

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 08-0162

Introduced by: The Council President
At the request of: The Administration (Baltimore Development Corporation)
Introduced and read first time: July 21, 2008
Assigned to: Taxation, Finance and Economic Development Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: November 24, 2008

AN ORDINANCE CONCERNING

State Obligations Pledge for Westport Waterfront Development

1
2 FOR the purpose of authorizing the pledge by the City of Tax Increment Revenues, Tax
3 Agreement Revenues, if any, and Special Tax Revenues (as such terms are defined herein),
4 subject to appropriation, to the payment of debt service on State Obligations (as defined
5 herein), issued from time to time and in one or more issues or series in an aggregate principal
6 amount not exceeding \$160,000,000, the replenishment of any reserves and the payment of
7 certain expenses and administrative costs, for the purpose of financing infrastructure
8 improvements, including, without limitation, street and road improvements, site removal, the
9 acquisition of land, the construction of buildings that will provide units of affordable housing
10 and certain other infrastructure improvements permitted by the Acts (as defined herein);
11 authorizing the execution and delivery by the City of a contribution agreement or other such
12 agreement providing for such pledge; authorizing the Board of Finance to specify, prescribe,
13 determine, provide for and approve the method and sources of such pledge, the details,
14 forms, documents or procedures in connection with such pledge, and any other matters
15 necessary or desirable in connection with such pledge; and providing for a special effective
16 date.

17 By authority of
18 Article II - General Powers
19 Sections (50), (62), and (62A)
20 Baltimore City Charter
21 (1996 Edition)

Recitals

22
23 Article II, Section (62) of the Baltimore City Charter (the “Tax Increment Act”)
24 authorizes the Mayor and City Council of Baltimore (the “City”) to establish a
25 “development district” (as defined in the Tax Increment Act) and a special, tax
26 increment fund into which the revenues and receipts from the real property taxes
27 representing the levy on the “tax increment” (as defined in the Tax Increment
28 Act) for the development district are deposited for the purpose of providing funds
29 for the development of the development district.

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 Pursuant to an Ordinance enacted prior to or simultaneously with this Ordinance
2 (the “Tax Increment Ordinance”), the City has:

- 3 (i) designated the Westport Waterfront Development District (the “Development
4 District”);
- 5 (ii) created the Westport Waterfront Development District Tax Increment Fund;
- 6 (iii) provided that until Bonds or State Obligations (as such terms are defined
7 herein) issued with respect to the Development District have been fully paid,
8 the property taxes on real property in the Development District shall be
9 divided as provided in the Tax Increment Act; and
- 10 (iv) made other findings and determinations with respect to the Development
11 District.

12 Article II, Section (62A) of the Baltimore City Charter (the “Special Taxing
13 District Act”) authorizes the City to establish a “special taxing district” (as
14 defined in the Special Taxing District Act) and a special fund into which the
15 special taxes levied in the special taxing district are deposited, for the purpose of
16 providing financing, refinancing, or reimbursement for the cost (as defined in the
17 Special Taxing District Act) of infrastructure improvements (as defined in the
18 Special Taxing District Act).

19 Pursuant to an Ordinance enacted prior to or simultaneously with this Ordinance
20 (the “Special Taxing District Ordinance”), the City has:

- 21 (i) designated the Westport Waterfront Special Taxing District (the “Special
22 Taxing District”);
- 23 (ii) created the Westport Waterfront Special Taxing District Special Fund;
- 24 (iii) authorized the levy of a special tax on all real and personal property within the
25 Special Taxing District pursuant to the Rate and Method (as defined herein);
26 and
- 27 (iv) made certain other findings and determinations with respect to the Special
28 Taxing District.

29 Article II, Section (50) of the Baltimore City Charter authorizes the City to
30 borrow money through the issuance and sale of its bonds, notes or other
31 obligations (including refunding bonds, notes or other obligations) for the
32 accomplishment of any of the purposes, objects and powers of the City and
33 further provides that a trust agreement related to any bonds, notes or other
34 obligations may pledge the revenues from or arising in connection with property,
35 facilities, developments and improvements whose financing is undertaken by the
36 bonds, notes or other obligations.

37 The Tax Increment Act authorizes the City, subject to certain requirements, to pay
38 or be reimbursed for the payment of debt service and related costs which the City

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1 is obligated to pay or has paid on Bonds or State Obligations, the proceeds of
2 which provided funds for the financing and refinancing of the development of an
3 industrial, commercial or residential area in Baltimore City.

