycles and Similar Vehicles****§ 40-1. Definitions.***(a) In general.*

In this subtitle, the following words have the meaning indicated.

(b) Department.

“Department” means the [Mayor’s] Department of Transportation.

(c) Dirt bike.

- (1) “Dirt bike” means any motorcycle or similar vehicle that is not registered under the Maryland Vehicle Law.

- (2) “Dirt bike” includes:

- (i) a minibike;
- (ii) an all-terrain vehicle of either the 3- or 4-wheel variety; and
- (iii) any other motorcycle or similar vehicle that is not eligible for registration under the Maryland Vehicle Law.

(d) Minibike.

“Minibike” means a motor vehicle that:

- (1) has a saddle for the use of the rider;
- (2) is designed to travel on not more than 3 wheels in contact with the ground;
- (3) is not eligible for registration under the Maryland Vehicle Law [or this subtitle]; and
- (4) has:
 - (i) a 10-inch (254 mm) or less nominal wheel-rim diameter;
 - (ii) 40 inches or less wheel base;
 - (iii) 25 inches or less seat height, measured at the lowest point on the top of the seat cushion without rider; or
 - (iv) a propelling engine with piston displacement of 50 cc or less.

(e) *Motorcycle or similar vehicle.*

- (1) “Motorcycle or similar vehicle” means any motor vehicle that is designed to travel on not more than 3 wheels in contact with ground.
- (2) “Motorcycle or similar vehicle” includes a minibike.

[(f) *Motor scooter.*

“Motor scooter” has the meaning stated in State Transportation Article § 11-134.4.]

(F) [(g)] *Unregistered motorcycle or similar vehicle.*

“Unregistered motorcycle or similar vehicle” means a motorcycle or similar vehicle that:

- (1) is eligible for registration under the Maryland Vehicle Law; but
- (2) is not in fact registered.

COMMENT: This section was enacted by Ord. 07-398, which rewrote much of the subtitle. During deliberations, proposed registration requirements, as well as references to “motor scooters”, were deleted. This clears up some of the consequent inconsistencies.

Subtitle 43. Public Nuisances

§ 43-8. Termination of tenancy.

[Upon] On a conviction [pursuant to § 43-9] UNDER § 43-1(G) of this subtitle or ON issuance of a closing order:

- (1) the owner, lessor, or agent may immediately terminate the tenancy; and
- (2) if the lessee [and] OR any other occupants of the property fail to vacate the premises, the owner, lessor, or agent may use the conviction order in an action [pursuant to] BROUGHT UNDER the LAWS GOVERNING tenant-holding-over, breach-of-lease, or tenant-at-will [provisions of law].

COMMENT: Corrects erroneous cross-reference and clarifies related language.

Article 31. Transit and Traffic

Subtitle 31. Clear Streets and Impoundment

§ 31-106. Driveways, service drives, private ways.

(a) *In general.*

Within any zone marked as tow away, pursuant to [§ 6-2] § 6-12 of this article, so as to obstruct or impede egress or ingress to or from a driveway, service drive, or private way.

COMMENT: Corrects cross-reference.

Uncodified Ordinances

Ordinance 05-124

(Urban Renewal Plan for Middle East – Amendment 8)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following changes in the Urban Renewal Plan for Middle East are approved:

....

- (2) In the Plan, replace Appendix E Design Guidelines with “[Exhibit A] APPENDIX E, New East Baltimore Community Design Guidelines”, dated March 30, 2005.

....

- (4) In the Plan, amend B.(1)h. to read as follows:

h. PUD Standards and Controls

The development of the East Baltimore Biotech Center and the surrounding area ([Collectively] COLLECTIVELY, the “East Baltimore Development Project Area”, described in [Exhibit B] APPENDIX F) shall require the preparation of a comprehensive plan of development that is approved through a process that has substantial community involvement. “Substantial [Community Involvement] COMMUNITY INVOLVEMENT” means: Community participation that is consistent with the required approval of the Planned Unit Developments (PUDs).

In addition, PUDs shall be encouraged (and for any phase after the initial phase, required) or, per Section 9-105(b) of the Zoning Code or as otherwise permitted by law, initiated by the Planning Commission itself to:

- (1) establish unitary control over the East Baltimore Development Project Area, rather than lot-by-lot regulation;
- (2) achieve maximum coordination between or among each PUD and neighboring land uses;
- (3) provide greater flexibility to the redeveloper;
- (4) allow for greater involvement by the impacted community;

- (5) ensure that significant housing resources are made available to households of varying income levels, specifically, low income (50% or less of the median income applicable to Baltimore City as published and annually updated by the United States Department of Housing and Urban Development), moderate income (making more than 50% of median income applicable to Baltimore City but less than 100% of median income, using a combination of price adjustments and buyer financing assistance programs, sponsored by the State of Maryland and other sources), and market rate without regard to income;
- (6) in accordance with subparagraph (5), ensure that the Development Project Area provides (excluding student housing) one-third low income housing, one-third moderate income housing, and one third market rate housing; and
- (7) optimize the preservation of existing historic buildings and the unique historic character of the East Baltimore Development Project Area for Baltimore residents and visitors.

In the event that a PUD is not utilized, there shall be no significant development within the East Baltimore Development Project Area or the completion of a comprehensive plan development for the East Baltimore Development Project Area without substantial community involvement, as defined above.

The Development Project Area shall be developed in accordance with the "Land Disposition and Development Agreement" between the Mayor and City Council of Baltimore and East Baltimore Development, Inc., effective April 28, 2004, as amended from time to time.

- (5) In the Plan, add "[Exhibit B] APPENDIX F, Project Area Description".

COMMENT: Corrects references to appendices, capitalization errors, and paragraphing.

SECTION 3. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved September 20, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-505
(Council Bill 07-659)**

AN ORDINANCE CONCERNING

Zoning – Conditional Use – Amending Ordinance 91-841

FOR the purpose of amending the maximum bed capacity for the home for homeless persons on the property known as 140 W. West Street, as outlined in red on the accompanying plat; specifying certain conditions; and conforming certain language and references.

BY authority of

Article - Zoning
Section(s) 4-1004(3) and 14-102
Baltimore City Revised Code
(Edition 2000)

BY repealing and reordaining, with amendments

Ordinance 91-841
Section(s) 1

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Ordinance 91-841

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is hereby granted for the establishment, maintenance, and operation of a home for [49] 100 homeless persons on the property known as 140 W. West Street, as outlined in red on the plats accompanying this [ordinance] ORDINANCE, [under the provisions of Sections 4.7-1d-3 and 11.0-6d of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended) title Zoning] IN ACCORDANCE WITH ZONING CODE §§ 4-1004(3) AND 14-102 OF THE BALTIMORE CITY CODE, SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE BUILDING SETBACK FROM THE FRONT IS 0 FEET.
2. THE BUILDING SETBACK FROM THE INTERIOR IS 5 FEET.
3. THE BUILDING SETBACK FROM THE STREET IS 0 FEET.
4. THE BUILDING SETBACK FROM THE REAR IS 0 FEET.
5. THE ALLOWABLE FAR IS 2.4.
6. THE PARKING REQUIREMENT IS 0.
7. THERE MAY BE NO EXTERIOR SIGN ON THE FACILITY OTHER THAN A NAMEPLATE NO LARGER THAN 12 INCHES WIDE BY 12 INCHES HIGH.
8. THE HOME FOR HOMELESS PERSONS MUST COMPLY WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL LICENSING AND CERTIFICATION REQUIREMENTS.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved September 20, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-506
(Council Bill 07-738)**

AN ORDINANCE CONCERNING

Gun Offender Registration

FOR the purpose of establishing a gun offender registry; requiring gun offenders to register with the Police Commissioner under certain circumstances; requiring periodic verification or updating of registration information; providing for the establishment of rules and regulations; defining certain terms; prohibiting certain acts; imposing certain penalties; and providing for a special effective date.

BY adding

Article 19 - Police Ordinances
Section(s) 60-1 through 60-11, to be under the new subtitle,
“Subtitle 60. Gun Offender Registration”
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 19. Police Ordinances

SUBTITLE 60. GUN OFFENDER REGISTRATION

§ 60-1. DEFINITIONS.

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) *CONVICTED.*

“CONVICTED” MEANS:

- (1) HAVING BEEN FOUND GUILTY OF A GUN OFFENSE BY A JURY OR JUDICIAL OFFICER;
- (2) THE ACCEPTANCE OF A PLEA OF GUILTY OR NOLO CONTENDERE FOR A GUN OFFENSE;
- (3) HAVING BEEN GRANTED A PROBATION BEFORE JUDGMENT AFTER A FINDING OF GUILT FOR A GUN OFFENSE, IF THE COURT ORDERS COMPLIANCE WITH THIS SUBTITLE AS A CONDITION OF PROBATION; OR
- (4) HAVING BEEN FOUND NOT CRIMINALLY RESPONSIBLE FOR A GUN OFFENSE.

(C) *CORRECTIONAL FACILITY.*

“CORRECTIONAL FACILITY” MEANS A FACILITY THAT IS OPERATED FOR THE PURPOSE OF DETAINING OR CONFINING ADULTS WHO ARE CHARGED WITH OR FOUND GUILTY OF A CRIME.

(D) *GUN OFFENDER.*

(1) *IN GENERAL.*

“GUN OFFENDER” MEANS ANY ADULT WHO IS CONVICTED OF A GUN OFFENSE IN A COURT IN BALTIMORE CITY.

(2) *EXCLUSIONS.*

“GUN OFFENDER” DOES NOT INCLUDE A PERSON:

- (I) WHOSE CONVICTION FOR A GUN OFFENSE HAS BEEN REVERSED ON APPEAL OR OTHERWISE SET ASIDE PURSUANT TO LAW; OR
- (II) WHO HAS BEEN PARDONED BY THE GOVERNOR.

(D) *GUN OFFENSE.*

“GUN OFFENSE” MEANS:

(1) A VIOLATION OF ANY OF THE FOLLOWING SECTIONS OF THE STATE CRIMINAL LAW ARTICLE:

- (I) § 4-203 {WEARING, CARRYING, OR TRANSPORTING HANDGUN};
- (II) § 4-204 {USE OF HANDGUN OR ANTIQUE FIREARM IN COMMISSION OF CRIME};
- (III) § 4-303 {ASSAULT PISTOLS – PROHIBITED};
- (IV) § 4-404 {USE OF MACHINE GUN IN CRIME OF VIOLENCE};
- (V) § 4-405 {USE OF MACHINE GUN FOR AGGRESSIVE PURPOSE}; ~~OR~~
- (VI) § 5-621 {CRIMES INVOLVING CONTROLLED DANGEROUS SUBSTANCES AND PARAPHERNALIA – USE OF WEAPON AS SEPARATE CRIME}; OR
- (VII) § 5-622 {FIREARM CRIMES}; OR

(2) A VIOLATION OF ANY OF THE FOLLOWING SECTIONS OF THE STATE PUBLIC SAFETY ARTICLE:

- (I) § 5-133(B) {POSSESSION OF REGULATED FIREARM PROHIBITED};
- (II) § 5-133(C) {RESTRICTIONS ON POSSESSION OF REGULATED FIREARMS -- PENALTY FOR POSSESSION BY PERSON CONVICTED OF CRIME OF VIOLENCE};
- (III) § 5-133(D) {POSSESSION [OF REGULATED FIREARMS] BY PERSON UNDER AGE OF 21 YEARS PROHIBITED}

(IV) ~~(III)~~ § 5-138 {SALE, TRANSFER, OR DISPOSAL OF STOLEN REGULATED FIREARM PROHIBITED};

(V) ~~(IV)~~ § 5-140 {TRANSPORTING REGULATED FIREARM FOR UNLAWFUL SALE OR TRAFFICKING};

(VI) ~~(V)~~ § 5-142 {REMOVAL OR ALTERATION OF IDENTIFICATION MARK OR NUMBER ON FIREARM};

(VII) ~~(VI)~~ § 5-203 {POSSESSION OF SHORT-BARRELED RIFLE OR SHORT-BARRELED SHOTGUN};

(VIII) ~~(VII)~~ § 5-205 {POSSESSION [OF RIFLE OR SHOTGUN] BY PERSON WITH MENTAL DISORDER}; OR

(IX) ~~(VIII)~~ § 5-406 {MANUFACTURE OR SALE OF HANDGUNS}.

(E) *POLICE COMMISSIONER.*

“POLICE COMMISSIONER” MEANS THE POLICE COMMISSIONER OF BALTIMORE CITY OR HIS OR HER DESIGNEE.

§ 60-2. RULES AND REGULATIONS.

(A) *COMMISSIONER MAY ADOPT.*

THE POLICE COMMISSIONER MAY ADOPT RULES AND REGULATIONS TO CARRY OUT THIS SUBTITLE.

(B) *SCOPE.*

THESE RULES AND REGULATIONS MAY GOVERN:

- (1) THE FORM, CONTENT, AND PROCESSING OF THE ACKNOWLEDGMENT REQUIRED BY THIS SUBTITLE;
- (2) THE FORM AND CONTENT OF THE REGISTRATION REQUIRED UNDER THIS SUBTITLE;
- (3) THE DOCUMENTATION REQUIRED TO VERIFY THE CONTENT OF THE REGISTRATION REQUIRED UNDER THIS SUBTITLE;
- (4) THE MAINTENANCE, USE, AND AVAILABILITY OF THE INFORMATION THAT IS COLLECTED BY THE POLICE COMMISSIONER UNDER THIS SUBTITLE.

(C) *FILING.*

A COPY OF ALL RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE MUST BE FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY TAKE EFFECT.

§ 60-3. REGISTRATION – IN GENERAL.

(A) *REGISTRATION REQUIRED.*

A GUN OFFENDER MUST REGISTER WITH THE POLICE COMMISSIONER.

(B) *ACKNOWLEDGMENT OF DUTY TO REGISTER.*

AT THE TIME THAT A GUN OFFENDER IS CONVICTED, THE GUN OFFENDER MUST ACKNOWLEDGE, IN WRITING, HIS OR HER DUTY TO REGISTER UNDER THIS SUBTITLE.

§ 60-4. REGISTRATION – WHEN AND WHERE.

(A) *WHEN.*

THE REGISTRATION MUST BE MADE WITHIN 48 HOURS OF:

- (1) THE DATE THAT THE SENTENCE IS IMPOSED, IF THE GUN OFFENDER RECEIVES A SENTENCE THAT DOES NOT INCLUDE IMPRISONMENT;
- (2) THE DATE THAT PROBATION BEFORE JUDGMENT IS GRANTED; OR
- (3) THE DATE OF RELEASE FROM A CORRECTIONAL FACILITY, IF THE GUN OFFENDER RECEIVES A SENTENCE THAT INCLUDES IMPRISONMENT.

(B) *WHERE.*

TO REGISTER, A GUN OFFENDER MUST PERSONALLY APPEAR AT AN OFFICE DESIGNATED BY THE POLICE COMMISSIONER.

§ 60-5. REGISTRATION – CONTENT AND FORM.

(A) *IN GENERAL.*

THE REGISTRATION MUST BE IN THE FORM AND CONTAIN THE INFORMATION THAT THE POLICE COMMISSIONER REQUIRES.

(B) *SPECIFIC INFORMATION.*

THE REGISTRATION MUST SPECIFY:

- (1) THE GUN OFFENDER'S NAME;
- (2) A DESCRIPTION OF THE CRIME FOR WHICH THE GUN OFFENDER WAS CONVICTED;
- (3) THE DATE THAT THE GUN OFFENDER WAS CONVICTED;
- (4) ANY OTHER NAME BY WHICH THE GUN OFFENDER HAS BEEN LEGALLY KNOWN;
- (5) A LIST OF ALL ALIASES THAT THE GUN OFFENDER HAS USED;
- (6) IDENTIFYING FACTORS OF THE GUN OFFENDER, INCLUDING A PHYSICAL DESCRIPTION;
- (7) THE GUN OFFENDER'S RESIDENCE; AND
- (8) ANY OTHER INFORMATION REQUIRED BY THE RULES AND REGULATIONS ADOPTED BY THE POLICE COMMISSIONER UNDER THIS SUBTITLE.

(C) *SIGNATURE AND DATE.*

THE REGISTRATION MUST BE SIGNED AND DATED BY THE GUN OFFENDER.

(D) *PHOTOGRAPH PERMITTED.*

AT THE TIME THAT THE GUN OFFENDER APPEARS AT THE OFFICE, THE POLICE COMMISSIONER MAY PHOTOGRAPH THE GUN OFFENDER.

(E) *DOCUMENTATION REQUIRED.*

THE POLICE COMMISSIONER MAY REQUIRE THE GUN OFFENDER TO PROVIDE DOCUMENTATION THAT VERIFIES THE CONTENTS OF THE REGISTRATION

§ 60-6. VERIFICATION BY RESIDENT OFFENDERS.

(A) *SCOPE.*

THIS SECTION APPLIES ONLY TO GUN OFFENDERS WHO ARE RESIDENTS OF BALTIMORE CITY.

(B) *PERIODIC VERIFICATION.*

- (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, WITHIN 20 CALENDAR DAYS AFTER EACH 6-MONTH ANNIVERSARY OF A GUN OFFENDER'S INITIAL REGISTRATION, THE GUN OFFENDER MUST PERSONALLY APPEAR AT AN OFFICE DESIGNATED BY THE POLICE COMMISSIONER TO VERIFY AND UPDATE, AS APPROPRIATE, THE CONTENTS OF THE REGISTRATION.
- (2) IF A GUN OFFENDER IS CONFINED TO ANY CORRECTIONAL FACILITY, HOSPITAL, OR INSTITUTION THROUGHOUT THE 20-DAY PERIOD DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE GUN OFFENDER MUST PERSONALLY APPEAR AT AN OFFICE DESIGNATED BY THE POLICE COMMISSIONER, WITHIN 48 HOURS OF RELEASE, TO VERIFY AND UPDATE, AS APPROPRIATE, THE CONTENTS OF THE REGISTRATION.

(C) *UPDATE ON CHANGE OF ADDRESS.*

WITHIN 10 CALENDAR DAYS AFTER CHANGING RESIDENCES WITHIN THE CITY OF BALTIMORE, A GUN OFFENDER MUST PERSONALLY APPEAR AT AN OFFICE DESIGNATED BY THE POLICE COMMISSIONER TO UPDATE THE CONTENTS OF THE REGISTRATION.

(D) *PHOTOGRAPH PERMITTED.*

AT THE TIME THAT THE GUN OFFENDER APPEARS AT THE OFFICE, THE POLICE COMMISSIONER MAY PHOTOGRAPH THE GUN OFFENDER.

(E) *DOCUMENTATION REQUIRED.*

THE POLICE COMMISSIONER MAY REQUIRE THE GUN OFFENDER TO PROVIDE DOCUMENTATION THAT VERIFIES THE CONTENTS OF THE REGISTRATION.

§ 60-7. TERM OF VERIFICATION REQUIREMENT.

THE GUN OFFENDER MUST VERIFY THE CONTENTS OF THE REGISTRATION, AS REQUIRED BY § 60-6 OF THIS SUBTITLE, FOR A PERIOD OF 3 YEARS FROM:

- (1) THE DATE THAT THE SENTENCE IS IMPOSED, IF THE GUN OFFENDER RECEIVES A SENTENCE THAT DOES NOT INCLUDE IMPRISONMENT;
- (2) THE DATE THAT PROBATION BEFORE JUDGMENT IS GRANTED; OR
- (3) THE DATE OF RELEASE FROM A CORRECTIONAL FACILITY, IF THE GUN OFFENDER RECEIVES A SENTENCE THAT INCLUDES IMPRISONMENT.

§ 60-8. SHARING OF REGISTRATION INFORMATION.

THE POLICE COMMISSIONER MAY MAKE THE INFORMATION COLLECTED UNDER THIS SUBTITLE AVAILABLE TO:

- (1) ANY FEDERAL, STATE, OR LOCAL LAW ENFORCEMENT AGENCY; AND
- (2) ANY CITY AGENCY.

§ 60-9. COOPERATION WITH OTHER AGENCIES.

THE POLICE COMMISSIONER MAY COOPERATE WITH OTHER FEDERAL, STATE AND CITY AGENCIES AND THE JUDICIARY TO FACILITATE IMPLEMENTATION OF THIS SUBTITLE.

§ 60-10. PROHIBITED CONDUCT.

NO GUN OFFENDER MAY:

- (1) KNOWINGLY FAIL TO ACKNOWLEDGE IN WRITING HIS OR HER DUTY TO REGISTER UNDER THIS SUBTITLE;
- (2) FAIL TO REGISTER AS REQUIRED BY THIS SUBTITLE OR THE RULES AND REGULATIONS ADOPTED UNDER IT;
- (3) FAIL TO VERIFY INFORMATION AS REQUIRED BY THIS SUBTITLE OR THE RULES AND REGULATIONS ADOPTED UNDER IT; OR
- (4) PROVIDE FALSE INFORMATION IN THE REGISTRATION OR VERIFICATION REQUIRED BY THIS SUBTITLE OR THE RULES AND REGULATIONS ADOPTED UNDER IT.

§ 60-11. PENALTIES.

(A) *IN GENERAL.*

ANY GUN OFFENDER WHO VIOLATES ANY PROVISION OF § 60-10 OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 OR IMPRISONMENT FOR NOT MORE THAN 12 MONTHS OR BOTH FINE AND IMPRISONMENT FOR EACH OFFENSE.

(B) *EACH DAY A SEPARATE OFFENSE.*

EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

SECTION 2. AND BE IT FURTHER ORDAINED, That all provisions of this Ordinance are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is

invalid or that the application of any part of the provision to any person or circumstances is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.

SECTION 3. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 90th day after the date it is enacted and applies to convictions occurring after its effective date.

Approved September 20, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-507
(Council Bill 07-747)**

AN ORDINANCE CONCERNING

Advertising Circulars

FOR the purpose of extending the prohibition on placing circulars to encompass those who cause the placement; specifying persons presumptively responsible for a violation; increasing the criminal penalty for violation; and generally relating to the placement of advertising circulars in or on vehicles or residential property.

BY repealing and reordaining, with amendments

Article 19 - Police Ordinances
Section(s) 1-2 through 1-4
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 19. Police Ordinances

Subtitle 1. Advertising Circulars

§ 1-2. [Placement prohibited without permission] PROHIBITED PLACEMENTS.

A person may not affix, [or] place, OR CAUSE TO BE AFFIXED OR PLACED any advertising circular:

- (1) in or on any vehicle in the City, except with the express permission of the owner or operator of the vehicle; or
- (2) in or on any residential property in the City (whether in or on a fence, railing, door, porch, lawn, sidewalk, or otherwise), except:

- (i) with the express permission of the owner or occupant of that property; or
- (ii)} by placing the advertising circular into a door slot or a nonlockable bin consistent with federal law.

§ 1-3. PERSONS RESPONSIBLE.

(A) *IN GENERAL.*

THE PERSON WHOSE NAME, EVENT, BUSINESS, LOCATION, OR MERCHANDISE IS ADVERTISED ON A CIRCULAR AFFIXED OR PLACED IN VIOLATION OF THIS SUBTITLE IS PRESUMPTIVELY RESPONSIBLE FOR THE VIOLATION AND SUBJECT TO THE PENALTIES IMPOSED UNDER THIS SUBTITLE.

(B) *OVERCOMING PRESUMPTION.*

THE BURDEN OF OVERCOMING THE PRESUMPTION IS ON THE CONTESTING PARTY.

§ 1-4. [§ 1-3.] Enforcement by citation.

(a) *In general.*

In addition to any other civil or criminal remedy or enforcement procedure, this subtitle may be enforced by issuance of:

- (1) an environmental citation under City Code Article 1, Subtitle 40 {"Environmental Control Board"}; or
- (2) a civil citation under City Code Article 1, Subtitle 41 {"Civil Citations"}.

(b) *Process not exclusive.*

The issuance of a citation to enforce this subtitle does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

§ 1-5. [§ 1-4.] Penalties.

(a) *In general.*

Any person who violates a provision of this subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than [\$100] \$500 for each offense.

(b) *Each circular a separate offense.*

Each ADVERTISING circular affixed or placed in violation of this subtitle constitutes a separate offense.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved September 20, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-508
(Council Bill 06-477)**

AN ORDINANCE CONCERNING

**Razoring – ~~400 and 510 Forrest Street,~~ 400 Mott Street,
416, 418, 420, 422, 424, 425, 426, 427, 428, 429-31, 430, 432, 433, 434, 436-38, 437, 439, 440-42, 441,
444, 447, 449-57, 450, 459, 461, 463, 465, 467, 469, 470, 471, 473, 475, 479, 501-03, 505-07, 509, 511-13 ½,
515-17, 516/516 ½, 518, 519, 520, 521, 522, 523, 524, 525, 525 ½/527, 526/530, 529, 531, 532, 533/535,
534, 536, 537, 538/540, 539, 541, 542, 543, 544, 544 ½, 547, 549/557, 550, 552, 554, 556/558, 559, 560,
561, 561 ½, 562, 563, 564, 565-71, 566, 568, 570, 572, 572 ½/574, 573, 575, 576, 577-79, 578, 580, 581,
582/584, 583, 585, 586/586 ½, 587, 588, 589, 590, 591, 592, 593, and 595-99 Oldtown Mall,
1119 and 1123 East Monument Street, 600-04 and 624 Aisquith Street,
540, 542, 544, and 546 McElderry Street, Block 1273, Lot 6, and
a portion of ~~1000 Orleans Street~~ 1200 East Monument Street**

FOR the purpose of changing the zoning for the properties known as 400 Mott Street, ~~and~~ 416, 418, 420, 422, 424, 425, 426, 427, 428, 429-31, 430, 432, 433, 434, 436-38, 437, 439, 440-42, 441, 444, 447, 449-57, 450, 459, 461, 463, 465, 467, 469, 470, 471, 473, 475, 479, 501-03, 505-07, 509, 511-13 ½, 515-17, 516/516 ½, 518, and 519, 520, 521, 522, 523, 524, 525, 525 ½/527, 526/530, 529, 531, 532, 533/535, 534, 536, 537, 538/540, 539, 541, 542, 543, 544, 544 ½, 547, 549/557, 550, 552, 554, 556/558, 559, 560, 561, 561 ½, 562, 563, 564, 565-71, 566, 568, 570, 572, 572 ½/574, 573, 575, 576, 577-79, 578, 580, 581, 582/584, 583, 585, 586/586 ½, 587, 588, 589, 590, 591, 592, 593, and 595-99 Oldtown Mall, 1119 and 1123 East Monument Street, 600-04 and 624 Aisquith Street, 540, 542, 544, and 546 McElderry Street, Block 1273, Lot 6, as outlined in red on the accompanying amended plat, from the B-2-2 Zoning District to the ~~B-3-3~~ B-3-2 Zoning District, and changing the zoning for ~~the properties known as 400 and 510 Forrest Street and a portion of 1000 Orleans Street~~ the property known as 1200 East Monument Street, as outlined in blue on the accompanying amended plat, from the ~~B-3-2~~ B-2-2 Zoning District to the ~~B-3-3~~ R-9 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 46 and 56
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheets 46 and 56 of the Zoning District Maps are amended by changing from the B-2-2 Zoning District to the ~~B-3-3~~ B-3-2 Zoning District the properties known as 400 Mott Street, ~~and~~ 416, 418, 420, 422, 424, 425, 426, 427, 428, 429-31, 430, 432, 433, 434, 436-38, 437, 439, 440-42, 441, 444, 447, 449-57, 450, 459, 461, 463, 465, 467, 469, 470, 471, 473, 475, 479, 501-03, 505-07, 509, 511-13 ½, 515-17, 516/516 ½, 518, and 519, 520, 521, 522, 523, 524, 525, 525 ½/527, 526/530, 529, 531, 532, 533/535, 534, 536, 537, 538/540, 539, 541, 542, 543,

544, 544 ½, 547, 549/557, 550, 552, 554, 556/558, 559, 560, 561, 561 ½, 562, 563, 564, 565-71, 566, 568, 570, 572, 572 ½/574, 573, 575, 576, 577-79, 578, 580, 581, 582/584, 583, 585, 586/586 ½, 587, 588, 589, 590, 591, 592, 593, and 595-99 Oldtown Mall, 1119 and 1123 East Monument Street, 600-04 and 624 Aisquith Street, 540, 542, 544, and 546 McElderry Street, Block 1273, Lot 6, as outlined in red on the amended plat accompanying this Ordinance and by changing from the ~~B-3-2~~ B-2-2 Zoning District to the ~~B-3-~~ 3 R-9 Zoning District the properties known as 400 and 510 Forrest Street and a portion of 1000 Orleans Street the property known as 1200 East Monument Street, as outlined in blue on the amended plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved September 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-509
(Council Bill 07-649)**

AN ORDINANCE CONCERNING

**Rezoning – 1415 Anchor Street and Block 1927A,
Lots 32/34, 40, and 42**

FOR the purpose of changing the zoning for the ~~property~~ properties known as 1415 Anchor Street and Block 1927A, Lots 32/34, 40, and 42, as outlined in red on the accompanying amended plat, from the M-2-2 Zoning District to the R-8 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 66
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet 66 of the Zoning District Maps is amended by changing from the M-2-2 Zoning District to the R-8 Zoning District the ~~property~~ properties known as 1415 Anchor Street and Block 1927A, Lots 32/34, 40, and 42, as outlined in red on the amended plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor

approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved September 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-510
(Council Bill 07-663)**

AN ORDINANCE CONCERNING

**Rezoning – Certain Properties in the Charles/North
Revitalization Area**

FOR the purpose of changing the zoning for certain properties in the Charles/North Revitalization Area: as outlined in yellow on the accompanying plat, from the B-3-3 Zoning District to the B-2-3 Zoning District; as outlined in blue on the accompanying plat, from the M-1-3 Zoning District to the B-5-2 Zoning District; as outlined in orange on the accompanying plat, from the B-5-1 Zoning District to the B-5-2 Zoning District; as outlined in purple on the accompanying plat, from the B-2-3 Zoning District to the B-5-2 Zoning District; and as outlined in green on the accompanying plat, from the B-2-3 Zoning District to the O-R-2 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 35, 36, 45, and 46
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheets 35, 36, 45, and 46 of the Zoning District Maps are amended by changing the zoning for the following properties, all as outlined on the plats accompanying this Ordinance.

