

**CITY OF BALTIMORE
COUNCIL BILL 06-0505
(First Reader)**

Introduced by: Councilmembers Clarke, D'Adamo, Young, Curran, Kraft, Branch, Holton,
Mitchell, Conaway, Harris, Spector, Welch, Reisinger

Introduced and read first time: August 14, 2006

Assigned to: Economic Development and Public Financing Subcommittee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and
Community Development, Department of Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Vacant Building Receiver – Sales at Public Auction**

3 FOR the purpose of authorizing a receiver appointed to sell certain vacant property to follow a
4 certain procedure at the request of the local neighborhood association; conforming certain
5 language; and generally relating to vacant building receivers.

6 BY repealing and reordaining, with amendments

7 Article - Building, Fire, and Related Codes

8 Section(s) 2-103 (BC § 121.10)

9 Baltimore City Revised Code

10 (Edition 2000)

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

13 **Baltimore City Revised Code**

14 **Article – Building, Fire, and Related Codes**

15 **Part II. International Building Code**

16 **§ 2-103. City modifications.**

17 The additions, deletions, amendments, and other modifications adopted by the City are as
18 follows:

19 **Chapter 1. Administration**

20 **Section 121 Vacant Building Receiver**

21 **121.10 Powers of receiver appointed to sell.** A receiver appointed to sell a vacant
22 building, in addition to all necessary and customary powers, [has authority to] MAY:

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

Council Bill 06-0505

- 1 a. sell the property [to the high bidder] at public auction, following the same presale
2 notice provisions that apply to a foreclosure, TO THE HIGHEST QUALIFIED BIDDER, [or]
- 3 b. sell the property privately for fair market value if the owner and mortgagee agree to
4 the amount and procedure, OR
- 5 c. AT THE REQUEST OF THE NEIGHBORHOOD ASSOCIATION ON RECORD WITH THE
6 DEPARTMENT OF PLANNING AS REPRESENTING THE AREA IN WHICH THE PROPERTY IS
7 LOCATED, SELL THE PROPERTY AT PUBLIC AUCTION TO THE HIGHEST QUALIFIED
8 BIDDER WHO COMPLIES WITH CONDITIONS REQUESTED BY THE ASSOCIATION, SUCH AS:
 - 9 1. SINGLE-FAMILY OCCUPANCY,
 - 10 2. OWNER OCCUPANCY, AND
 - 11 3. MAXIMUM DENSITY.

12 **121.10.1 Notice of auction.** In the notice of public auction, it is sufficient to describe
13 the property by a street address and by reference to the liber and folio number of the title
14 deed recorded in the land records of Baltimore City.

15 **121.10.2 Buyer qualifications.** Before any sale, the bidders in a public sale or the buyer
16 in a private sale must demonstrate the ability and experience needed to rehabilitate the
17 property within a reasonable time.

18 **121.10.3 Application of sale proceeds.** After deducting the expenses of the sale, the
19 receiver must apply the proceeds of the sale to the liens against the property, in order of
20 priority.

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

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