4 The Special Taxing District Act authorizes the City, subject to certain
5 requirements, to pay or be reimbursed for the payment of debt service and related
6 costs which the City is obligated to pay or has paid on Bonds or State Obligations,
7 the proceeds of which provided funds for the financing, refinancing, or
8 reimbursement for the cost of infrastructure improvements.

9 The City has determined to make a pledge of certain tax and other revenues to a
10 State Issuer in order to finance the costs of infrastructure improvements within the
11 Special Taxing District and the Development District.

12 MEDCO (defined herein), pursuant to a resolution adopted on February 25, 2008,
13 authorized the issuance of its non-recourse, tax-exempt, limited obligation
14 revenue bonds, from time to time and in one or more issues or series, pursuant to
15 the provisions of Sections 5-201 through 5-217, inclusive, of Article 83A of the
16 Annotated Code of Maryland, as amended, for the purpose of financing and
17 refinancing the costs of the Project (as defined herein).

18 The City wishes (i) to authorize the pledge of certain tax and other revenues and
19 the execution and delivery by the City of a written contribution agreement
20 evidencing such pledge and (ii) to approve the issuance of State Obligations to
21 provide funds for the costs of the infrastructure improvements permitted by the
22 Acts, including, without limitation, street and road improvements, the acquisition
23 of land, construction of buildings to provide units of affordable housing and
24 public improvements relating to the development of residential, commercial and
25 office uses within the Development District and the Special Taxing District or, if
26 outside the Special Taxing District, reasonably related to improvements within
27 such Special Taxing District.

28 The City acknowledges that it has a proprietary interest in the Project (defined
29 herein) within the meaning of Article 11, § 13-6(b) of the Baltimore City Code, as
30 amended, and the agreement referenced by Article 11, 13-7 of the Baltimore City
31 Code, as amended, shall apply to any hotel component of the Project.

32 The City also wishes to determine various matters in connection with the
33 foregoing, including authorizing the Board of Finance to undertake additional
34 actions in connection with the issuance of additional State Obligations to finance
35 the remaining costs of the Project.

36 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That for
37 the purposes of this Ordinance, the following terms have the meanings indicated:

38 (a) “Acts” means the Tax Increment Act and the Special Taxing District Act.

39 (b) “Bond” means any bond, note, or other similar instrument issued by the Mayor
40 and City Council of Baltimore under the Acts.

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- 1 (c) “City expenses” means the expenses of the City in carrying out its duties under
2 this Ordinance, the Tax Increment Ordinance, the Special Taxing District
3 Ordinance and the Contribution Agreement, including:
- 4 (1) the expenses incurred in levying and collecting the Special Tax;
- 5 (2) any expenses incurred in complying with obligated person disclosure
6 requirements associated with applicable federal and state securities law,
7 including the costs of any employees of the City and fees of any professionals
8 retained by the City to provide these services; and
- 9 (3) all other costs and expenses of the City incurred in connection with the
10 discharge of its duties under the Contribution Agreement, including legal
11 expenses associated with those duties, and in any way related to the
12 administration of the Special Taxing District or the Development District.
- 13 (d) “Contribution Agreement” means one or more contribution agreements or such
14 other agreements executed by the City and a State Issuer, pursuant to which the
15 City will evidence a pledge of certain tax and other revenues for the purpose of
16 securing the payment of debt service on the State Obligations, the replenishment
17 of any reserve fund, and the payment of other costs with respect to the State
18 Obligations, including, without limitation, any City expenses, State Issuer
19 Expenses, and other administrative costs.
- 20 (e) “Development District” means the Westport Waterfront Development District.
- 21 (f) “Districts” means the Development District and the Special Taxing District.
- 22 (g) “Includes” or “including” means by way of illustration and not by way of
23 limitation.
- 24 (h) “Indenture” means the indenture under which the State Obligations are issued.
- 25 (i) “Initial State Obligations” means the bonds issued by MEDCO in an aggregate
26 principal amount not to exceed \$40,000,000 for the purpose of financing and
27 refinancing a portion of the costs of the Project.
- 28 (j) “MEDCO” means the Maryland Economic Development Corporation.
- 29 (k) “Project” means the following improvements and activities completed in
30 accordance with all required City approvals:
- 31 (1) the design and construction of street and road improvements to, from or
32 within the Special Taxing District, including, without limitation, the
33 installation of curbs, gutters, sidewalks, lighting and landscaping, and the
34 construction of access and capacity improvements to the Waterview Avenue
35 bridge which are designed to improve traffic flow to and from the
36 Development District;
- 37 (2) the installation of utilities, including, without limitation, water and sewer, and
38 the construction of bike trails, parks and playgrounds, and other necessary