Properties to be rezoned from the B-3-3 Zoning District to the B-2-3 Zoning District, as outlined in yellow:

1901 North Howard Street
1903 North Howard Street
1905 North Howard Street
1915 North Howard Street
1919 North Howard Street
2101 North Howard Street
2117 North Howard Street
110 West North Avenue
112 West North Avenue

118 West North Avenue
128 West North Avenue
130 West North Avenue
Western half of 2000-2016 Maryland Avenue
116 West 21st Street
118 West 21st Street
120 West 21st Street
2102 Mace Street
2110 Mace Street
113 West 22nd Street
115 West 22nd Street
117/123 West 22nd Street
125 West 22nd Street
127 West 22nd Street
129 West 22nd Street

Properties to be rezoned from the M-1-3 Zoning District to the B-5-2 Zoning District, as outlined in blue:

1801 Falls Road
1803 Falls Road
1805 Falls Road
1807 Falls Road
1809 Falls Road
1825 Falls Road
137 West North Avenue
136 West North Avenue
133 West North Avenue
131 West North Avenue
118 West North Avenue

Properties to be rezoned from the B-5-1 Zoning District to the B-5-2 Zoning District, as outlined in orange:

1525 North Charles Street
1700 North Charles Street
1701 North Charles Street
1702 North Charles Street
1703 North Charles Street
1704 North Charles Street
1705 North Charles Street
1706 North Charles Street
1707 North Charles Street
1709 North Charles Street
1711 North Charles Street
1713 North Charles Street
1714 North Charles Street
1715 North Charles Street
1717 North Charles Street
1720 North Charles Street
1722 North Charles Street
1724 North Charles Street
1726 North Charles Street
1727 North Charles Street

1728 North Charles Street
1730 North Charles Street
1731 North Charles Street
1800 North Charles Street
1801-1811 North Charles Street
1802 North Charles Street
1804 North Charles Street
1806 North Charles Street
1808 North Charles Street
1812 North Charles Street
1813 North Charles Street
1815 North Charles Street
1816 North Charles Street
1817 North Charles Street
1818 North Charles Street
1819 North Charles Street
1820 North Charles Street
1821 North Charles Street
1823 North Charles Street
1825 North Charles Street
1901 North Charles Street
1904-1906 North Charles Street
1908 North Charles Street
1910 North Charles Street
1916 North Charles Street
1918 North Charles Street
1919 North Charles Street
1920 North Charles Street
1922 North Charles Street
1924 North Charles Street
1926 North Charles Street
1 East North Avenue
3 East North Avenue
4 East North Avenue
6 East North Avenue
7 East North Avenue
8 East North Avenue
11 East North Avenue
21 East North Avenue
1 West North Avenue
3 West North Avenue
4 West North Avenue
9 West North Avenue
10 West North Avenue
11 West North Avenue
18 West North Avenue
23 West North Avenue
25 West North Avenue
27 West North Avenue
29 West North Avenue
30 West North Avenue
31 West North Avenue
33 West North Avenue

101 West North Avenue
105 West North Avenue
20 East Lanvale Street
22 East Lanvale Street
24 East Lanvale Street
30 East Lanvale Street
6 West Lanvale Street
8 West Lanvale Street
10 West Lanvale Street
1703 Lovegrove Street
1711 Lovegrove Street
1801 Lovegrove Street
1803 Lovegrove Street
1805 Lovegrove Street
5 East Lafayette Avenue
6 East Lafayette Avenue
9 East Lafayette Avenue
10 East Lafayette Avenue
11 East Lafayette Avenue
12 East Lafayette Avenue
13 East Lafayette Avenue
14 East Lafayette Avenue
15 East Lafayette Avenue
16 East Lafayette Avenue
17 East Lafayette Avenue
18 East Lafayette Avenue
20 East Lafayette Avenue
3 West Lafayette Avenue
7 West Lafayette Avenue
9 West Lafayette Avenue
13 West Lafayette Avenue
19 West Lafayette Avenue
20 West Lafayette Avenue
21 West Lafayette Avenue
26 West Lafayette Avenue
1701-09 Maryland Avenue
1711 Maryland Avenue
1713 Maryland Avenue
1715 Maryland Avenue
1717 Maryland Avenue
1719 Maryland Avenue
1721 Maryland Avenue
1725 Maryland Avenue
1727 Maryland Avenue
1729 Maryland Avenue
1731 Maryland Avenue
1733 Maryland Avenue
1734 Maryland Avenue
1735 Maryland Avenue
1800 Maryland Avenue
1801 Maryland Avenue
1802 Maryland Avenue
1803 Maryland Avenue

1804 Maryland Avenue
1805 Maryland Avenue
1806 Maryland Avenue
1807 Maryland Avenue
1808 Maryland Avenue
1809 Maryland Avenue
1810 Maryland Avenue
1811 Maryland Avenue
1814 Maryland Avenue
1815 Maryland Avenue
1817 Maryland Avenue
1818 Maryland Avenue
1819 Maryland Avenue
1823 Maryland Avenue
1501 St. Paul Street
1600 St. Paul Street
Western half of 1720 & 1722 St. Paul Street
11 West 20th Street

Properties to be rezoned from the B-2-3 Zoning District to the B-5-2 Zoning District, as outlined in purple:

10 East North Avenue
20 East North Avenue
22 East North Avenue

Properties to be rezoned from the B-2-3 Zoning District to the O-R-2 Zoning District, as outlined in green:

100 East North Avenue
30 East North Avenue
1913 St. Paul Street
1915 St. Paul Street
1917 St. Paul Street
1919 St. Paul Street
1920 St. Paul Street
1921 St. Paul Street
1923 St. Paul Street
1925 St. Paul Street
1927 St. Paul Street
1929 St. Paul Street
1931 St. Paul Street
1933 St. Paul Street

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved September 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-511
(Council Bill 07-719)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Health Department – \$85,100**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$85,100 to the Health Department – Program 240 (Animal Control), to provide funding for additional operating expenses; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2007 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 27, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$85,100 shall be made available to the Health Department – Program 240 (Animal Control) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2008, to provide funding for additional operating expenses. The source of revenue for this appropriation is funds from the Fiscal 2007 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved September 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-512
(Council Bill 07-720)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Health Department – \$383,523**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$383,523 to the Health Department – Program 310 (School Health Services), to provide funding for Baltimore City Health Department System Wrap Around Services for school mental health programs; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2007 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 27, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$383,523 shall be made available to the Health Department – Program 310 (School Health Services) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2008, to provide funding for Baltimore City Health Department System Wrap Around Services for school mental health programs. The source of revenue for this appropriation is funds from the Fiscal 2007 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved September 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-513
(Council Bill 07-721)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation –
Department of Housing and Community Development – \$1,000,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$1,000,000 to the Department of Housing and Community Development (Account #9910-588-054), to provide funding for the Community Restoration Program; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2007 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 27, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$1,000,000 shall be made available to the Department of Housing and Community Development (Account #9910-588-054) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2008, to provide funding for the Community Restoration Program. The source of revenue for this appropriation is funds from the Fiscal 2007 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved September 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-514
(Council Bill 07-722)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Department of Housing and Community Development – \$100,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$100,000 to the Department of Housing and Community Development – Program 592 (Special Housing Grants), to provide funding for a grant to the Communities Organized to Improve Life (COIL) organization; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2007 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 27, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$100,000 shall be made available to the Department of Housing and Community Development – Program 592 (Special Housing Grants) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2008, to provide funding for a grant to the Communities Organized to Improve Life (COIL) organization. The source of revenue for this appropriation is funds from the 2007 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved September 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-515
(Council Bill 07-723)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation –
Mayoralty – \$500,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$500,000 to the Mayoralty (Account #9904-129-071), to provide funding for the renovation of the Payson Street Library branch into a senior center; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2007 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 27, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$500,000 shall be made available to the Mayoralty (Account #9904-129-071) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2008, to provide funding for the renovation of the Payson Street Library branch into a senior center. The source of revenue for this appropriation is funds from the Fiscal 2007 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved September 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-516
(Council Bill 07-724)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation –
Mayoralty – \$790,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$790,000 to the Mayoralty (Account #9904-129-084), to provide funding to repair swimming pools in the Baltimore City Public Schools; and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2007 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 27, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$790,000 shall be made available to the Mayoralty (Account #9904-129-084) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2008, to provide funding for the repair of swimming pools in the Baltimore City Public Schools System. The source of revenue for this appropriation is funds from the Fiscal 2007 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved September 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-517
(Council Bill 07-725)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Miscellaneous General Expenses – \$100,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$100,000 to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses), to provide funding for the Friends of the Family Program; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2007 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 27, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$100,000 shall be made available to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2008, to provide funding for the Friends of the Family Program. The source of revenue for this appropriation is funds from the Fiscal 2007 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved September 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-518
(Council Bill 07-726)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Miscellaneous General Expenses – \$200,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$200,000 to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses), to provide funding for the After School Institute Program; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2007 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 27, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$200,000 shall be made available to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2008, to provide funding for the After School Institute Program. The source of revenue for this appropriation is funds from the Fiscal 2007 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved September 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-519
(Council Bill 07-727)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Miscellaneous General Expenses – \$200,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$200,000 to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses), to provide funding for the Pediatric Hospice Program; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2007 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 27, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$200,000 shall be made available to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2008, to provide funding for the Pediatric Hospice Program. The source of revenue for this appropriation is funds from the Fiscal 2007 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved September 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-520
(Council Bill 07-728)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Miscellaneous General Expenses – \$250,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$250,000 to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses), to provide funding for the Experience Corps Program; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2007 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 27, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$250,000 shall be made available to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2008, to provide funding for the Experience Corps Program. The source of revenue for this appropriation is funds from the Fiscal 2007 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved September 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-521
(Council Bill 07-729)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Miscellaneous General Expenses – \$500,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$500,000 to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses), to provide funding for the Community Schools Program; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2007 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 27, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$500,000 shall be made available to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2008, to provide funding for the Community Schools Program. The source of revenue for this appropriation is funds from the Fiscal 2007 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved September 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-522
(Council Bill 07-730)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Office of Employment Development – \$412,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$412,000 to the MR-Office of Employment Development – Program 639 (Special Services), to provide funding for the After School Matters Program; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2007 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 27, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$412,000 shall be made available to the MR-Office of Employment Development – Program 639 (Special Services) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2008, to provide funding for the After School Matters Program. The source of revenue for this appropriation is funds from the Fiscal 2007 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved September 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-523
(Council Bill 07-731)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Office of Employment Development – \$700,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$700,000 to the MR-Office of Employment Development – Program 639 (Special Services), to provide funding for the FUTURES Program; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2007 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 27, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$700,000 shall be made available to the MR-Office of Employment Development – Program 639 (Special Services) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2008, to provide funding for the FUTURES Program. The source of revenue for this appropriation is funds from the Fiscal 2007 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved September 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-524
(Council Bill 07-800)**

AN ORDINANCE CONCERNING

**Minority and Women's Business Program –
“Sunset” – Interim Extension**

FOR the purpose of postponing, for an interim period, the automatic termination of the Minority and Women's Business Program; providing for a special effective date; and generally relating to minority and women's business enterprises.

BY repealing and reordaining, with amendments
Article 5 - Finance, Property, and Procurement
Section(s) 28-6
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council finds that the existing disparity study remains a valid factual predicate for the Minority and Women's Business Program and provides sufficient legal justification for continuing the Program during the interim extension period enacted by this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 5. Finance, Property, and Procurement

Subtitle 28. Minority and Women's Business Enterprises

§ 28-6. Automatic termination.

This subtitle automatically expires on [September 30, 2007] DECEMBER 6, 2007, unless the City Council, after causing an appropriate study to be undertaken, conducting public hearings, and hearing testimonial evidence, finds that the purposes identified in this subtitle have not yet been achieved, in which case this subtitle may be extended for 5 more years. HOWEVER, IF BY DECEMBER 6, 2007, THE CITY COUNCIL FAILS TO ENACT A 5-YEAR OR OTHER LONG-TERM EXTENSION, THEN THIS SUBTITLE IS FURTHER EXTENDED THROUGH MAY 30, 2008, AND AUTOMATICALLY EXPIRES ON MAY 30, 2008, UNLESS A LONG-TERM EXTENSION IS ENACTED BEFORE THEN.

SECTION 3. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved September 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-525
(Council Bill 07-699)**

AN ORDINANCE CONCERNING

Street Encroachment – 1901 Elgin Avenue

FOR the purpose of permitting, subject to certain conditions, the construction and maintenance of portions of a building projecting into the public right-of-way on the east side of North Payson Street of the property known as 1901 Elgin Avenue; and providing for a special effective date.

BY authority of

Article - Building, Fire, and Related Codes
Section(s) 2-103 (BC § 3201.3.1a)
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That:

(a) Permission is granted for the construction and maintenance of several portions of a building located on the west side of the property known as 1901 Elgin Avenue, the portions of the building extending into the public right-of-way of North Payson Street, subject to the conditions specified in this Ordinance.

(b) The structure may not extend into the public right-of-way more than 3 feet.

(c) Except as specifically provided in this Ordinance, all ordinances, rules, and regulations of the Mayor and City Council of Baltimore, including but not limited to the requirement to obtain a right-of-entry permit, must be complied with in the construction and maintenance of this structure.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved October 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-526
(Council Bill 07-750)**

AN ORDINANCE CONCERNING

**Supplementary Federal Fund Operating Appropriation –
Department of Recreation and Parks – \$98,723**

FOR the purpose of providing a Supplementary Federal Fund Operating Appropriation in the amount of \$98,723 to the Department of Recreation and Parks – Program 480 (Regular Recreational Services), to provide funding for teen violence prevention programs; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from federal grants in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On August 8, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$98,723 shall be made available to the Department of Recreation and Parks – Program 480 (Regular Recreational Services) as a Supplementary Federal Fund Operating Appropriation for Fiscal Year 2008, to provide funding for teen violence prevention programs. The source of revenue for this appropriation is funds from federal grants in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved October 11, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-527
(Council Bill 07-771)**

AN ORDINANCE CONCERNING

Supplementary General Fund Operating Appropriation – MR-Miscellaneous General Expenses – \$100,000

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$100,000 to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses), to provide funding for the Child Care Resource Center Program of the Maryland Committee for Children, Inc.; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2007 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On July 11, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$100,000 shall be made available to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2008, to provide funding for the Child Care Resource Center Program of the Maryland Committee for Children, Inc. The source of revenue for this appropriation is funds from the Fiscal 2007 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved October 24, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-528
(Council Bill 07-644)**

AN ORDINANCE CONCERNING

Acquisition of Property – 3200 East Biddle Street (Block 6150A, Lot 004)

FOR the purpose of authorizing the Mayor and City Council of Baltimore to acquire, by purchase or condemnation, the fee simple or other interests in certain property known as 3200 East Biddle Street (Block 6150A, Lot 004), and needed for industrial growth; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4
and

Article II - General Powers

Sections 2 and 15A

Baltimore City Charter

(1996 Edition)

and

Article 13 - Housing and Urban Renewal

Section(s) 2-7(jj)

Baltimore City Code

(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That it is necessary to acquire, for purposes of industrial growth, the fee simple or other interests that the Director of Public Works considers needed or sufficient in the land and improvements located 3200 East Biddle Street (Block 6150A, Lot 004).

Together with all right, title, interest, and estate that the owner of that property has in all streets, alleys, ways, or lanes, public or private, contained within or abutting the property.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Department of Real Estate, or any other person or agency that the Board of Estimates designates, may negotiate and acquire on behalf of the Mayor and City Council of Baltimore the fee simple or other interests in the land and improvements described in this Ordinance as needed or sufficient for the purposes described in this Ordinance. If the Department of Real Estate, or the person or agency otherwise designated by the Board of Estimates, is unable to agree with the owner on the purchase price for the property, it shall promptly notify the City Solicitor, who shall institute the necessary legal proceedings to acquire by condemnation the fee simple or other interests needed or sufficient for the purposes described in this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That proceedings for the acquisition by condemnation of the property described in this Ordinance and all rights of all parties interested or affected shall be in accordance with Title 12 of the Real Property Article of the Maryland Code.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 8, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-529
(Council Bill 07-648)**

AN ORDINANCE CONCERNING

Multiple-Family Dwellings – First Amendment Accommodations

FOR the purpose of preserving the constitutional rights of occupants of multiple-family dwellings; prohibiting bylaws, rules, regulations, or actions that impair certain constitutional rights or that prohibit or deny reasonable accommodation for religious practices; defining a certain term; imposing certain penalties; providing for a special effective date; and generally relating to the regulation of ~~apartment houses, condominiums, and other~~ multiple-family dwellings.

BY repealing and reordaining, without amendments

Article 13 - Housing and Urban Renewal
Section(s) 5-1(d)
Baltimore City Code
(Edition 2000)

BY adding

Article 13 - Housing and Urban Renewal
Section(s) 5-22, under the amended subtitle designation,
“Subtitle 5. Multiple-Family Dwellings and Rooming Houses”
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article 13 - Housing and Urban Renewal
Section(s) 5-21
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 13. Housing and Urban Renewal

Subtitle 5. [Licensing of] Multiple-Family Dwellings and Rooming Houses

§ 5-1. Definitions.

(d) *Multiple-family dwelling.*

“Multiple-family dwelling” has the meaning stated in § 202.2 of the Property Maintenance Code of Baltimore City.

§ 5-22. CONSTITUTIONAL RIGHTS.

(A) “REASONABLE ACCOMMODATION” DEFINED.

IN THIS SECTION, “REASONABLE ACCOMMODATION” MEANS AFFIRMATIVE STEPS THAT DO NOT IMPOSE AN UNDUE FINANCIAL HARDSHIP OR A SUBSTANTIAL BURDEN.

(B) PROHIBITED CONDUCT.

NO BYLAW, RULE, OF REGULATION GOVERNING A MULTIPLE-FAMILY DWELLING, NOR ANY ACTION OR INACTION OF THE GOVERNING BODY OR MANAGEMENT OF A MULTIPLE-FAMILY DWELLING, MAY:

~~(1) IMPAIR ANY RIGHTS GUARANTEED BY THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION OR BY ARTICLES 36 AND 40 OF THE MARYLAND DECLARATION OF RIGHTS; OR~~

~~(2) PROHIBIT OR DENY ANY REASONABLE ACCOMMODATION FOR RELIGIOUS PRACTICES, INCLUDING (BY WAY OF ILLUSTRATION AND NOT BY WAY OF LIMITATION):~~

~~(i) THE ATTACHMENT OF A RELIGIOUSLY MANDATED OBJECT TO THE FRONT-DOOR AREA OF A DWELLING UNIT; OR~~

~~(ii) IN HIGH RISES, THE ADJUSTMENT OF ELEVATORS TO ALLOW FOR AUTOMATIC STOPPING OPERATIONS.~~

(1) UNREASONABLY IMPAIR ANY RIGHTS GUARANTEED BY THE FREE-EXERCISE CLAUSE OF THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION OR BY ARTICLE 36 OF THE MARYLAND DECLARATION OF RIGHTS; OR

(2) PROHIBIT OR DENY ANY REASONABLE ACCOMMODATION FOR RELIGIOUS PRACTICES.

§ 5-24. [§ 5-21.] Penalties.

(a) In general.

Any person who violates a provision of this subtitle or of a rule, regulation, or order adopted or issued under this subtitle is guilty of a misdemeanor and, on conviction, is subject to THE FOLLOWING PENALTIES:

(1) FOR A VIOLATION OF § 5-22 {"CONSTITUTIONAL RIGHTS"} OF THIS SUBTITLE, A FINE OF NOT MORE THAN \$1,000 FOR EACH OFFENSE; AND

(2) FOR ANY OTHER VIOLATION, a fine of not more than \$500 for each offense.

(b) Each day a separate offense.

Each day that a violation continues is a separate offense.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 8, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-530
(Council Bill 07-710)**

AN ORDINANCE CONCERNING

Zoning – Open Space Zoning District

FOR the purpose of establishing a new zoning district, to be known as the Open Space District; stating the purpose and scope of the district; establishing certain use and bulk regulations for properties in the

district; establishing certain off-street parking and sign requirements; and generally relating to the establishment and requisites of an Open Space Zoning District.

BY adding

Article - Zoning

Section(s) 2-201(a-1), 3A-101 through 3A-114, to be under the new title designation “Title 3A. Open Space Districts”, and 11-2A01 through 11-2A16, to be under the new subtitle designation “Subtitle 2A. Signs in Open Space District”

Baltimore City Revised Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article - Zoning

Section(s) 3-107(b)(1) and 10-405(21)

Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Revised Code

Article – Zoning

Title 2. Administration; Authorizations

Subtitle 2. Zoning Districts; Maps and Profiles

§ 2-201. Establishment of districts.

(A-1) *OPEN SPACE DISTRICTS.*

OS OPEN SPACE DISTRICT

Title 3. General Rules for Use, Bulk, and Other Regulations

Subtitle 1. Use Regulations

§ 3-107. Prohibited uses — storage, etc., of vehicles.

(b) *Prohibited uses.*

(1) *Indoor or outdoor storage, etc.*

The indoor or outdoor storage or maintenance of abandoned, junked, or derelict vehicles is prohibited in all:

(I) OPEN SPACE DISTRICTS;

(II) [(i)] Business Districts;

(III) [(ii)] M-1 and M-2 Districts; and

(iv) [(iii)] Public Use Districts.

TITLE 3A. OPEN SPACE DISTRICTS

SUBTITLE 1. OVERVIEW; GENERAL REQUIREMENTS

PART I. OVERVIEW

§ 3A-101. PURPOSE.

(A) *DESIGN.*

THE PURPOSE OF THE OPEN SPACE DISTRICT IS TO ENHANCE THE QUALITY OF LIFE FOR CITY RESIDENTS BY PERMANENTLY PRESERVING OPEN SPACE AS AN IMPORTANT PUBLIC ASSET.

(B) *REGULATORY INTENT.*

THE REGULATIONS FOR THIS DISTRICT ARE INTENDED TO:

- (1) PROTECT PARKS AND FRAGILE ENVIRONMENTAL AREAS FROM DEVELOPMENT;
- (2) PROVIDE PUBLIC CULTURAL AND RECREATIONAL OPPORTUNITIES;
- (3) PROVIDE PEDESTRIAN AND BICYCLE TRANSPORTATION CONNECTIONS;
- (4) ENHANCE THE URBAN ENVIRONMENT AND ENCOURAGE NEIGHBORHOOD INVESTMENT THROUGH PRESERVATION OF NATURAL GREEN SPACES; AND
- (5) ENSURE THE ENVIRONMENTAL BENEFITS OF ADEQUATE LIGHT, AIR, AND WATER QUALITY IN CITY NEIGHBORHOODS.

§ 3A-102. BASIC SCOPE.

(A) *PUBLIC PROPERTIES AND CEMETERIES.*

THE OPEN SPACE DISTRICT APPLIES TO PUBLICLY-OWNED OPEN-SPACE PROPERTIES AND PRIVATE CEMETERIES.

(B) *PRIVATE PROPERTIES.*

IN ADDITION, PROPERTY OWNERS MAY REQUEST AN OPEN-SPACE DESIGNATION FOR OPEN OR NATURAL PROPERTIES THAT FULFILL THE FOLLOWING CRITERIA:

- (1) THE PROPERTY IS USED SOLELY FOR RECREATIONAL OR SIMILAR PURPOSES;
- (2) THE PROPERTY IS DEVOTED TO PROVIDING OPEN SPACE FOR THE PERMANENT USE AND ENJOYMENT OF THE PUBLIC; AND
- (3) THE PRINCIPAL USES AND STRUCTURES ON THE PROPERTY ARE THOSE PERMITTED IN AN OPEN SPACE DISTRICT.

§ 3A-103. {RESERVED}

PART II. USE REGULATIONS

§ 3A-104. PERMITTED USES.

IN AN OPEN SPACE DISTRICT, PERMITTED USES ARE AS FOLLOWS:

(1) RECREATIONAL FACILITIES: NONPROFIT OR PUBLICLY OWNED – INCLUDING THE FOLLOWING:

- (I) ARBORETUMS AND BOTANICAL GARDENS.
- (II) ATHLETIC FIELDS.
- (III) BOWLING ALLEYS.
- (IV) FIELD HOUSES.
- (V) GYMNASIUMS.
- (VI) GOLF COURSES, INCLUDING GOLF DRIVING RANGES AND MINIATURE GOLF COURSES.
- (VII) ICE RINKS.
- (VIII) INDOOR SOCCER, BASKETBALL, AND BOXING FACILITIES.
- (IX) PARKS AND PLAYGROUNDS.
- (X) RECREATION BUILDINGS.
- (XI) ROLLER RINKS.
- (XII) ROWING CLUBS.
- (XIII) RUNNING OR BICYCLE TRACKS.
- (XIV) SKATEBOARD TRACKS AND FACILITIES.
- (XV) SWIMMING POOLS AND ATHLETIC COURTS.
- (XVI) SIMILAR RECREATIONAL FACILITIES.

(2) EDUCATIONAL AND CULTURAL INSTITUTIONS: NONPROFIT OR PUBLICLY OWNED, AS FOLLOWS - BUT ONLY IF LOCATED IN A PUBLIC PARK:

- (I) MUSEUMS.
 - (II) NATURE CENTERS.
- (3) CONSERVATORIES AND GREENHOUSES.
- (4) ZOOS.

- (5) VIDEO AND ELECTRONIC GAMES AND COIN-OPERATED POOL TABLES IN RECREATION CENTERS OPERATED BY THE CITY – BUT ONLY IF THEIR INSTALLATION IS APPROVED BY THE BOARD OF RECREATION AND PARKS.

§ 3A-105. ACCESSORY USES.

IN AN OPEN SPACE DISTRICT, ACCESSORY USES ARE AS FOLLOWS:

- (1) ACCESSORY OFFICES.
- (2) AGRICULTURAL GARDENS.
- (3) AUDITORIUMS AND BANQUET HALLS – BUT ONLY IF LOCATED IN A PUBLIC PARK.
- (4) BAND SHELLS, OUTDOOR THEATERS.
- (5) CLUB HOUSES AND SIMILAR STRUCTURES ON THE GROUNDS OF GOLF COURSES, TENNIS CLUBS, AND LACROSSE CLUBS.
- (6) CONCESSION SERVICES, AS FOLLOWS – BUT ONLY IF LOCATED IN A PUBLIC PARK:
 - (I) FOOD SALES AND SUNDRIES.
 - (II) RENTAL OF RECREATIONAL EQUIPMENT.
- (7) DAY CARE FACILITIES, AS FOLLOWS – BUT ONLY IF LOCATED IN A PUBLIC PARK:
 - (I) DAY CARE CENTERS AND NURSERY SCHOOLS.
 - (II) SCHOOL-AGE CHILD CARE CENTERS.
- (8) FISHING PIERS.
- (9) GARAGES – BUT ONLY IF LOCATED WITHIN MAINTENANCE YARDS.
- (10) GRANDSTANDS IN ATHLETIC FIELDS.
- (11) HORSE STABLES.
- (12) INFORMATION KIOSKS.
- (13) MAINTENANCE YARDS, INCLUDING TOOL HOUSES AND MAINTENANCE BUILDINGS AND WORK AREAS.
- (14) PHILANTHROPIC; OR CHARITABLE INSTITUTIONS, USES ASSOCIATED WITH – BUT ONLY IF LOCATED IN A PUBLIC PARK.
- (15) PICNIC SHELTERS AND GAZEBOES.
- (16) PUBLIC RESTROOMS.
- (17) RESIDENTIAL DWELLING UNITS – BUT ONLY IF THE UNITS ARE USED TO HOUSE INDIVIDUALS WITH CARETAKING RESPONSIBILITIES FOR A PROPERTY. CARETAKER QUARTERS ARE LIMITED TO 1

DWELLING UNIT PER PROPERTY; HOWEVER, AN EXISTING HISTORIC STRUCTURE MAY BE USED AS AN ADDITIONAL SINGLE DWELLING UNIT.

(18) STORAGE BUILDINGS, AS FOLLOWS:

(I) BUILDINGS NO MORE THAN 1 STORY HIGH.

(II) MOBILE STORAGE STRUCTURES.

(19) TEMPORARY STORAGE OF BUILDING MATERIALS AND EQUIPMENT AND TEMPORARY STRUCTURES FOR ON-SITE CONSTRUCTION PURPOSES – BUT ONLY FOR A PERIOD NOT TO EXCEED THE DURATION OF ACTIVE CONSTRUCTION.

§ 3A-106. CONDITIONAL USES – BOARD APPROVAL REQUIRED.

IN AN OPEN SPACE DISTRICT, CONDITIONAL USES THAT REQUIRE BOARD APPROVAL ARE AS FOLLOWS:

(1) CEMETERIES, INCLUDING ACCESSORY CREMATORIUMS, MAUSOLEUMS, AND COLUMBARIUMS.

(2) DOG PARKS AND DOG RUNS – BUT ONLY IF LOCATED IN A PUBLIC PARK.

(3) GOVERNMENTAL SERVICES, AS FOLLOWS:

(I) WATER FILTRATION PLANTS, RESERVOIRS, AND PUMPING.

(4) MARINAS: ACCESSORY.

(5) MARINAS: RECREATIONAL BOAT LAUNCH / TIE UP.

(6) PUBLIC UTILITY USES, AS FOLLOWS:

(I) ANTENNA TOWERS, MICROWAVE RELAY TOWERS, AND SIMILAR INSTALLATIONS FOR COMMUNICATIONS TRANSMISSION OR RECEIVING.

(II) BUS AND TRANSIT TURNAROUNDS AND PASSENGER SHELTERS – BUT NOT INCLUDING ADVERTISING SIGNS.

(III) OVERHEAD ELECTRIC TRANSMISSION LINES (ABOVE 69-KV) ON RIGHTS-OF-WAY ACQUIRED BEFORE JANUARY 1, 1969.

(IV) RAILROAD RIGHTS-OF-WAY – BUT NOT INCLUDING RAILROAD YARDS AND SHOPS.

(V) REPEATER, TRANSFORMER, PUMPING, BOOSTER, SWITCHING, CONDITIONING, AND REGULATING STATIONS, AND SIMILAR INSTALLATIONS.

(VI) TELEPHONE EXCHANGES.

(VII) RECYCLING COLLECTION STATIONS WHEN AN ACCESSORY USE TO A RECREATION OR PUBLIC FACILITY.

(7) RELIGIOUS STRUCTURES, INCLUDING CHURCHES, TEMPLES, AND SYNAGOGUES – BUT ONLY IF:

(I) LOCATED WITHIN A PROPERTY USED PRINCIPALLY AS A CEMETERY; AND

(II) NOT USED AS A PRIMARY PLACE OF WORSHIP FOR A CONGREGATION OR ORGANIZATION.

(8) RESTAURANTS – INCLUDING LIVE ENTERTAINMENT OR DANCING, AND ACCESSORY OUTDOOR TABLE SERVICE – BUT ONLY IF LOCATED IN A PUBLIC PARK.

(9) TREE NURSERIES – NOT-FOR-PROFIT.

§ 3A-107. CONDITIONAL USES – ORDINANCE REQUIRED.

IN AN OPEN SPACE DISTRICT, CONDITIONAL USES THAT REQUIRE APPROVAL BY ORDINANCE ARE AS FOLLOWS:

(1) BUS PASSENGER SHELTERS – INCLUDING ADVERTISING SIGNS THAT COMPLY WITH § 11-424 OF THIS ARTICLE.

§§ 3A-108 TO 3A-110. {RESERVED}

PART III. BULK REGULATIONS

§ 3A-111. GENERAL.

IN ADDITION TO ALL OTHER REQUIREMENTS OF THIS PART, THE SIZE, LOCATION, AND DESIGN OF ALL BUILDINGS, STRUCTURES, LIGHTING, AND MAINTENANCE AREAS WITHIN PUBLIC PARKS MUST BE:

- (1) EXPRESSLY APPROVED BY THE DIRECTOR OF THE DEPARTMENT OF RECREATION AND PARKS AND REVIEWED BY THE BOARD OF RECREATION AND PARKS; OR
- (2) SHOWN ON A PARK MASTER PLAN THAT HAS BEEN PRESENTED TO THE COMMUNITY, HAS BEEN APPROVED BY THE DIRECTOR OF THE DEPARTMENT OF RECREATION AND PARKS, AND HAS BEEN REVIEWED BY THE BOARD OF RECREATION AND PARKS.

§ 3A-112. LOT AREA.

(A) *PERMITTED USES.*

THE MAXIMUM LOT AREA THAT MAY BE COVERED BY STRUCTURES IN AN OPEN SPACE DISTRICT IS 10% OF THE AGGREGATE OF ABUTTING LOTS THAT COMPRISE AN OPEN-SPACE PROPERTY.

(B) *ACCESSORY USES.*

LOT REQUIREMENTS FOR ACCESSORY USES ARE THE SAME AS THOSE REQUIRED FOR PERMITTED USES.

(C) *CONDITIONAL USES.*

(1) THE MINIMUM LOT AREA FOR CEMETERY PROPERTIES IS 2 ACRES.

(2) ADDITIONAL LOT REQUIREMENTS FOR CONDITIONAL USES ARE AS REQUIRED BY THE BOARD.

