

CITY OF BALTIMORE
COUNCIL BILL 24-0509
(First Reader)

Introduced by: Councilmember Torrence and President Mosby

Introduced and read first time: April 8, 2024

Assigned to: Economic and Community Development Committee

Referred to the following agencies: City Solicitor, Department of Planning, Department of Housing and Community Development, Baltimore Development Corporation, Department of Transportation

A BILL ENTITLED

AN ORDINANCE concerning

**City Streets – Closing – Certain Streets and Alleys Bounded by
North Avenue, Pennsylvania Avenue, Cumberland Street, and North Carey
Street and a Portion of North Stockton Street**

FOR the purpose of condemning and closing certain streets and alleys bounded by North Avenue, Pennsylvania Avenue, Cumberland Street, and North Carey Street and a portion of North Stockton Street as shown on the accompanying plat, on file with the Department of Transportation; 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 Transportation shall proceed to condemn and close certain streets and alleys bounded by North Avenue, Pennsylvania Avenue, Cumberland Street, and North Carey Street and a portion of North Stockton Street as shown on the accompanying plat, on file with the Department of Transportation

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of certain streets and alleys bounded by North Avenue, Pennsylvania Avenue, Cumberland Street, and North Carey Street and a portion of North Stockton Street 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.

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

Council Bill 24-0509

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

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

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

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

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