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- 1 improvements including lighting, stormwater management facilities and other
2 facilities;
- 3 (3) the acquisition by purchase, lease, or condemnation of land or other property,
4 or an interest in them, in the Development District or as necessary for a right-
5 of-way or other easement to or from the Development District;
- 6 (4) the acquisition, design, construction, reconstruction, renovation, and
7 development of buildings that provide units of affordable housing and
8 condemning or otherwise acquiring structures, real or personal property,
9 rights, rights-of-way, franchises, easements, and interests in furtherance of
10 this purpose;
- 11 (5) parking facilities structured or surface parking facilities that are either
12 publicly owned or serving a public purpose;
- 13 (6) site removal, including site preparation, earthwork, clearing, grading, and
14 filling; and
- 15 (7) the acquisition, construction, renovation, and development of other related
16 infrastructure improvements and the financing or refinancing of any related
17 costs as permitted by the Acts that are necessary for the completion of the
18 foregoing for their intended public purposes.
- 19 (l) “Rate and Method” means the Rate and Method of Apportionment of the Special
20 Taxes attached to the Special Taxing District Ordinance as Exhibit 2.
- 21 (m) “Revenues” means collectively the Tax Increment Revenues, the Tax Agreement
22 Revenues, if any, and the Special Tax Revenues, to the extent such revenues are
23 expressly pledged pursuant to the Contribution Agreement.
- 24 (n) “Special Tax” means the special tax authorized to be levied and collected in the
25 Special Taxing District by the Special Taxing District Ordinance.
- 26 (o) “Special Tax Fund” means the Westport Waterfront Special Tax Fund.
- 27 (p) “Special Tax Revenues” means the revenues and receipts from the Special Tax,
28 including amounts deposited in the Special Tax Fund and any other fund into
29 which all or any of these revenues and receipts are deposited after they are
30 appropriated by the City.
- 31 (q) “Special Taxing District” means the Westport Waterfront Special Taxing District.
- 32 (r) “Special Taxing District Act” means Article II, Chapter (62A) of the Baltimore
33 City Charter.
- 34 (s) “Special Taxing District Ordinance” means the Ordinance of the City designating
35 the Special Taxing District.
- 36 (t) “State Issuer” means MEDCO, the State of Maryland, or any agency, department,
37 or political subdivision thereof.

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1 (u) “State Issuer Expenses” means administrative costs and other expenses related to
2 the State Obligations of the State Issuer permitted by the Acts and approved by
3 the Director of Finance to be paid by the City pursuant to a ~~contribution~~
4 agreement Contribution Agreement.

5 (v) “State Obligations” means any bonds or bond, notes or note, or other similar
6 instruments or instrument issued by a State Issuer, the proceeds of which have
7 been used to finance a portion of the costs of the Project, including, without
8 limitation, bonds issued by MEDCO pursuant to the provisions of Sections 5-201
9 through 5-217, inclusive, of Article 83A of the Annotated Code of Maryland, as
10 amended.

11 (w) “Tax Agreement Revenues” means amounts collected by the City that are
12 payments in lieu of taxes or from any similar agreement or arrangement between
13 the City and an owner or lessee of properties within the Development District.
14 The terms and conditions of the pledge of any such Tax Agreement Revenues
15 shall be determined by the Board of Finance.

16 (x) ~~(w)~~ “Tax Increment” means for any tax year, the amount by which the assessable base
17 (as defined in the Tax Increment Ordinance) as of January 1 preceding that tax
18 year exceeds the original taxable value (as defined in the Tax Increment
19 Ordinance), divided by the assessment ratio (as defined in the Tax Increment
20 Ordinance) used to determine the original taxable value.

21 (y) ~~(x)~~ “Tax Increment Act” means Article II, Chapter (62) of the Baltimore City
22 Charter.