§ 3A-113. YARDS.**(A) PERMITTED USES.**

FOR ALL PRINCIPAL PERMITTED USES IN AN OPEN SPACE DISTRICT, YARDS MUST BE PROVIDED WITH THE FOLLOWING DEPTHS, EXCEPT AS NOTED:

OUTDOOR ACTIVITY FACILITY SETBACKS: NO YARD REQUIREMENTS APPLY, EXCEPT FOR FACILITIES SUCH AS SWIMMING POOLS, BASKETBALL COURTS, TENNIS COURTS, OR BASEBALL DIAMONDS THAT ABUT PROPERTIES ZONED RESIDENTIAL OR OFFICE-RESIDENTIAL, IN WHICH CASE THE ACTIVITY FACILITY MUST BE SET BACK 50 FEET FROM ABUTTING PROPERTIES ZONED RESIDENTIAL OR OFFICE-RESIDENTIAL. WHERE THE OUTDOOR ACTIVITY FACILITY ABUTS RESIDENTIAL OR OFFICE-RESIDENTIAL PROPERTIES IN SCHOOL USES, THE REQUIRED SETBACK IS REDUCED TO ZERO.

MINIMUM FRONT YARD SETBACK ALONG A PUBLIC STREET: AVERAGE FRONT YARD DEPTH OF BUILDING(S) ALONG THE BLOCK OR 35 FEET IF NO BUILDINGS ARE WITHIN 500 FEET OF THE PROPOSED BUILDING.

MINIMUM SIDE YARD SETBACK: NO SIDE YARDS ARE REQUIRED, EXCEPT ON LOTS THAT ABUT PROPERTIES ZONED RESIDENTIAL OR OFFICE-RESIDENTIAL, IN WHICH CASE SIDE YARDS MUST BE THE SAME AS THE REQUIRED SIDE YARD SETBACKS FOR NON RESIDENTIAL PERMITTED USES IN THE ABUTTING RESIDENTIAL OR OFFICE-RESIDENTIAL DISTRICT.

MINIMUM REAR YARD SETBACK: NO REAR YARDS ARE REQUIRED, EXCEPT ON LOTS THAT ABUT PROPERTIES ZONED RESIDENTIAL OR OFFICE-RESIDENTIAL, IN WHICH CASE THE REAR YARD MUST BE THE SAME AS THE REQUIRED REAR YARD SETBACK FOR NON RESIDENTIAL PERMITTED USES IN THE ADJACENT RESIDENTIAL OR OFFICE-RESIDENTIAL DISTRICT.

(B) ACCESSORY USES.

THE YARD REQUIREMENTS FOR A PERMITTED USE IN AN OPEN SPACE DISTRICT APPLY TO ALL STRUCTURES USED FOR ACCESSORY PURPOSES. IN ADDITION, THE FOLLOWING YARD REQUIREMENTS APPLY:

YARD REQUIREMENTS

CLUB HOUSES ON GOLF COURSE
OR MARINA

MUST BE LOCATED AT LEAST 100 FEET FROM NEAREST LOT
LINE IN A RESIDENTIAL OR OFFICE-RESIDENTIAL DISTRICT

GRANDSTANDS IN
ATHLETIC FIELDS

MUST BE LOCATED AT LEAST 200 FEET FROM THE NEAREST LOT
LINE IN A RESIDENTIAL OR OFFICE-RESIDENTIAL DISTRICT.

BAND SHELLS AND
OUTDOOR THEATERS

MUST BE LOCATED AT LEAST 200 FEET FROM THE NEAREST LOT
LINE IN A RESIDENTIAL OR OFFICE-RESIDENTIAL DISTRICT.

MAUSOLEUMS,
CREMATORIALS, AND
COLUMBARIALS

AS BOARD REQUIRES.

TOOL HOUSES

MUST BE LOCATED AT LEAST 200 FEET FROM THE NEAREST LOT
LINE SHARED WITH A RESIDENTIAL PROPERTY.

(C) CONDITIONAL USES.

THE YARD REQUIREMENTS FOR A PERMITTED USE IN AN OPEN SPACE DISTRICT APPLY TO ALL CONDITIONAL USES, EXCEPT AS FOLLOWS:

YARD REQUIREMENTS

CEMETERIES	NO REQUIREMENTS.
GOVERNMENTAL SERVICES	AS BOARD REQUIRES.
PUBLIC UTILITY USES	AS BOARD REQUIRES.

§ 3A-114. HEIGHT.

THE MAXIMUM BUILDING HEIGHT FOR A PERMITTED, ACCESSORY, OR CONDITIONAL USE OR STRUCTURE IS 50 FEET, EXCEPT AS FOLLOWS:

*MAXIMUM
BUILDING HEIGHT*

GOVERNMENTAL SERVICES	AS BOARD REQUIRES.
PUBLIC UTILITY USES	AS BOARD REQUIRES.

Title 10. Off-Street Parking Regulations*Subtitle 4. Required Number of Off-Street Spaces***§ 10-405. Schedule of required spaces.**

Off-street parking spaces must be provided as follows:

(21) Prepared food.

- (i) Restaurants;
carry-out food shops

OS, B-2-4, B-4-1, B-4-2,
B-5-1, B-5-2

No requirement

B-1-2, B-1-3, B-2-2, B-2-3,
B-3-2, B-3-3, M-2-2

1 per 400 square feet of floor area, plus, for drive-in establishments, the number of stacking spaces the Department of Public Works requires to avoid street congestion

All other districts

1 per 200 square feet of floor area., plus, for drive-in establishments, the number of stacking spaces the Department of Public Works requires to avoid street congestion

Title 11. Sign Regulations

SUBTITLE 2A. SIGNS IN OPEN SPACE DISTRICT

PART I. SCOPE OF SUBTITLE

§ 11-2A01. COMPLIANCE REQUIRED.

IN ADDITION TO THE REQUIREMENTS OF SUBTITLE 2 OF THIS TITLE, SIGNS IN AN OPEN SPACE DISTRICT MUST COMPLY WITH THE REQUIREMENTS OF THIS SUBTITLE.

§§ 11-2A02 TO 11-2A03. {RESERVED}

PART II. PROHIBITED SIGNS

§ 11-2A04. IN GENERAL.

THE FOLLOWING TYPES OF SIGNS ARE PROHIBITED IN AN OPEN SPACE DISTRICT.

§ 11-2A05. MOVING OR FLASHING, ETC., SIGNS.

NO SIGN MAY HAVE OR CONSIST OF:

- (1) ANY MOVING, ROTATING, OR OTHERWISE ANIMATED PART; OR
- (2) IF OTHERWISE PERMITTED TO BE ILLUMINATED, ANY FLASHING, BLINKING, FLUCTUATING, OR OTHERWISE ANIMATED LIGHT.

§ 11-2A06. ROOF, WIND, AND GENERAL ADVERTISING SIGNS.

NO ROOF SIGN, WIND SIGN, OR GENERAL ADVERTISING SIGN IS PERMITTED.

§ 11-2A07. SALE, LEASE, AND SOLD SIGNS.

NO SALE, LEASE, OR SOLD SIGN IS PERMITTED.

§ 11-2A08. EXTENSION ABOVE ROOF LINE.

NO SIGN MAY EXTEND ABOVE THE ROOF LINE OF A BUILDING TO WHICH IT IS ATTACHED.

§§ 11-2A09 TO 11-2A10. {RESERVED}

PART III. REGULATED SIGNS

§ 11-2A11. IN GENERAL.

THE FOLLOWING TYPES OF SIGNS ARE ALLOWED IN AN OPEN SPACE DISTRICT, SUBJECT TO THE LIMITATIONS PRESCRIBED FOR THEM.

§ 11-2A12. TEMPORARY CONSTRUCTION SIGNS.**(A) SIGNS ALLOWED.**

TEMPORARY NON-ILLUMINATED CONSTRUCTION SIGNS OF PERSONS CONNECTED WITH WORK ON BUILDINGS UNDER ACTIVE CONSTRUCTION OR ALTERATION, INDICATING THEIR NAMES AND INFORMATION PERTINENT TO THE PROJECT, ARE ~~FOLLOWED~~ ALLOWED.

(B) LIMITATIONS.

THESE SIGNS MAY NOT:

- (1) EXCEED A COMBINED AREA FOR ALL SIGNS OF 36 SQUARE FEET FOR EACH STREET FRONTAGE;
OR
- (2) BE MORE THAN 16 FEET HIGH EACH.

§ 11-2A13. NAMEPLATES.**(A) SIGNS ALLOWED.**

1 NON-ILLUMINATED OR INDIRECTLY ILLUMINATED NAMEPLATE IS ALLOWED ON EACH SIDE OF A BUILDING.

(B) LIMITATIONS.

THE SIGN MAY NOT:

- (1) BE MORE THAN 4 FEET HIGH; OR
- (2) EXCEED 9 SQUARE FEET.

§ 11-2A14. DIRECTIONAL SIGNS.**(A) SIGNS ALLOWED.**

NON-ILLUMINATED SIGNS THAT PROVIDE DIRECTIONS TO DESTINATIONS WITHIN OPEN-SPACE PROPERTIES ARE ALLOWED ALONG THE PERIMETER AT ENTRANCES AND WITHIN THE INTERIOR OF PROPERTIES IN AN OPEN SPACE DISTRICT.

(B) LIMITATIONS.

(1) THESE SIGNS MAY NOT:

- (I) ~~(+)~~ EXCEED A COMBINED AREA FOR ALL PERIMETER SIGNS OF 20 SQUARE FEET ALONG EACH STREET FRONTAGE;
- (II) ~~(2)~~ EXCEED A COMBINED AREA FOR ALL INTERIOR SIGNS OF 75 SQUARE FEET;
- (III) ~~(3)~~ BE MORE THAN 10 FEET HIGH EACH; OR
- (IV) ~~(4)~~ PROJECT MORE THAN 18 INCHES ACROSS A STREET LINE.

- (2) A MINOR PRIVILEGE PERMIT IS REQUIRED FOR ANY SIGN THAT PROJECTS INTO THE PUBLIC RIGHT-OF-WAY.

§ 11-2A15. IDENTIFICATION SIGNS – PROPERTY.

(A) *SIGNS ALLOWED.*

1 NON-ILLUMINATED OR INDIRECTLY ILLUMINATED IDENTIFICATION SIGN, INDICATING THE NAME OF THE PROPERTY, IS ALLOWED AT EACH ENTRANCE TO THE PROPERTY.

(B) *LIMITATIONS.*

THESE SIGNS MAY NOT:

- (1) EXCEED 30 SQUARE FEET EACH; OR
- (2) BE MORE THAN 6 FEET HIGH.

§ 11-2A16. IDENTIFICATION SIGNS – BUILDING.

(A) *SIGNS ALLOWED.*

1 NON-ILLUMINATED, INDIRECTLY ILLUMINATED, OR DIRECTLY ILLUMINATED SIGN IS ALLOWED ON EACH SIDE OF A BUILDING.

(B) *LIMITATIONS.*

THESE SIGNS MAY NOT:

- (1) EXCEED:
 - (I) 18 SQUARE FEET EACH; OR
 - (II) IF DIRECTLY ILLUMINATED, 12 SQUARE FEET;
- (2) IF FREE-STANDING, BE MORE THAN 6 FEET HIGH; OR
- (3) IF ATTACHED TO A BUILDING, BE MORE THAN 4 FEET HIGH.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved November 8, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-531
(Council Bill 07-715)**

AN ORDINANCE CONCERNING

**Zoning – Conditional Use Restaurant: Drive-In –
5711 Belair Road**

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a restaurant: drive-in on the property known as 5711 Belair Road, as outlined in red on the accompanying plat.

BY authority of

Article - Zoning
Section(s) 6-409(4) and 14-102
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of a restaurant: drive-in on the property known as 5711 Belair Road, as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 6-409(4) and 14-102, subject to the following conditions:

1. The entire exterior must be provided with ~~daytime-like~~ appropriate lighting.
2. No payphones may be on the property.
3. The windows of the building must provide interior visibility to ~~police patrol cars traveling on dining and customer area from~~ Belair Road and White Avenue.
- ~~4. No wall or structure may be retained or provided that would encourage non-customers to loiter in the area.~~
- ~~4.~~ 5. A picket fence must enclose the area, with the fence height on the east side of the property being constructed high enough to prevent trash from blowing into surrounding areas. The existing board on board fence will continue on the east side of the property.
- ~~5.~~ 6. Employees must have training by management that would encourage them to recognize suspected drug activity and then to anonymously report it.
- ~~6.~~ 7. Management is responsible for policing an area for one block in each direction for trash related to food, wrappers, and other material provided by the business.
- ~~7.~~ 8. Management will provide mailbox-type trash containers on the property and the surrounding area.
- ~~9. If City approval is required for any improvements in the surrounding area, The Glenham-Belhar Community Association, or its successors or assigns, agrees to support any appropriate request by McDonald's.~~
- ~~8.~~ 10. When constructed, the building for the restaurant should avoid a warehouse-like appearance when visible from Belair Road, by having such architectural features as windows.

9. ~~11~~: The restaurant: drive-in must comply with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved November 8, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-532
(Council Bill 07-717)**

AN ORDINANCE CONCERNING

Neighborhood Nuisances

FOR the purpose of authorizing certain actions to abate certain nuisances; providing for notice and opportunity for hearing; prohibiting certain conduct; imposing penalties; ~~and~~ generally relating to abating public nuisances; and providing for a special effective date.

BY adding

Article 19 - Police Ordinances
Section(s) 43A-1 to 43A-8, to be under the new subtitle,
“Subtitle 43A. Neighborhood Nuisances”
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 19. Police Ordinances

SUBTITLE 43A. NEIGHBORHOOD NUISANCES

§ 43A-1. DEFINITIONS.

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) *COMMISSIONER.*

“COMMISSIONER” MEANS THE POLICE COMMISSIONER OF BALTIMORE CITY OR THE COMMISSIONER’S DESIGNEE.

(C) *NEIGHBORHOOD NUISANCE.*

(1) “NEIGHBORHOOD NUISANCE” MEANS ANY PREMISES WHERE, ON 2 OR MORE SEPARATE OCCASIONS WITHIN A 6-MONTH PERIOD BEFORE THE START OF A PROCEEDING UNDER THIS SUBTITLE, AN OWNER OR TENANT OF THE PREMISES ENGAGED IN ACTS OR CREATED OR MAINTAINED CONDITIONS THAT:

(I) SIGNIFICANTLY AFFECTED NEIGHBORING RESIDENTS BY BEING DISORDERLY IN MANNER;
OR

(II) DISTURBED THE PEACE OF NEIGHBORING RESIDENTS BY:

(A) MAKING AN UNREASONABLY LOUD NOISE ; OR

(B) THE UNREASONABLE USE OF PROFANITY, CURSING, OR SWEARING.

(2) THE 2ND REPORT BY A POLICE OFFICER, WRITTEN IN THE REGULAR COURSE OF BUSINESS, OF BEHAVIOR OR ACTION OF THE TYPE DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION IS PRIMA FACIE EVIDENCE THAT A NEIGHBORHOOD NUISANCE HAS OCCURRED.

(D) *OPERATOR.*

“OPERATOR” MEANS ANY PERSON WHO HAS CHARGE, CARE, OR CONTROL OF A PREMISES OR STRUCTURE.

(E) *OWNER.*

“OWNER” MEANS THE PERSON IN WHOSE NAME A PREMISES IS RECORDED IN THE LAND RECORDS OF BALTIMORE CITY.

(F) *PERSON.*

“PERSON” MEANS:

(1) AN INDIVIDUAL;

(2) A PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, OR OTHER ENTITY OF ANY KIND; AND

(3) A RECEIVER, TRUSTEE, GUARDIAN, PERSONAL REPRESENTATIVE, FIDUCIARY, OR REPRESENTATIVE OF ANY KIND.

(G) *PREMISES.*

“PREMISES” MEANS ALL OR ANY PART OF ANY LAND, BUILDING, OR OTHER STRUCTURE.

(H) *TENANT.*

- (1) "TENANT" MEANS A LESSEE OR ANY PERSON OCCUPYING PROPERTY, WHETHER OR NOT A PARTY TO A LEASE.
- (2) "TENANT" INCLUDES A LESSEE OR A PERSON OCCUPYING A MOBILE HOME, WHETHER OR NOT A PARTY TO A LEASE.

§ 43A-2. NUISANCE ABATEMENT AUTHORIZED.

(A) *COMMISSIONER'S AUTHORITY.*

ON DETERMINING THAT A NEIGHBORHOOD NUISANCE EXISTS, THE COMMISSIONER MAY:

- (1) ORDER THE DISCONTINUANCE OF THE NEIGHBORHOOD NUISANCE IN THE PREMISES WHERE THE NUISANCE EXISTS; OR
- (2) ORDER THE CLOSING OF THE PREMISES TO THE EXTENT NECESSARY TO ABATE THE NUISANCE.

(B) *LIMITATIONS.*

- (1) EXCEPT AS SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION, IF THE PREMISES CONSISTS ENTIRELY OF RESIDENTIAL UNITS OR MIXED RESIDENTIAL AND OTHER USE UNITS, AND THE NEIGHBORHOOD NUISANCE HAS OCCURRED SOLELY WITHIN 1 OR MORE RESIDENTIAL UNITS, ABATEMENT AUTHORITY IS RESTRICTED TO THE RESIDENTIAL UNITS IN WHICH THE NEIGHBORHOOD NUISANCE HAS OCCURRED, AND DOES NOT EXTEND TO ANY OTHER UNIT IN THE PREMISES.
- (2) THE RESTRICTIONS OF PARAGRAPH (1) OF THIS SUBSECTION DO NOT APPLY TO A NEIGHBORHOOD NUISANCE OCCURRING IN ANY:
 - (I) HOTEL;
 - (II) MOTEL; OR
 - (III) ROOMING HOUSE OR ROOMING UNIT, AS THOSE TERMS ARE DEFINED IN THE ZONING CODE OF BALTIMORE CITY.

§ 43A-3. NOTICE AND OPPORTUNITY FOR HEARING.

(A) *IN GENERAL.*

BEFORE THE COMMISSIONER ISSUES AN ORDER UNDER THIS SUBTITLE, THE COMMISSIONER SHALL GIVE NOTICE AND AN OPPORTUNITY FOR A HEARING TO THE OWNER AND TO ANY OPERATOR AND TENANT OF THE PREMISES.

(B) *CONTENTS OF NOTICE.*

THE NOTICE SHALL STATE:

- (1) THE DATE, PLACE, AND TIME OF THE HEARING;
- (2) THE RIGHT OF THE PERSONS RECEIVING THE NOTICE TO BE HEARD AND TO BE REPRESENTED AT THE HEARING; AND

- (3) THE POSSIBLE CONSEQUENCES OF FAILURE TO APPEAR, INCLUDING BUT NOT LIMITED TO THE ISSUANCE OF A DEFAULT ORDER DIRECTING THE PREMISES TO BE CLOSED TO THE EXTENT NECESSARY TO ABATE THE NUISANCE.

(C) *SERVICE AND POSTING OF NOTICE.*

- (1) THE NOTICE SHALL BE GIVEN BY PERSONAL SERVICE OR BY CERTIFIED OR REGISTERED MAIL TO THE OWNER AND TO ANY OPERATOR OR TENANT OF THE PREMISES, AS THEIR NAMES AND ADDRESSES:
 - (I) ARE RECORDED IN THE LAND RECORDS OF BALTIMORE CITY;
 - (II) APPEAR IN THE REGISTRATION STATEMENT MADE UNDER CITY CODE ARTICLE 13, SUBTITLE 4 {"REGISTRATION OF RESIDENTIAL PROPERTIES"}; OR
 - (III) ARE OTHERWISE KNOWN OR READILY ASCERTAINABLE.
- (2) IN ADDITION, THE NOTICE SHALL BE POSTED ON THE PREMISES.

§ 43A-4. ISSUANCE AND ENFORCEMENT OF ORDER.

(A) *ISSUANCE OF ORDER OR FINDING.*

FOLLOWING THE HEARING PROCEDURE, THE COMMISSIONER SHALL:

- (1) ON DETERMINING THAT A NEIGHBORHOOD NUISANCE EXISTS, ISSUE A WRITTEN ORDER IN ACCORDANCE WITH § 43A-2; OR
- (2) ON DETERMINING THAT A NEIGHBORHOOD NUISANCE DOES NOT EXIST, ISSUE A WRITTEN FINDING SO STATING.

(B) *POSTING AND NOTICE OF ORDER.*

FOLLOWING THE HEARING PROCEDURE, AN ORDER OF THE COMMISSIONER ISSUED UNDER THIS SUBTITLE SHALL BE POSTED ON THE PREMISES AND NOTICE OF THE ORDER SHALL BE GIVEN TO THOSE PERSONS AND IN THE MANNER SET FORTH IN § 43A-3 OF THIS SUBTITLE.

(C) *ENFORCEMENT; PERIOD OF CLOSING.*

- (1) AFTER THE ORDER HAS BEEN POSTED, AS SET FORTH IN § 43A-3 OF THIS SUBTITLE, THE ORDER MAY BE ENFORCED.
- (2) A CLOSING SHALL BE FOR THE PERIOD THAT THE COMMISSIONER REASONABLY MAY DIRECT, BUT IN NO EVENT MAY THE CLOSING BE FOR LONGER THAN 1 YEAR.

(D) *NATURE OF CLOSING.*

A CLOSING DIRECTED BY THE COMMISSIONER UNDER THIS SUBTITLE IS NOT AN ACT OF POSSESSION, OWNERSHIP, OR CONTROL BY THE CITY OF BALTIMORE.

(E) *MODIFICATION*

- (1) THE COMMISSIONER MAY MODIFY OR RESCIND AN ORDER ISSUED UNDER THIS SUBTITLE IF:

- (I) AN OWNER OR TENANT AFFECTED BY THE ORDER SUBMITS A WRITTEN REQUEST TO THE COMMISSIONER ASKING FOR THE ORDER TO BE MODIFIED OR RESCINDED; AND
- (II) A HEARING IS HELD ON THE REQUEST.
- (2) AN OWNER OR TENANT SUBMITTING A REQUEST UNDER THIS SUBSECTION SHALL ATTACH AS AN EXHIBIT ANY DOCUMENTS OR OTHER EVIDENCE THAT THE OWNER OR TENANT WISHES THE COMMISSIONER TO CONSIDER IN RULING ON THE REQUEST.
- (3) THE COMMISSIONER MAY GRANT A REQUEST SUBMITTED UNDER THIS SUBSECTION IF THE COMMISSIONER DETERMINES THAT THE NUISANCE HAS BEEN ABATED.

§ 43A-5. RULES AND REGULATIONS.*(A) COMMISSIONER TO ADOPT.*

THE COMMISSIONER SHALL ADOPT RULES, REGULATIONS, AND HEARING PROCEDURES AS NECESSARY OR PROPER TO CARRY OUT THIS SUBTITLE.

(B) FILING WITH LEGISLATIVE REFERENCE.

A COPY OF ALL RULES, REGULATIONS, AND PROCEDURES MUST BE FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY TAKE EFFECT.

§ 43A-6. JUDICIAL REVIEW.*(A) JUDICIAL REVIEW.*

ANY PERSON AGGRIEVED BY ANY ACT OF THE COMMISSIONER UNDER THIS SUBTITLE MAY SEEK JUDICIAL REVIEW OF THAT DECISION BY PETITION TO THE CIRCUIT COURT FOR BALTIMORE CITY IN ACCORDANCE WITH THE MARYLAND RULES OF PROCEDURE.

(B) APPELLATE REVIEW.

A PARTY TO THE JUDICIAL REVIEW MAY APPEAL THE COURT'S FINAL JUDGMENT TO THE COURT OF SPECIAL APPEALS IN ACCORDANCE WITH THE MARYLAND RULES OF PROCEDURE.

§ 43A-7. PROHIBITED CONDUCT.*(A) DESTRUCTION, ETC., OF POSTED ORDER.*

NO PERSON MAY DESTROY, REMOVE, OR DEFACE AN ORDER POSTED BY THE COMMISSIONER UNDER THIS SUBTITLE

(B) FAILURE TO OBEY ORDER.

NO PERSON MAY:

- (1) INTENTIONALLY DISOBEY ANY PROPER ORDER ISSUED BY THE COMMISSIONER UNDER THIS SUBTITLE; OR
- (2) USE OR OCCUPY OR PERMIT ANY OTHER PERSON TO USE OR OCCUPY ANY PREMISES ORDERED CLOSED UNDER THIS SUBTITLE.

§ 43A-8. PENALTIES.*(A) IN GENERAL.*

ANY PERSON WHO VIOLATES A PROVISION OF § 43A-7 IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO THE FOLLOWING PENALTIES:

- (1) FOR A VIOLATION OF § 43A-7(A) {"PROHIBITED CONDUCT: DESTRUCTION, ETC., OF POSTED ORDER"}, THE OFFENDER IS SUBJECT TO A FINE OF NOT MORE THAN \$500; AND
- (2) FOR A VIOLATION OF § 43A-7(B) {"PROHIBITED CONDUCT: FAILURE TO OBEY ORDER"}, THE OFFENDER IS SUBJECT TO A FINE OF NOT MORE THAN \$500 OR TO IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR TO BOTH FINE AND IMPRISONMENT.

(B) EACH DAY A SEPARATE OFFENSE.

EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on ~~the 30th day after the~~ date it is enacted.

Approved November 8, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-533
(Council Bill 07-779)**

AN ORDINANCE CONCERNING

Baltimore City Landmark List – Union Baptist Church

FOR the purpose of designating Union Baptist Church, 1219 Druid Hill Avenue, as a historical landmark.

BY adding

Article 6 - Historical and Architectural Preservation
Section(s) 12-23
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 6. Historical and Architectural Preservation

Subtitle 12. Landmark List - 2000s

§ 12.23. UNION BAPTIST CHURCH.

UNION BAPTIST CHURCH, 1219 DRUID HILL AVENUE.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved November 8, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-534
(Council Bill 07-781)**

AN ORDINANCE CONCERNING

**Sale of Property – 1101 North Wolfe Street
(Elmer Henderson Elementary School)**

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in a certain parcel of land known as the former Elmer Henderson Elementary School located at 1101 North Wolfe Street (Block 1550, Lot 1) and no longer needed for public use; and providing for a special effective date.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in the property located at 1101 North Wolfe Street (Block 1550, Lot 1), formerly known as the Elmer Henderson Elementary School, and more particularly described as follows:

1101 North Wolfe Street, the subject parcel more particularly described as Block 1550, Lot 1, improved lot. The site is bounded by East Biddle Street on the north, East Chase Street on the south, North Washington Street on the east, and North Wolfe Street on the west,

containing 2.28 acres, more or less, this property being no longer needed for public use.

SECTION 2. AND BE IT FURTHER ORDAINED, That this sale will be subject to a full width Perpetual Easement for any and all Municipal Utilities and Services, not to be abandoned, over the entire herein above described parcel of land.

SECTION 3. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 8, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-535
(Council Bill 07-782)**

AN ORDINANCE CONCERNING

**Sale of Property – 1731 East Chase Street
(Luther Craven Mitchell Elementary School)**

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in a certain parcel of land known as the former Luther Craven Mitchell Elementary School located at 1731 East Chase Street (Block 1565, Lot 39) and no longer needed for public use; and providing for a special effective date.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in the property located at 1731 East Chase Street (Block 1565, Lot 39), formerly known as the Luther Craven Mitchell Elementary School, and more particularly described as follows:

1731 East Chase Street, the subject parcel more particularly described as Block 1565, Lot 39, improved lot. The site is bounded by East Chase Street on the north, East Eager Street on the south, North Wolfe Street on the east, and McDonough Street on the west

containing 0.39 acres, more or less, this property being no longer needed for public use.

SECTION 2. AND BE IT FURTHER ORDAINED, That this sale will be subject to a full width Perpetual Easement for any and all Municipal Utilities and Services, not to be abandoned, over the entire herein above described parcel of land.

SECTION 3. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 8, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-536
(Council Bill 07-783)**

AN ORDINANCE CONCERNING

**Supplementary Tax Increment Loan Fund Capital Appropriation –
Department of Housing and Community Development – \$85,000,000**

FOR the purpose of providing a Supplementary Tax Increment Loan Fund Capital Appropriation in the amount of \$85,000,000 to the Department of Housing and Community Development (Account #9910-587-979), to provide tax increment financing and refinancing of the acquisition of property, the relocation of businesses and/or residents, site removal, and certain public improvements in the East Baltimore Research Park area; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(1) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

This Ordinance provides for the supplementary appropriation of the proceeds (the “Bond Proceeds”) of certain special obligation bonds (the “Bonds”) to be issued for the purpose of financing and refinancing the acquisition of property, the relocation of businesses and/or residents, site removal, and certain public improvements in the East Baltimore Research Park area (the “Project”). The Bonds shall be issued pursuant to a trust agreement (the “Indenture”) by and between the City and a trustee for the Bonds (the “Trustee”), or a materially similar document. Pursuant to Article VII, Section 21 of the Baltimore City Charter, the Board of Finance (the “Board”) is authorized to “determine all matters pertaining to the issuance and sale of certificates of indebtedness,” which includes the Bonds. As approved by the Board, the Indenture shall provide that the Bond Proceeds shall be used for the purpose of financing and refinancing the costs of the Project.

As further approved by the Board, the Bond Proceeds shall be disbursed pursuant to a funding agreement (the “Funding Agreement”) by and between the developer responsible for the Project and the Mayor and City Council of Baltimore (the “City”). The Funding Agreement provides that it shall be approved by the Board of Estimates and shall evidence the agreement of the City to disburse the funds, subject to certain conditions as provided for in the agreement and in the documents relating to the Bonds (the “Bond Documents”).

The Bond Proceeds are in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008. The Indenture provides that upon the sale of the Bonds, the Bond Proceeds will be held by the Trustee in trust for the holders of the Bonds and subject to the above-referenced limitations of the Indenture and other Bond Documents. Therefore, the Bond Proceeds do not represent revenue that would ever be relied on by the Board of Estimates to determine the tax levy required to balance the Ordinance of Estimates for Fiscal Year 2008 or for any other year in which the Bond proceeds might be disbursed.

Therefore, to the extent required by law, the Board of Estimates on September 12, 2007, has recommended that the City Council of Baltimore approve this Supplementary Tax Increment Loan Fund Capital Appropriation for the purpose of financing and refinancing the costs of the Project.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That to the extent required by law, an amount not to exceed \$85,000,000 shall be made available to the Department of Housing and Community Development (Account #9910-587-979) as a Supplementary Tax Increment Loan Fund Capital Appropriation for Fiscal Year 2008, to provide tax increment financing and refinancing of the acquisition of property, the relocation of businesses and/or residents, site removal, and certain public improvements in the East Baltimore Research Park area. The source of revenue for this appropriation is the proceeds from special obligation bonds (the "Bond Proceeds") and is in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008. The Bond Proceeds, subject to the Bond Documents as approved by the Board of Finance, are to be made available for disbursement through a loan agreement executed by the Mayor and City Council of Baltimore and such other parties as may be necessary.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 8, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-537
(Council Bill 07-784)**

AN ORDINANCE CONCERNING

East Baltimore Research Park Phase II - Development District

FOR the purpose of designating a "development district" to be known as "East Baltimore Research Park Phase II Development District"; providing for and determining various matters in connection with the establishment of the development district; creating a special tax increment fund for that development district; allocating certain property taxes to that fund; making certain findings and determinations; providing for a special effective date; and generally relating to the designation and operation of the development district, the establishment and use of the tax increment fund and the issuance and payment of and other matters pertaining to any special obligation bonds or notes issued in connection with the development district.

BY authority of
Article II - General Powers
Section (62)
Baltimore City Charter
(1996 Edition)

Recitals

The Tax Increment Financing Act, Article II, Section (62) of the Baltimore City Charter (the "Act") authorizes the Mayor and City Council of Baltimore to establish a "development district" (as defined in the Act) and a special tax increment fund into which the revenues and receipts from the real property taxes representing the levy on the "tax increment" (as defined in the Act) for the development district are deposited, for the purpose of providing funds for the development of the development district.

