

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 17-0150

Introduced by: Councilmembers Clarke, Reisinger, Cohen, Henry, Bullock, Pinkett, Dorsey,
Middleton, Burnett, Sneed, Stokes

Introduced and read first time: October 16, 2017

Assigned to: Land Use and Transportation Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: February 26, 2018

AN ORDINANCE CONCERNING

1 **Zoning – Prohibiting Crude Oil Terminals**

2 FOR the purpose of prohibiting new or expanded crude oil terminals throughout Baltimore City;
3 defining a certain term; and generally relating to crude oil terminals.

4 BY repealing and reordaining, with amendments

5 Article 32 - Zoning
6 Section(s) 1-218
7 Baltimore City Code
8 (Edition 2000)

9 BY adding
10 Article 32 - Zoning
11 Section(s) 1- 304(v-1) and 1-304(v-2)
12 Baltimore City Code
13 (Edition 2000)

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

16 **Baltimore City Code**

17 **Article 32. Zoning**

18 **Title 1. General Provisions**

19 ***Subtitle 2. Rules of Interpretation***

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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§ 1-218. Uses prohibited citywide.

(a) *Application of section.*

This section and its listing of certain prohibited uses:

(1) is not exhaustive; and

(2) may not be construed to imply that any use not listed here is a permitted or conditional use.

(b) *Listing.*

The following uses are prohibited in all zoning districts of the City:

(1) CRUDE OIL TERMINALS;

(2) [(1)] incinerators;

(3) [(2)] junk or scrap storage and yards;

(4) [(3)] nuclear power plants;

(5) [(4)] solid waste sanitary landfills;

(6) [(5)] storage on barges and belt conveyor systems used for the transfer of materials, but this prohibition does not apply to the continuous process of unloading or loading processed metal (as defined in § 1-308) for and during its transfer to or from a docked barge or vessel awaiting shipment; and

(7) [(6)] vehicle dismantling facilities.

Subtitle 3. Definitions

§ 1-304. “Chimney” to “Day-care center: Child”.

(v-1) CRUDE OIL.

(1) IN GENERAL.

CRUDE OIL MEANS ANY NATURALLY OCCURRING LIQUID PETROLEUM EXTRACTED FROM GEOLOGICAL FORMATIONS BENEATH THE EARTH’S SURFACE WHICH REQUIRES FURTHER REFINEMENT BEFORE CONSUMER USE.

(2) EXCLUSIONS.

“CRUDE OIL” DOES NOT INCLUDE FINISHED PRODUCTS DERIVED FROM PETROLEUM INCLUDING BUT NOT LIMITED TO ASPHALT.

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1 (v-2) *CRUDE OIL TERMINAL.*

2 (1) *IN GENERAL.*

3 “CRUDE OIL TERMINAL” MEANS A FACILITY THAT RECEIVES, STORES, TRANSFERS,
4 SHIPS, OR PROCESSES CRUDE OIL.

5 (2) *EXCLUSIONS.*

6 “CRUDE OIL TERMINAL” DOES NOT INCLUDE FACILITIES OWNED OR OPERATED BY A
7 RAIL CARRIER, AS DEFINED IN U.S. CODE TITLE 49, SUBTITLE IV, PART A, CHAPTER
8 101, § 10102 {“DEFINITIONS”} .

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

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