23 (z) ~~(y)~~ “Tax Increment Fund” means the Westport Waterfront Development District Tax
24 Increment Fund.

25 (aa) ~~(z)~~ “Tax Increment Ordinance” means the Ordinance of the City designating the
26 Development District.

27 (bb) ~~(aa)~~ “Tax Increment Revenues” means the revenues and receipts from the taxes
28 representing the levy on the Tax Increment that would normally be paid to the
29 City, including amounts deposited in the Tax Increment Fund or any other fund
30 into which all or any part of these revenues and receipts are deposited after they
31 are appropriated by the City.

32 (cc) ~~(bb)~~ “Tax year” means the period from July 1 of a calendar year through June 30 of
33 the next calendar year.

34 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the City finds and determines that the
35 pledge of certain tax and other revenues for the benefit of State Obligations issued, from time to
36 time, for the purpose of providing funds to finance a portion of the costs of the Project:

37 (a) accomplishes the purposes of the Acts;

38 (b) serves public purposes, including the direct and indirect enhancement of the taxable
39 base of the City, the facilitation of planned improvements to the Development District
40 and the Special Taxing District, the creation of new employment opportunities, the

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1 encouragement of additional economic activities, the development or redevelopment
2 of slum, blighted or deteriorated areas, the undertaking of urban renewal projects and
3 the furtherance of economic development conducted pursuant to comprehensive
4 plans; and

5 (c) generally promotes the health, welfare, and safety of the residents of the State of
6 Maryland and of the City of Baltimore.

7 **SECTION 3. AND BE IT FURTHER ORDAINED, That:**

8 (a) The City approves the issuance from time to time of one or more issues or series of
9 State Obligations by a State Issuer in an aggregate principal amount not to exceed
10 \$160,000,000.

11 (b) The Initial State Obligations may be issued by MEDCO in an aggregate principal
12 amount not to exceed \$40,000,000. Thereafter, subsequent series or issues of State
13 Obligations may be approved from time to time by the Board of Finance.

14 (c) The proceeds of the State Obligations may be utilized solely for the following
15 purposes, as the Board of Finance determines pursuant to Section 10 of this
16 Ordinance:

17 (1) to finance all or part of the costs of the Project;

18 (2) to establish a debt service reserve fund for the State Obligations;

19 (3) to fund capitalized interest on the State Obligations; and

20 (4) to pay costs and expenses of issuing the State Obligations, including any City
21 expenses and State Issuer Expenses.

22 (d) The State Obligations shall be issued pursuant to the provisions of an Indenture at any
23 time or from time to time in one or more issues or series. Each issue or series of the
24 State Obligations shall be identified by the year of issue or by other designation.
25 Such details shall be set forth further in any bond resolution to be adopted by the
26 State Issuer in connection with the issuance of the State Obligations.

27 **SECTION 4. AND BE IT FURTHER ORDAINED, That:**

28 (a) The Tax Increment Revenues are authorized to be pledged pursuant to the
29 Contribution Agreement to provide for the payment by the State Issuer of the
30 principal of and interest and other related costs on the State Obligations. However,
31 the Tax Increment Revenues shall not be irrevocably pledged, and the obligation of
32 the City under the Contribution Agreement to pay the Tax Increment Revenues to the
33 State Issuer is subject to annual appropriation by the City.

34 (b) The Tax Agreement Revenues are authorized to be pledged pursuant to the
35 Contribution Agreement to provide for the payment by the State Issuer of the
36 principal of and interest and other related costs on the State Obligations. However,
37 any pledged Tax Agreement Revenues shall not be irrevocably pledged, and any
38 obligation of the City under the Contribution Agreement to pay Tax Agreement

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1 Revenues to the State Issuer is subject to a determination by the Board of Finance and
2 annual appropriation by the City.

3 (c) ~~(b)~~ If any State Obligations are outstanding, the Tax Increment Revenues may not be
4 used for the purposes set forth in Section 6 of the Tax Increment Ordinance unless the
5 amount in the Tax Increment Fund exceeds:

6 (1) the amount necessary to satisfy the City's obligations under the Contribution
7 Agreement; and

8 (2) the amount of City expenses and State Issuer Expenses due and payable and to
9 become due and payable in that fiscal year.

