

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 20-0532

Introduced by: President Scott, Councilmembers Dorsey, Middleton, Bullock, Clarke, Burnett,
Henry, Stokes, Cohen, Costello, Schleifer, Sneed

Introduced and read first time: May 11, 2020

Assigned to: Transportation Committee

Committee Report: Favorable

Council action: Adopted

Read second time: May 18, 2020

AN ORDINANCE CONCERNING

Temporary Street Space for Pedestrians and Cyclists

FOR the purpose of requiring the Department of Transportation to provide additional street space to pedestrians and cyclists during the pendency of certain temporary spacing orders; requiring that the provision of additional street space be distributed equitably through the City; setting forth certain factors for the Department to consider when providing additional street space; providing for the expiration of additional street space requirements; requiring certain reports; defining certain terms; and providing for a special effective date.

BY adding

Article 31 - Transit and Traffic

Section(s) 2-6.2

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 31. Transit and Traffic

Subtitle 2. General Administration

§ 2-6.2. TEMPORARY STREET SPACE FOR PEDESTRIANS AND CYCLISTS.

(A) *DEFINITIONS.*

(1) *IN GENERAL.*

IN THIS SECTION, 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.

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1 (2) *CENTERLINE MILES.*

2 “CENTERLINE MILES” MEANS THE LENGTH OF A STREET’S CENTERLINE, AS MEASURED
3 BY MILES, REGARDLESS OF THE NUMBER OF LANES.

4 (3) *SHARED STREET.*

5 “SHARED STREET” MEANS A STREET DESIGNATED BY THE DEPARTMENT WITH
6 RECOMMENDED SPEED LIMIT OF 5 MILES PER HOUR AND THAT ALLOWS USE BY MOTOR
7 VEHICLES, PEDESTRIANS, AND INDIVIDUALS USING BICYCLES.

8 (4) *STATE OF EMERGENCY.*

9 “STATE OF EMERGENCY” MEANS A PERIOD OF TIME FOR WHICH:

10 (I) A PROCLAMATION HAS BEEN ISSUED BY THE GOVERNOR DECLARING A STATE
11 OF EMERGENCY UNDER TITLE 14, SUBTITLE 3 OF THE STATE PUBLIC SAFETY
12 ARTICLE {“GOVERNOR’S EMERGENCY POWERS”};

13 (II) A PROCLAMATION HAS BEEN ISSUED BY THE GOVERNOR DECLARING A
14 CATASTROPHIC HEALTH EMERGENCY UNDER TITLE 14, SUBTITLE 3A OF THE
15 STATE PUBLIC SAFETY ARTICLE {“GOVERNOR’S HEALTH EMERGENCY
16 POWERS”}; OR

17 (III) AN ORDER OR PROCLAMATION HAS BEEN ISSUED BY THE MAYOR DECLARING A
18 STATE OF EMERGENCY UNDER § 14-111 {“LOCAL STATE OF EMERGENCY”} OF
19 THE STATE PUBLIC SAFETY ARTICLE.

20 (5) *TEMPORARY SPACING ORDER.*

21 “TEMPORARY SPACING ORDER” MEANS AN ORDER OF THE GOVERNOR OR MAYOR, AS
22 THE CASE MAY BE, THAT IS ISSUED DURING A STATE OF EMERGENCY TO PROHIBIT
23 GATHERINGS OF MORE THAN 100 INDIVIDUALS WITHIN THE CITY.

24 (B) *IMPLEMENTATION.*

25 (1) *IN GENERAL.*

26 (I) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE, NO LATER THAN 7 DAYS
27 FOLLOWING THE ISSUANCE OF A TEMPORARY SPACING ORDER, THE DEPARTMENT
28 SHALL PROVIDE ADDITIONAL STREET SPACE TO PEDESTRIANS AND CYCLISTS ON NO
29 FEWER THAN 25 CENTERLINE MILES OF CITY STREETS.

30 (II) THE ADDITIONAL SPACE DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH
31 MAY BE CREATED THROUGH:

32 (A) THE IMPLEMENTATION OF SHARED STREETS; OR

33 (B) THE CLOSURE OF AT LEAST 1 LANE OF A STREET TO VEHICULAR TRAFFIC.

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1 (III) CALCULATION OF THE ADDITIONAL SPACE REQUIRED BY THIS SECTION MAY NOT
2 INCLUDE ANY CENTERLANE MILES WITHIN A PARK MAINTAINED BY THE
3 DEPARTMENT OF PARKS AND RECREATION.

