

**CITY OF BALTIMORE
COUNCIL BILL 09-0349
(First Reader)**

Introduced by: Councilmembers Young, Middleton, Henry, Clarke, Reisinger, Conaway, Welch,
Branch, Spector, Cole

Introduced and read first time: June 8, 2009

Assigned to: Taxation, Finance and Economic Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and
Community Development, Department of Real Estate, Baltimore Development Corporation,
Department of Finance, Board of Estimates

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **“Quick-Take” Condemnation – Notice of Proposed Commencement**

3 FOR the purpose of requiring the City to provide certain notice before it institutes a quick-take
4 condemnation proceeding; defining certain terms; and generally relating to pre-
5 condemnation notice.

6 BY adding

7 Article 5 - Finance, Property, and Procurement
8 Section(s) 18-5, to be under the amended subtitle designation,
9 Subtitle 18. Condemnation Notices”
10 Baltimore City Code
11 (Edition 2000)

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

14 **Baltimore City Code**

15 **Article 5. Finance, Property, and Procurement**

16 **Subtitle 18. Condemnation [Notice and Hearing] NOTICES**

17 **§ 18-5. QUICK-TAKE PROCEEDING – NOTICE OF INTENT TO INSTITUTE.**

18 (A) *DEFINITIONS.*

19 (1) *IN GENERAL.*

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

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 (2) *CITY*.

2 "CITY" MEANS THE MAYOR AND CITY COUNCIL OF BALTIMORE AND ANY OF ITS
3 AGENCIES, INSTRUMENTALITIES, OR OTHER UNITS.

4 (3) *QUICK-TAKE PROCEEDING*.

5 "QUICK-TAKE PROCEEDING" MEANS A CONDEMNATION ACTION IN WHICH THE CITY
6 SEEKS IMMEDIATE TITLE OR POSSESSION OF PROPERTY UNDER AUTHORITY OF STATE
7 CONSTITUTION, ARTICLE III, § 40A, THE CODE OF PUBLIC LOCAL LAWS OF
8 BALTIMORE CITY, §§ 21-16 AND 21-7, OR OTHER ENABLING LAW.

9 (B) *NOTICE REQUIRED*.

10 AT LEAST 10 DAYS BEFORE THE CITY FILES A PETITION FOR IMMEDIATE TAKING OR
11 OTHERWISE SEEKS TO INSTITUTE A QUICK-TAKE PROCEEDING, THE CITY SHALL SERVE
12 WRITTEN NOTICE OF ITS INTENT TO DO SO ON:

13 (1) ALL KNOWN PERSONS WHOSE INTEREST IN THE PROPERTY IS SOUGHT TO BE
14 CONDEMNED; AND

15 (2) THE COUNCILMEMBER WHO REPRESENTS THE COUNCIL DISTRICT IN WHICH THE
16 PROPERTY IS LOCATED.

17 (C) *CONTENTS*.

18 THE NOTICE SHALL:

19 (1) BRIEFLY IDENTIFY THE PROPERTY;

20 (2) SPECIFY THE DATE ON OR AFTER WHICH THE CITY INTENDS TO INSTITUTE THE
21 QUICK-TAKE PROCEEDING;

22 (3) STATE THE REASONS WHY THE CITY'S TAKING IMMEDIATE TITLE OR POSSESSION IS
23 NECESSARY; AND

24 (4) INCLUDE THE NAME, ADDRESS, AND TELEPHONE NUMBER OF AN INDIVIDUAL
25 AUTHORIZED TO ACT ON BEHALF OF THE CITY IN THE MATTER.

26 (D) *SERVICE*.

27 (1) SERVICE UNDER SUBSECTION (B)(1) OF THIS SECTION SHALL BE MADE:

28 (I) IN PERSON; OR

29 (II) BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO THE PERSON'S LAST-
30 KNOWN ADDRESS.

31 (2) SERVICE UNDER SUBSECTION (B)(2) OF THIS SECTION SHALL BE BY DELIVERY TO THE
32 COUNCILMEMBER'S CITY HALL OFFICE.

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

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