
CITY OF BALTIMORE

BRANDON M. SCOTT,
Mayor



DEPARTMENT OF LAW
EBONY M. THOMPSON,
CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

February 13, 2024

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 23-0447 – Baltimore City Landmark List: Exteriors — 3110 Elm Avenue

Dear President and City Council Members:

The Law Department reviewed City Council Bill 23-0447 for form and legal sufficiency. It would designate 3110 Elm Avenue (Block 3504B, Lot 006), as an “historical landmark: exterior” by adding § 18A-8 to Subtitle 18A of Article 6 of the Baltimore City Code. The Ordinance would take effect thirty days after enactment.

An ordinance of the Mayor and City Council is required to add a structure to the “Landmark List: Exteriors.” City Code, Art. 6, §4-2(1). The City Council must refer the bill for written reports and recommendations to the Commission for Historical and Architectural Preservation (CHAP), and the Planning Commission. The Council President can also designate other agencies to review and make recommendations. See City Code, Art. 6, §4-5(a). The bill to designate an exterior or interior structure as a landmark may not be placed on the second reading calendar until CHAP and the Planning Commission submit their reports to the Council or fail to do so within 100 days of referral of the bill to the agencies. See City Code, Art. 6, §4-5(b).

Additionally, there must be a hearing on the bill before placing it on the second reading calendar. City Code, Art. 6, §4-6(a). Notice of that hearing, including bill number, name and address of requestor, date, time, place and purpose of the hearing, and address of the property, must be posted in a conspicuous place on the subject property and sent by first-class mail to the owners of record of the property. See Art. 6, §4-6(b). The notice must be mailed and posted at least 15 days before the public hearing, and the posted notice must meet the requirements set forth in Art. 6. See Art. 6, §4-6(d) & (e). If the ordinance to add a structure to the “Landmark List-Exteriors” was not initiated at the request of CHAP, the Council cannot hold a hearing on the ordinance until it receives CHAP’s written report and recommendations, or CHAP fails to file a report and recommendations within 100 days of referral. See Art. 6, §4-8.

Assuming CHAP and the Planning Commission file reports, and the notice and hearing requirements are satisfied, the Law Department can approve the bill for form and legal sufficiency.

Sincerely,

A handwritten signature in black ink, appearing to read "Michele Toth". The signature is written in a cursive style with a prominent initial "M".

Michele Toth
Assistant Solicitor

cc: Nina Themelis
Tiffany Maclin
Elena DiPietro
Hilary Ruley
Ashlea Brown
Jeff Hochstetler
Teresa Cummings