

**CITY OF BALTIMORE  
COUNCIL BILL 12-0105  
(First Reader)**

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Introduced by: Councilmember Kraft  
Introduced and read first time: June 25, 2012  
Assigned to: Urban Affairs and Aging 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, Department of Public Works, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Fells Point Waterfront –**  
3 **Amendment \_**

4 FOR the purpose of amending the Urban Renewal Plan for Fells Point Waterfront to add to  
5 Appendix A an additional promenade standard that would regulate the number of newspaper  
6 vending boxes along the promenade; waiving certain content and procedural requirements;  
7 making the provisions of this Ordinance severable; providing for the application of this  
8 Ordinance in conjunction with certain other ordinances; and providing for a special effective  
9 date.

10 BY authority of  
11 Article 13 - Housing and Urban Renewal  
12 Section 2-6  
13 Baltimore City Code  
14 (Edition 2000)

15 **Recitals**

16 The Urban Renewal Plan for Fells Point Waterfront was originally approved by the Mayor  
17 and City Council of Baltimore by Ordinance 07-569.

18 An amendment to the Urban Renewal Plan for Fells Point Waterfront is necessary to add to  
19 Appendix A an additional promenade standard that would regulate the number of newspaper  
20 vending boxes along the promenade.

21 Under Article 13, § 2-6 of the Baltimore City Code, no change may be made in any approved  
22 renewal plan unless the change is approved in the same manner as that required for the approval  
23 of a renewal plan.

24 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
25 following change in the Urban Renewal Plan for Fells Point Waterfront is approved:

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

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1 (1) In the Plan, in Appendix A, “Waterfront Area Controls”, add a new standard to the  
2 Promenade Standards to read as follows:

3 Appendix A

4 Waterfront Area Controls

5 . . . .

6 Promenade Standards

7 . . . .

8 9. NO MORE THAN 4 NEWSPAPER VENDING BOXES MAY BE PERMITTED WITHIN 300  
9 FEET OF EACH OTHER.

10 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for Fells Point  
11 Waterfront, as amended by this Ordinance and identified as “Urban Renewal Plan, Fells Point  
12 Waterfront, revised to include Amendment \_\_, dated June 25, 2012”, is approved. The  
13 Department of Planning shall file a copy of the amended Urban Renewal Plan with the  
14 Department of Legislative Reference as a permanent public record, available for public  
15 inspection and information.

16 **SECTION 3. AND BE IT FURTHER ORDAINED**, That if the amended Urban Renewal Plan  
17 approved by this Ordinance in any way fails to meet the statutory requirements for the content of  
18 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal  
19 plan, those requirements are waived and the amended Urban Renewal Plan approved by this  
20 Ordinance is exempted from them.

21 **SECTION 4. AND BE IT FURTHER ORDAINED**, That if any provision of this Ordinance or the  
22 application of this Ordinance to any person or circumstance is held invalid for any reason, the  
23 invalidity does not affect any other provision or any other application of this Ordinance, and for  
24 this purpose the provisions of this Ordinance are declared severable.

25 **SECTION 5. AND BE IT FURTHER ORDAINED**, That if a provision of this Ordinance concerns  
26 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or  
27 safety law or regulation, the applicable provisions shall be construed to give effect to each.  
28 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the  
29 higher standard for the protection of the public health and safety prevails. If a provision of this  
30 Ordinance is found to be in conflict with an existing provision of any other law or regulation that  
31 establishes a lower standard for the protection of the public health and safety, the provision of  
32 this Ordinance prevails and the other conflicting provision is repealed to the extent of the  
33 conflict.

34 **SECTION 6. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the date it is  
35 enacted.