

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 14-0409

Introduced by: The Council President
At the request of: The Administration (Department of Planning)
Introduced and read first time: June 23, 2014
Assigned to: Judiciary and Legislative Investigations Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: September 8, 2014

AN ORDINANCE CONCERNING

Floodplain Management Code – Corrective

FOR the purpose of ~~correcting, as mandated by~~ complying with certain mandates of the Federal Emergency Management Agency, by correcting the definition of “historic structure”, clarifying an exclusion from the definition of “substantial improvement”, clarifying the Code’s application to areas subject to a 0.2% annual chance flood, and correcting a misleading conjunction; providing for a special effective date; and generally relating to the protection, maintenance, and enhancement of the public health, safety, and welfare through floodplain management.

BY repealing and reordaining

Article 7 - Natural Resources
Section(s) 1-3(g) and (u)(3), 2-2(c)(1)(i), and 3-35(b)(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 7. Natural Resources

Subtitle 1. Definitions; General Provisions

§ 1-3. Definitions – “Floodproofing” to “Wet floodproofing”.

(g) *Historic structure.*

“Historic structure” means a structure that is:

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.

Council Bill 14-0409

- 1 (1) individually listed in the National Register of Historic Places or certified or
- 2 preliminarily determined by the Secretary of the Interior as meeting the
- 3 requirements for individual listing in the Register;
- 4 (2) individually listed in the Maryland [Inventory] REGISTER of Historic Properties
- 5 [or certified or preliminarily determined by the Maryland Historical Trust as
- 6 meeting the requirements for individual listing in the Inventory];
- 7 (3) individually listed in the Baltimore City Landmark List; OR
- 8 (4) certified or preliminarily determined by the Secretary of the Interior as
- 9 contributing to the historic significance of an historic district registered with the
- 10 Secretary[]; or
- 11 (5) certified or preliminarily determined by the Baltimore City Commission for
- 12 Historical and Architectural Preservation as contributing to the significance of an
- 13 Historical and Architectural Preservation District].

14 (u) *Substantial improvement.*

15 (3) *Exclusions.*

16 “Substantial improvement” does not include either:

17 (i) an improvement [of a structure] that is [needed] REQUIRED BY A

18 CONDEMNATION OR VIOLATION NOTICE, ORDER, OR CITATION to secure safe

19 living conditions in compliance with State or City health, sanitary, or safety

20 code specifications; or

21 (ii) an alteration of an historic structure, as long as the alteration will not preclude

22 the structure's continued designation as an historic structure.

23 **§ 2-2. Subdistricts.**

24 (c) *Floodway Fringe.*

25 (1) The Floodway Fringe comprises those lands within the Floodplain District that:

26 (i) are subject to inundation by a base flood OR BY A 0.2% ANNUAL CHANCE

27 FLOOD; and

28 . . .

29

30 **§ 3-35. Coastal High Hazard Area.**

31 (b) *Land below base flood level.*

32 No land below the level of the base flood may be developed unless the new construction

33 or substantial improvement:

34 . . .

Council Bill 14-0409

1 (2) is elevated on adequately anchored pilings or columns to resist flotation, collapse,
2 [or] AND lateral movement due to the effects of base-flood wind and water loads
3 acting simultaneously on all building components, and the bottom of the lowest
4 horizontal structural members of the lowest floor (excluding the pilings or
5 columns) is elevated to at least the flood-protection elevation;
6

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

10 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
11 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