

**CITY OF BALTIMORE  
COUNCIL BILL 05-0277  
(First Reader)**

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Introduced by: Councilmembers Harris, Kraft, Curran, Young, Holton, Conaway, Welch,  
Spector, Branch, Reisinger, President Dixon  
Introduced and read first time: November 7, 2005  
Assigned to: Land Use and Transportation Committee

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

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Land Use Conditions – Compliance Verification**

3 FOR the purpose of requiring inspections to verify compliance with conditions imposed by or in  
4 connection with certain land use authorizations; defining certain terms; requiring certain  
5 notices and reports; and generally relating to compliance with conditions imposed on the  
6 grant of land use authorizations.

7 By adding

8 Article 13 - Housing and Urban Renewal  
9 Section(s) 2-15  
10 Baltimore City Code  
11 (Edition 2000)

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

14 **Baltimore City Code**

15 **Article 13. Housing and Urban Renewal**

16 **§ 2-15. VERIFYING COMPLIANCE WITH LAND USE CONDITIONS.**

17 (A) *“LAND USE AUTHORIZATION” DEFINED.*

18 IN THIS SECTION, “LAND USE AUTHORIZATION” MEANS ANY LEGISLATIVE OR  
19 ADMINISTRATIVE APPROVAL OF:

20 (1) A CHANGE IN THE ZONING CLASSIFICATION OF ANY PROPERTY;

21 (2) A CONDITIONAL USE FOR ANY PROPERTY; OR

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

1 (3) A PLANNED UNIT DEVELOPMENT.

2 (B) NOTICE TO COMMISSIONER.

3 (1) WITHIN 30 DAYS OF THE GRANT OF ANY LAND USE AUTHORIZATION, NOTICE OF THE  
4 AUTHORIZATION MUST BE GIVEN TO THE COMMISSIONER OF HOUSING AND  
5 COMMUNITY DEVELOPMENT.

6 (2) THE NOTICE SHALL BE PROVIDED AS FOLLOWS:

7 (I) FOR AN ORDINANCE OR OTHER LEGISLATIVE AUTHORIZATION, BY THE  
8 EXECUTIVE SECRETARY OF THE CITY COUNCIL;

9 (II) FOR AN ADMINISTRATIVE AUTHORIZATION OF THE BOARD OF MUNICIPAL AND  
10 ZONING APPEALS, BY THE EXECUTIVE DIRECTOR OF THE BOARD; AND

11 (III) FOR ANY OTHER ADMINISTRATIVE AUTHORIZATION, BY THE OFFICIAL  
12 GRANTING THE AUTHORIZATION.

13 (C) INSPECTIONS.

14 (1) THE COMMISSIONER SHALL CAUSE EVERY PROPERTY SUBJECT TO A LAND USE  
15 AUTHORIZATION TO BE PERIODICALLY INSPECTED FOR COMPLIANCE WITH ALL  
16 CONDITIONS IMPOSED BY OR IN CONNECTION WITH THE AUTHORIZATION.

17 (2) THE INSPECTIONS SHALL BE CONDUCTED:

18 (I) FIRST, WITHIN 6 MONTHS OF THE GRANT OF THE LAND USE AUTHORIZATION;  
19 AND

20 (II) SUBSEQUENTLY, FOR AS LONG AS ANY CONDITION REMAINS TO BE FULFILLED  
21 OR CONTINUES TO BE OPERATIVE, AT LEAST ONCE EVERY 2 YEARS .

22 (D) REPORTS.

23 (1) THE COMMISSIONER SHALL SUBMIT REPORTS OF THESE INSPECTIONS TO:

24 (I) THE PERSONS IDENTIFIED IN SUBSECTION (B)(2) OF THIS SECTION;

25 (II) THE DEPARTMENT OF PLANNING; AND

26 (III) IF THE PROPERTY IS FOUND TO BE IN VIOLATION OF THE LAND USE  
27 AUTHORIZATION, TO THE APPROPRIATE ENFORCEMENT OFFICIALS.

28 (2) THE DEPARTMENT OF PLANNING SHALL FORWARD A COPY OF EACH REPORT TO THE  
29 COMMUNITY ASSOCIATIONS ON RECORD WITH IT AS HAVING AN INTEREST IN THE  
30 SUBJECT LAND USE AUTHORIZATION.

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

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