

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 11-0649

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: January 31, 2011
Assigned to: Urban Affairs and Aging Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: May 9, 2011

AN ORDINANCE CONCERNING

**Urban Renewal – Reservoir Hill –
Amendment 11**

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2
3 FOR the purpose of amending the Urban Renewal Plan for Reservoir Hill to reauthorize the
4 acquisition of properties within the Project Area, to correct and clarify certain language, to
5 remove certain properties from the list in Appendix B, and to extend the life of the Plan;
6 waiving certain content and procedural requirements; making the provisions of this
7 Ordinance severable; providing for the application of this Ordinance in conjunction with
8 certain other ordinances; and providing for a special effective date.

9 By authority of
10 Article 13 - Housing and Urban Renewal
11 Section 2-6
12 Baltimore City Code
13 (Edition 2000)

Recitals

14
15 The Urban Renewal Plan for Reservoir Hill was originally approved by the Mayor and City
16 Council of Baltimore by Ordinance 72-33 and last amended by Ordinance 88-187.

17 An amendment to the Urban Renewal Plan for Reservoir Hill is necessary to reauthorize the
18 Plan's powers of acquisition and condemnation so that these actions may legally continue, in
19 compliance with § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, to
20 correct and clarify certain language, to remove certain properties from the list in Appendix B,
21 and to extend the life of the Plan.

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

25 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the
26 following changes in the Urban Renewal Plan for Reservoir Hill are approved:

EXPLANATION: 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.

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1 (1) In the Plan, amend the first paragraph of C.1. to read as follows:

2 C. Techniques Used to Achieve Plan Objectives

3 1. Acquisition

4 A Property Acquisition Map, which designates those properties to be acquired
5 BY PURCHASE OR BY CONDEMNATION, is attached as Exhibit No. 2.

6 (2) In the Plan, add new C.1.c. to read as follows:

7 C. Techniques Used to Achieve Plan Objectives

8 1. Acquisition

9

10 C. THE AUTHORITY TO ACQUIRE THE PROPERTIES WITHIN THE PROJECT AREA
11 IS EXPRESSLY CONFIRMED AND REAUTHORIZED THROUGH AND INCLUDING
12 DECEMBER 31, 2014.

13 (3) In the Plan, amend D. to read as follows:

14 D. Duration of Provisions and Requirements

15 The Reservoir Hill Urban Renewal Plan, as [it may be] amended from time to
16 time, [shall remain] IS in full force and effect ~~for a period of [40] 50 years from~~
17 ~~the date of original adoption of this Renewal Plan by ordinance of the Mayor and~~
18 ~~City Council of Baltimore~~ UNTIL DECEMBER 31, 2018.

19 (4) In the Plan, amend the first paragraph of Appendix B to read as follows:

20 Appendix B

21 Scattered Properties for Acquisition and Disposition for Rehabilitation

22 In addition to those groups of properties to be acquired and disposed of for
23 rehabilitation (designated with disposition lot numbers on Exhibit 3), the following
24 scattered properties are also being acquired and disposed of for rehabilitation.
25 CERTAIN PROPERTIES LISTED BELOW MAY BE USED, IN WHOLE OR IN PART, AS REAR OR
26 SIDE YARD SPACE FOR ADJACENT PROPERTY. THE ACQUISITION PROPERTIES ADJACENT
27 TO OR ABUTTING STREETS AND ALLEYS BEING CLOSED WILL ALSO INCLUDE ALL
28 RIGHTS, TITLE AND INTEREST, OR ANY PRIVATE RIGHTS OF USE IN AND TO THE
29 ADJACENT STREETS, RIGHTS-OF-WAY, OR ALLEYS AS SHOWN LYING WITHIN THE
30 PERIMETER OF THE LAND DISPOSITION MAP.

31 (5) In the Plan, in Appendix B, delete the following from the list of properties:

32 2206 Callow Avenue
33 2546 Madison Avenue
34 912 Whitelock Street

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1 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Reservoir
2 Hill, as amended by this Ordinance and identified as “Urban Renewal Plan, Reservoir Hill,
3 revised to include Amendment 11, dated January 31, 2011”, is approved. The Department of
4 Planning shall file a copy of the amended Urban Renewal Plan with the Department of
5 Legislative Reference as a permanent public record, available for public inspection and
6 information.

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

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

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

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

Certified as duly passed this ____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this ____ day of _____, 20__

Chief Clerk

Approved this ____ day of _____, 20__

Mayor, Baltimore City