10 **SECTION 5. AND BE IT FURTHER ORDAINED,** That the pledge of certain tax and other
11 revenues and the City's obligations under the Contribution Agreement are special obligations of
12 the City. The pledge of certain tax and other revenues and the City's obligations under the
13 Contribution Agreement do not constitute a general obligation debt of the City or a pledge of the
14 City's full faith and credit or taxing power.

15 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance authorizes, but does not
16 require, the City to execute a Contribution Agreement. The City shall not create or incur any
17 obligation to any owner or State Issuer with regard to the matters contemplated or described in
18 this Ordinance unless and until the Contribution Agreement is executed and delivered on behalf
19 of the City, and then only to the extent provided in such Contribution Agreement or other
20 documents executed and delivered by the City in connection with the Contribution Agreement.

21 **SECTION 7. AND BE IT FURTHER ORDAINED,** That the obligations of the City under the
22 Contribution Agreement shall be payable:

23 (a) first, from the Tax Increment Revenues and any applicable Tax Agreement Revenues,
24 each subject to annual appropriation by the City; and

25 (b) second, to the extent the Tax Increment Revenues and any applicable Tax Agreement
26 Revenues are not sufficient to satisfy the City's obligations under the Contribution
27 Agreement and to pay City expenses and State Issuer Expenses, from the Special Tax
28 Revenues, each subject to annual appropriation by the City;

29 *provided* that, in each instance, the obligations of the City under the Contribution Agreement are
30 payable from the revenues set forth above only to the extent such revenues are pledged pursuant
31 to the Contribution Agreement.

32 **SECTION 8. AND BE IT FURTHER ORDAINED,** That:

33 (a) No Special Tax shall be levied unless the Tax Increment Revenues and any
34 applicable Tax Agreement Revenues are not sufficient to satisfy the City's
35 obligations under the Contribution Agreement and to pay the City expenses and State
36 Issuer Expenses. The amount of the Special Tax required to be levied in any tax year
37 to provide for the satisfaction of the City's obligations under the Contribution
38 Agreement may be reduced to the extent that amounts are otherwise made available
39 to the State Issuer for the payment of the City's obligations under the Contribution
40 Agreement. The amount of the Special Tax required to be levied in any tax year to

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1 provide for the payment of City expenses may be reduced to the extent that amounts
2 are held under the Indenture, or amounts are otherwise made available to the City are
3 available for the payment of City expenses and State Issuer Expenses in that tax year.

4 (b) The City covenants to levy the Special Tax, in accordance with the Rate and Method,
5 up to the maximum special tax provided in the Rate and Method, at a rate and amount
6 at least sufficient to satisfy the City’s obligations under the Contribution Agreement
7 and to pay City expenses and State Issuer Expenses (to the extent these expenses are
8 not otherwise provided for), to the extent capitalized interest and other amounts
9 available under the Indenture, the Tax Increment Revenues, ~~and~~ any amounts in the
10 Tax Increment Fund, and any applicable Tax Agreement Revenues are insufficient.
11 The Special Tax also may be levied with respect to refunding State Obligations
12 without notice to or the consent of the property owners in the Special Taxing District
13 as provided in the Indenture.

14 (c) The Special Tax Revenues are authorized to be pledged pursuant to the Contribution
15 Agreement to provide for the payment by the State Issuer of the principal of and
16 interest and other related costs on the State Obligations. However, the Special Tax
17 Revenues are not irrevocably pledged, and the obligation to pay the obligations of the
18 City under the Contribution Agreement from the Special Tax Revenues is subject to
19 annual appropriation by the City.

20 **SECTION 9. AND BE IT FURTHER ORDAINED, That:**

21 (a) Each of the following documents shall be executed in the name of the City and on its
22 behalf by the Mayor or Director of Finance, by manual signature and, if necessary,
23 the corporate seal of the City or a facsimile of it shall be impressed or otherwise
24 reproduced on the documents and attested by the Custodian or Alternate Custodian of
25 the City Seal, by manual signature:

26 (1) the Contribution Agreement;

27 (2) the development agreement(s) to be entered into among the City, the State Issuer
28 or any other governmental entity, if necessary, and the developer(s) of the
29 Development District to provide for the construction by the developer(s) of the
30 Project; and

31 (3) any other documents the Board of Finance considers necessary for the issuance,
32 sale and delivery of the State Obligations and the Contribution Agreement.