The Act also authorizes the City, subject to certain requirements, to issue bonds (including notes) for the purpose of financing and refinancing the development of an industrial, commercial, or residential area in Baltimore City. The Act provides, however, that no bonds or notes may be issued by the City until an ordinance is enacted that (i) designates an area or areas within the City as a “development district” and (ii) provides that, until the bonds have been fully paid, the property taxes on real property within the development district shall be divided as provided in the Act.

Pursuant to the Act, the Mayor and City Council established a development district known as the East Baltimore Research Park Development District (the “East Baltimore Research Park Phase I Development District”) pursuant to Ordinance 04-693 (as hereinafter defined) to facilitate the Comprehensive Redevelopment of the Project (as defined in Ordinance 04-693).

The Mayor and City Council wishes to establish an additional development district within the City, adjacent to the Phase I Development District, and a tax increment fund for that development district for the purpose of providing funds for the acquisition of land and the construction of buildings or structures that will provide affordable housing or otherwise be devoted to a governmental use or purpose, and other infrastructure improvements relating to the development of residential, commercial, and office uses and a school in the development district.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That for the purposes of this Ordinance, the following terms have the meanings indicated:

- (a) “Area A Subdistrict” means the subdistrict within the development district created by Section 3(b) of this Ordinance.
- (b) “Area B Subdistrict” means the subdistrict within the development district created by Section 3(c) of this Ordinance.
- (c) “Area A Subaccount” means the subaccount within the Tax Increment Fund established by Section 4 of this Ordinance.
- (d) “Area B Subaccount” means the subaccount within the Tax Increment Fund established by Section 4 of this Ordinance.
- (e) “Act” means the Tax Increment Financing Act, as codified in Article II, Section (62) of the Baltimore City Charter.
- (f) “Assessable base” means the total assessable base of all real property in the Development District subject to taxation, as determined by the Supervisor of Assessments.
- (g) (1) “Assessment ratio” means any real property tax assessment ratio, however designated or calculated, that is used or applied under applicable general law in determining the assessable base.

(2) “Assessment ratio” includes the assessment percentage provided under §8-103(c) of the State Tax-Property Article, as amended, replaced, or supplemented from time to time.
- (h) “Bond” means any bond, note, or other similar instrument or instruments issued by the Mayor and City Council of Baltimore under the Act.
- (i) “Development District” means the area in the City designated in Section 3 of this Ordinance as a development district under the Act.

- (j) "Ordinance 04-693" means Ordinance 04-693, passed by the City Council on June 14, 2004, and signed by the Mayor on June 23, 2004.
- (k) "Original assessable base" means the assessable base as of January 1, 2006.
- (l) "Original full cash value" means the dollar amount that is determined by dividing the original assessable base by the assessment ratio used to determine the original assessable base.
- (m) "Original taxable value" means, for any tax year, the dollar amount that is the lesser of:
 - (1) the product of the original full cash value times the assessment ratio applicable to that tax year; or
 - (2) the original assessable base.
- (n) "Phase I Development District" or the "East Baltimore Research Park Phase I Development District" means the East Baltimore Research Park Development District established by Ordinance 04-693.
- (o) "Project" means the following improvements and activities that are completed in accordance with all City approvals:
 - (1) the relocation of businesses or residents;
 - (2) site removal, including demolition and site preparation;
 - (3) the acquisition of land and other property by purchase, lease, or condemnation;
 - (4) the design, construction, reconstruction, renovation, and development of buildings that provide units of affordable housing and condemning or otherwise acquiring structures, real or personal property, rights, rights-of-way, franchises, easements, and interests in furtherance of this purpose;
 - (5) the design, construction, reconstruction, renovation, and development of building, structure, or improvements that constitute a school, library, park or recreational facility, or buildings devoted to a governmental use or purpose and condemning or otherwise acquiring any real or personal property, rights, rights-of-way, franchises, easements, and interests in furtherance of this purpose; and
 - (6) the acquisition, construction, renovation, and development of other related public improvements and the financing or refinancing of any related costs that are necessary for the completion of the foregoing for its intended public purposes.
- (p) "Tax increment" means for any tax year, the amount by which the assessable base as of January 1 preceding that tax year exceeds the original taxable value, divided by the assessment ratio used to determine the original taxable value.
- (q) "Tax Increment Fund" means the special fund established by Section 4 of this Ordinance.
- (r) "Tax year" means the period from July 1 of a calendar year through June 30 of the next calendar year.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore finds and determines that the establishment of the East Baltimore Research Park Phase II Development District, the creation of a Tax Increment Fund for the Development District, and the issuance of bonds from time to time, all for the purpose of providing funds for financing and refinancing of the costs of the Project, accomplishes the purposes of the Act, serves public purposes, including but not limited to the direct and indirect enhancement of the taxable base of the City, the creation of new employment opportunities, the encouragement of additional economic activities, the development or redevelopment of slum, blighted or deteriorated areas, the undertaking of urban renewal projects, the facilitation of planned improvements to the East Baltimore area, the furtherance of economic development conducted pursuant to comprehensive plans, and generally promotes the health, welfare, and safety of the residents of the State of Maryland and of the City of Baltimore.

SECTION 3. AND BE IT FURTHER ORDAINED, That:

- (a) the area consisting of the properties listed in Exhibit 1-A and Exhibit 1-B, attached hereto and made a part of this Ordinance, together with the adjoining roads, highways, alleys, rights-of-way and other similar property, shown on the map attached to this Ordinance as Exhibit 2, attached hereto and made a part of this Ordinance, is designated as a development district to be known as the "East Baltimore Research Park Phase II Development District";
- (b) within the Development District, the area consisting of the properties listed in Exhibit 1-A, together with the adjoining roads, highways, alleys, rights-of-way and other similar property shown and noted as "Area A" on Exhibit 2, is designated as a subdistrict to be known as the "Area A Subdistrict"; and
- (c) within the Development District, the area consisting of the properties listed in Exhibit 1-B, together with the adjoining roads, highways, alleys, rights-of-way and other similar property shown and noted as "Area B" on Exhibit 2, is designated as a subdistrict to be known as the "Area B Subdistrict."

SECTION 4. AND BE IT FURTHER ORDAINED, That a special fund is established for the Development District to be known as the "East Baltimore Research Park Phase II Development District Tax Increment Fund." The Director of Finance and other officers and employees of the City shall take all necessary steps to establish the Tax Increment Fund as a separate fund to be held by or for the account of the City. The Director of Finance and other officers and employees of the City shall also take all necessary steps to establish within the Tax Increment Fund two sub-accounts to be known as the "Area A Subaccount" and the "Area B Subaccount."

SECTION 5. AND BE IT FURTHER ORDAINED, That for each tax year that begins after the effective date of this Ordinance:

- (a) the Director of Finance shall divide the property taxes on real property within the Area A Subdistrict so that:
 - (1) the portion of the taxes that would be produced by the rate at which taxes are levied each year by the City upon the original taxable value shall be allocated to and, when collected, paid into the funds of the City in the same manner as taxes levied and collected by the City on all other property are paid; and
 - (2) the portion of the taxes representing the levy on the tax increment that would normally be paid to the City shall be paid into the Area A Subaccount, to be applied in accordance with the provisions of the Act.

- (b) the Director of Finance shall divide the property taxes on real property within the Area B Subdistrict so that:
 - (1) the portion of the taxes that would be produced by the rate at which taxes are levied each year by the City upon the original taxable value shall be allocated to and, when collected, paid into the funds of the City in the same manner as taxes levied and collected by the City on all other property are paid; and
 - (2) the portion of the taxes representing the levy on the tax increment that would normally be paid to the City shall be paid into the Area B Subaccount, to be applied in accordance with the provisions of the Act.
- (c) The City acknowledges that neither the rate at which taxes are levied on real property within the Development District nor the manner of assessment of the value of real property within the Development District may vary from the rate or manner of assessment that otherwise would have applied if the Development District were not designated and the Tax Increment Fund not created.

SECTION 6. AND BE IT FURTHER ORDAINED, That:

- (a) If no bonds are outstanding with respect to the Development District, money in the Tax Increment Fund may be:
 - (1) used for any other purposes described in the Act;
 - (2) accumulated for payment of debt service on bonds to be subsequently issued under the Act;
 - (3) used to pay or reimburse the City for debt service that the City is obligated to pay or has paid (whether as a general or limited obligation of the City) on bonds issued by the City or by the State of Maryland or any agency, department or political subdivision of the State, the proceeds of which have been used for any of the purposes specified in the Act; or
 - (4) paid to the City to provide funds to be used for any legal purpose.
- (b) In each case, the use must be approved by appropriate action of the Board of Finance, which action may generally specify the purpose for which the Tax Increment Fund may be used and the maximum amount that may be applied for that purpose, without specifying the actual amounts to be applied.

SECTION 7. AND BE IT FURTHER ORDAINED, That:

- (a) If any bonds are outstanding with respect to the Development District, money in the Tax Increment Fund may be used in any fiscal year as provided in Section 6 of this Ordinance and in the indenture authorizing the issuance of the bonds, but only to the extent that:
 - (1) the amount in the Tax Increment Fund exceeds the debt service payable on the bonds in that fiscal year and is not otherwise restricted so as to prohibit its use; and
 - (2) the use is not prohibited by the ordinance authorizing the issuance of the bonds.
- (b) In each case, the use must be approved by appropriate action of the Board of Finance, which action may generally specify the purpose for which the Tax Increment Fund may be used and the maximum amount that may be applied for that purpose, without specifying the actual amounts to be applied.

SECTION 8. AND BE IT FURTHER ORDAINED, That the Director of Finance may do all acts and things and execute all documents and certificates relating to the Development District and the Tax Increment Fund.

SECTION 9. AND BE IT FURTHER ORDAINED, That any approvals, authorizations, or activities provided in this Ordinance do not constitute and may not be deemed to constitute or imply that the City Council, the Mayor, or any department, office or agency of the City has given or will give, any approval, authorization or consent to any action or activity within or required for the development of the Development District, including any land use approval, requirements for the provision of public utilities or services, or any other administrative, judicial, quasi-judicial, or legislative approval, authorization, or consent.

SECTION 10. AND BE IT FURTHER ORDAINED, That this Ordinance may be amended by a subsequent ordinance of the Mayor and City Council of Baltimore, which ordinance may enlarge or reduce the Development District. However, no ordinance may be effective to reduce the size of the Development District so long as there are any outstanding bonds secured by the Tax Increment Fund, unless the ordinance authorizing the issuance of the bonds permits the City to reduce the area constituting the Development District, the holders of the bonds or an authorized representative on their behalf consents to the reduction or the indenture authorizing the issuance of the bonds permits the reduction.

SECTION 11. AND BE IT FURTHER ORDAINED, That the provisions of this Ordinance are severable. If any provision, sentence, clause, section or other part of this Ordinance is held or determined to be illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, that illegality, invalidity, unconstitutionality, or inapplicability does not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance or their application to other persons or circumstances. It is the intent of the Mayor and City Council that this Ordinance would have been passed even if the illegal, invalid, unconstitutional, or inapplicable provision, sentence, clause, section, or other part had not been included in this Ordinance, and as if the person or circumstances to which this Ordinance or part are inapplicable had been specifically exempted.

SECTION 12. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

EXHIBIT 1-A

Properties within the Area A Subdistrict of the Development District

1566 001 1838 E EAGER ST	1567 107 1016 N CHAPEL ST
1566 002 1836 E EAGER ST	1567 108 1014 N CHAPEL ST
1566 003 1834 E EAGER ST	1567 109 1012 N CHAPEL ST
1566 004 1832 E EAGER ST	1567 110 1010 N CHAPEL ST
1566 005 1830 E EAGER ST	1567 111 1008 N CHAPEL ST
1566 006 1828 E EAGER ST	1567 112 1006 N CHAPEL ST
1566 007 1826 E EAGER ST	1567 113 1004 N CHAPEL ST
1566 008 1824 E EAGER ST	1567 114 1002 N CHAPEL ST
1566 009 1822 E EAGER ST	1567 115 lot
1566 010 1820 E EAGER ST	1586 001 901 N WOLFE ST
1566 011 1818 E EAGER ST	1586 002 903 N WOLFE ST
1566 012 1816 E EAGER ST	1586 003 905 N WOLFE ST
1566 013 1814 E EAGER ST	1586 004 907 N WOLFE ST
1566 014 1812 E EAGER ST	1586 005 909 N WOLFE ST
1566 015 1810 E EAGER ST	1586 006 911 N WOLFE ST
1566 016 1808 E EAGER ST	1586 007 913 N WOLFE ST
1566 017 1806 E EAGER ST	1586 008 915 N WOLFE ST
1566 018 1804 E EAGER ST	1586 009 917 N WOLFE ST
1566 019 1802 E EAGER ST	1586 010 919 N WOLFE ST
1566 020 1800 E EAGER ST	1586 011 921 N WOLFE ST
1566 021 1001 RUTLAND AVE	1586 012 923 N WOLFE ST

1566 022 1003 RUTLAND AVE	1586 013 925 N WOLFE ST
1566 023 1005 RUTLAND AVE	1586 014 927 N WOLFE ST
1566 024 1007 RUTLAND AVE	1586 015 929 N WOLFE ST
1566 025 1009 RUTLAND AVE	1586 016 931 N WOLFE ST
1566 026 1011 RUTLAND AVE	1586 017 933 N WOLFE ST
1566 027 1013 RUTLAND AVE	1586 018 935 N WOLFE ST
1566 028 1015 RUTLAND AVE	1586 019 937 N WOLFE ST
1566 029 1017 RUTLAND AVE	1586 020 939 N WOLFE ST
1566 030 1019 RUTLAND AVE	1586 021 941 N WOLFE ST
1566 031 1021 RUTLAND AVE	1586 022 943 N WOLFE ST
1566 032 1023 RUTLAND AVE	1586 023 945 N WOLFE ST
1566 033 1025 RUTLAND AVE	1586 024 947 N WOLFE ST
1566 034 1027 RUTLAND AVE	1586 025 949 N WOLFE ST
1566 035 1029 RUTLAND AVE	1586 026 951 N WOLFE ST
1566 036 1031 RUTLAND AVE	1586 027 953 N WOLFE ST
1566 037 1033 RUTLAND AVE	1586 028 955 N WOLFE ST
1566 038 1035 RUTLAND AVE	1586 029 957 N WOLFE ST
1566 039 1037 RUTLAND AVE	1586 030 959 N WOLFE ST
1566 040 1039 RUTLAND AVE	1586 031 961 N WOLFE ST
1566 041 1041 RUTLAND AVE	1586 032 963 N WOLFE ST
1566 042 1801 E CHASE ST	1586 034 967 N WOLFE ST
1566 043 1803 E CHASE ST	1586 036 1905 E EAGER ST
1566 044 1805 E CHASE ST	1586 037 1907 E EAGER ST
1566 045 1807 E CHASE ST	1586 038 1909 E EAGER ST
1566 046 1809 E CHASE ST	1586 039 1911 E EAGER ST
1566 047 1811 E CHASE ST	1586 041 1915 E EAGER ST
1566 048 1813 E CHASE ST	1586 042 1917 E EAGER ST
1566 049 1815 E CHASE ST	1586 043 1919 E EAGER ST
1566 050 1817 E CHASE ST	1586 044 1921 E EAGER ST
1566 051 1819 E CHASE ST	1586 045 1923 E EAGER ST
1566 052 1821 E CHASE ST	1586 046 1925 E EAGER ST
1566 053 1823 E CHASE ST	1586 047 968 N WASHINGTON ST
1566 054 1825 E CHASE ST	1586 048 966 N WASHINGTON ST
1566 055 1827 E CHASE ST	1586 049 964 N WASHINGTON ST
1566 056 1829 E CHASE ST	1586 050 962 N WASHINGTON ST
1566 057 1831 E CHASE ST	1586 051 960 N WASHINGTON ST
1566 058 1833 E CHASE ST	1586 052 958 N WASHINGTON ST
1566 059 1835 E CHASE ST	1586 053 956 N WASHINGTON ST
1566 060 1837 E CHASE ST	1586 054 954 N WASHINGTON ST
1566 061 1839 E CHASE ST	1586 055 952 N WASHINGTON ST
1566 062 1042 N WOLFE ST	1586 056 950 N WASHINGTON ST
1566 063 1040 N WOLFE ST	1586 057 948 N WASHINGTON ST
1566 064 1038 N WOLFE ST	1586 058 946 N WASHINGTON ST
1566 065 1036 N WOLFE ST	1586 059 944 N WASHINGTON ST
1566 066 1034 N WOLFE ST	1586 060 942 N WASHINGTON ST
1566 067 1032 N WOLFE ST	1586 061 940 N WASHINGTON ST
1566 068 1030 N WOLFE ST	1586 062 938 N WASHINGTON ST
1566 069 1028 N WOLFE ST	1586 063 936 N WASHINGTON ST
1566 070 1026 N WOLFE ST	1586 064 934 N WASHINGTON ST
1566 071 1024 N WOLFE ST	1586 065 932 N WASHINGTON ST
1566 072 1022 N WOLFE ST	1586 066 930 N WASHINGTON ST
1566 073 1020 N WOLFE ST	1586 067 928 N WASHINGTON ST
1566 074 1018 N WOLFE ST	1586 068 926 N WASHINGTON ST
1566 075 1016 N WOLFE ST	1586 069 924 N WASHINGTON ST
1566 076 1014 N WOLFE ST	1586 070 922 N WASHINGTON ST
1566 077 1012 N WOLFE ST	1586 071 920 N WASHINGTON ST
1566 078 1010 N WOLFE ST	1586 072 918 N WASHINGTON ST
1566 079 1008 N WOLFE ST	1586 073 916 N WASHINGTON ST
1566 080 1006 N WOLFE ST	1586 074 914 N WASHINGTON ST
1566 081 1004 N WOLFE ST	1586 075 912 N WASHINGTON ST
1566 082 1000 N WOLFE ST	1586 076 910 N WASHINGTON ST

1566 084 1003 N DURHAM ST	1586 077 908 N WASHINGTON ST
1566 085 1005 N DURHAM ST	1586 078 906 N WASHINGTON ST
1566 086 1007 N DURHAM ST	1586 079 904 N WASHINGTON ST
1566 087 1009 N DURHAM ST	1586 080 902 N WASHINGTON ST
1566 088 1011 N DURHAM ST	1586 081 900 N WASHINGTON ST
1566 089 1013 N DURHAM ST	1586 082 1922 ASHLAND AVE
1566 090 1017 N DURHAM ST	1586 083 1920 ASHLAND AVE
1566 091 1019 N DURHAM ST	1586 084 1918 ASHLAND AVE
1566 092 1021 N DURHAM ST	1586 085 1916 ASHLAND AVE
1566 093 1023 N DURHAM ST	1586 086 1914 ASHLAND AVE
1566 094 1025 N DURHAM ST	1586 087 1910 ASHLAND AVE
1566 095 1027 N DURHAM ST	1586 088 1908 ASHLAND AVE
1566 096 1029 N DURHAM ST	1586 089 1906 ASHLAND AVE
1566 097 1031 N DURHAM ST	1586 090 1904 ASHLAND AVE
1566 098 1033 N DURHAM ST	1586 091 916 N CHAPEL ST
1566 099 1035 N DURHAM ST	1586 092 918 N CHAPEL ST
1566 100 1037 N DURHAM ST	1586 093 920 N CHAPEL ST
1566 101 1039 N DURHAM ST	1586 094 922 N CHAPEL ST
1566 102 1041 N DURHAM ST	1586 095 924 N CHAPEL ST
1566 103 1043 N DURHAM ST	1586 096 926 N CHAPEL ST
1566 104 1045 N DURHAM ST	1586 097 928 N CHAPEL ST
1566 105 1047 N DURHAM ST	1586 098 930 N CHAPEL ST
1566 106 1049 N DURHAM ST	1586 099 932 N CHAPEL ST
1566 107 1051 N DURHAM ST	1586 100 934 N CHAPEL ST
1566 108 1052 N DURHAM ST	1586 101 936 N CHAPEL ST
1566 109 1050 N DURHAM ST	1586 102 938 N CHAPEL ST
1566 110 1048 N DURHAM ST	1586 103 940 N CHAPEL ST
1566 111 1046 N DURHAM ST	1586 104 942 N CHAPEL ST
1566 112 1044 N DURHAM ST	1586 105 944 N CHAPEL ST
1566 113 1042 N DURHAM ST	1586 106 946 N CHAPEL ST
1566 114 1040 N DURHAM ST	1586 107 948 N CHAPEL ST
1566 115 1038 N DURHAM ST	1586 108 950 N CHAPEL ST
1566 116 1036 N DURHAM ST	1586 109 952 N CHAPEL ST
1566 117 1034 N DURHAM ST	1586 110 954 N CHAPEL ST
1566 118 1032 N DURHAM ST	1586 111 956 N CHAPEL ST
1566 119 1030 N DURHAM ST	1586 112 958 N CHAPEL ST
1566 120 1028 N DURHAM ST	1586 113 960 N CHAPEL ST
1566 121 1026 N DURHAM ST	1586 114 962 N CHAPEL ST
1566 122 1024 N DURHAM ST	1586 115 961 N CHAPEL ST
1566 123 1022 N DURHAM ST	1586 116 959 N CHAPEL ST
1566 124 1020 N DURHAM ST	1586 117 957 N CHAPEL ST
1566 125 1018 N DURHAM ST	1586 118 955 N CHAPEL ST
1566 126 1016 N DURHAM ST	1586 119 953 N CHAPEL ST
1566 127 1014 N DURHAM ST	1586 120 951 N CHAPEL ST
1566 128 1012 N DURHAM ST	1586 121 949 N CHAPEL ST
1566 129 1010 N DURHAM ST	1586 122 947 N CHAPEL ST
1566 130 1008 N DURHAM ST	1586 123 945 N CHAPEL ST
1566 131 1006 N DURHAM ST	1586 124 943 N CHAPEL ST
1566 132 1004 N DURHAM ST	1586 125 941 N CHAPEL ST
1566 133 1002 N DURHAM ST	1586 126 939 N CHAPEL ST
1567 001 1002 N WASHINGTON ST	1586 127 937 N CHAPEL ST
1567 002 1004 N WASHINGTON ST	1586 128 935 N CHAPEL ST
1567 003 1006 N WASHINGTON ST	1586 129 933 N CHAPEL ST
1567 004 1008 N WASHINGTON ST	1586 130 931 N CHAPEL ST
1567 005 1010 N WASHINGTON ST	1586 131 929 N CHAPEL ST
1567 006 1012 N WASHINGTON ST	1586 132 927 N CHAPEL ST
1567 007 1014 N WASHINGTON ST	1586 133 925 N CHAPEL ST
1567 008 1016 N WASHINGTON ST	1586 134 923 N CHAPEL ST
1567 009 1018 N WASHINGTON ST	1586 135 921 N CHAPEL ST
1567 010 1020 N WASHINGTON ST	1586 136 919 N CHAPEL ST
1567 011 1022 N WASHINGTON ST	1586 137 917 N CHAPEL ST

1567 012 1024 N WASHINGTON ST	1586 138 915 N CHAPEL ST
1567 013 1026 N WASHINGTON ST	1602 001 1838 E MADISON ST
1567 014 1028 N WASHINGTON ST	1602 002 1836 E MADISON ST
1567 015 1030 N WASHINGTON ST	1602 003 1834 E MADISON ST
1567 016 1032 N WASHINGTON ST	1602 004 1832 E MADISON ST
1567 017 1034 N WASHINGTON ST	1602 005 1830 E MADISON ST
1567 018 1935 E CHASE ST	1602 006 1828 E MADISON ST
1567 019 1933 E CHASE ST	1602 007 1826 E MADISON ST
1567 020 1931 E CHASE ST	1602 008 1824 E MADISON ST
1567 021 1929 E CHASE ST	1602 009 1822 E MADISON ST
1567 022 1927 E CHASE ST	1602 010 1820 E MADISON ST
1567 023 1925 E CHASE ST	1602 011 1818 E MADISON ST
1567 024 1923 E CHASE ST	1602 012 1816 E MADISON ST
1567 025 1921 E CHASE ST	1602 013 1814 E MADISON ST
1567 026 1919 E CHASE ST	1602 014 1812 E MADISON ST
1567 027 1917 E CHASE ST	1602 015 1810 E MADISON ST
1567 028 1915 E CHASE ST	1602 016 1808 E MADISON ST
1567 029 1913 E CHASE ST	1602 017 1806 E MADISON ST
1567 030 1911 E CHASE ST	1602 018 1804 E MADISON ST
1567 031 1909 E CHASE ST	1602 019 1802 E MADISON ST
1567 032 1907 E CHASE ST	1602 020 1800 E MADISON ST
1567 033 1905 E CHASE ST	1602 021 801 RUTLAND AVE
1567 034 1903 E CHASE ST	1602 022 803 RUTLAND AVE
1567 035 1901 E CHASE ST	1602 023 805 RUTLAND AVE
1567 036 1039 N WOLFE ST	1602 024 807 RUTLAND AVE
1567 037 1037 N WOLFE ST	1602 025 809 RUTLAND AVE
1567 038 1035 N WOLFE ST	1602 026 811 RUTLAND AVE
1567 039 1033 N WOLFE ST	1602 027 813 RUTLAND AVE
1567 040 1031 N WOLFE ST	1602 028 815 RUTLAND AVE
1567 041 1029 N WOLFE ST	1602 029 817 RUTLAND AVE
1567 042 1027 N WOLFE ST	1602 030 819 RUTLAND AVE
1567 043 1025 N WOLFE ST	1602 031 821 RUTLAND AVE
1567 044 1023 N WOLFE ST	1602 032 823 RUTLAND AVE
1567 045 1021 N WOLFE ST	1602 033 825 RUTLAND AVE
1567 046 1019 N WOLFE ST	1602 034 827 RUTLAND AVE
1567 047 1017 N WOLFE ST	1602 035 829 RUTLAND AVE
1567 048 1015 N WOLFE ST	1602 036 831 RUTLAND AVE
1567 049 1013 N WOLFE ST	1602 037 833 RUTLAND AVE
1567 050 1011 N WOLFE ST	1602 038 835 RUTLAND AVE
1567 051 1009 N WOLFE ST	1602 039 837 RUTLAND AVE
1567 052 1007 N WOLFE ST	1602 040 839 RUTLAND AVE
1567 053 1003 N WOLFE ST	1602 041 1809 ASHLAND AVE
1567 054 1900 E EAGER ST	1602 042 1813 ASHLAND AVE
1567 055 1902 E EAGER ST	1602 043 1815 ASHLAND AVE
1567 056 1904 E EAGER ST	1602 044 1817 ASHLAND AVE
1567 057 1906 E EAGER ST	1602 045 1819 ASHLAND AVE
1567 058 1908 E EAGER ST	1602 046 1821 ASHLAND AVE
1567 059 1910 E EAGER ST	1602 047 1823 ASHLAND AVE
1567 060 1912 E EAGER ST	1602 048 1825 ASHLAND AVE
1567 061 1914 E EAGER ST	1602 049 1827 ASHLAND AVE
1567 062 1916 E EAGER ST	1602 050 1829 ASHLAND AVE
1567 063 1918 E EAGER ST	1602 051 1831 ASHLAND AVE
1567 064 1920 E EAGER ST	1602 052 1833 ASHLAND AVE
1567 065 1922 E EAGER ST	1602 053 1835 ASHLAND AVE
1567 066 1924 E EAGER ST	1602 054 824 N WOLFE ST
1567 067 1926 E EAGER ST	1602 055 822 N WOLFE ST
1567 068 1928 E EAGER ST	1602 056 820 N WOLFE ST
1567 069 1930 E EAGER ST	1602 057 818 N WOLFE ST
1567 070 1932 E EAGER ST	1602 058 816 N WOLFE ST
1567 071 1934 E EAGER ST	1602 059 814 N WOLFE ST
1567 072 1936 E EAGER ST	1602 060 812 N WOLFE ST

1567 073 1938 E EAGER ST	1602 061 810 N WOLFE ST
1567 074 1003 N CHAPEL ST	1602 062 808 N WOLFE ST
1567 075 1005 N CHAPEL ST	1602 063 806 N WOLFE ST
1567 076 1007 N CHAPEL ST	1602 064 804 N WOLFE ST
1567 077 1009 N CHAPEL ST	1602 065 802 N WOLFE ST
1567 078 1011 N CHAPEL ST	1602 066 800 N WOLFE ST
1567 079 1013 N CHAPEL ST	1602 067 803 N DURHAM ST
1567 080 1015 N CHAPEL ST	1602 068 805 N DURHAM ST
1567 081 1017 N CHAPEL ST	1602 069 807 N DURHAM ST
1567 082 1019 N CHAPEL ST	1602 070 809 N DURHAM ST
1567 083 1021 N CHAPEL ST	1602 071 811 N DURHAM ST
1567 084 1023 N CHAPEL ST	1602 072 813 N DURHAM ST
1567 085 1025 N CHAPEL ST	1602 073 815 N DURHAM ST
1567 086 1027 N CHAPEL ST	1602 074 817 N DURHAM ST
1567 087 1029 N CHAPEL ST	1602 075 819 N DURHAM ST
1567 088 1031 N CHAPEL ST	1602 076 821 N DURHAM ST
1567 089 1033 N CHAPEL ST	1602 077 823 N DURHAM ST
1567 090 1035 N CHAPEL ST	1602 078 825 N DURHAM ST
1567 091 1037 N CHAPEL ST	1602 079 827 N DURHAM ST
1567 092 1039 N CHAPEL ST	1602 080 824 N DURHAM ST
1567 093 1041 N CHAPEL ST	1602 081 822 N DURHAM ST
1567 094 1043 N CHAPEL ST	1602 082 820 N DURHAM ST
1567 095 1040 N CHAPEL ST	1602 083 818 N DURHAM ST
1567 096 1038 N CHAPEL ST	1602 084 816 N DURHAM ST
1567 097 1036 N CHAPEL ST	1602 085 814 N DURHAM ST
1567 098 1034 N CHAPEL ST	1602 086 812 N DURHAM ST
1567 099 1032 N CHAPEL ST	1602 087 810 N DURHAM ST
1567 100 1030 N CHAPEL ST	1602 088 808 N DURHAM ST
1567 101 1028 N CHAPEL ST	1602 089 806 N DURHAM ST
1567 102 1026 N CHAPEL ST	1602 090 804 N DURHAM ST
1567 103 1024 N CHAPEL ST	1602 091 802 N DURHAM ST
1567 104 1022 N CHAPEL ST	1603 001 855 N WOLFE ST
1567 105 1020 N CHAPEL ST	1603 025 1913 ASHLAND AVE
1567 106 1018 N CHAPEL ST	1603 026 1915 ASHLAND AVE
	<u>1603 046 1928 E MADISON ST</u>

EXHIBIT 1-B**Properties within the Area B Subdistrict of the Development District**