4 (2) *EQUITABLE DISTRIBUTION.*

5 OF THE 25 CENTERLINE MILES OF ADDITIONAL STREET SPACE REQUIRED BY THIS
6 SECTION:

7 (I) AT LEAST 1 CENTERLINE MILE SHALL BE PROVIDED IN EACH COUNCILMANIC
8 DISTRICT; BUT

9 (II) NO MORE THAN 15% OF THE TOTAL CITY CENTERLINE MILES PROVIDED UNDER
10 THIS SECTION MAY BE LOCATED IN ANY SINGLE COUNCILMANIC DISTRICT.

11 (3) *ACCESSIBILITY.*

12 THE ADDITIONAL SPACE PROVIDED UNDER THIS SECTION SHALL BE ACCESSIBLE TO
13 PEDESTRIANS AND CYCLISTS DURING THE PENDENCY OF THE TEMPORARY SPACING
14 ORDER.

15 (4) *FACTORS.*

16 THE DEPARTMENT SHALL CONSIDER THE FOLLOWING FACTORS IN IMPLEMENTING THE
17 REQUIREMENTS OF THIS SECTION:

18 (I) THE SAFETY OF ALL STREET USERS;

19 (II) CREATING SPACE IN NEIGHBORHOODS WITH INSUFFICIENT EXISTING OPEN OR
20 RECREATIONAL SPACE;

21 (III) INCREASING SPACE IN NEIGHBORHOODS WITH HEAVILY UTILIZED PARKS;

22 (IV) ENSURING THAT BUSINESSES PERMITTED TO CONTINUE OPERATIONS DURING
23 THE STATE OF EMERGENCY CAN OPERATE WITHOUT IMPEDIMENT;

24 (V) ENSURING DELIVERIES TO THOSE BUSINESSES PERMITTED TO CONTINUE
25 OPERATIONS DURING THE STATE OF EMERGENCY CAN CONTINUE AND
26 AVOIDING MAJOR TRUCK ROUTES WHEREVER POSSIBLE;

27 (VI) CLOSURES THAT DO NOT REQUIRE SIGNIFICANT STAFFING BY THE
28 DEPARTMENT OR ANY UNIT OR INSTRUMENTALITY OF THE CITY; AND

29 (VII) AVOIDING MAJOR MEDICAL FACILITIES.

30 (5) *CONSULTATION AND NOTIFICATION.*

31 (I) THE DEPARTMENT SHALL CONSULT WITH AND NOTIFY AFFECTED
32 COUNCILMEMBERS AND COMMUNITIES OF THE IMPLEMENTATION OF A SHARED

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1 STREET OR THE CLOSURE OF ANY LANE ON A STREET TO VEHICULAR TRAFFIC
2 PURSUANT TO THIS SECTION.

3 (II) IN ADDITION, THE DEPARTMENT SHALL CONSULT WITH ANY NEIGHBORHOOD
4 ASSOCIATION THAT RECOMMENDS A LOCATION THAT COULD BE UTILIZED FOR ANY
5 IMPLEMENTATION OR CLOSURE UNDER THIS SECTION.

6 (C) *EXPIRATION.*

7 THE REQUIREMENTS IMPOSED BY SUBSECTION (B) OF THIS SECTION SHALL CEASE ON THE
8 EXPIRATION OR REPEAL OF ANY APPLICABLE TEMPORARY SPACING ORDER.

9 (D) *REPORTING.*

10 NO LATER THAN 30 DAYS FOLLOWING THE IMPLEMENTATION OF THE REQUIREMENTS
11 IMPOSED BY SUBSECTION (B)(1) OF THIS SECTION, THE DEPARTMENT SHALL SUBMIT TO
12 THE MAYOR AND CITY COUNCIL AND POST ON THE DEPARTMENT'S WEBSITE AN
13 EVALUATION OF THOSE CLOSURES AND ANY RECOMMENDATIONS FOR EXPANSION.

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

17 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
18 enacted.

19 **SECTION 4. AND BE IT FURTHER ORDAINED,** That, notwithstanding any other provision of
20 this Ordinance, if a temporary spacing order is in effect on the effective date of this Ordinance,
21 the Department must implement the requirements of Section 1 of this Ordinance within 14 days
22 of the date of enactment of this Ordinance.

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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