

CITY OF BALTIMORE  
ORDINANCE **20.386**  
Council Bill 20-0522

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Introduced by: Councilmember Schleifer, President Scott, Councilmembers Henry, Cohen,  
Burnett, Costello

At the request of: The Administration (Board of Municipal and Zoning Appeals)

Introduced and read first time: April 27, 2020

Assigned to: Judiciary Committee

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Committee Report: Favorable with an amendment

Council action: Adopted

Read second time: May 11, 2020

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**AN ORDINANCE CONCERNING**

**Board of Municipal and Zoning Appeals –  
Repeal of “Physically Present” Requirements**

FOR the purpose of repealing certain provisions of the Zoning Code regarding the Board of  
Municipal and Zoning Appeals that require members of the Board to be “physically present”  
during a hearing and for voting; and providing for a special effective date.

BY repealing

Article 32 - Zoning  
Section(s) 3-202(j) and 3-202(m)  
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 32. Zoning**

**Title 3. Outline of Code Administration**

**Subtitle 2. Administrative Agencies and Officials**

**§ 3-202. Board of Municipal and Zoning Appeals.**

*[(j) Public hearings – Member must be present to participate.]*

[A member of the Board of Municipal and Zoning Appeals may not participate in a  
hearing unless the member is physically present at the hearing.]

**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 . . . .  
2 [(m) *Voting – Member must be present to vote.*]

3 [A member of the Board of Municipal and Zoning Appeals may not vote on a matter  
4 unless the member:

5 (1) was physically present at the public hearing on the matter: and

6 (2) is physically present at the voting session.]

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. ~~It will remain effective through August 31, 2020, and immediately after that date, with~~  
12 ~~no further action by the Mayor and City Council, this Ordinance will be abrogated and of no~~  
13 ~~further effect.~~

Certified as duly passed this 15 day of June, 20 20



\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 15 day of June, 20 20



\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Pursuant to Baltimore City Charter, Article IV, Section 5 (c),  
this bill was enacted on July 20, 2020 without the Mayor's  
signature.

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Mayor, Baltimore City

Approved for form and legal sufficiency  
this 16th day of June, 2020.