1513 001 1301 N BROADWAY	1587 039 2029 E EAGER ST
1513 002 1303 N BROADWAY	1587 040 2031 E EAGER ST
1513 003 1305 N BROADWAY	1587 041 2033 E EAGER ST
1513 004 1307 N BROADWAY	1587 042 2035 E EAGER ST
1513 005 1309 N BROADWAY	1587 043 2037 E EAGER ST
1513 006 1311 N BROADWAY	1587 044 2039 E EAGER ST
1513 007 1313 N BROADWAY	1587 045 2041 E EAGER ST
1513 008 1315 N BROADWAY	1587 046 2043 E EAGER ST
1513 009 1317 N BROADWAY	1587 047 968 N CHESTER ST
1513 010 1319 N BROADWAY	1587 049 966 N CHESTER ST
1513 019 1700 E PRESTON ST	1587 050 964 N CHESTER ST
1513 020 1702 E PRESTON ST	1587 051 962 N CHESTER ST
1513 021 1704 E PRESTON ST	1587 052 960 N CHESTER ST
1513 022 1706 E PRESTON ST	1587 053 958 N CHESTER ST
1513 023 1708 E PRESTON ST	1587 054 956 N CHESTER ST
1513 024 1710 E PRESTON ST	1587 055 954 N CHESTER ST
1513 025 1712 E PRESTON ST	1587 056 952 N CHESTER ST
1513 026 1714 E PRESTON ST	1587 057 950 N CHESTER ST
1513 027 1716 E PRESTON ST	1587 058 948 N CHESTER ST
1513 028 1718 E PRESTON ST	1587 059 946 N CHESTER ST
1513 029 1720 E PRESTON ST	1587 060 944 N CHESTER ST

1513 030 1722 E PRESTON ST	1587 061 942 N CHESTER ST
1513 031 1724 E PRESTON ST	1587 062 940 N CHESTER ST
1513 032 1726 E PRESTON ST	1587 063 938 N CHESTER ST
1513 033 1728 E PRESTON ST	1587 064 936 N CHESTER ST
1513 034 1730 E PRESTON ST	1587 065 934 N CHESTER ST
1513 035 1732 E PRESTON ST	1587 066 932 N CHESTER ST
1513 036 1734 E PRESTON ST	1587 067 930 N CHESTER ST
1513 037 1736 E PRESTON ST	1587 068 928 N CHESTER ST
1513 038 1738 E PRESTON ST	1587 069 926 N CHESTER ST
1513 039 1740 E PRESTON ST	1587 070 924 N CHESTER ST
1513 040 1742 E PRESTON ST	1587 071 922 N CHESTER ST
1513 041 1744 E PRESTON ST	1587 072 920 N CHESTER ST
1513 042 1746 E PRESTON ST	1587 073 918 N CHESTER ST
1513 043 1748 E PRESTON ST	1587 074 916 N CHESTER ST
1513 044 1750 E PRESTON ST	1587 075 914 N CHESTER ST
1513 045 1752 E PRESTON ST	1587 076 912 N CHESTER ST
1513 046 1754 E PRESTON ST	1587 077 910 N CHESTER ST
1513 047 1756 E PRESTON ST	1587 078 908 N CHESTER ST
1513 048 1758 E PRESTON ST	1587 079 906 N CHESTER ST
1513 049 1300 N GAY ST	1587 080 904 N CHESTER ST
1513 050 1302 N GAY ST	1587 081 900 N CHESTER ST
1513 057 1701 ELLSWORTH ST	1587 083 2040 ASHLAND AVE
1513 058 1703 ELLSWORTH ST	1587 084 2038 ASHLAND AVE
1513 059 1705 ELLSWORTH ST	1587 085 2036 ASHLAND AVE
1513 060 1707 ELLSWORTH ST	1587 086 2034 ASHLAND AVE
1513 061 1709 ELLSWORTH ST	1587 087 2032 ASHLAND AVE
1513 062 1711 ELLSWORTH ST	1587 088 2028 ASHLAND AVE
1513 063 1713 ELLSWORTH ST	1587 090 2024 ASHLAND AVE
1513 064 1715 ELLSWORTH ST	1587 091 2022 ASHLAND AVE
1513 065 1717 ELLSWORTH ST	1587 092 2020 ASHLAND AVE
1513 066 1719 ELLSWORTH ST	1587 093 2018 ASHLAND AVE
1513 067 1721 ELLSWORTH ST	1587 094 2016 ASHLAND AVE
1513 068 1723 ELLSWORTH ST	1587 095 2014 ASHLAND AVE
1513 069 1725 ELLSWORTH ST	1587 096 2012 ASHLAND AVE
1513 070 1727 ELLSWORTH ST	1587 097 2010 ASHLAND AVE
1513 071 1729 ELLSWORTH ST	1587 098 2008 ASHLAND AVE
1513 072 1731 ELLSWORTH ST	1587 099 2006 ASHLAND AVE
1513 073 1733 ELLSWORTH ST	1587 100 2004 ASHLAND AVE
1513 074 1735 ELLSWORTH ST	1587 101 2002 ASHLAND AVE
1513 075 1737 ELLSWORTH ST	1587 102 2000 ASHLAND AVE
1513 076 1739 ELLSWORTH ST	1587 103 900 N CASTLE ST
1513 077 1741 ELLSWORTH ST	1587 104 902 N CASTLE ST
1513 078 1743 ELLSWORTH ST	1587 105 904 N CASTLE ST
1513 079 1745 ELLSWORTH ST	1587 106 906 N CASTLE ST
1513 080 lot	1587 107 908 N CASTLE ST
1515 001 1323 N GAY ST	1587 108 910 N CASTLE ST
1529 001 lot	1587 109 912 N CASTLE ST
1529 005 1208 N GAY ST	1587 110 914 N CASTLE ST
1529 006 1210 N GAY ST	1587 111 916 N CASTLE ST
1529 007 1212 N GAY ST	1587 112 918 N CASTLE ST
1529 008 1214 N GAY ST	1587 113 920 N CASTLE ST
1529 009 1216 N GAY ST	1587 114 922 N CASTLE ST
1529 010 1218 N GAY ST	1587 115 924 N CASTLE ST
1529 011 1220 N GAY ST	1587 116 926 N CASTLE ST
1529 012 1222 N GAY ST	1587 117 928 N CASTLE ST
1529 013 1224 N GAY ST	1587 118 930 N CASTLE ST
1529 014 1226 N GAY ST	1587 119 932 N CASTLE ST
1529 015 1228 N GAY ST	1587 120 934 N CASTLE ST
1529 016 1230 N GAY ST	1587 121 936 N CASTLE ST
1529 017 1232 N GAY ST	1587 122 938 N CASTLE ST
1529 018 1234 N GAY ST	1587 123 940 N CASTLE ST

1529 019 1236 N GAY ST	1587 124 942 N CASTLE ST
1529 020 1238 N GAY ST	1587 125 944 N CASTLE ST
1529 021 1240 N GAY ST	1587 126 945 N CASTLE ST
1529 022 1242 N GAY ST	1587 127 943 N CASTLE ST
1529 023 1244 N GAY ST	1587 128 941 N CASTLE ST
1529 024 1246 N GAY ST	1587 129 939 N CASTLE ST
1529 025 1248 N GAY ST	1587 130 937 N CASTLE ST
1529 026 1250 N GAY ST	1587 131 935 N CASTLE ST
1529 027 1252 N GAY ST	1587 132 933 N CASTLE ST
1529 028 1254 N GAY ST	1587 133 931 N CASTLE ST
1529 029 1759 E PRESTON ST	1587 134 929 N CASTLE ST
1529 030 1757 E PRESTON ST	1587 135 927 N CASTLE ST
1529 031 1755 E PRESTON ST	1587 136 925 N CASTLE ST
1529 032 1753 E PRESTON ST	1587 137 923 N CASTLE ST
1529 033 1751 E PRESTON ST	1587 138 921 N CASTLE ST
1529 034 1749 E PRESTON ST	1587 139 919 N CASTLE ST
1529 035 1747 E PRESTON ST	1587 140 917 N CASTLE ST
1529 036 1745 E PRESTON ST	1587 141 915 N CASTLE ST
1529 037 1743 E PRESTON ST	1587 142 913 N CASTLE ST
1529 038 1741 E PRESTON ST	1587 143 911 N CASTLE ST
1529 039 1739 E PRESTON ST	1587 144 909 N CASTLE ST
1529 040 1737 E PRESTON ST	1587 145 907 N CASTLE ST
1529 041 1735 E PRESTON ST	1587 146 905 N CASTLE ST
1529 042 1733 E PRESTON ST	1587 147 903 N CASTLE ST
1529 043 1731 E PRESTON ST	1587 148 901 N CASTLE ST
1529 044 1729 E PRESTON ST	1588 001 901 N CHESTER ST
1529 045 1727 E PRESTON ST	1588 003 905 N CHESTER ST
1529 046 1725 E PRESTON ST	1588 004 907 N CHESTER ST
1529 047 1723 E PRESTON ST	1588 005 909 N CHESTER ST
1529 048 1721 E PRESTON ST	1588 006 911 N CHESTER ST
1529 049 1719 E PRESTON ST	1588 007 913 N CHESTER ST
1529 050 1717 E PRESTON ST	1588 008 915 N CHESTER ST
1529 051 1715 E PRESTON ST	1588 009 917 N CHESTER ST
1529 052 1713 E PRESTON ST	1588 010 919 N CHESTER ST
1529 053 1711 E PRESTON ST	1588 011 921 N CHESTER ST
1529 054 1709 E PRESTON ST	1588 012 923 N CHESTER ST
1529 055 1707 E PRESTON ST	1588 013 925 N CHESTER ST
1529 056 1705 E PRESTON ST	1588 014 927 N CHESTER ST
1529 057 1257 N BROADWAY	1588 015 929 N CHESTER ST
1529 058 1255 N BROADWAY	1588 016 931 N CHESTER ST
1529 059 1253 N BROADWAY	1588 017 933 N CHESTER ST
1529 060 1251 N BROADWAY	1588 018 935 N CHESTER ST
1529 061 1249 N BROADWAY	1588 019 937 N CHESTER ST
1529 062 1247 N BROADWAY	1588 020 939 N CHESTER ST
1529 063 1245 N BROADWAY	1588 021 941 N CHESTER ST
1529 064 1243 N BROADWAY	1588 022 943 N CHESTER ST
1529 065 1241 N BROADWAY	1588 023 945 N CHESTER ST
1529 066 1239 N BROADWAY	1588 024 947 N CHESTER ST
1529 067 1237 N BROADWAY	1588 025 949 N CHESTER ST
1529 068 1235 N BROADWAY	1588 026 951 N CHESTER ST
1529 069 1233 N BROADWAY	1588 027 953 N CHESTER ST
1529 070 1231 N BROADWAY	1588 028 955 N CHESTER ST
1529 071 1229 N BROADWAY	1588 029 957 N CHESTER ST
1529 072 1227 N BROADWAY	1588 030 959 N CHESTER ST
1529 073 1225 N BROADWAY	1588 031 961 N CHESTER ST
1529 074 1223 N BROADWAY	1588 032 963 N CHESTER ST
1529 075 1221 N BROADWAY	1588 033 965 N CHESTER ST
1529 076 1219 N BROADWAY	1588 034 967 N CHESTER ST
1529 077 1217 N BROADWAY	1588 035 969 N CHESTER ST
1529 083 1205 N BROADWAY	1588 036 971 N CHESTER ST
1529 084 1203 N BROADWAY	1588 037 2101 E EAGER ST

1529 084A 1201 ½ N BROADWAY	1588 038 2103 E EAGER ST
1529 085 1201 N BROADWAY	1588 039 2105 E EAGER ST
1529 086 1225 N REGESTER ST	1588 040 2107 E EAGER ST
1529 087 lot	1588 041 2109 E EAGER ST
1529 088 lot	1588 042 2111 E EAGER ST
1530 001 1201 N GAY ST	1588 043 2113 E EAGER ST
1530 003 1205 N GAY ST	1588 044 2115 E EAGER ST
1530 005 1209 N GAY ST	1588 045 2117 E EAGER ST
1530 006 1211 N GAY ST	1588 046 2119 E EAGER ST
1530 007 1213 N GAY ST	1588 047 970 N COLLINGTON AVE
1530 008 1215 N GAY ST	1588 048 968 N COLLINGTON AVE
1530 009 1217 N GAY ST	1588 049 966 N COLLINGTON AVE
1530 010 1219 N GAY ST	1588 050 964 N COLLINGTON AVE
1530 011 1221 N GAY ST	1588 051 962 N COLLINGTON AVE
1530 012 1223 N GAY ST	1588 052 960 N COLLINGTON AVE
1530 013 1225 N GAY ST	1588 053 958 N COLLINGTON AVE
1530 014 1227 N GAY ST	1588 054 956 N COLLINGTON AVE
1530 015 1229 N GAY ST	1588 055 950 N COLLINGTON AVE
1530 016 1231 N GAY ST	1588 056 948 N COLLINGTON AVE
1530 017 1233 N GAY ST	1588 057 946 N COLLINGTON AVE
1530 018 1235 N GAY ST	1588 058 944 N COLLINGTON AVE
1530 019 1237 N GAY ST	1588 059 942 N COLLINGTON AVE
1530 022 1200 RUTLAND AVE	1588 060 940 N COLLINGTON AVE
1531 001 1800 E BIDDLE ST	1588 061 938 N COLLINGTON AVE
1531 002 1802 E BIDDLE ST	1588 062 936 N COLLINGTON AVE
1531 003 1804 E BIDDLE ST	1588 063 934 N COLLINGTON AVE
1531 004 1806 E BIDDLE ST	1588 064 932 N COLLINGTON AVE
1531 005 1808 E BIDDLE ST	1588 065 930 N COLLINGTON AVE
1531 006 1810 E BIDDLE ST	1588 066 928 N COLLINGTON AVE
1531 007 1812 E BIDDLE ST	1588 067 926 N COLLINGTON AVE
1531 008 1814 E BIDDLE ST	1588 068 924 N COLLINGTON AVE
1531 009 1816 E BIDDLE ST	1588 069 922 N COLLINGTON AVE
1531 010 1818 E BIDDLE ST	1588 070 920 N COLLINGTON AVE
1531 011 1820 E BIDDLE ST	1588 071 918 N COLLINGTON AVE
1531 012 1822 E BIDDLE ST	1588 072 916 N COLLINGTON AVE
1531 013 1824 E BIDDLE ST	1588 073 914 N COLLINGTON AVE
1531 014 1826 E BIDDLE ST	1588 074 2126 ASHLAND AVE
1531 015 1828 E BIDDLE ST	1588 075 2124 ASHLAND AVE
1531 016 1830 E BIDDLE ST	1588 076 2122 ASHLAND AVE
1531 017 1832 E BIDDLE ST	1588 077 2120 ASHLAND AVE
1531 018 1834 E BIDDLE ST	1588 078 2118 ASHLAND AVE
1531 019 1836 E BIDDLE ST	1588 079 2116 ASHLAND AVE
1531 020 1838 E BIDDLE ST	1588 080 2114 ASHLAND AVE
1531 021 1840 E BIDDLE ST	1588 081 2112 ASHLAND AVE
1531 022 1202 N WOLFE ST	1588 082 2110 ASHLAND AVE
1531 023 1204 N WOLFE ST	1588 083 2108 ASHLAND AVE
1531 024 1206 N WOLFE ST	1588 084 2106 ASHLAND AVE
1531 025 1208 N WOLFE ST	1588 085 2100 ASHLAND AVE
1531 026 1210 N WOLFE ST	1588 088 902 N DUNCAN ST
1531 027 1212 N WOLFE ST	1588 089 904 N DUNCAN ST
1531 028 1214 N WOLFE ST	1588 090 906 N DUNCAN ST
1531 029 1807 E PRESTON ST	1588 091 908 N DUNCAN ST
1531 030 1801 E PRESTON ST	1588 092 910 N DUNCAN ST
1531 031 1219 RUTLAND AVE	1588 094 914 N DUNCAN ST
1531 033 1217 RUTLAND AVE	1588 095 916 N DUNCAN ST
1531 034 1215 RUTLAND AVE	1588 096 918 N DUNCAN ST
1531 035 1213 RUTLAND AVE	1588 097 920 N DUNCAN ST
1531 036 1211 RUTLAND AVE	1588 098 922 N DUNCAN ST
1531 037 1209 RUTLAND AVE	1588 099 924 N DUNCAN ST
1531 038 1207 RUTLAND AVE	1588 100 926 N DUNCAN ST
1531 039 1205 RUTLAND AVE	1588 101 928 N DUNCAN ST

1531 040 1201 N DURHAM ST	1588 102 930 N DUNCAN ST
1531 041 1203 N DURHAM ST	1588 103 932 N DUNCAN ST
1531 042 1205 N DURHAM ST	1588 104 934 N DUNCAN ST
1531 043 1207 N DURHAM ST	1588 105 936 N DUNCAN ST
1532 001 1203 N WOLFE ST	1588 106 938 N DUNCAN ST
1547 001 1712 E CHASE ST	1588 107 940 N DUNCAN ST
1547 002 1710 E CHASE ST	1588 108 942 N DUNCAN ST
1547 003 1708 E CHASE ST	1588 109 944 N DUNCAN ST
1547 004 1706 E CHASE ST	1588 110 946 N DUNCAN ST
1547 005 1704 E CHASE ST	1588 111 948 N DUNCAN ST
1547 006 1101 N BROADWAY	1588 112 950 N DUNCAN ST
1547 007 1103 N BROADWAY	1588 113 952 N DUNCAN ST
1547 008 1105 N BROADWAY	1588 114 954 N DUNCAN ST
1547 009 1109 N BROADWAY	1588 115 953 N DUNCAN ST
1547 010 1111 N BROADWAY	1588 116 951 N DUNCAN ST
1547 011 1115 N BROADWAY	1588 117 941 N DUNCAN ST
1547 012 1117 N BROADWAY	1588 118 939 N DUNCAN ST
1547 013 1119 N BROADWAY	1588 119 937 N DUNCAN ST
1547 014 1105 N GAY ST	1588 120 935 N DUNCAN ST
1547 015 1107 N GAY ST	1588 121 933 N DUNCAN ST
1547 016 1109 N GAY ST	1588 122 931 N DUNCAN ST
1547 017 1111 N GAY ST	1588 123 929 N DUNCAN ST
1547 018 1113 N GAY ST	1588 124 927 N DUNCAN ST
1547 020 1117 N GAY ST	1588 125 925 N DUNCAN ST
1547 021 1119 N GAY ST	1588 126 923 N DUNCAN ST
1547 022 1121 N GAY ST	1588 127 921 N DUNCAN ST
1547 023 1123 N GAY ST	1588 128 919 N DUNCAN ST
1547 024 1125 N GAY ST	1588 129 917 N DUNCAN ST
1547 025 1127 N GAY ST	1588 130 915 N DUNCAN ST
1547 026 1129 N GAY ST	1588 131 913 N DUNCAN ST
1547 027 1131 N GAY ST	1588 132 911 N DUNCAN ST
1547 028 1124 MCDONOGH ST	1588 133 909 N DUNCAN ST
1547 029 1122 MCDONOGH ST	1588 134 907 N DUNCAN ST
1547 030 1120 MCDONOGH ST	1588 135 905 N DUNCAN ST
1547 031 1118 MCDONOGH ST	1588 136 903 N DUNCAN ST
1547 032 1116 MCDONOGH ST	1588 137 901 N DUNCAN ST
1547 033 1114 MCDONOGH ST	1589 001 901 N COLLINGTON AVE
1547 034 1112 MCDONOGH ST	1589 002 903 N COLLINGTON AVE
1547 035 1110 MCDONOGH ST	1589 003 905 N COLLINGTON AVE
1547 036 1108 MCDONOGH ST	1589 004 907 N COLLINGTON AVE
1547 037 1106 MCDONOGH ST	1589 005 909 N COLLINGTON AVE
1547 038 1104 MCDONOGH ST	1589 006 911 N COLLINGTON AVE
1547 039 1102 MCDONOGH ST	1589 007 913 N COLLINGTON AVE
1547 040 lot	1589 008 915 N COLLINGTON AVE
1548 001 1746 E CHASE ST	1589 009 917 N COLLINGTON AVE
1548 002 1744 E CHASE ST	1589 010 919 N COLLINGTON AVE
1548 003 1742 E CHASE ST	1589 011 921 N COLLINGTON AVE
1548 004 1740 E CHASE ST	1589 012 923 N COLLINGTON AVE
1548 005 1738 E CHASE ST	1589 013 925 N COLLINGTON AVE
1548 006 1736 E CHASE ST	1589 014 927 N COLLINGTON AVE
1548 007 1734 E CHASE ST	1589 015 929 N COLLINGTON AVE
1548 008 1732 E CHASE ST	1589 016 931 N COLLINGTON AVE
1548 009 1730 E CHASE ST	1589 017 933 N COLLINGTON AVE
1548 010 1728 E CHASE ST	1589 018 935 N COLLINGTON AVE
1548 011 1726 E CHASE ST	1589 019 937 N COLLINGTON AVE
1548 012 1724 E CHASE ST	1589 020 939 N COLLINGTON AVE
1548 013 1722 E CHASE ST	1589 021 941 N COLLINGTON AVE
1548 014 1720 E CHASE ST	1589 022 943 N COLLINGTON AVE
1548 015 1718 E CHASE ST	1589 023 945 N COLLINGTON AVE
1548 016 1716 E CHASE ST	1589 024 947 N COLLINGTON AVE
1548 017 1714 E CHASE ST	1589 025 949 N COLLINGTON AVE

1548 018 1105 MCDONOGH ST	1589 026 951 N COLLINGTON AVE
1548 019 1107 MCDONOGH ST	1589 027 957 N COLLINGTON AVE
1548 020 1109 MCDONOGH ST	1589 028 959 N COLLINGTON AVE
1548 021 1111 MCDONOGH ST	1589 029 961 N COLLINGTON AVE
1548 022 1113 MCDONOGH ST	1589 030 963 N COLLINGTON AVE
1548 023 1115 MCDONOGH ST	1589 031 965 N COLLINGTON AVE
1548 024 1117 MCDONOGH ST	1589 032 967 N COLLINGTON AVE
1548 025 1119 MCDONOGH ST	1589 033 969 N COLLINGTON AVE
1548 026 1121 MCDONOGH ST	1589 034 971 N COLLINGTON AVE
1548 027 1123 MCDONOGH ST	1589 035 2201 E EAGER ST
1548 028 1705 E BIDDLE ST	1589 036 2203 E EAGER ST
1548 029 1707 E BIDDLE ST	1589 037 2205 E EAGER ST
1548 030 1709 E BIDDLE ST	1589 038 2207 E EAGER ST
1548 031 1711 E BIDDLE ST	1589 039 2200 E EAGER ST
1548 032 1713 E BIDDLE ST	1589 040 2202 E EAGER ST
1548 033 1715 E BIDDLE ST	1589 041 2204 E EAGER ST
1548 034 1717 E BIDDLE ST	1589 042 2206 E EAGER ST
1548 035 1719 E BIDDLE ST	1589 043 2208 E EAGER ST
1548 036 1721 E BIDDLE ST	1589 044 2210 E EAGER ST
1548 037 1723 E BIDDLE ST	1589 045 2212 E EAGER ST
1548 038 1725 E BIDDLE ST	1589 046 2214 E EAGER ST
1548 039 1727 E BIDDLE ST	1589 047 2216 E EAGER ST
1548 040 1729 E BIDDLE ST	1589 048 2218 E EAGER ST
1548 041 1731 E BIDDLE ST	1589 049 2220 E EAGER ST
1548 042 1733 E BIDDLE ST	1589 050 2222 E EAGER ST
1548 043 1735 E BIDDLE ST	1589 051 2224 E EAGER ST
1548 044 1120 RUTLAND AVE	1589 052 2226 E EAGER ST
1548 045 1118 RUTLAND AVE	1589 053 2228 E EAGER ST
1548 046 1116 RUTLAND AVE	1589 054 2230 E EAGER ST
1548 047 1114 RUTLAND AVE	1589 055 2232 E EAGER ST
1548 048 1112 RUTLAND AVE	1589 056 942 N PATTERSON PARK AVE
1548 049 1110 RUTLAND AVE	1589 057 940 N PATTERSON PARK AVE
1548 050 1108 RUTLAND AVE	1589 058 938 N PATTERSON PARK AVE
1548 051 1106 RUTLAND AVE	1589 059 936 N PATTERSON PARK AVE
1548 052 1104 RUTLAND AVE	1589 060 934 N PATTERSON PARK AVE
1548 053 1102 RUTLAND AVE	1589 061 932 N PATTERSON PARK AVE
1548 054 1100 RUTLAND AVE	1589 062 930 N PATTERSON PARK AVE
1548 055 lot	1589 063 928 N PATTERSON PARK AVE
1548 056 1717 HENNEMAN AVE	1589 064 926 N PATTERSON PARK AVE
1549001 1842 E CHASE ST	1589 065 924 N PATTERSON PARK AVE
154 003 1840 E CHASE ST	1589 066 922 N PATTERSON PARK AVE
159 004 1838 E CHASE ST	1589 067 920 N PATTERSON PARK AVE
149 005 1836 E CHASE ST	1589 068 918 N PATTERSON PARK AVE
549 006 1834 E CHASE ST	1589 069 916 N PATTERSON PARK AVE
1549 007 1832 E CHASE ST	1589 070 914 N PATTERSON PARK AVE
1549 008 1830 E CHASE ST	1589 071 912 N PATTERSON PARK AVE
1549 009 1828 E CHASE ST	1589 072 910 N PATTERSON PARK AVE
1549 010 1826 E CHASE ST	1589 073 908 N PATTERSON PARK AVE
1549 011 1824 E CHASE ST	1589 074 906 N PATTERSON PARK AVE
1549 012 1822 E CHASE ST	1589 075 904 N PATTERSON PARK AVE
1549 013 1820 E CHASE ST	1589 076 902 N PATTERSON PARK AVE
1549 014 1818 E CHASE ST	1589 077 900 N PATTERSON PARK AVE
1549 015 1816 E CHASE ST	1589 078 2220 ASHLAND AVE
1549 016 1814 E CHASE ST	1589 079 2218 ASHLAND AVE
1549 017 1812 E CHASE ST	1589 080 2216 ASHLAND AVE
1549 018 1810 E CHASE ST	1589 081 2214 ASHLAND AVE
1549 019 1808 E CHASE ST	1589 082 2212 ASHLAND AVE
1549 020 1806 E CHASE ST	1589 083 2210 ASHLAND AVE
1549 021 1804 E CHASE ST	1589 084 2208 ASHLAND AVE
1549 022 1802 E CHASE ST	1589 085 2206 ASHLAND AVE
1549 023 1800 E CHASE ST	1589 086 2204 ASHLAND AVE

1549 024 1101 RUTLAND AVE	1589 087 2202 ASHLAND AVE
1549 025 1103 RUTLAND AVE	1589 088 900 N MADEIRA ST
1549 026 1105 RUTLAND AVE	1589 089 902 N MADEIRA ST
1549 027 1107 RUTLAND AVE	1589 090 904 N MADEIRA ST
1549 028 1109 RUTLAND AVE	1589 091 906 N MADEIRA ST
1549 029 1111 RUTLAND AVE	1589 092 908 N MADEIRA ST
1549 030 1113 RUTLAND AVE	1589 093 910 N MADEIRA ST
1549 031 1115 RUTLAND AVE	1589 094 912 N MADEIRA ST
1549 032 1117 RUTLAND AVE	1589 095 914 N MADEIRA ST
1549 033 1801 E BIDDLE ST	1589 096 916 N MADEIRA ST
1549 034 1803 E BIDDLE ST	1589 097 918 N MADEIRA ST
1549 036 1807 E BIDDLE ST	1589 098 920 N MADEIRA ST
1549 037 1809 E BIDDLE ST	1589 099 922 N MADEIRA ST
1549 038 1811 E BIDDLE ST	1589 100 924 N MADEIRA ST
1549 039 1813 E BIDDLE ST	1589 101 926 N MADEIRA ST
1549 040 1815 E BIDDLE ST	1589 102 928 N MADEIRA ST
1549 041 1817 E BIDDLE ST	1589 103 930 N MADEIRA ST
1549 042 1819 E BIDDLE ST	1589 104 932 N MADEIRA ST
1549 043 1821 E BIDDLE ST	1589 105 934 N MADEIRA ST
1549 044 1823 E BIDDLE ST	1589 106 936 N MADEIRA ST
1549 045 1825 E BIDDLE ST	1589 107 933 N MADEIRA ST
1549 046 1827 E BIDDLE ST	1589 108 931 N MADEIRA ST
1549 047 1829 E BIDDLE ST	1589 109 929 N MADEIRA ST
1549 048 1831 E BIDDLE ST	1589 110 927 N MADEIRA ST
1549 049 1833 E BIDDLE ST	1589 111 925 N MADEIRA ST
1549 050 1835 E BIDDLE ST	1589 112 923 N MADEIRA ST
1549 051 1837 E BIDDLE ST	1589 113 921 N MADEIRA ST
1549 052 1839 E BIDDLE ST	1589 114 919 N MADEIRA ST
1549 053 1841 E BIDDLE ST	1589 115 917 N MADEIRA ST
1549 054 1116 N WOLFE ST	1589 116 915 N MADEIRA ST
1549 055 1114 N WOLFE ST	1589 117 913 N MADEIRA ST
1549 056 1112 N WOLFE ST	1589 118 911 N MADEIRA ST
1549 057 1110 N WOLFE ST	1589 119 909 N MADEIRA ST
1549 058 1106 N WOLFE ST	1589 120 907 N MADEIRA ST
1549 060 1104 N WOLFE ST	1589 121 905 N MADEIRA ST
1549 061 1102 N WOLFE ST	1589 122 903 N MADEIRA ST
1549 062 1100 N WOLFE ST	1589 123 901 N MADEIRA ST
1549 063 1802 HENNEMAN AVE	1600 001 801 N BROADWAY
1549 064 1804 HENNEMAN AVE	1603 027 1923 ASHLAND AVE
1549 065 1806 HENNEMAN AVE	1603 028 834 N WASHINGTON ST
1549 066 1808 HENNEMAN AVE	1603 029 832 N WASHINGTON ST
1549 067 1810 HENNEMAN AVE	1603 030 830 N WASHINGTON ST
1549 068 1812 HENNEMAN AVE	1603 031 828 N WASHINGTON ST
1549 069 1814 HENNEMAN AVE	1603 032 826 N WASHINGTON ST
1549 070 1816 HENNEMAN AVE	1603 033 824 N WASHINGTON ST
1549 071 1818 HENNEMAN AVE	1603 034 822 N WASHINGTON ST
1549 072 1820 HENNEMAN AVE	1603 035 820 N WASHINGTON ST
1549 073 1822 HENNEMAN AVE	1603 036 818 N WASHINGTON ST
1549 074 1824 HENNEMAN AVE	1603 037 816 N WASHINGTON ST
1549 075 1803 HENNEMAN AVE	1603 038 814 N WASHINGTON ST
1549 076 1805 HENNEMAN AVE	1603 039 812 N WASHINGTON ST
1549 077 1807 HENNEMAN AVE	1603 040 810 N WASHINGTON ST
1549 078 1809 HENNEMAN AVE	1603 041 808 N WASHINGTON ST
1549 079 1811 HENNEMAN AVE	1603 042 806 N WASHINGTON ST
1549 080 1813 HENNEMAN AVE	1603 043 804 N WASHINGTON ST
1549 081 1815 HENNEMAN AVE	1603 044 802 N WASHINGTON ST
1549 082 1817 HENNEMAN AVE	1603 045 800 N WASHINGTON ST
1549 083 1819 HENNEMAN AVE	1604 001 801 N WASHINGTON ST
1549 084 1821 HENNEMAN AVE	1604 002 803 N WASHINGTON ST
1549 085 1823 HENNEMAN AVE	1604 003 805 N WASHINGTON ST
1549 086 1825 HENNEMAN AVE	1604 004 807 N WASHINGTON ST

