

**CITY OF BALTIMORE
ORDINANCE _____
Council Bill 05-0248**

Introduced by: President Dixon, Councilmembers Kraft, Holton, Young, Curran, Reisinger,
Conaway, Clarke, Branch, Spector, Rawlings Blake, Mitchell, D’Adamo, Harris, Welch
Introduced and read first time: August 15, 2005
Assigned to: Committee of the Whole
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: January 9, 2006

AN ORDINANCE CONCERNING

Baltimore Affordable Housing Program

FOR the purpose of establishing a program for certain purposes; providing for the administration of that program; defining certain terms; and generally relating to promoting certain types of housing.

By adding

Article 13 - Housing and Urban Renewal
Section(s) 2A-1 through 2A-6, to be under the new subtitle designation,
“Subtitle 2A. Affordable Housing Program”
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 13. Housing and Urban Renewal

SUBTITLE 2A. AFFORDABLE HOUSING PROGRAM

§ 2A-1. DEFINITIONS.

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

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.

1 (B) *COMMISSIONER*.

2 “COMMISSIONER” MEANS THE COMMISSIONER OF HOUSING AND COMMUNITY
3 DEVELOPMENT OR THE COMMISSIONER’S DESIGNEE.

4 (C) *DEVELOPER*.

5 “DEVELOPER” MEANS ANY PERSON, FIRM, PARTNERSHIP, ASSOCIATION, JOINT VENTURE,
6 CORPORATION, OR OTHER FOR-PROFIT OR NOT-FOR-PROFIT ENTITY OR COMBINATION OF
7 ENTITIES THAT DEVELOPS OR OWNS RESIDENTIAL REAL ESTATE.

8 (D) *ELIGIBLE HOUSEHOLD*.

9 “ELIGIBLE HOUSEHOLD” MEANS A HOUSEHOLD WITH AN AGGREGATE ANNUAL INCOME OF
10 LESS THAN OR EQUAL TO 150% OF THE MEDIAN AREA INCOME, ADJUSTED FOR HOUSEHOLD
11 SIZE, AS PUBLISHED AND ANNUALLY UPDATED BY THE UNITED STATES DEPARTMENT OF
12 HOUSING AND URBAN DEVELOPMENT.

13 (E) *ELIGIBLE PROPERTY*.

14 “ELIGIBLE PROPERTY” MEANS ANY STRUCTURE OR LOT IN BALTIMORE CITY THAT MEETS
15 OR, ON COMPLETION OF RENOVATION OR CONSTRUCTION, WILL MEET THE REQUIREMENTS
16 FOR DWELLINGS SET FORTH IN THE ZONING CODE AND THE BUILDING, FIRE, AND RELATED
17 CODES OF BALTIMORE CITY.

18 (F) *NEIGHBORHOOD*.

19 “NEIGHBORHOOD” MEANS AN AREA DELINEATED BY A COMMONLY ACCEPTED BOUNDARY,
20 AS DETERMINED BY THE DIRECTOR OF PLANNING.

21 (G) *PROGRAM*.

22 “PROGRAM” MEANS THE BALTIMORE AFFORDABLE HOUSING PROGRAM ESTABLISHED
23 UNDER THIS SUBTITLE.

24 **§ 2A-2. FINDINGS.**

25 (A) *IN GENERAL*.

26 THE MAYOR AND CITY COUNCIL OF BALTIMORE FIND AS FOLLOWS.

27 (B) *NEED FOR LOW- AND MODERATE-INCOME AND WORKFORCE HOUSING*.

28 THERE IS A NEED TO DEVELOP PROGRAMS TO IMPROVE AND EXPAND HOUSING
29 OPPORTUNITIES FOR WORKING FAMILIES AND OTHER PERSONS OF LOW AND MODERATE
30 INCOME.

1 (C) *BENEFITS OF ECONOMIC DIVERSITY.*

2 ECONOMIC DIVERSITY IN OUR NEIGHBORHOODS, INCLUDING A STRONG AND STABLE
3 MIDDLE CLASS, WILL STIMULATE ECONOMIC INVESTMENT, PROMOTE NEIGHBORHOOD
4 STABILITY, AND INCREASE PUBLIC SAFETY FOR ALL.

5 (D) *LIMITATIONS OF PRIVATE SECTOR.*

6 PRIVATE SECTOR INDIVIDUALS AND BUSINESSES, AS THE PRIMARY SOURCE OF HOUSING
7 AND ECONOMIC DEVELOPMENT ACTIVITY, HAVE NOT ALONE BEEN ABLE TO CREATE
8 ECONOMICALLY DIVERSE NEIGHBORHOODS OR DEVELOPMENTS OR TO DEVELOP
9 WORKFORCE HOUSING FOR THE BROAD RANGE OF INCOMES THAT WILL LEAD TO
10 ECONOMIC DIVERSITY.

11 (E) *CAPABILITIES OF CITY.*

12 BALTIMORE CITY CAN ASSEMBLE AND PREPARE SITES AND PROVIDE FINANCIAL
13 INCENTIVES TO DEVELOPERS, ELIGIBLE HOUSEHOLDS, AND NON-PROFIT ORGANIZATIONS
14 TO PROMOTE ECONOMICALLY DIVERSE HOUSING IN CITY NEIGHBORHOODS, TO INCREASE
15 HOUSING OPPORTUNITIES FOR WORKING FAMILIES AND OTHER PERSONS OF LOW AND
16 MODERATE INCOME, AND TO REDUCE BLIGHT IN NEIGHBORHOODS.

