

**CITY OF BALTIMORE
COUNCIL BILL 05-0297
(First Reader)**

Introduced by: Councilmembers Clarke, D'Adamo

Introduced and read first time: December 5, 2005

Assigned to: Urban Affairs Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Baltimore Development Corporation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Display of Merchandise**

3 FOR the purpose of allowing in the B-1 and B-2 Districts, to the extent authorized by an Urban
4 Renewal Plan, the unenclosed display of certain merchandise; and generally relating to the
5 use regulations applicable to business districts.

6 BY repealing and reordaining, with amendments

7 Article - Zoning

8 Section(s) 6-205(d), 6-305(c)

9 Baltimore City Revised Code

10 (Edition 2000)

11 BY repealing and reordaining, without amendments

12 Article - Zoning

13 Section(s) 6-405(b), 6-505(b), 6-605(b)

14 Baltimore City Revised Code

15 (Edition 2000)

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

18 **Baltimore City Revised Code**

19 **Article – Zoning**

20 **§ 6-205. *{B-1}* General requirements.**

21 (d) *Uses to be enclosed; exceptions.*

22 (1) *In general.*

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

1 Except as specified in paragraph (2) of this subsection, business, servicing,
2 processing, and storage uses must be located within enclosed structures.

3 (2) *Exceptions.*

4 This subsection does not apply to:

5 (i) off-street parking and loading; [and]

6 (ii) outdoor table service that is accessory to a restaurant use and has been
7 approved by the Board; AND

8 (III) TO THE EXTENT EXPRESSLY AUTHORIZED BY AN APPLICABLE URBAN
9 RENEWAL PLAN, THE DISPLAY OF MERCHANDISE FOR SALE TO THE PUBLIC.

10 **§ 6-305. {B-2} General requirements.**

11 (c) *Uses to be enclosed; exceptions.*

12 (1) Except as specified in paragraph (2) of this subsection, business, servicing,
13 processing, and storage uses must be located within enclosed structures.

14 (2) This subsection does not apply to:

15 (i) off-street parking and loading; [and]

16 (ii) outdoor table service that is accessory to a restaurant use and has been
17 approved by the Board; AND

18 (III) TO THE EXTENT EXPRESSLY AUTHORIZED BY AN APPLICABLE URBAN
19 RENEWAL PLAN, THE DISPLAY OF MERCHANDISE FOR SALE TO THE PUBLIC.

20 **§ 6-405. {B-3} General requirements.**

21 (b) *Uses to be enclosed; exceptions.*

22 (1) *In general.*

23 Except as specified in paragraph (2) of this subsection, business, servicing, and
24 processing uses must be located within enclosed structures.

25 (2) *Exceptions.*

26 This subsection does not apply to:

27 (i) off-street parking and loading;

28 (ii) outdoor table service that is accessory to a restaurant use and has been
29 approved by the Board;

1 (iii) drive-in establishments; and

2 (iv) the display of merchandise for sale to the public.

3 **§ 6-505. {B-4} General requirements.**

4 (b) *Uses to be enclosed; exceptions.*

5 (1) *In general.*

6 Except as specified in paragraph (2) of this subsection, business uses, storage uses,
7 and the servicing, processing, production, cleaning, testing, or repair of materials,
8 goods, or products must be located within enclosed structures.

9 (2) *Exceptions.*

10 This subsection does not apply to:

11 (i) off-street parking and loading;

12 (ii) outdoor table service that is accessory to a restaurant use; and

13 (iii) the display of merchandise for sale to the public.

14 **§ 6-605. {B-5} General requirements.**

15 (b) *Uses to be enclosed; exceptions.*

16 (1) *In general.*

17 Except as specified in paragraph (2) of this subsection, business uses and the
18 servicing, processing, production, cleaning, testing, or repair of materials, goods, or
19 products must be located within enclosed structures.

20 (2) *Exceptions.*

21 This subsection does not apply to:

22 (i) off-street parking and loading;

23 (ii) outdoor table service that is accessory to a restaurant use;

24 (iii) drive-in establishments; and

25 (iv) the display of merchandise for sale to the public.

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

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