1550 001 1101 N WOLFE ST	1604 005 809 N WASHINGTON ST
1551 001 1103 N WASHINGTON ST	1604 006 811 N WASHINGTON ST
1551 027 2000 E CHASE ST	1604 007 813 N WASHINGTON ST
1551 028 2002 E CHASE ST	1604 008 815 N WASHINGTON ST
1551 029 2004 E CHASE ST	1604 009 817 N WASHINGTON ST
1551 030 2006 E CHASE ST	1604 010 819 N WASHINGTON ST
1551 031 2008 E CHASE ST	1604 011 821 N WASHINGTON ST
1551 032 2010 E CHASE ST	1604 012 823 N WASHINGTON ST
1551 033 2012 E CHASE ST	1604 013 825 N WASHINGTON ST
1551 034 2014 E CHASE ST	1604 014 827 N WASHINGTON ST
1551 035 2016 E CHASE ST	1604 015 829 N WASHINGTON ST
1551 036 2018 E CHASE ST	1604 016 831 N WASHINGTON ST
1551 037 2020 E CHASE ST	1604 017 833 N WASHINGTON ST
1551 038 2022 E CHASE ST	1604 018 835 N WASHINGTON ST
1551 039 lot	1604 019 837 N WASHINGTON ST
1564 001 1001 N BROADWAY	1604 020 839 N WASHINGTON ST
1564 002 1003 N BROADWAY	1604 021 841 N WASHINGTON ST
1564 003 1005 N BROADWAY	1604 022 843 N WASHINGTON ST
1564 004 1007 N BROADWAY	1604 023 2001 ASHLAND AVE
1564 005 1009 N BROADWAY	1604 024 2003 ASHLAND AVE
1564 006 1011 N BROADWAY	1604 025 2005 ASHLAND AVE
1564 007 1013 N BROADWAY	1604 026 2007 ASHLAND AVE
1564 008 1015 N BROADWAY	1604 027 2009 ASHLAND AVE
1564 009 1017 N BROADWAY	1604 028 2011 ASHLAND AVE
1564 010 1019 N BROADWAY	1604 029 2013 ASHLAND AVE
1564 011 1021 N BROADWAY	1604 030 2015 ASHLAND AVE
1564 012 1023 N BROADWAY	1604 031 2017 ASHLAND AVE
1564 013 1025 N BROADWAY	1604 032 2019 ASHLAND AVE
1564 014 1027 N BROADWAY	1604 033 2021 ASHLAND AVE
1564 015 1029 N BROADWAY	1604 034 840 N CHESTER ST
1564 016 1031 N BROADWAY	1604 035 838 N CHESTER ST
1564 017 1033 N BROADWAY	1604 036 836 N CHESTER ST
1564 018 1035 N BROADWAY	1604 037 834 N CHESTER ST
1564 019 1037 N BROADWAY	1604 038 832 N CHESTER ST
1564 020 1039 N BROADWAY	1604 039 830 N CHESTER ST
1564 021 1041 N BROADWAY	1604 040 828 N CHESTER ST
1564 022 1043 N BROADWAY	1604 041 814 N CHESTER ST
1564 023 1045 N BROADWAY	1604 042 808 N CHESTER ST
1564 024 1047 N BROADWAY	1604 043 804 N CHESTER ST
1564 025 1049 N BROADWAY	1604 044 800 N CHESTER ST
1564 026 1051 N BROADWAY	1604 044A 2018 E MADISON ST
1564 027 1053 N BROADWAY	1604 044B 2014 E MADISON ST
1568 001 1001 N WASHINGTON ST	1604 045 2012 E MADISON ST
1568 003 1005 N WASHINGTON ST	1604 046 2010 E MADISON ST
1568 004 1007 N WASHINGTON ST	1604 047 2008 E MADISON ST
1568 005 1009 N WASHINGTON ST	1604 048 2006 E MADISON ST
1568 006 1011 N WASHINGTON ST	1604 049 2004 E MADISON ST
1568 007 1015 N WASHINGTON ST	1604 050 2002 E MADISON ST
1568 008 1017 N WASHINGTON ST	1604 051 2000 E MADISON ST
1568 009 1019 N WASHINGTON ST	1604 052 800 N CASTLE ST
1568 010 1021 N WASHINGTON ST	1604 053 802 N CASTLE ST
1568 011 1023 N WASHINGTON ST	1604 054 804 N CASTLE ST
1568 012 1025 N WASHINGTON ST	1604 055 806 N CASTLE ST
1568 013 1027 N WASHINGTON ST	1604 056 808 N CASTLE ST
1568 014 1029 N WASHINGTON ST	1604 057 810 N CASTLE ST
1568 015 1031 N WASHINGTON ST	1604 058 812 N CASTLE ST
1568 016 2005 E CHASE ST	1604 059 814 N CASTLE ST
1568 018 2011 E CHASE ST	1604 060 816 N CASTLE ST
1568 019 2013 E CHASE ST	1604 061 818 N CASTLE ST
1568 020 2015 E CHASE ST	1604 062 820 N CASTLE ST
1568 021 2017 E CHASE ST	1604 063 822 N CASTLE ST

1568 022 2019 E CHASE ST	1604 064 819 N CASTLE ST
1568 023 2021 E CHASE ST	1604 065 817 N CASTLE ST
1568 024 2023 E CHASE ST	1604 067 813 N CASTLE ST
1568 025 2025 E CHASE ST	1604 068 811 N CASTLE ST
1568 026 2027 E CHASE ST	1604 069 809 N CASTLE ST
1568 027 2029 E CHASE ST	1604 070 807 N CASTLE ST
1568 028 1010 N CHESTER ST	1604 071 805 N CASTLE ST
1568 031 1008 N CHESTER ST	1604 072 803 N CASTLE ST
1568 032 1006 N CHESTER ST	1604 073 801 N CASTLE ST
1568 033 1004 N CHESTER ST	1605 001 801 N CHESTER ST
1568 034 1002 N CHESTER ST	1605 002 803 N CHESTER ST
1568 035 2064 E EAGER ST	1605 003 805 N CHESTER ST
1568 036 2062 E EAGER ST	1605 004 807 N CHESTER ST
1568 037 2060 E EAGER ST	1605 005 809 N CHESTER ST
1568 038 2058 E EAGER ST	1605 006 811 N CHESTER ST
1568 039 2056 E EAGER ST	1605 007 813 N CHESTER ST
1568 040 2054 E EAGER ST	1605 008 815 N CHESTER ST
1568 041 2052 E EAGER ST	1605 009 817 N CHESTER ST
1568 042 2050 E EAGER ST	1605 010 lot
1568 043 2048 E EAGER ST	1605 011 2111 ASHLAND AVE
1568 044 2046 E EAGER ST	1605 011A 806 N COLLINGTON AVE
1568 045 2044 E EAGER ST	1605 012 2120 E MADISON ST
1568 046 2042 E EAGER ST	1605 013 2118 E MADISON ST
1568 047 2040 E EAGER ST	1605 014 2116 E MADISON ST
1568 048 2038 E EAGER ST	1605 015 2114 E MADISON ST
1568 049 2036 E EAGER ST	1605 016 2112 E MADISON ST
1568 050 2034 E EAGER ST	1605 017 2110 E MADISON ST
1568 051 2032 E EAGER ST	1605 018 2108 E MADISON ST
1568 052 2030 E EAGER ST	1605 019 2106 E MADISON ST
1568 053 2028 E EAGER ST	1605 020 2104 E MADISON ST
1568 054 2026 E EAGER ST	1605 021 2102 E MADISON ST
1568 055 2024 E EAGER ST	1606 001 803 N COLLINGTON AVE
1568 056 2022 E EAGER ST	1606 003 805 N COLLINGTON AVE
1568 057 2020 E EAGER ST	1606 004 807 N COLLINGTON AVE
1568 058 2018 E EAGER ST	1606 005 809 N COLLINGTON AVE
1568 059 2016 E EAGER ST	1606 006 811 N COLLINGTON AVE
1568 060 2014 E EAGER ST	1606 007 813 N COLLINGTON AVE
1568 061 2012 E EAGER ST	1606 008 815 N COLLINGTON AVE
1568 062 2010 E EAGER ST	1606 009 817 N COLLINGTON AVE
1568 063 2008 E EAGER ST	1606 010 819 N COLLINGTON AVE
1568 064 2006 E EAGER ST	1606 011 821 N COLLINGTON AVE
1568 065 2004 E EAGER ST	1606 012 823 N COLLINGTON AVE
1568 066 2002 E EAGER ST	1606 013 825 N COLLINGTON AVE
1568 067 2000 E EAGER ST	1606 014 827 N COLLINGTON AVE
1568 068 1000 N CASTLE ST	1606 015 829 N COLLINGTON AVE
1568 069 1002 N CASTLE ST	1606 016 831 N COLLINGTON AVE
1568 070 1004 N CASTLE ST	1606 017 833 N COLLINGTON AVE
1568 071 1006 N CASTLE ST	1606 018 835 N COLLINGTON AVE
1568 072 1008 N CASTLE ST	1606 019 837 N COLLINGTON AVE
1568 073 1010 N CASTLE ST	1606 020 839 N COLLINGTON AVE
1568 074 1012 N CASTLE ST	1606 021 841 N COLLINGTON AVE
1568 075 1014 N CASTLE ST	1606 022 843 N COLLINGTON AVE
1568 076 1016 N CASTLE ST	1606 023 845 N COLLINGTON AVE
1568 077 1018 N CASTLE ST	1606 024 847 N COLLINGTON AVE
1568 078 1020 N CASTLE ST	1606 025 2201 ASHLAND AVE
1568 079 1022 N CASTLE ST	1606 026 2203 ASHLAND AVE
1568 080 1024 N CASTLE ST	1606 027 2205 ASHLAND AVE
1568 081 1026 N CASTLE ST	1606 028 2207 ASHLAND AVE
1568 082 1028 N CASTLE ST	1606 029 2209 ASHLAND AVE
1568 083 1030 N CASTLE ST	1606 030 2211 ASHLAND AVE
1568 084 1032 N CASTLE ST	1606 031 844 N PATTERSON PARK AVE

1568 085 1034 N CASTLE ST	1606 032 842 N PATTERSON PARK AVE
1568 086 1036 N CASTLE ST	1606 033 840 N PATTERSON PARK AVE
1568 087 1038 N CASTLE ST	1606 034 838 N PATTERSON PARK AVE
1568 089 1039 N CASTLE ST	1606 035 836 N PATTERSON PARK AVE
1568 090 1037 N CASTLE ST	1606 036 834 N PATTERSON PARK AVE
1568 091 1035 N CASTLE ST	1606 037 832 N PATTERSON PARK AVE
1568 092 1033 N CASTLE ST	1606 038 830 N PATTERSON PARK AVE
1568 093 1031 N CASTLE ST	1606 039 828 N PATTERSON PARK AVE
1568 094 1029 ½ N CASTLE ST	1606 040 826 N PATTERSON PARK AVE
1568 095 1029 N CASTLE ST	1606 041 824 N PATTERSON PARK AVE
156 096 1027 N CASTLE ST	1606 042 822 N PATTERSON PARK AVE
1568 097 1025 N CASTLE ST	1606 043 820 N PATTERSON PARK AVE
1568 098 1023 N CASTLE ST	1606 044 818 N PATTERSON PARK AVE
1568 099 1021 N CASTLE ST	1606 045 816 N PATTERSON PARK AVE
1568 100 1019 N CASTLE ST	1606 046 814 N PATTERSON PARK AVE
1568 101 1017 N CASTLE ST	1606 047 812 N PATTERSON PARK AVE
1568 102 1015 N CASTLE ST	1606 048 810 N PATTERSON PARK AVE
1568 103 1013 N CASTLE ST	1606 049 808 N PATTERSON PARK AVE
1568 104 1011 N CASTLE ST	1606 050 806 N PATTERSON PARK AVE
1568 105 1009 N CASTLE ST	1606 051 804 N PATTERSON PARK AVE
1568 106 1007 N CASTLE ST	1606 052 802 N PATTERSON PARK AVE
1568 107 1005 N CASTLE ST	1606 053 800 N PATTERSON PARK AVE
1568 108 1003 N CASTLE ST	1606 054 2232 E MADISON ST
1568 109 1001 N CASTLE ST	1606 055 2230 E MADISON ST
1569 034 1001 N CHESTER ST	1606 056 2228 E MADISON ST
1583 001 901 N BROADWAY	1606 057 2226 E MADISON ST
1583 005 909 N BROADWAY	1606 058 2224 E MADISON ST
1583 010 925 N BROADWAY	1606 059 2222 E MADISON ST
1587 001 911 N WASHINGTON ST	1606 060 2220 E MADISON ST
1587 002 913 N WASHINGTON ST	1606 061 2218 E MADISON ST
1587 003 915 N WASHINGTON ST	1606 062 2216 E MADISON ST
1587 004 917 N WASHINGTON ST	1606 063 2214 E MADISON ST
1587 005 919 N WASHINGTON ST	1606 064 2212 E MADISON ST
1587 006 921 N WASHINGTON ST	1606 064A 2200 E MADISON ST
1587 007 923 N WASHINGTON ST	1606 065 800 N MADEIRA ST
1587 008 925 N WASHINGTON ST	1606 066 802 N MADEIRA ST
1587 009 927 N WASHINGTON ST	1606 067 804 N MADEIRA ST
1587 010 929 N WASHINGTON ST	1606 068 806 N MADEIRA ST
1587 011 931 N WASHINGTON ST	1606 069 808 N MADEIRA ST
1587 012 933 N WASHINGTON ST	1606 070 810 N MADEIRA ST
1587 013 935 N WASHINGTON ST	1606 071 812 N MADEIRA ST
1587 014 937 N WASHINGTON ST	1606 072 814 N MADEIRA ST
1587 015 939 N WASHINGTON ST	1606 073 816 N MADEIRA ST
1587 016 941 N WASHINGTON ST	1606 074 818 N MADEIRA ST
1587 017 943 N WASHINGTON ST	1606 075 820 N MADEIRA ST
1587 018 945 N WASHINGTON ST	1606 076 822 N MADEIRA ST
1587 019 947 N WASHINGTON ST	1606 077 824 N MADEIRA ST
1587 020 949 N WASHINGTON ST	1606 078 837 N MADEIRA ST
1587 021 951 N WASHINGTON ST	1606 079 835 N MADEIRA ST
1587 022 953 N WASHINGTON ST	1606 080 833 N MADEIRA ST
1587 023 955 N WASHINGTON ST	1606 081 831 N MADEIRA ST
1587 024 957 N WASHINGTON ST	1606 082 829 N MADEIRA ST
1587 025 959 N WASHINGTON ST	1606 083 827 N MADEIRA ST
1587 026 961 N WASHINGTON ST	1606 084 825 N MADEIRA ST
1587 027 963 N WASHINGTON ST	1606 085 823 N MADEIRA ST
1587 028 2003 E EAGER ST	1606 086 821 N MADEIRA ST
1587 029 2005 E EAGER ST	1606 087 819 N MADEIRA ST
1587 030 2007 E EAGER ST	1606 088 817 N MADEIRA ST
1587 031 2009 E EAGER ST	1606 089 815 N MADEIRA ST
1587 032 2011 E EAGER ST	1606 090 813 N MADEIRA ST
1587 033 2013 E EAGER ST	1606 091 811 N MADEIRA ST

1587 034 2015 E EAGER ST	1606 092 809 N MADEIRA ST
1587 035 2017 E EAGER ST	1606 093 807 N MADEIRA ST
1587 036 2019 E EAGER ST	1606 094 805 N MADEIRA ST
1587 037 2021 E EAGER ST	1606 095 803 N MADEIRA ST
1587 038 2027 E EAGER ST	1606 096 801 N MADEIRA ST

EXHIBIT 2

**MAP OF DEVELOPMENT DISTRICT
with Area A and Area B Subdistricts**

EDITOR'S NOTE

The map in this Ordinance is not reproduced here. It may be viewed in a copy of the Ordinance itself.

Approved November 8, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-538
(Council Bill 07-786)**

AN ORDINANCE CONCERNING

East Baltimore Research Park - Special Obligation Bonds

FOR the purpose of providing for the issuance of special obligation bonds in an amount not exceeding \$85,000,000 for the purpose of financing and of refinancing the acquisition of property, the relocation of businesses and/or residents, site removal, and certain public improvements; providing for the method and sources of payment for these special obligation bonds; authorizing the Board of Finance to specify, prescribe, determine, provide for, and approve the details, forms, documents, or procedures in connection with the special obligation bonds and any other matters necessary or desirable in connection with the authorization, issuance, sale, and payment of these special obligation bonds; providing that the City, in each fiscal year in which any bonds are outstanding, use its best efforts to obtain the appropriation of the Tax Increment Revenues, the Special Tax Revenues, and the Enterprise Zone Tax Credit Revenues (as such terms are defined herein) in the amounts and at the times specified in a trust agreement or agreements between the City and a bank or trust company appointed as trustee thereunder; providing for a special effective date; and generally relating to the issuance and payment of special obligation bonds.

BY authority of
Article II - General Powers
Sections (50), (62) and (62A)
Baltimore City Charter
(1996 Edition)

Recitals

Article II, Section (62) of the Baltimore City Charter (the "Tax Increment Act") authorizes the Mayor and City Council of Baltimore to establish a "development district" (as defined in the Tax Increment Act) and a special tax increment fund into which the revenues and receipts from the real property taxes representing the levy and on the "tax increment" (as defined in the Tax Increment Act) for the development district are deposited, for the purpose of providing funds for the development of the development district.

Article II, Section (62A) of the Baltimore City Charter (the “Special Taxing District Act”) authorizes the City to establish a “special taxing district” (as defined in the Special Taxing District Act) and a special fund into which the special taxes levied and collected in the special taxing district are deposited, for the purpose of providing financing, refinancing, or reimbursement for the cost of infrastructure improvements.

Article II, Section (50) of the Baltimore City Charter authorizes the City to borrow money through the issuance and sale of its bonds, notes or other obligations (including refunding bonds, notes or other obligations) for the accomplishment of any of the purposes, objects and powers of the City and further provides that a trust agreement related to any bonds, notes or other obligations may pledge the revenues from or arising in connection with property, facilities, developments and improvements whose financing is undertaken by the bonds, notes or other obligations.

Pursuant to Ordinance 04-693 (as hereinafter defined), the City has:

- (i) designated the East Baltimore Research Park Development District (the “Phase I Development District”) and created the East Baltimore Research Park Development District Tax Increment Fund (the “Phase I Tax Increment Fund”);
- (ii) provided that until bonds or notes issued with respect to the Phase I Development District have been fully paid, the property taxes on real property in the Phase I Development District shall be divided as provided in the Tax Increment Act;
- (iii) provided that the use of money within the Phase I Tax Increment Fund must be approved by appropriate action of or determination by the Mayor and City Council, which action may generally specify the purpose for the monies and the maximum amount for that purpose without specifying actual amounts to be applied; and
- (iv) set forth certain uses and restrictions on the funds within the Phase I Tax Increment Fund.

Pursuant to an Ordinance enacted prior to or simultaneously with this Ordinance (the “Phase II Development District Ordinance”), the City has:

- (i) designated the East Baltimore Research Park Phase II Development District (the “Phase II Development District”), and within the Phase II Development District, the Area A Subdistrict (the “Area A Subdistrict”) and the Area B Subdistrict (the “Area B Subdistrict”);
- (ii) created the East Baltimore Research Park Phase II Development District Tax Increment Fund (the “Phase II Tax Increment Fund”), and within the Phase II Tax Increment Fund, the Area A Subaccount (the “Area A Subaccount”) and the Area B Subaccount (the “Area B Subaccount”);
- (iii) provided that until any bonds issued with respect to the Phase II Development District have been fully paid, the property taxes on real property in the Area A Subdistrict and the Area B Subdistrict, as applicable, shall be divided as provided in the Tax Increment Act; and
- (iv) made other findings and determinations with respect to the Phase II Development District.

Pursuant to an Ordinance enacted prior to or simultaneously with this Ordinance (the “Special Taxing District Ordinance”), the City has:

- (i) designated the East Baltimore Research Park Special Taxing District (the “Special Taxing District”);

- (ii) created the East Baltimore Research Park Special Taxing District Special Fund;
- (iii) authorized the levy and collection of a special tax on all real property within the Special Taxing District; and
- (iv) made certain other findings and determinations with respect to the Special Taxing District.

The Tax Increment Act authorizes the City, subject to certain requirements, to issue bonds for the purpose of financing and refinancing the development of an industrial, commercial, or residential area in Baltimore City.

The Special Taxing District Act authorizes the City, subject to certain requirements, to issue bonds for the purpose of providing financing, refinancing, and reimbursement for the costs of infrastructure improvements.

The City wishes to authorize the issuance of special obligation bonds to provide funds for the Project (as hereinafter defined) in the Phase I Development District and the Phase II Development District.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That for the purposes of this Ordinance, the following terms have the meanings indicated:

- (a) “Acts” means the Tax Increment Act and the Special Taxing District Act.
- (b) “Area A Subdistrict” means the Area A Subdistrict established by the Phase II Ordinance.
- (c) “Area B Subdistrict” means the Area B Subdistrict established by the Phase II Ordinance.
- (d) “Area A Subaccount” means the Area A Subaccount within the Phase II Tax Increment Fund established by the Phase II Ordinance.
- (e) “Area B Subaccount” means the Area B Subaccount within the Phase II Tax Increment Fund established by the Phase II Ordinance.
- (f) “Bond” or “Bonds” means one or more series or issues of bonds, notes, or other similar instruments issued by the Mayor and City Council of Baltimore under the Acts payable from the Tax Increment Revenues and the Special Tax Revenues, including without limitation, the bonds authorized by this Ordinance.
- (g) “City expenses” means:
 - (1) the fees and expenses of any fiscal agent or trustee employed by the City in connection with the bonds;
 - (2) the expenses of the City in carrying out its duties under any indenture, including:
 - (i) the expenses incurred in levying and collecting the Special Tax;
 - (ii) the expenses incurred in complying with arbitrage rebate requirements and obligated person disclosure requirements associated with applicable federal and state securities law, including the costs of any employees of the City and fees of any professionals retained by the City to provide these services; and

- (iii) all other costs and expenses of the City and the trustee incurred in connection with the discharge of their duties under any indenture, including legal expenses associated with those duties, and in any way related to the administration of the Special Taxing District.
- (h) "Enterprise Zone Tax Credit Revenues" means the amounts collected by the City from the State of Maryland under Maryland Annotated Code, Tax-Property Article, § 9-103, as the monies relate to properties within the Phase I Development District and the Phase II Development District.
- (i) "Includes" or "including" means by way of illustration and not by way of limitation.
- (j) "Indenture" or "indentures" means the indenture or indentures, as applicable, under which any bonds are issued.
- (k) "Ordinance 04-693" means Ordinance 04-693, passed by the City Council on June 14, 2004, and signed by the Mayor on June 23, 2004.
- (l) "Phase I Development District" means the East Baltimore Research Park Development District established by Ordinance 04-693.
- (m) "Phase I Tax Increment Fund" means the East Baltimore Research Park Development District Tax Increment Fund established by Ordinance 04-693, including any accounts created therein.
- (n) "Phase I Tax Increment Revenues" means the revenues and receipts from the taxes representing the levy on the Tax Increment for the Phase I Development District that would normally be paid to the City, including amounts deposited in the Phase I Tax Increment Fund or any other fund into which all or any part of these revenues and receipts are deposited after they are appropriated by the Mayor and City Council of Baltimore.
- (o) "Phase II Development District" means the East Baltimore Research Park Phase II Development District established by the Phase II Ordinance.
- (p) "Phase II Ordinance" means the Ordinance of the Mayor and City Council enacted prior to or simultaneously with this Ordinance establishing the East Baltimore Research Park Phase II Development District.
- (q) "Phase II Tax Increment Fund" means the East Baltimore Research Park Phase II Development District Tax Increment Fund established by the Phase II Ordinance.
- (r) "Phase II Tax Increment Revenues" means the revenues and receipts from the taxes representing the levy on the Tax Increment for the Phase II Development District that would normally be paid to the City, including amounts deposited in the Phase II Tax Increment Fund or any other fund into which all or any part of these revenues and receipts are deposited after they are appropriated by the Mayor and City Council of Baltimore.
- (s) "Project" means the following improvements and activities that are completed in accordance with all City approvals:
 - (1) the relocation of businesses or residents;
 - (2) site removal, including demolition and site preparation;
 - (3) the acquisition of land and other property by purchase, lease, or condemnation;

- (4) the design, construction, reconstruction, renovation, and development of buildings that provide units of affordable housing and condemning or otherwise acquiring structures, real or personal property, rights, rights-of-way, franchises, easements, and interests in furtherance of this purpose;
 - (5) the design, construction, reconstruction, renovation, and development of building, structure, or improvements that constitute a school, library, park or recreational facility, or buildings devoted to a governmental use or purpose and condemning or otherwise acquiring any real or personal property, rights, rights-of-way, franchises, easements, and interests in furtherance of this purpose; and
 - (6) the acquisition, construction, renovation, and development of other related public improvements and the financing or refinancing of any related costs that are necessary for the completion of the foregoing for its intended public purposes.
- (t) "Rate and Method" means the Rate and Method of Apportionment of the Special Taxes attached to the Special Taxing District Ordinance as Exhibit 2.
 - (u) "Special Tax" means the special tax authorized to be levied and collected in the Special Taxing District by the Special Taxing District Ordinance.
 - (v) "Special Tax Fund" means the East Baltimore Research Park Phase I Special Tax Fund.
 - (w) "Special Tax Revenues" means the revenues and receipts from the Special Tax, including amounts deposited in the Special Tax Fund and any other fund into which all or any of these revenues and receipts are deposited after they are appropriated by the Mayor and City Council of Baltimore.
 - (x) "Special Taxing District" means the East Baltimore Research Park Special Taxing District.
 - (y) "Special Taxing District Act" means Article II, Chapter (62A) of the Baltimore City Charter.
 - (z) "Special Taxing District Ordinance" means the Ordinance of the Mayor and City Council designating the Special Taxing District.
 - (aa) "Tax Increment" means for any tax year, the amount by which the assessable base (as defined in the applicable Tax Increment Ordinances) as of January 1 preceding that tax year exceeds the original taxable value (as defined in the applicable Tax Increment Ordinances), divided by the assessment ratio (as defined in the applicable Tax Increment Ordinances) used to determine the original taxable value.
 - (bb) "Tax Increment Act" means Article II, Chapter (62) of the Baltimore City Charter.
 - (cc) "Tax Increment Ordinances" means, collectively, the Ordinance 04-693 and the Phase II Ordinance.
 - (dd) "Tax Increment Revenues" means, collectively, the Phase I Tax Increment Revenues and the Phase II Tax Increment Revenues.
 - (ee) "Tax year" means the period from July 1 of a calendar year through June 30 of the next calendar year.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore finds and determines that the issuance of bonds from time to time for the purpose of providing funds to finance and refinance the costs of the Project:

- (1) accomplishes the purposes of the Acts;
- (2) serves public purposes, including but not limited to the direct and indirect enhancement of the taxable base of the City, the creation of new employment opportunities, the encouragement of additional economic activities, the development or redevelopment of slum, blighted or deteriorated areas, the undertaking of urban renewal projects, the facilitation of planned improvements to the East Baltimore area, and the furtherance of economic development conducted pursuant to comprehensive plans; and
- (3) generally promotes the health, welfare, and safety of the residents of the State of Maryland and of the City of Baltimore.

SECTION 3. AND BE IT FURTHER ORDAINED, That:

- (a) Bonds may be issued pursuant to the provisions of an indenture or indentures, at any time and from time to time, and in one or more issues or series and as one or more instruments in an aggregate principal amount not to exceed \$85,000,000, which may include one or more bonds or notes to be delivered to East Baltimore Development, Inc., to finance or refinance costs associated with the Project. Each issue or series of the bonds shall be identified by the year of issue or by other designation.
- (b) The proceeds of the bonds may be utilized solely for the following purposes, as the Board of Finance determines under Section 9 of this Ordinance:
 - (1) to finance and refinance all or part of the costs of the Project;
 - (2) to establish one or more debt service reserve funds for the bonds;
 - (3) to fund capitalized interest on the bonds; and
 - (4) to pay costs and expenses of issuing the bonds.

SECTION 4. AND BE IT FURTHER ORDAINED, That:

- (a) The Tax Increment Revenues are pledged to the payment of the principal of and interest on the bonds. However, the Tax Increment Revenues are not irrevocably pledged to the payment of the principal of and interest on the bonds and the obligation to pay the principal of and interest on the bonds from the Tax Increment Revenues is subject to annual appropriation by the City.
- (b) The Enterprise Zone Tax Credit Revenues are pledged to the payment of the principal of and interest on the bonds. However, the Enterprise Zone Tax Credit Revenues are not irrevocably pledged to the payment of the principal of and interest on the bonds and the obligation to pay the principal of and interest on the bonds from the Enterprise Zone Tax Credit Revenues is subject to annual appropriation by the City.
- (c) The Tax Increment Revenues and Enterprise Zone Tax Credit Revenues may also be pledged by the City to the payment of additional bonds issued by the City under the Acts relating to the Phase I Development District and the Phase II Development District, subject to the provisions of any indenture or indentures.

- (d) If any bonds remain outstanding, the Phase I Tax Increment Revenues may not be used for the purposes set forth in Section 8 of Ordinance 04-693 and the Phase II Tax Increment Revenues may not be used for the purposes set forth in Section 6 of the Phase II Tax Increment Ordinance unless the aggregate amount in the Phase I Tax Increment Fund and the Phase II Tax Increment Fund exceeds:
 - (1) the debt service payable in that fiscal year on the outstanding bonds and any debt service payable on the bonds in any prior fiscal year that remains unpaid;
 - (2) the amount required to replenish any debt service reserve fund or funds established for the bonds; and
 - (3) the amount of City expenses due and payable and to become due and payable in that fiscal year.

SECTION 5. AND BE IT FURTHER ORDAINED, That:

- (a) Provision may be made for municipal bond insurance or any other type of financial guaranty of the bonds.
- (b) The bonds may be secured, as the Board of Finance determines under Section 9 of this Ordinance, through:
 - (1) the establishment of one or more debt service reserve funds;
 - (2) the establishment of additional sinking funds; or
 - (3) the pledge of other assets and revenues toward the payment of the principal and interest on the bonds.
- (c) The bonds are special obligations of the City. They do not constitute a general obligation debt of the City or a pledge of the City's full faith and credit or taxing power.

SECTION 6. AND BE IT FURTHER ORDAINED, That the bonds shall be payable from (a) capitalized interest and any other available amount in the funds and accounts created by the indenture or indentures, (b) the Tax Increment Revenues, subject to annual appropriation by the City; (c) the Enterprise Zone Tax Credit Revenues made available by the City for such purposes, subject to annual appropriation by the City; and (d) to the extent that the Tax Increment Revenues from the Area A Subdistrict and the Enterprise Zone Tax Credit Revenues are not sufficient to pay debt service on the bonds, to replenish any debt service fund or funds for the bonds, and to pay City expenses, from the Special Tax Revenues levied and collected in accordance with the Rate and Method and subject to annual appropriation by the City.

SECTION 7. AND BE IT FURTHER ORDAINED, That:

- (a) The City covenants to levy and collect the Special Tax in accordance with the Rate and Method and up to the maximum Special Tax provided in the Rate and Method. The Special Tax also may be levied and collected with respect to any refunding bonds issued under the Special Taxing District Act without notice to or the consent of the property owners in the Special Taxing District as provided in any indenture.
- (b) The amount of the Special Tax required to be levied and collected in any tax year to provide for the payment of City expenses may be reduced to the extent that amounts held under any

indenture, or amounts otherwise made available to the City, are available for the payment of City expenses in that tax year.

- (c) The Special Tax Revenues are pledged to the payment of the principal of and interest on the bonds. However, the Special Tax Revenues are not irrevocably pledged to the payment of the principal of and interest on the bonds, and the obligation to pay the principal of and interest on the bonds from the Special Tax Revenues is subject to annual appropriation by the City.