17 **§ 2A-3. PROGRAM ESTABLISHED.**

18 (A) *IN GENERAL.*

19 THERE IS A BALTIMORE AFFORDABLE HOUSING PROGRAM, ESTABLISHED FOR THE
20 PURPOSES OF:

- 21 (1) PROMOTING ECONOMICALLY DIVERSE HOUSING IN CITY NEIGHBORHOODS; AND
- 22 (2) INCREASING HOUSING OPPORTUNITIES FOR WORKING FAMILIES AND OTHER
- 23 PERSONS OF LOW AND MODERATE INCOME.

24 (B) *ADMINISTRATION.*

25 THE COMMISSIONER OF HOUSING AND COMMUNITY DEVELOPMENT SHALL ADMINISTER
26 THE PROGRAM CONSISTENT WITH THIS SUBTITLE.

27 (C) *ELIGIBLE ACTIVITIES.*

28 (1) ELIGIBLE ACTIVITIES AUTHORIZED UNDER THIS SECTION MUST BE CONDUCTED AT A
29 SCALE THAT, IN THE OPINION OF THE COMMISSIONER, IS SUFFICIENT TO ADDRESS
30 COMPLETELY THE BLIGHTING INFLUENCES EXISTING IN THE PROJECT AREA. FOR THIS
31 PURPOSE, THE "PROJECT AREA" MAY BE NO SMALLER THAN A SINGLE BLOCK FACE
32 COMPRISING BOTH SIDES OF A STREET OR WAY.

33 (2) (1) THE COMMISSIONER, IN HIS OR HER DISCRETION, SHALL USE PROGRAM FUNDS FOR
34 THE PURPOSES OF:

1 (I) THE ACQUISITION, STRUCTURAL STABILIZATION, AND DEMOLITION OF REAL
2 PROPERTY BY THE CITY {CITY CODE ARTICLE 13, SUBTITLE 2};

3 (II) THE RELOCATION OF HOUSEHOLDS, WHEN THAT RELOCATION IS ASSOCIATED
4 WITH THE ACQUISITION, STRUCTURAL STABILIZATION, AND DEMOLITION OF
5 REAL PROPERTY BY THE CITY {CITY CODE ARTICLE 13, SUBTITLE 2}; AND

6 (III) THE ADMINISTRATION AND MARKETING OF THE ELIGIBLE ACTIVITIES
7 DESCRIBED IN THIS SUBSECTION.

8 (3) (2) THE COMMISSIONER, IN HIS OR HER DISCRETION, SHALL USE PROGRAM FUNDS TO
9 PROVIDE APPROPRIATE FINANCIAL INCENTIVES, INCLUDING GRANTS AND LOANS,
10 TO DEVELOPERS, NON-PROFIT ORGANIZATIONS, AND ELIGIBLE HOUSEHOLDS FOR
11 THE PURPOSES OF:

12 (I) THE ORDERLY AND SUSTAINABLE PLANNING, PRESERVATION, REHABILITATION,
13 AND DEVELOPMENT OF ECONOMICALLY DIVERSE HOUSING IN CITY
14 NEIGHBORHOODS;

15 (II) (H) RENTAL PAYMENT OR HOME PURCHASE ASSISTANCE ON BEHALF OF ELIGIBLE
16 HOUSEHOLDS FOR OCCUPANCY PRIMARY RESIDENCY IN ELIGIBLE PROPERTIES;
17 AND

18 (H) ~~THE ORDERLY AND SUSTAINABLE PLANNING, PRESERVATION, REHABILITATION,~~
19 ~~AND DEVELOPMENT OF HOUSING IN CITY NEIGHBORHOODS; AND~~

20 (III) THE PROVISION OF BUYER EDUCATION AND HOUSING COUNSELING SERVICES
21 TO ELIGIBLE HOUSEHOLDS IN CONNECTION WITH HOUSING OPPORTUNITIES IN
22 CITY NEIGHBORHOODS AND TO MAXIMIZE HOME OWNERSHIP.

23 **§ 2A-4. RULES AND REGULATIONS.**

24 (A) *COMMISSIONER ~~MAY~~ TO ADOPT.*

25 THE COMMISSIONER ~~MAY~~ SHALL ADOPT RULES AND REGULATIONS TO CARRY OUT THIS
26 SUBTITLE.

27 (B) *APPROVAL BY BOARD OF ESTIMATES.*

28 ALL RULES AND REGULATIONS ADOPTED UNDER THIS SECTION MUST BE APPROVED BY THE
29 BOARD OF ESTIMATES BEFORE THEY MAY TAKE EFFECT.

30 (C) *FILING WITH LEGISLATIVE REFERENCE.*

31 A COPY OF ALL RULES AND REGULATIONS ADOPTED UNDER THIS SECTION MUST BE FILED
32 WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY TAKE EFFECT.

1 **§ 2A-5. PROGRAM CAPITALIZATION.**

2 IT IS THE INTENT OF THE MAYOR AND CITY COUNCIL OF BALTIMORE THAT THE PROGRAM BE
3 CAPITALIZED ANNUALLY BY APPROPRIATIONS OF THE MAYOR AND CITY COUNCIL OF
4 BALTIMORE.

5 **§ 2A-6. ANNUAL REPORT.**

6 THE COMMISSIONER SHALL ISSUE TO THE MAYOR AND CITY COUNCIL OF BALTIMORE AN
7 ANNUAL REPORT THAT DESCRIBES THE PROGRAM’S PERFORMANCE IN THE PRECEDING YEAR.

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

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

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

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City