33 (b) If any officer whose signature or countersignature appears on any document ceases to
34 be an officer before the delivery of such document, the signature or countersignature
35 shall nevertheless be valid and sufficient for all purposes, as if the officer had
36 remained in office until delivery.

37 (c) The Mayor, the Director of Finance, the Custodian of the City Seal and the Alternate
38 Custodian of the City Seal, and other officials of the City are authorized and
39 empowered to do all acts and things and execute all documents and certificates as the
40 Board of Finance determines to be necessary to carry out the provisions of this
41 Ordinance, subject to the limitations set forth in the Acts, the Tax Increment
42 Ordinance, the Special Taxing District Ordinance, and this Ordinance.

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1 **SECTION 10. AND BE IT FURTHER ORDAINED,** That the Board of Finance shall prescribe or
2 approve by resolution any of the following as it deems appropriate to finance the Project:

- 3 (a) the principal amount of the State Obligations to be issued;
- 4 (b) the rate or rates of interest the State Obligations are to bear or the method for
5 determining the same;
- 6 (c) the manner in which and the terms upon which the State Obligations are to be sold;
- 7 (d) the manner in which and the times and places that the interest on the State
8 Obligations is to be paid;
- 9 (e) the time or times that the State Obligations may be executed, issued and delivered;
- 10 (f) the form and tenor of the State Obligations and the denominations in which the State
11 Obligations may be issued;
- 12 (g) the manner in which and the times and places that the principal of the State
13 Obligations is to be paid, within the limitations set forth in the Acts;
- 14 (h) provisions pursuant to which any or all of the State Obligations may be called for
15 redemption prior to their stated maturity dates;
- 16 (i) the terms and provisions of any Indenture, development agreement(s) and
17 contribution agreement, including, without limitation, the Contribution Agreement to
18 be executed by or on behalf of the City and any person in connection with the pledge
19 of certain tax and other revenues;
- 20 (j) provisions establishing sinking funds or debt service reserve funds for the State
21 Obligations;
- 22 (k) provision for municipal bond insurance or any other type of financial guaranty of the
23 State Obligations;
- 24 (l) terms and provisions pledging other assets and revenues, including Tax Agreement
25 Revenues, towards the payment of the principal of and interest on the State
26 Obligations; and
- 27 (m) any other provisions not inconsistent with the Charter (including the Acts), the Tax
28 Increment Ordinance, the Special Taxing District Ordinance, this Ordinance and
29 other applicable law as the Board of Finance determines to be necessary or desirable
30 to finance the Project.

31 **SECTION 11. AND BE IT FURTHER ORDAINED,** That:

- 32 (a) Before the State Obligations are issued, the Director of Finance shall record among
33 the Land Records of the City, at the cost of the Special Taxing District, a declaration
34 that:

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1 (1) encumbers all real property located in the Special Taxing District, except for
2 property exempt by law or the Special Taxing District Ordinance; and

3 (2) designates that property as subject to the Special Taxing District.

4 (b) The declaration shall terminate when the Director of Finance records a release stating
5 that all State Obligations are fully repaid or have been defeased.

6 **SECTION 12. AND BE IT FURTHER ORDAINED,** That any approvals, authorizations, or
7 activities provided in this Ordinance do not constitute and may not be deemed to constitute or
8 imply that the City Council, the Mayor, or any department, office or agency of the City has given
9 or will give, any approval, authorization or consent to any action or activity within or required
10 for the development of the Districts, including any land use approval, requirements for the
11 provision of public utilities or services, or any other administrative, judicial, quasi-judicial, or
12 legislative approval, authorization or consent.

13 **SECTION 13. AND BE IT FURTHER ORDAINED,** That the provisions of this Ordinance are
14 severable. If any provision, sentence, clause, section or other part of this Ordinance is held or
15 determined to be illegal, invalid, unconstitutional, or inapplicable to any person or
16 circumstances, that illegality, invalidity, unconstitutionality, or inapplicability does not affect or
17 impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance or
18 their application to other persons or circumstances. It is the intent of the City that this Ordinance
19 would have been passed even if the illegal, invalid, unconstitutional, or inapplicable provision,
20 sentence, clause, section, or other part had not been included in this Ordinance, and as if the
21 person or circumstances to which this Ordinance or part are inapplicable had been specifically
22 exempted.

23 **SECTION 14. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it
24 is enacted.

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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