SECTION 8. AND BE IT FURTHER ORDAINED, That:

- (a) The bonds shall be executed in the name of the City and on its behalf by the Mayor, by manual or facsimile signature. The corporate seal of the City or a facsimile of it shall be impressed or otherwise reproduced on the bonds and attested by the Custodian or Alternate Custodian of the City Seal by manual or facsimile signature.
- (b) Each of the following documents shall be executed in the name of the City and on its behalf by the Mayor or Director of Finance, by manual signature and, if necessary, the corporate seal of the City or a facsimile of it shall be impressed or otherwise reproduced on the documents and attested by the Custodian or Alternate Custodian of the City Seal, by manual signature:
 - (1) an indenture or indentures to be entered into between the City and a trustee to be selected;
 - (2) the development agreement(s) to be entered into among the City, any other governmental entity, if necessary, and the developer(s) or any other party overseeing the development of the Project; and
 - (3) any other documents the Board of Finance considers necessary for the issuance, sale and delivery of the bonds.
- (c) If any officer whose signature or countersignature or a facsimile of whose signature or countersignature appears on the bonds or any other document ceases to be an officer before the delivery of the bonds or any other document, the signature or countersignature or the facsimile shall nevertheless be valid and sufficient for all purposes, as if the officer had remained in office until delivery.
- (d) The Mayor, the Director of Finance, the Custodian of the City Seal, the Alternate Custodian of the City Seal, and other officials of the City are authorized and empowered to do all acts and things and execute all documents and certificates as the Board of Finance determines to be necessary to carry out the provisions of this Ordinance, subject to the limitations set forth in the Acts, the Tax Increment Ordinances, the Special Taxing District Ordinance, and this Ordinance.

SECTION 9. AND BE IT FURTHER ORDAINED, That the Board of Finance shall specify and prescribe by resolution any of the following as it deems appropriate to finance and refinance the Project:

- (1) the principal amount of the bonds to be issued;
- (2) the rate or rates of interest the bonds are to bear or the method for determining the same;
- (3) the manner in which and the terms upon which the bonds are to be sold;
- (4) the manner in which and the times and places that the interest on the bonds is to be paid;
- (5) the time or times that the bonds may be executed, issued, and delivered;

- (6) the form and tenor of the bonds and the denominations in which the bonds may be issued;
- (7) the manner in which and the times and places that the principal of the bonds is to be paid, within the limitations set forth in the Acts;
- (8) provisions pursuant to which any or all of the bonds may be called for redemption prior to their stated maturity dates;
- (9) the terms and provisions of any indenture, development agreement(s) or other documents to be executed by or on behalf of the City and any person in connection with the issuance of the bonds, including, provisions providing for additional security for the bonds;
- (10) provisions establishing sinking funds or debt service reserve funds for the bonds;
- (11) provisions regarding the amounts of the Tax Increment Revenues, the Enterprise Zone Tax Credit Revenues, and the Special Tax Revenues pledged to pay the debt service on the bonds, to replenish any debt service fund or funds for the bonds, and to pay City expenses and the priority or order in which such amounts shall be used to pay such debt service on the bonds, replenish any debt service fund or funds for the bonds, and pay City expenses;
- (12) provisions pledging other assets and revenues towards the payment of the principal of and interest on the bonds;
- (13) provision for municipal bond insurance or any other type of financial guaranty of the bonds;
- (14) whether the interest on the bonds may be or may not be excludable from gross income for federal income tax purposes; and
- (15) any other provisions not inconsistent with the Charter (including the Acts), the Tax Increment Ordinances, the Special Taxing District Ordinance, this Ordinance, and other applicable law as the Board of Finance determines to be necessary or desirable to finance and refinance costs of the Project.

SECTION 10. AND BE IT FURTHER ORDAINED, That:

- (a) Before the bonds are issued, the Director of Finance shall record among the Land Records of the City, at the cost of the Special Taxing District, a declaration that:
 - (1) encumbers all real property located in the Special Taxing District, except for property exempt by law or the Special Taxing District Ordinance; and
 - (2) designates that property as subject to the Special Taxing District.
- (b) The declaration shall terminate when the Director of Finance records a release stating that all bonds are fully repaid or have been defeased.

SECTION 11. AND BE IT FURTHER ORDAINED, That:

- (a) This Section 11 applies to bonds issued and sold on the basis that the interest on the bonds will be excludable from gross income for federal income tax purposes. Notwithstanding anything in this Ordinance to the contrary, bonds may be issued and sold on the basis that the interest on them will not be excludable from gross income for federal income tax purposes.

- (b) The City covenants that it will take, or refrain from taking, any and all actions necessary to comply with the provisions of § 103 and §§ 141 through 150, inclusive, of the Internal Revenue Code of 1986, as amended, applicable to the bonds in order to preserve the status of the interest on the bonds as excluded from gross income for federal income tax purposes.
- (c) Without limiting the generality of subsection (b), the City:
 - (1) will not use or permit the use of any of the proceeds of the bonds in any manner that would cause the interest on the bonds to be included in gross income for federal income tax purposes;
 - (2) periodically will determine the rebate amount and timely pay any rebate amount or installment of any rebate amount, to the United States of America; and
 - (3) will prepare and timely file Internal Revenue Service Form 8038-G, Information Return for Tax-Exempt Governmental Obligations, or any successor or additional form required by the Internal Revenue Service.
- (d) The Director of Finance may prepare, execute and deliver:
 - (1) a tax regulatory agreement and no arbitrage certificate with respect to the bonds, in the form the Director of Finance approves; and
 - (2) any other documents the Director of Finance considers necessary to assure the owners of the bonds that interest on the bonds will be and remain excludable from gross income for federal income tax purposes.

SECTION 12. AND BE IT FURTHER ORDAINED, That any approvals, authorizations, or activities provided in this Ordinance do not constitute and may not be deemed to constitute or imply that the City Council, the Mayor, or any department, office or agency of the City has given or will give, any approval, authorization or consent to any action or activity within or required for the development of the Special Taxing District, the Phase I Development District, and the Phase II Development District, including any land use approval, requirements for the provision of public utilities or services, or any other administrative, judicial, quasi-judicial, or legislative approval, authorization or consent.

SECTION 13. AND BE IT FURTHER ORDAINED, That the provisions of this Ordinance concerning the application of the Tax Increment Revenues in the Phase I Tax Increment Fund shall constitute an action by or determination of the Mayor and City Council in satisfaction of any requirement of Ordinance 04-693.

SECTION 14. AND BE IT FURTHER ORDAINED, That the provisions of this Ordinance are severable. If any provision, sentence, clause, section or other part of this Ordinance is held or determined to be illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, that illegality, invalidity, unconstitutionality, or inapplicability does not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance or their application to other persons or circumstances. It is the intent of the Mayor and City Council that this Ordinance would have been passed even if the illegal, invalid, unconstitutional, or inapplicable provision, sentence, clause, section, or other part had not been included in this Ordinance, and as if the person or circumstances to which this Ordinance or part are inapplicable had been specifically exempted.

SECTION 15. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 8, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-539
(Council Bill 07-814)**

AN ORDINANCE CONCERNING

**~~Bond~~ General Fund Capital Appropriation Transfer –
~~Baltimore City Public Schools~~ Mayorality-Related (Account #9904-129-086) to
The Department of Housing and Community Development (Account #9910-587-037) – \$1,500,000**

FOR the purpose of transferring a ~~Bond~~ General Fund Capital Appropriation in the amount of \$1,500,000 from the ~~Baltimore City Public Schools~~ Mayorality-Related (Account #9904-129-086) to the Department of Housing and Community Development (Account #9910-587-037); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 9(a)(2)
Baltimore City Charter
(1996 Edition)

Recitals

Article VI, § 9(a)(2) of the City Charter provides that, on recommendation of the Board of Estimates, the City Council by ordinance may authorize the transfer of an appropriation contained in the Ordinance of Estimates from one municipal agency to another municipal agency.

On September 26, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the sum of \$1,500,000, contained in the Fiscal 2006 Ordinance of Estimates as a ~~Bond~~ General Fund Capital Appropriation, is transferred from the ~~Baltimore City Public Schools~~ Mayorality-Related (Account #9904-129-086) to the Department of Housing and Community Development (Account #9910-587-037).

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 8, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-540
(Council Bill 07-819)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Miscellaneous General Expenses – \$301,696**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$301,696 to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses), to provide funding for After School Programs; and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2007 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On September 26, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$301,696 shall be made available to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2008, to provide funding for After School Programs. The source of revenue for this appropriation is funds from the Fiscal 2007 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 8, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-541
(Council Bill 07-820)**

AN ORDINANCE CONCERNING

Supplementary General Fund Operating Appropriation – MR-Miscellaneous General Expenses – \$70,000

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$70,000 to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses), to provide funding for Baltimore Partners for Enhanced Learning; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2007 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On September 26, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$70,000 shall be made available to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2008, to provide funding for Baltimore Partners for Enhanced Learning. The source of revenue for this appropriation is funds from the Fiscal 2007 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 8, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-542
(Council Bill 07-824)**

AN ORDINANCE CONCERNING

Supplementary General Fund Capital Appropriation – Recreation and Parks – \$1,000,000

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$1,000,000 to the Department of Recreation and Parks (Account #9938-475-752), to provide funding for various parks improvements in City parks; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the FY 2007 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On September 26, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$1,000,000 shall be made available to the Department of Recreation and Parks (Account #9938-475-752) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2008, to provide funding for various parks improvements in City parks. The source of revenue for this appropriation is funds from the Fiscal 2007 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 8, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-543
(Council Bill 07-817)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Miscellaneous General Expenses – \$300,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$300,000 to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses), to provide funding for Dr. Bob's Pediatric Hospice; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Waterview Settlement Proceeds in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On September 26, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$300,000 shall be made available to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2008, to provide funding for Dr. Bob’s Pediatric Hospice. The source of revenue for this appropriation is funds from the Waterview Settlement Proceeds in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 8, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-544
(Council Bill 07-818)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Department of Legislative Reference – \$65,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$65,000 to the Department of Legislative Reference – Program 107 (Archives and Records Management), to provide funding for the Consultant Study - Archives; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2007 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2008 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2008 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On September 26, 2007, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$65,000 shall be made available to the Department of Legislative Reference – Program 107 (Archives and Records Management) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2008, to provide funding for the Consultant Study - Archives. The source of revenue for this appropriation is funds from the Fiscal 2007 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2008.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 8, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-545
(Council Bill 07-769)**

AN ORDINANCE CONCERNING

**Urban Renewal – Washington Village Urban Renewal Area –
Amendment 6**

FOR the purpose of amending the Urban Renewal Plan for the Washington Village Urban Renewal Area to amend Exhibits 1 and 4 to reflect the change in zoning, upon approval by separate ~~ordinance~~ ordinances, for a portion of 1100 James Street and for 1425 Ostend Street; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

BY authority of

Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

Recitals

The Urban Renewal Plan for the Washington Village Urban Renewal Area was originally approved by the Mayor and City Council of Baltimore by Ordinance 79-1128 and last amended by Ordinance 06-199.

An amendment to the Urban Renewal Plan for the Washington Village Urban Renewal Area is necessary to amend Exhibits 1 and 4 of the Urban Renewal Plan, to reflect the change in zoning for a portion of 1100 James Street and for 1425 Ostend Street, upon approval by separate ~~ordinance~~ ordinances.

Under Article 13, § 2-6 of the Baltimore City Code, no substantial change may be made in any approved renewal plan unless the change is approved in the same manner as that required for the approval of a renewal plan.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following changes in the Urban Renewal Plan for the Washington Village Urban Renewal Area are approved:

- (1) Upon approval of razoring by separate ordinance, for a portion of the property known as 1100 James Street, amend Exhibit 1, "Land Use Plan", to reflect the change in zoning from Institutional to Residential.
- (2) Upon approval of razoring by separate ordinance, amend Exhibit 4, "Zoning Districts", to reflect the change of zoning for a portion of the property known as 1100 James Street, from the B-2-2 Zoning District to the R-8 Zoning District.
- (3) Upon approval of razoring by separate ordinance, for the property known as 1425 Ostend Street, amend Exhibit 1, "Land Use Plan", to reflect the change in zoning from Industrial to Residential.
- (4) Upon approval of razoring by separate ordinance, amend Exhibit 4, "Zoning Districts", to reflect the change of zoning for the property known as 1425 Ostend Street, from the M-2-2 Zoning District to the R-8 Zoning District.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for the Washington Village Urban Renewal Area, as amended by this Ordinance and identified as "Urban Renewal Plan, Washington Village Urban Renewal Area, revised to include Amendment 6, dated August 13, 2007", is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record, available for public inspection and information.

SECTION 3. AND BE IT FURTHER ORDAINED, That if the amended Urban Renewal Plan approved by this Ordinance in any way fails to meet the statutory requirements for the content of a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal plan, those requirements are waived and the amended Urban Renewal Plan approved by this Ordinance is exempted from them.

SECTION 4. AND BE IT FURTHER ORDAINED, That if any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid for any reason, the invalidity does not affect any other provision or any other application of this Ordinance, and for this purpose the provisions of this Ordinance are declared severable.

SECTION 5. AND BE IT FURTHER ORDAINED, That if a provision of this Ordinance concerns the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or safety law or regulation, the applicable provisions shall be construed to give effect to each. However, if the provisions are found to be in irreconcilable conflict, the one that establishes the higher standard for the protection of the public health and safety prevails. If a provision of this Ordinance is found to be in conflict with an existing provision of any other law or regulation that establishes a lower standard for the protection of the public health and safety, the provision of this Ordinance prevails and the other conflicting provision is repealed to the extent of the conflict.

SECTION 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 8, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-546
(Council Bill 07-802)**

AN ORDINANCE CONCERNING

State Related Economic Development Projects

FOR the purpose of authorizing and providing for negotiated payments in lieu of taxes (“PILOTs”) in connection with multi-use projects that combine at least 150 units of newly constructed residential housing, a parking structure containing at least 1000 parking spaces, and attendant retail space (collectively referred to as a “State Related Economic Development Project(s)”) constructed on land owned by the State of Maryland; authorizing the Mayor and City Council of Baltimore to enter into all arrangements necessary to effectuate PILOTs for such State Related Economic Development Projects, by any and all necessary and proper means; making certain legislative findings concerning the public benefits of this Ordinance; providing that the assessment of the property shall be carried on the assessment books as though the property were taxable for the purposes of determining the amount of any State aid that is based on the assessable base of the City; authorizing the Board of Estimates to approve the final terms of the PILOT Agreements; and providing for a special effective date.

BY authority of
Article - Tax - Property
Section 7-501(b)
Annotated Code of Maryland
(2001 Replacement Volume)

Recitals

Section 7-501 of the Tax Property Article of the Annotated Code of Maryland (the “Enabling Law”) authorizes the Mayor and City Council of Baltimore (the “City”) to exempt from municipal property tax in the City and to accept a negotiated payment in lieu of the taxes on property owned by the State that is leased or otherwise made available to any person or business that is conducted for profit. The Enabling Law requires that the assessment of the property be included in the assessable base of the City to determine the amount of any State aid that is based on the assessable base of the City.

The City desires to encourage the development of State Related Economic Development Projects within the environs of the City to foster and stimulate economic growth. To accomplish this, the City desires the ability to offer a PILOT to prospective developers, lessees, sublessees, and transferees of State Related Economic Development Projects.

Authorizing the use of a PILOT in connection with or as part of a lease of land for State Related Economic Development Projects owned by the State of Maryland is in the best interest of the City and will achieve significant public benefits and purposes, including (i) the addition of properties to the tax rolls of the City and the resulting increase in tax revenues for the City, (ii) the encouragement of the economic development of the City, including the use of resources, ingenuity, and entrepreneurial talents of the private sector to develop State Related Economic Development Projects, (iii) the creation of job opportunities and the retention of existing jobs, (iv) the general promotion and improvement of the City and its facilities in order to foster and maintain the City and the image of the City as a healthy environment for the growth of business and industry, and (v) the continuous economic well-being of its residents, both individual and corporate, thereby further encouraging the health, welfare, and safety of the citizens of the State of Maryland and of the City.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council finds and determines that:

- (1) There is a need for multi-use projects that combine at least 150 units of newly constructed residential housing, a parking structure containing at least 1000 parking spaces, and attendant retail space in the City to provide additional housing and other facilities in the City and to achieve significant public benefits and purposes.
- (2) The authorization by the Board of Estimates of the City to approve a PILOT in connection with or as part of a PILOT Agreement entered into on or after July 1, 1998, for State Related Economic Development Projects on land owned by the State of Maryland and leased to any person who uses the property in connection with a business that is conducted for a profit will substantially aid in achieving and encouraging economic development in the City and other significant public benefits and purposes.

SECTION 2. AND BE IT FURTHER ORDAINED, That, acting pursuant to the Enabling Law and subject to this Ordinance, the City is authorized to exempt from municipal taxation State Related Economic Development Projects within the City that are on land owned by the State of Maryland, on or after July 1, 1998, that are leased or otherwise made available to any person or entity who uses the property in connection with a business that is conducted for profit and who is authorized to accept a PILOT in accordance with the terms and conditions of an agreement (the "PILOT Agreement") approved by the Board of Estimates. The assessment of the State Related Economic Development Projects, however, shall be included in the assessable base of the City to determine the amount of any State aid that is based on the assessable base of the City.

SECTION 3. AND BE IT FURTHER ORDAINED, That the City may grant an exemption and is authorized to negotiate a PILOT Agreement under this Ordinance for any property owned by the State of Maryland for use as a State Related Economic Development Project within the environs of the City.

SECTION 4. AND BE IT FURTHER ORDAINED, That, for purposes of this Ordinance, "property owned by the State of Maryland" means any ownership interest held by the State of Maryland in the applicable real property, including legal title to property, whether in fee or as a leasehold interest, and whether or not subject to a ground lease.

SECTION 5. AND BE IT FURTHER ORDAINED, That, for purposes of this Ordinance, the term State Related Economic Development Project must be constructed on property owned by the State, or to be constructed, for use and operation as a State Related Economic Development Project, that has a minimum investment of \$2,500,000 in private capital.

SECTION 6. AND BE IT FURTHER ORDAINED, That any PILOT Agreement shall contain the terms and conditions that the Board of Estimates deems reasonable and necessary to accomplish the purpose of the Ordinance, taking into account the specific needs of the State Related Economic Development Project, including at least the minimum provisions required by law for minority and women participation in this State Related Economic Development Project.

SECTION 7. AND BE IT FURTHER ORDAINED, That the final terms of any PILOT Agreement affecting any State Related Economic Development Project and the final form of all documents drafted in connection with it are subject to the approval of the Board of Estimates and shall include:

- (1) The PILOT Agreement shall be for a period of not more than 20 years after its effective date.
- (2) During the term of the PILOT, a percentage of the incremental taxes based on the increase in the assessment due to the construction of the State Related Economic Development Project as such assessment may increase from time to time (the "Incremental Taxes"), which percentage shall not

be less than 5% and may include the payment of a lump sum on an annual basis as determined by the Board of Estimates.

SECTION 8. AND BE IT FURTHER ORDAINED, That the provisions of this Ordinance are severable. If any provision, sentence, clause, section, or part is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability does not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance or its application to other persons or circumstances. It is declared to be the legislative intent that this Ordinance would have been adopted, if that illegal, invalid, or unconstitutional provision, sentence, clause, section, or part had not been included.

SECTION 9. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 19, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-547
(Council Bill 06-535)**

AN ORDINANCE CONCERNING

Mt. Royal Terrace-Reservoir Hill Historic and Architectural District

FOR the purpose of enlarging the boundaries of the Mt. Royal Terrace-Reservoir Hill Historical and Architectural District.

BY repealing and reordaining, with amendments
Article 6 - Historical and Architectural Preservation
Section(s) 7-7
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 6. Historical and Architectural Preservation

Subtitle 7. Preservation Districts

§ 7-7. Mt. Royal Terrace-Reservoir Hill District.

The parcel of land located within the boundaries set forth in this section is hereby declared to be within the Mt. Royal Terrace-Reservoir Hill Historical and Architectural District:

Beginning for the same at the point formed by the intersection of the northeast face of the southwest concrete curb of Mt. Royal Terrace and the north side of North Avenue, varying in width, and running thence binding on the north side of said North Avenue, Westerly 325 feet, more or less, to intersect the northeast side of a 16 foot alley, there situate; thence binding on the northeast side of

said 16 foot alley, Northwesterly 155 feet, more or less, to intersect the northeast side of an alley of varying width, there situate; thence binding on the northeast side of last said alley, Northwesterly 16 feet, more or less, to intersect the north side of a 20 foot alley, there situate; thence binding on the north side of last said alley, Westerly 43 feet, more or less, to intersect the northeast side of a 16 foot alley, there situate; thence binding on the northeast side of last said alley, Northwesterly 82 feet, more or less, to intersect the line of the north side of a 12 foot alley, there situate, if projected easterly; thence binding in part reversely on the line of the north side of last said alley, so projected, in part on the north side of last said alley, and in all, Westerly 184 feet more or less, to intersect the east side of a 10 foot alley, there situate; thence binding on the east side of last side alley, Northerly 100 feet, more or less, to intersect the south side of Lennox Street, 66 feet wide; thence by a straight line crossing said Lennox Street, Northerly 66 feet, more or less, to a point formed by the intersection of the north side of said Lennox Street and the east side of a 9 foot alley, there situate; thence binding on the east side of last said alley, Northerly 90 feet, more or less, to intersect the south side of a 10 foot alley, there situate; thence binding in part on the south side of last said alley, in part on the line of the south side of last said alley, if projected easterly, and in all, Easterly 95 feet, more or less, to intersect the east side of a 15 foot alley, there situate; thence binding on the east side of last said alley, Northerly 84 feet, more or less, to intersect the north side of a 15 foot alley, there situate, if projected easterly; thence binding in part reversely on the line of the north side of last said alley, so projected, in part on the line of the north side of last said alley, and in all, Westerly 93 feet, more or less, to intersect the east side of a 15 foot alley, there situate; thence binding on the east side of last said alley, Northerly 34 feet, more or less, to intersect the northeast side of a 12 foot alley, there situate; thence binding on the northeast side of last said alley, Northwesterly 32 feet, more or less, to intersect the east side of an 8.5 foot alley, there situate; thence binding in part on the east side of last said alley and in part on the east side of last said alley, if projected northerly, and in all, Northerly [144 feet, more or less, to intersect the north side of Reservoir Street, 66 feet wide; thence binding on the north side of said Reservoir Street, Westerly 118 feet, more or less, to intersect the northeast side of Park Avenue, 66 feet wide; thence binding on the northeast side of said Park Avenue, Northwesterly 233 feet, more or less, to intersect the southeast side of Park Avenue, varying from a width of 66 feet to a width of 120 feet; thence binding on the southeast side of last said Park Avenue, Northeasterly 52 feet, more or less, to intersect the northeast side of Park Avenue, 120 feet wide; thence binding on the northeast side of last said Park Avenue, Northwesterly 163 feet, more or less, to intersect the division line between No. 2033 Park Avenue and No. 2001 Park Avenue; thence binding in part on the last said division line and in part of the last said division line, if projected northeasterly, and in all, Northeasterly 161 feet, more or less, to intersect the northeast side of a 15 foot alley, there situate; thence binding on the northeast side of last said alley, Northwesterly 65 feet, more or less, to intersect the southeast side of Newington Avenue, 66 feet wide; thence by a straight line crossing said Newington Avenue, Northwesterly 66 feet more or less, to the point formed by the intersection of the northwest side of said Newington Avenue and the northeast side of a 15 foot alley laid out 135 feet southwest of last said Mt. Royal Terrace; thence binding on the northeast side of last said alley, Northwesterly 329] 111 FEET, MORE OR LESS, TO INTERSECT THE CENTERLINE OF RESERVOIR STREET, 66 FEET WIDE; THENCE BINDING ON THE CENTERLINE OF SAID RESERVOIR STREET, WESTERLY 341 FEET, MORE OR LESS, TO INTERSECT THE LINE OF THE CENTERLINE OF A 15 FOOT ALLEY, LAID OUT IN THE REAR OF THE PROPERTIES KNOWN AS NOS. 2000 THROUGH 2042 PARK AVENUE, IF PROJECTED SOUTHEASTERLY; THENCE BINDING IN PART REVERSELY ON THE LINE OF THE CENTERLINE OF SAID 15 FOOT ALLEY, SO PROJECTED, IN PART ON THE CENTERLINE OF SAID 15 FOOT ALLEY, AND IN ALL, NORTHWESTERLY 401 FEET, MORE OR LESS, TO INTERSECT THE CENTERLINE OF NEWINGTON AVENUE, 66 FEET WIDE; THENCE BINDING ON THE CENTERLINE OF SAID NEWINGTON AVENUE, NORTHEASTERLY 399 FEET, MORE OR LESS, TO INTERSECT THE LINE OF THE NORTHEAST SIDE OF A 15 FOOT ALLEY, LAID OUT 135 FEET SOUTHWEST OF LAST SAID MT. ROYAL TERRACE, IF PROJECTED SOUTHEASTERLY; THENCE BINDING IN PART REVERSELY ON THE LINE OF THE NORTHEAST SIDE OF SAID 15 FOOT ALLEY, SO PROJECTED, IN PART ON THE NORTHEAST SIDE OF LAST SAID ALLEY, AND IN ALL, NORTHWESTERLY 362 feet, more or less, to intersect the southeast side of Whitelock Street, 66 feet wide, thence by a straight line crossing said Whitelock Street, Northwesterly 66 feet, more or less, to the point formed

by the intersection of the northwest side of said Whitelock Street and the northeast side of a 15 foot alley laid out 135 feet southwest of last said Mt. Royal Terrace; thence binding on the northeast side of last said alley, Northwesterly 294 feet, more or less, to intersect the east side of Park Avenue, 120 feet wide; thence binding on the east side of last said Park Avenue, northerly 237 feet, more or less, to intersect the southwest side of last said Mt. Royal Terrace thence binding on the southwest side of last said Mt. Royal Terrace crossing said Whitelock Street, and said Newington Avenue the two following courses and distances; namely, Southeasterly 1606 feet, more or less, and Southerly 32 feet, more or less, to intersect the north side of said Reservoir Street; thence by a straight line crossing said Reservoir Street, Southeasterly 80 feet, more or less, to the point formed by the intersection of the south side of said Reservoir Street and the northeast face of the southwest concrete curb of Mt. Royal Terrace mentioned firstly herein and thence binding on the northeast and east face of the southwest and west concrete curb of Mt. Royal Terrace mentioned firstly herein, crossing said Lennox Street, in a generally southeasterly direction 840 feet, more or less, to the place of beginning.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved November 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-548
(Council Bill 06-536)**

AN ORDINANCE CONCERNING

**Urban Renewal – Carroll Camden –
Amendment 3**

FOR the purpose of amending the Urban Renewal Plan for Carroll Camden to revise the boundary description for the Project Area and to revise exhibits to reflect the changes in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

BY authority of

Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

Recitals

The Urban Renewal Plan for Carroll Camden was originally approved by the Mayor and City Council of Baltimore by Ordinance 02-296 and last amended by Ordinance 06-321.

An amendment to the Urban Renewal Plan for Carroll Camden is necessary to revise the boundary description for the Project Area and to revise exhibits to reflect the changes in the Plan.

Under Article 13, § 2-6 of the Baltimore City Code, no substantial change may be made in any approved renewal plan unless the change is approved in the same manner as that required for the approval of a renewal plan.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following changes in the Urban Renewal Plan for Carroll Camden are approved:

- (1) In Section A. Project Description of the Plan, amend the Boundary Description to read as follows:

Beginning for the same at a point formed by the intersection of the east side of South Eutaw Street and the south side of Camden Street; thence binding on the south side of said Camden Street westerly 750 feet, more or less, to the center line of Russell Street; thence binding on the center line of Russell Street southerly to a point formed by the intersection of Russell Street and the center line of Martin Luther King, Jr. Boulevard;

thence westerly along the centerline of Martin Luther King, Jr. Boulevard to a point formed by the west side of South Paca Street extended; thence binding on the west side of South Paca Street extended southwesterly to intersect the north side of West Ostend Street; thence binding on the north side of West Ostend Street northwesterly to intersect the west side of Scott Street northerly to intersect the northeastern boundary of Lot 62, Block 820; thence binding on the northeastern boundary of said Lot 62, Block 820 northwesterly to intersect the southeast side of Wicomico Street; thence binding on the southeast side of Wicomico Street northeasterly to intersect the extension of the southwest side of Foundry Court; thence binding on the extension of Foundry Court northwesterly to intersect the southeast side of the first 10-foot alley; thence binding on the southeast side of said alley southwesterly to intersect the northeast side of West Ostend Street; thence binding on the northeast side of West Ostend Street northwesterly to intersect the northwest side of Nanticoke Street; thence binding on the northwest side of Nanticoke Street southwesterly to intersect the southwest side of the first 15-foot alley between Block 789, Lot 31/32 and Block 789, Lot 70;

thence binding on the southwest side of said 15-foot alley northwesterly to intersect the southeast side of Cleveland Street; thence binding on the southeast side of Cleveland Street southwesterly to intersect the northeast side of Bayard Street; thence binding on the northeast side of Bayard Street northwesterly to intersect the northwest side of Carroll Street; thence binding on the northwest side of Carroll Street southwesterly to intersect the southwest side of Bush Street; thence binding on the southwest side of Bush Street northwesterly to intersect the northwest side of Washington Boulevard; thence binding on the northwest side of Washington Boulevard southwesterly to intersect the southwest side of South Monroe Street; thence binding on the southwest side of South Monroe Street westerly to intersect the northwest boundary of Lot 1A, Block 731; thence binding on the northwest boundary of Lot 1A, Block 731 southwesterly to intersect the southwest side of the B&O Railroad Right-of-Way; thence binding on the southwest side of the B&O Railroad northwesterly to the northwest side of Lot 1, Block 734; thence binding on the northwest side of Lot 1, Block 734 to intersect the southwest side of Lot 1, Block 734; thence binding on the southwest side of Lot 1, Block 734 to intersect the northwest side of Washington Boulevard; thence binding southwesterly on the northwest side of Washington Boulevard to intersect the [southern boundary] CENTERLINE of I-95; thence binding easterly along the [southern boundary] CENTERLINE of I-95 to [the northwest corner of Lot 21/23, Block 828;

thence binding on the north boundary of Lot 21/23, Block 828 to intersect the west side of Annapolis Road; thence binding on the west side of Annapolis Road southerly to intersect the south side of Clare Street; thence binding on the south side of Clare Street to intersect the west side of the first 10-foot alley; thence binding on the west side of said 10-foot alley to intersect the

southeast side of Lot 21/22, Block 7419-C; thence binding on the south side of Lot 21/22, Block 7419-C northwest to intersect with the west side of Annapolis Road; thence binding on the west side of Annapolis Road southerly to intersect with the south side of Eyon Street; thence binding on the south side of Eyon Street easterly to intersect with the west side of the B&O Railroad; thence binding on the west side of the B&O Railroad southerly to intersect with the northwest boundary of Lot 1, Block 7611; thence binding on the northern boundary of Lot 1, Block 7611 easterly to intersect with the western pierhead line of the Middle Branch of the Patapsco River, established by the United States Government in 1915; thence binding on said pierhead line northerly along the waters of the Middle Branch of the Patapsco River to the south side of the Western Maryland Railroad; thence binding along said Western Maryland Railroad easterly to] intersect with the eastern pierhead line OF THE MIDDLE BRANCH OF THE PATAPSCO RIVER, ESTABLISHED BY THE UNITED STATES GOVERNMENT IN 1915; thence binding on the eastern pierhead line northerly to intersect the southeast side of I-395; thence binding along the southeast side of I-395 northerly to intersect with the north side of Henrietta Street extended; thence binding on the north side of Henrietta Street extended westerly to intersect with the east side of Eutaw Street; thence binding on the east side of Eutaw Street northerly to the point of the beginning.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Carroll Camden, as amended by this Ordinance and identified as "Urban Renewal Plan, Carroll Camden, revised to include Amendment 3, dated October 30, 2006", is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record, available for public inspection and information.

SECTION 3. AND BE IT FURTHER ORDAINED, That Exhibit 1, "Land Acquisition", Exhibit 2, "Land Disposition", Exhibit 3, "Land Use Plan", and Exhibit 4, "Zoning Districts", all revised to reflect changes in the Plan and dated October 20, 2006, are approved.

SECTION 4. AND BE IT FURTHER ORDAINED, That if the amended Urban Renewal Plan approved by this Ordinance in any way fails to meet the statutory requirements for the content of a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal plan, those requirements are waived and the amended Urban Renewal Plan approved by this Ordinance is exempted from them.

SECTION 5. AND BE IT FURTHER ORDAINED, That if any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid for any reason, the invalidity does not affect any other provision or any other application of this Ordinance, and for this purpose the provisions of this Ordinance are declared severable.

SECTION 6. AND BE IT FURTHER ORDAINED, That if a provision of this Ordinance concerns the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or safety law or regulation, the applicable provisions shall be construed to give effect to each. However, if the provisions are found to be in irreconcilable conflict, the one that establishes the higher standard for the protection of the public health and safety prevails. If a provision of this Ordinance is found to be in conflict with an existing provision of any other law or regulation that establishes a lower standard for the protection of the public health and safety, the provision of this Ordinance prevails and the other conflicting provision is repealed to the extent of the conflict.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-549
(Council Bill 07-594)**

AN ORDINANCE CONCERNING

**Release of Right of Way - a Portion of a 16-Foot Wide Right of Way
Granted to the Mayor and City Council of Baltimore Through the
Property of the Maryland Port Administration**

FOR the purpose of authorizing the release and surrender by the Mayor and City Council of Baltimore of all its interests in and to a portion of a 16-foot wide right of way granted to the Mayor and City Council of Baltimore through the property of the Arundel Sand and Gravel Company currently owned by the Maryland Port Administration, as shown on Plat R.W. 20-33198 prepared by the Right of Way Division. The location and course of the portion of the 16-foot wide right of way to be released being shown on Plat R.W. 20-33198A prepared by the Survey Control Section; and providing for a special effective date.

BY authority of
Article I - General Provisions
Section 4
and
Article II - General Powers
Section 31
Baltimore City Charter
(1996 Edition)

Recitals

By the Agreement dated January 29, 1943, and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 6493, Folio 065, the Arundel Corporation and Arundel Sand and Gravel Company granted to the Mayor and City Council of Baltimore the right of way shown on Plat R.W. 20-33198 and dated December 29, 1942, which plat is recorded with the Agreement.

The portion of right of way hereinafter described is no longer needed for public use, the public utility that had previously been therein having been abandoned and/or relocated to another right of way that was granted to the Mayor and City Council of Baltimore.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City is authorized on behalf of the Mayor and City Council of Baltimore to execute and deliver to the owner or owners of the land within the right of way hereinafter described, a release and surrender of all the interest of the City of Baltimore in the portion of right of way described as follows:

Beginning for a portion of a 16-foot wide right of way for Municipal Utilities and Services to be extinguished at the intersection of the west side of the 16-foot wide right of way, as shown on Plat R.W. 20-33198, dated December 29, 1942, and attached to an agreement by and between the Arundel Corporation and the Arundel Sand and Gravel Company and the Mayor and City Council of Baltimore, dated January 29, 1943, and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 6493, Folio 065, and the waters of the Patapsco River, there situate, and running thence binding on the north and east sides of the right of way, the 2 following courses and distances; namely, South 88° 38' 10" East 16.00 feet and South 01° 21' 50" West 533.4 feet, more or less; thence by a straight line through the property now or formerly owned by the State of Maryland, c/o Maryland Port Administration, North 88° 38' 10" West 16.00 feet to intersect the west side of the right of way, and thence binding on the west side of the right of way, North 01° 21' 50" East 533.4 feet, more or less, to the place of beginning.

Containing 8,534.1 square feet of land or 0.196 acre of land, more or less.

All courses and distances in the above description are referred to the true meridian as adopted by the Baltimore Survey Control System.

The use of the right of way described herein above is no longer needed for public purposes.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-550
(Council Bill 07-610)**

AN ORDINANCE CONCERNING

**Historical and Architectural Preservation – Interior Protections –
Special List**

~~FOR the purpose of extending certain historical and architectural preservation procedures and protections to apply to the interiors of covered structures; conforming related references; correcting and clarifying certain language; and generally relating to historical and architectural preservation.~~

FOR the purpose of extending historical and architectural preservation procedures and protections to certain interior structures; providing for the establishment and maintenance of separate lists for exterior structures and interior structures; imposing certain safeguards on structures being considered for the Special List; imposing a deadline for the Commission's making a decision; correcting, clarifying, and conforming certain language; defining certain terms; repealing certain obsolete provisions; conforming related references; conforming, correcting and clarifying related language; and generally relating to historical and architectural preservation.

BY repealing and reordaining, with amendments

Article 6 - Historical and Architectural Preservation

Section(s) ~~1-1(a), 1-1, 2-5(b)(1), 3-1(a), 3-2, 3-3, 4-1, 4-2(b) and (c), 4-4(a) and (b)(1), 4-5(a) and (b)(1), 4-6, 4-7(a) and (b), 4-11(a), 5-2, and 5-3(a)~~

Baltimore City Code
(Edition 2000)

BY repealing

Article 6 - Historical and Architectural Preservation

Section(s) 3-4

Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 6. Historical and Architectural Preservation

§ 1-1. Definitions.

~~(a) *Demolition.*~~

~~The term “demolition” for the purposes of and as used in this article includes “demolition by neglect”, which term means willful neglect in the maintenance or repair of a building or structure, resulting in any of the following conditions:~~

- ~~(1) the deterioration of any [exterior] architectural feature so as to create or permit the creation of a hazardous or unsafe condition;~~
- ~~(2) the deterioration of [exterior] walls or other vertical supports;~~
- ~~(3) the deterioration of roofs or other horizontal members;~~
- ~~(4) the deterioration of [exterior] chimneys;~~
- ~~(5) the deterioration or crumbling of [exterior] plaster or mortar; or~~
- ~~(6) the ineffective waterproofing of [exterior] walls, roofs, and foundations, including broken windows and doors.~~

§ 1-1. Definitions.

(A) *IN GENERAL.*

IN THIS ARTICLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) [(a)] *Demolition.*

[The term “demolition” for the purposes of and as used in this article] “DEMOLITION” includes “demolition by neglect”, which [term] means willful neglect in the maintenance or repair of a [building or] structure, resulting in any of the following conditions:

- (1) the deterioration of any [exterior] architectural feature so as to create or permit the creation of a hazardous or unsafe condition;
- (2) the deterioration of [exterior] walls or other vertical supports;
- (3) the deterioration of roofs or other horizontal members;
- (4) the deterioration of [exterior] chimneys;
- (5) the deterioration or crumbling of [exterior] plaster or mortar; or

- (6) the ineffective waterproofing of [exterior] walls, roofs and foundations, including broken windows and doors.

(C) EXTERIOR STRUCTURE.

“EXTERIOR STRUCTURE” MEANS THE EXTERIOR OF ANY STRUCTURE.

(D) [(b)] Historical and Architectural Preservation District; DISTRICT.

[The phrase or clause] “Historical and Architectural Preservation District” OR “DISTRICT” [, for the purposes of, and as used in, this article shall mean] MEANS [“]an area [in Baltimore City wherein there are located structures which have historical, cultural, educational, and/or architectural value, the preservation of which is deemed to be for the educational, cultural, economic, and general welfare of the inhabitants of Baltimore City”] DESIGNATED IN ACCORDANCE WITH THIS ARTICLE AS AN HISTORICAL AND ARCHITECTURAL PRESERVATION DISTRICT.

(E) INTERIOR STRUCTURE.

“INTERIOR STRUCTURE” MEANS THE INTERIOR OF A STRUCTURE, ANY PART OF WHICH INTERIOR IS CUSTOMARILY OPEN OR ACCESSIBLE TO THE PUBLIC.

(F) INTERIOR ARCHITECTURAL FEATURE.

“INTERIOR ARCHITECTURAL FEATURE” MEANS THE ARCHITECTURAL STYLE, DESIGN, GENERAL ARRANGEMENT AND COMPONENTS OF AN INTERIOR, INCLUDING THE KIND, COLOR, AND TEXTURE OF THE BUILDING MATERIAL AND THE TYPE AND STYLE OF WINDOWS, DOORS, LIGHTS, SIGNS, PLAQUES, DECORATIVE FINISHES, MURALS, ART WORK, FLOOR PLAN, AND OTHER FIXTURES APPURTENANT TO THE INTERIOR.

(G) LANDMARK LIST.

“LANDMARK LIST” MEANS EITHER OR BOTH OF THE FOLLOWING, AS ESTABLISHED AND MAINTAINED UNDER THIS ARTICLE:

- (1) THE LANDMARK LIST: EXTERIORS; AND
- (2) THE LANDMARK LIST: PUBLIC INTERIORS.

(H) PERSON.

(1) IN GENERAL.

“PERSON” MEANS:

- (I) AN INDIVIDUAL;
- (II) A PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, OR OTHER ENTITY OF ANY KIND; OR
- (III) A RECEIVER, TRUSTEE, GUARDIAN, PERSONAL REPRESENTATIVE, FIDUCIARY, OR REPRESENTATIVE OF ANY KIND.

(2) INCLUSIONS.

“PERSON” INCLUDES, EXCEPT AS USED IN § 5-3 { “PENALTIES” } OF THIS ARTICLE, A GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

(1) SPECIAL LIST

“SPECIAL LIST” MEANS EITHER OR BOTH OF THE FOLLOWING, AS ESTABLISHED AND MAINTAINED UNDER THIS ARTICLE:

(1) THE SPECIAL LIST: EXTERIORS; AND

(2) THE SPECIAL LIST: PUBLIC INTERIORS.

(J) [(c)] [Structures] STRUCTURE.

[The term “structures” for the purpose of, and as used in, this article shall mean] “STRUCTURE” MEANS [“any creation of man or nature[“].

§ 2-5. Funding; incentive improvement program.

(b) *Annual appropriation; incentive improvement program.*

(1) There shall be appropriated in the annual Ordinance of Estimates a sum of money which may be expended by the Commission for Historical and Architectural Preservation for or in connection with:

- (i) the preparation of surveys of buildings and structures in Baltimore City;
- (ii) the acquisition [and/or] AND restoration of buildings or structures of historical or architectural significance; or
- (iii) an incentive improvement program under which the Commission may contract with the owner or lessee of a building or structure located in an Historical and Architectural Preservation District or on ~~either the Landmark List or Special List~~ A LANDMARK LIST OR A SPECIAL LIST to reimburse [such] THAT owner or lessee up to 20% of the actual cost incurred by HER OR him in the reconstruction, alteration, removal, repairs, or painting of an [exterior] architectural feature in furtherance of the purposes of this article, as determined by the Commission.

~~§ 4-1. HCD permit required:~~

~~Before any person or other legal entity commences any excavation, or the construction or erection of any building, fence, wall, or other structure of any kind, or commences any reconstruction, alteration, or removal of any exterior OR INTERIOR architectural feature, or commences any change in [the exterior] color by painting or other means, or commences any demolition of any structures now or hereafter in any Historical and Architectural Preservation District, or commences any reconstruction, alteration, or removal of any exterior OR INTERIOR architectural feature, or commences any change in [the exterior] color by painting or other means, or commences any demolition of any structures now or hereafter appearing on the Landmark List or the Special List, [such] THE person or other legal entity shall submit an application for a permit to the Commissioner of Housing and Community Development, and no work contemplated [herein] IN THIS SECTION [shall] MAY commence before the issuance of [such] THAT permit.~~

§ 3-1. Designation of Districts.*(a) Commission may propose.*

On recommendation of the BALTIMORE CITY Planning Commission [of the Mayor and City Council of Baltimore], and after making a full and proper study, the Commission may:

- (1) [designate any area within the limits of Baltimore City (except the Mount Vernon Historical and Architectural Preservation District as provided for in this article) as a proposed] PROPOSE AS AN Historical and Architectural Preservation District ANY AREA IN BALTIMORE CITY IN WHICH ARE LOCATED STRUCTURES THAT HAVE HISTORICAL, CULTURAL, EDUCATIONAL, OR ARCHITECTURAL VALUE, THE PRESERVATION OF WHICH IS CONSIDERED TO BE FOR THE EDUCATIONAL, CULTURAL, ECONOMIC, AND GENERAL WELFARE OF THE INHABITANTS OF THE CITY; and
- (2) determine the boundary lines of [any such] THAT District.

§ 3-2. Establishment of Landmark [List] LISTS.*(a) Commission to propose.*(1) LANDMARK LIST: EXTERIORS.

The Commission shall compile and maintain a list of THOSE EXTERIOR structures, both public and private, in the City of Baltimore ([hereinafter referred to as] the “Landmark List: EXTERIORS”) [which] THAT the Commission [deems] CONSIDERS TO BE of such special historical or architectural significance, whether or not [such structures are] within [any] AN Historical or Architectural Preservation District, that [the Commission shall give the same priority to] THESE EXTERIOR STRUCTURES SHOULD BE EXTENDED THE SAME PROTECTIONS as APPLY to structures in [an Historical and Architectural Preservation] A District [in the exercise of its powers to the preservation and restoration of those structures appearing on such Landmark List].

(2) LANDMARK LIST: PUBLIC INTERIORS.

THE COMMISSION SHALL COMPILE AND MAINTAIN A LIST OF THOSE INTERIOR STRUCTURES, BOTH PUBLIC AND PRIVATE, IN THE CITY OF BALTIMORE (THE “LANDMARK LIST: PUBLIC INTERIORS”) THAT THE COMMISSION CONSIDERS TO BE OF SUCH SPECIAL HISTORICAL OR ARCHITECTURAL SIGNIFICANCE, WHETHER OR NOT WITHIN AN HISTORICAL OR ARCHITECTURAL PRESERVATION DISTRICT, THAT THESE INTERIOR STRUCTURES SHOULD BE EXTENDED THE SAME PROTECTIONS AS APPLY TO STRUCTURES IN A DISTRICT.

(b) [Procedure to adopt] PLANNING COMMISSION TO REVIEW.

[(1) Commission to propose; Planning Commission to review.] The Landmark [List] LISTS, as compiled by the Commission, and any subsequent additions to [it] EITHER, shall be:

- (1) forwarded to the Planning Commission; and[,]
- (2) on recommendation of the Planning Commission, [shall be] submitted to the City Council for approval.

(C) [(2)] *Hearing.*

- (1) [This approval] APPROVAL may not be given by the City Council until the City Council has given notice that the proposal is pending and has held a hearing on it.
- (2) For this purpose, the Commission shall comply with the notice and hearing requirements of Zoning Code Title 16 {"Legislative Authorizations and Amendments"} for proposed changes in zoning classifications.

(D) (3) *Council approval required.*

No structure may be included in [the] A Landmark List unless it has been so designated by approval of the City Council.

§ 3-3. Establishment of Special [List] LISTS.(a) *Commission to propose.*(1) *SPECIAL LIST: EXTERIORS.*

The Commission shall compile and maintain a list of THOSE EXTERIOR structures, both public and private, in the City of Baltimore ([hereinafter referred to as] the "Special List: EXTERIORS") [which] THAT the Commission [deems] CONSIDERS TO BE of such historical or architectural significance, whether or not [such structures are] within [any] AN Historical or Architectural Preservation District, that [the Commission shall give second priority] THESE EXTERIOR STRUCTURES SHOULD BE EXTENDED THE SECONDARY PROTECTIONS OF § 4-7 {"POSTPONEMENT OF PERMIT"} OF THIS ARTICLE [in the exercise of its powers to the preservation or restoration of those structures appearing on such Special List].

(2) *SPECIAL LIST: PUBLIC INTERIORS.*

THE COMMISSION SHALL COMPILE AND MAINTAIN A LIST OF INTERIOR STRUCTURES, BOTH PUBLIC AND PRIVATE, IN THE CITY OF BALTIMORE (THE "SPECIAL LIST: PUBLIC INTERIORS") THAT THE COMMISSION CONSIDERS TO BE OF SUCH HISTORICAL OR ARCHITECTURAL SIGNIFICANCE, WHETHER OR NOT WITHIN AN HISTORICAL OR ARCHITECTURAL PRESERVATION DISTRICT, THAT THESE INTERIOR STRUCTURES SHOULD BE EXTENDED THE SECONDARY PROTECTIONS OF § 4-7 {"POSTPONEMENT OF PERMIT"} OF THIS ARTICLE.

(b) *Procedure to adopt.*

- (1) The Special [List] LISTS, as compiled by the Commission, and any subsequent additions [thereto] TO EITHER, shall be designated in the following manner.
- (2) The Commission shall cause a conspicuous sign to be posted on each structure [appearing] PROPOSED TO BE PLACED on [the] A Special List, giving notice:
 - (I) THAT THE STRUCTURE HAS BEEN PROPOSED FOR INCLUSION IN THE SPECIAL LIST: EXTERIORS OR THE SPECIAL LIST: PUBLIC INTERIORS, AS THE CASE MAY BE;
 - (II) [of a public hearing to be held by] THAT the Commission WILL HOLD A PUBLIC HEARING on whether [such building or] THE structure should appear on the Special List[,]; AND
 - (III) OF THE TIME AND PLACE OF THE HEARING.

(3) [such] THE public hearing [to] SHALL be held no sooner than 10 days[,] nor later than 20 days from the time the [said] sign is posted.

[(3) Said sign is to apprise the public of the time and place of such hearing, and that the building or structure has been proposed for inclusion in the Special List.]

(4) THE COMMISSION SHALL MAKE A FINAL DECISION ON WHETHER TO INCLUDE A STRUCTURE ON A SPECIAL LIST WITHIN 30 DAYS FROM THE DATE OF THE PUBLIC HEARING.

(C) ACTIONS PENDING DECISION.

FROM THE TIME NOTICE IS POSTED UNTIL THE COMMISSION MAKES ITS FINAL DECISION, THE STRUCTURE IS SUBJECT TO THE REQUIREMENTS AND PROCEDURES OF SUBTITLE 4 { "ALTERATIONS, ETC., TO PROPERTIES" } OF THIS ARTICLE.

§ 3-4. Lists to be open to public inspection.

Copies of the Landmark List and Special List shall be available for public inspection in the Department of Housing and Community Development, the Department of Planning, the Department of Legislative Reference, and in the office of the Commission.]

§ 4-1. HCD permit required.

(A) EXTERIOR STRUCTURES.

[Before any person or other legal entity commences any excavation, or the construction or erection of any building, fence, wall, or other structure of any kind, or] NO PERSON MAY UNDERTAKE ANY OF THE FOLLOWING ACTIONS FOR OR WITH RESPECT TO ANY STRUCTURE IN AN HISTORICAL AND ARCHITECTURAL PRESERVATION DISTRICT OR ON THE LANDMARK LIST: EXTERIORS OR THE SPECIAL LIST: EXTERIORS WITHOUT FIRST OBTAINING A PERMIT DO SO FROM THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT:

(1) [commences] any reconstruction, alteration, or removal of any exterior architectural feature[.]; [or]

(2) [commences] any change in the exterior color by painting or other means[.]; [or]

(3) ANY EXCAVATION;

(4) THE CONSTRUCTION OR ERECTION OF ANY BUILDING, FENCE, WALL, OR OTHER STRUCTURE OF ANY KIND; OR

(5) [commences] any EXTERIOR demolition of [any structures] A STRUCTURE [now or hereafter in any Historical and Architectural Preservation District, or].

[commences any reconstruction, alteration, or removal of any exterior architectural feature, or commences any change in the exterior color by painting or other means, or commences any demolition of any structures now or hereafter appearing on the Landmark List or the Special List, such person or other legal entity shall submit an application for a permit to the Commissioner of Housing and Community Development, and no work contemplated herein shall commence before the issuance of such permit.]

(B) INTERIOR STRUCTURES.

NO PERSON MAY UNDERTAKE ANY OF THE FOLLOWING ACTIONS FOR OR WITH RESPECT TO ANY STRUCTURE ON THE LANDMARK LIST: PUBLIC INTERIORS OR THE SPECIAL LIST: PUBLIC INTERIORS WITHOUT FIRST OBTAINING A PERMIT DO SO FROM THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT:

- (1) ANY RECONSTRUCTION, ALTERATION, OR REMOVAL OF ANY INTERIOR ARCHITECTURAL FEATURE;
- (2) ANY CHANGE IN THE INTERIOR COLOR BY PAINTING OR OTHER MEANS;
- (3) ANY EXCAVATION;
- (4) THE CONSTRUCTION OR ERECTION OF ANY BUILDING, WALL, OR OTHER STRUCTURE OF ANY KIND; OR
- (5) ANY INTERIOR DEMOLITION OF A STRUCTURE.

§ 4-2. Commission to review.*(b) Plans, etc., to be provided.*

- (1) All plans, elevations and other information deemed necessary by the Commission to determine the appropriateness of the proposed excavation, construction or erection, reconstruction, alteration, removal of any ~~exterior OR INTERIOR~~ architectural feature, change in [the exterior] color by painting or other means, or demolition of ~~any structures~~ shall be made available to the Commission.
- (2) The Commission [shall] MAY take no action until it determines that any application is complete and includes all necessary plans, elevations, and other information as specified above.

(c) Commission action prerequisite for permit.

The Commissioner of Housing and Community Development [shall] MAY not issue a permit for any excavation, any construction, or erection of any building, fence, wall, or other structure of any kind; or for any removal of ~~any [external] EXTERIOR OR INTERIOR~~ AN architectural feature, or for any reconstruction, alteration, change of [any exterior] color by painting or other means, or for any demolition of ~~any building or structure now or hereafter~~ OF A STRUCTURE in any Historical and Architectural Preservation District or on ~~the Landmark List or the Special List~~ ANY LANDMARK LIST OR SPECIAL LIST, until the Commission either [shall issue] ISSUES a Certificate of Appropriateness or a Notice to Proceed, or [shall proceed] PROCEEDS as ~~hereinafter~~ provided IN THIS ARTICLE.

§ 4-4. Commission determination.*(a) In general.*

As soon as convenient after the final conclusion of [such] THE public hearing, but in any event within 15 days (Saturdays, Sundays, and legal holidays excluded), or within such further time as the applicant for [said] THE permit approves in writing, the Commission shall determine:

- (1) whether the proposed excavation, construction, or erection, reconstruction, alteration, removal of an ~~exterior OR INTERIOR~~ architectural feature, change in [exterior] color, or

demolition will be appropriate to the preservation of the particular Historical and Architectural Preservation District or to the preservation of the structure appearing on ~~the Landmark List or on the Special List~~ A LANDMARK LIST OR A SPECIAL LIST and a Certificate of Appropriateness may be issued; or

- (2) whether, notwithstanding that [such] THE proposed excavation, construction, or erection, reconstruction, alteration, removal of an ~~exterior OR INTERIOR~~ architectural feature, change in [exterior] color, or demolition, in the opinion of the Commission, is inappropriate but is without substantial detriment to the public welfare and without substantial derogation from the intents and purposes of this [ordinance] ARTICLE, and denial of the application will result in substantial hardship to the applicant, then the Commission, in lieu of a Certificate of Appropriateness, may issue a Notice to Proceed.

(b) *Factors to be considered.*

- (1) In passing upon the appropriateness, the Commission shall consider, in addition to any other pertinent factors, the historic or architectural value and significance, architectural style, general design, arrangement, texture, material, and color of ~~the exterior AND INTERIOR~~ architectural features of other structures in the immediate neighborhood.

§ 4-5. Certificate of Appropriateness or Notice to Proceed.

(a) *Issuance.*

If the Commission determines that the proposed excavation, construction, or erection, reconstruction, alteration, removal of an ~~exterior OR INTERIOR~~ architectural feature, change in [exterior] color, or demolition of a structure in a District, on ~~the Landmark List, or on the Special List~~ A LANDMARK LIST, OR ON A SPECIAL LIST is appropriate or, although inappropriate without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of this article, the Commission shall forthwith direct the Executive Director or the Executive Director's designee to forward to the Commissioner of Housing and Community Development a Certificate of Appropriateness or a Notice to Proceed, as applicable, along with the related application, plans, and specifications.

(b) *Denial.*

- (1) If the Commission determines that neither a Certificate of Appropriateness nor a Notice to Proceed [shall] SHOULD be issued, the Commission shall ~~forthwith spread upon its records~~ PROMPTLY SPECIFY IN WRITING the reason for [such] THAT determination and may include a recommendation respecting the proposed excavation, construction, or erection, reconstruction, alteration, removal of an ~~exterior OR INTERIOR~~ architectural feature, change in [exterior] color, or demolition.
- (2) [Thereupon, the] THE Commission shall THEN cause the applicant and the Commissioner of Housing and Community Development to be notified of [such] ITS determination, transmitting to each of them an attested copy of [the] ITS reasons and, IF ANY, OF ITS recommendations[, if any, spread upon the records of the Commission].

§ 4-6. HCD bound by Commission decision.

The Commissioner of Housing and Community Development, upon the return to him of the application, plans, and specifications [relative thereto] by the Commission, [shall be] IS bound by the determination of the Commission and SHALL approve, if in conformance with other provisions of the Building Code, or

disapprove any application for the proposed excavation, construction, or erection, reconstruction, alteration, removal of an ~~exterior OR INTERIOR~~ architectural feature, change in [exterior] color, or demolition of any ~~building or~~ structure, in an Historical and Architectural Preservation District or on ~~the Landmark List~~ A LANDMARK LIST in accordance with [said] THAT determination.

§ 4-7. Postponement of permit.

(a) *Commission to notify HCD.*

If the Commission [shall determine] DETERMINES that the proposed excavation, construction, or erection, reconstruction, alteration, removal of an ~~exterior OR INTERIOR~~ architectural feature, change in [exterior] color, or demolition of any ~~buildings or~~ structures on ~~the Special List~~ A SPECIAL LIST [shall be] is inappropriate, the Commission shall notify the Commissioner of Housing and Community Development in writing to postpone the issuance of the permit.

(b) *HCD to postpone.*

If the Commissioner of Housing and Community Development is so notified to postpone the issuance of the permit, [he] THE COMMISSIONER shall DO so [postpone] for [a period not to exceed] 6 months from the date of the notification [of the determination by the Commission,] or until notified by the Commission to issue the permit, whichever [shall] OCCURS first [occur].

§ 4-11. Permissible maintenance and repair.

(a) *No change in design, etc.*

Nothing in this article shall be construed to prevent any ordinary maintenance or repair of an [exterior] architectural feature ~~now or hereafter~~ in any Historical or Architectural Preservation District or on any ~~building~~ STRUCTURE on ~~the Landmark List or on the Special List~~ A LANDMARK LIST OR A SPECIAL LIST, [which] IF THE MAINTENANCE OR REPAIR involves no change in design, material, color, or [outward] appearance [thereof] OF THE STRUCTURE.

§ 5-2. Injunctions.

On application of the Commission, the Circuit Court for Baltimore City may:

- (1) restrain or enjoin the excavation, construction, or erection, reconstruction, alteration, removal of any ~~exterior PR INTERIOR~~ architectural feature, change in [exterior] color, or demolition of any ~~building or~~ structure[,]in an Historical and Architectural Preservation District, on ~~the Landmark List, or on the Special List~~ A LANDMARK LIST, OR ON A SPECIAL LIST, in violation of this article; and
- (2) [may] order the removal of any [exterior] architectural feature constructed or reconstructed in violation of this article and the substantial restoration of any [exterior] architectural feature altered or demolished in violation of this article or the [exterior] color of which is changed in violation of this article.

§ 5-3. Penalties.

(a) *In general.*

~~Whoever~~ ANY PERSON WHO excavates, constructs, or erects, reconstructs, alters, removes ~~any exterior OR INTERIOR~~ AN architectural feature, changes [the] ~~exterior OR INTERIOR~~ [color] COLORS, or

demolishes any ~~building or~~ structure in any Historical and Architectural Preservation District, on ~~the Landmark List, or on the Special List~~ A LANDMARK LIST, OR ON A SPECIAL LIST, in violation of this article, is guilty of a misdemeanor and, on conviction, is subject to a fine of not less than \$500 and not more than \$1,000 or imprisonment for not more than 12 months or both fine and imprisonment for each offense.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved November 26, 2007

SHEILA DIXON, Mayor

**CITY OF BALTIMORE
ORDINANCE 07-551
(Council Bill 07-614)**

AN ORDINANCE CONCERNING

**City Streets – Closing –
Two 10-Foot Alleys and a 25-Foot Alley**

FOR the purpose of condemning and closing a 10-foot alley laid out in the rear of the property known as 4 East 32nd Street, a 10-foot alley laid out in the rear of the property known as 3 East 33rd Street, and a 25-foot alley laid out in the rear of the properties known as 3204 through 3222 St. Paul Street, as shown on Plat 114-A-19 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4
and
Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close a 10-foot alley laid out in the rear of the property known as 4 East 32nd Street, a 10-foot alley laid out in the rear of the property known as 3 East 33rd Street, and a 25-foot alley laid out in the rear of the properties known as 3204 through 3222 St. Paul Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the south side of a 10-foot alley laid out in the rear of the property known as No. 4 E. 32nd Street, and the east side of Lovegrove Street, 20 feet wide, said point of beginning being distant northerly 50.0 feet, more or less, measured along the east side of said Lovegrove Street from the north side of 32nd Street, 66 feet wide, and running thence binding on the east side of said Lovegrove Street, Northerly 10.0 feet to intersect the north side of said 10-foot alley; thence binding on the north side of said 10-foot alley, Easterly 42.0 feet, more or less, to intersect

the west side of a 25-foot alley laid out in the rear of the properties known as Nos. 3204 through 3222 St. Paul Street; thence binding on the west side of said 25-foot alley, Southerly 10.0 feet to intersect the south side of said 10-foot alley, and thence binding on the south side of said 10-foot alley, Westerly 42.0 feet, more less, to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the east side of Lovegrove Street, 20 feet wide, and the north side of a 10-foot alley laid out in the rear of the property known as No. 3 E. 33rd Street, said point of beginning being distant southerly 100.0 feet, more or less, measured along the east side of said Lovegrove Street from the south side of 33rd Street, 120 feet wide, and running thence binding on the north side of said 10-foot alley, Easterly 42.0 feet, more or less, to intersect the west side of a 25-foot alley laid out in the rear of the properties known as Nos. 3204 through 3222 St. Paul Street; thence binding on the west side of said 25-foot alley, Southerly 10.0 feet to intersect the south side of said 10-foot alley; thence binding on the south side of said 10-foot alley, Westerly 42.0 feet, more or less, to intersect the east side of said Lovegrove Street, and thence binding on the east side of said Lovegrove Street, Northerly 10.0 feet to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the south side of a 10-foot alley laid out in the rear of the property known as No. 4 E. 32nd Street, and the west side of a 25-foot alley laid out in the rear of the properties known as Nos. 3204 through 3222 St. Paul Street, said point of beginning being distant easterly 42.0 feet, more or less, measured along the south side of said 10-foot alley from the east side of Lovegrove Street, 20 feet wide, and running thence binding on the west side of said 25-foot alley, Northerly 199.4 feet, more or less, to the northernmost extremity of said 25-foot alley, there situate; thence binding on the northernmost extremity of said 25-foot alley, Easterly 25.0 feet to intersect the east side of said 25-foot alley; thence binding of the east side of said 25-foot alley, Southerly 199.4 feet, more or less, to intersect the line of the south side of said 10-foot alley, mentioned firstly herein, if projected easterly, and thence binding reversely on the line of the south side of said 10-foot alley, so projected, Westerly 25.0 feet to the place of beginning.

As delineated on Plat 114-A-19, prepared by the Survey Control Section and filed on February 26, 2007, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of the alleys and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall

be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 26, 2007

SHEILA DIXON, Mayor

{CONTINUED IN VOLUME 2}

