

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 11-0648**

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Introduced by: The Council President  
At the request of: The Administration (Department of Housing and Community Development)  
Introduced and read first time: January 31, 2011  
Assigned to: Urban Affairs and Aging Committee

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Committee Report: Favorable with amendments  
Council action: Adopted  
Read second time: May 2, 2011

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**AN ORDINANCE CONCERNING**

**Urban Renewal – Poppleton –  
Amendment 12**

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2  
3 FOR the purpose of amending the Urban Renewal Plan for Poppleton to reauthorize the  
4 acquisition of properties within the Project Area, to remove certain properties from the lists  
5 in Appendices A and C, and to correct and clarify certain language; waiving certain content  
6 and procedural requirements; making the provisions of this Ordinance severable; providing  
7 for the application of this Ordinance in conjunction with certain other ordinances; and  
8 providing for a special effective date.

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

**Recitals**

14  
15 The Urban Renewal Plan for Poppleton was originally approved by the Mayor and City  
16 Council of Baltimore by Ordinance 75-837 and last amended by Ordinance 07-416.

17 An amendment to the Urban Renewal Plan for Poppleton is necessary to reauthorize the  
18 Plan's powers of acquisition and condemnation so that these actions may legally continue, in  
19 compliance with § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, to  
20 remove certain properties from the lists in Appendices A and C, and to correct and clarify certain  
21 language.

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

25 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the  
26 following changes in the Urban Renewal Plan for Poppleton are approved:

**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.

**Council Bill 11-0648**

1 (1) In the Plan, amend C.1.a. to read as follows:

2 C. Techniques Used to Achieve Plan Objectives

3 1. Acquisition

4 a. Purposes for Acquiring Properties within the Project Area

5 Properties designated for acquisition on the Property Acquisition Map,  
6 Exhibit 2, including parts thereof or interests therein, will be acquired BY  
7 PURCHASE OR BY CONDEMNATION either for clearance and redevelopment,  
8 for rehabilitation, or for public facilities. Those properties [which] THAT  
9 are being acquired for rehabilitation, which have not been designated  
10 collectively with a disposition lot number, are listed in Appendix A; those  
11 properties for clearance and redevelopment, which have not been  
12 designated collectively with a disposition lot number, are listed in  
13 Appendix C.

14 (2) In the Plan, add new C.1.d. to read as follows:

15 C. Techniques Used to Achieve Plan Objectives

16 1. Acquisition

17 . . . .

18 D. THE AUTHORITY TO ACQUIRE THE PROPERTIES WITHIN THE PROJECT AREA  
19 IS EXPRESSLY CONFIRMED AND REAUTHORIZED THROUGH AND INCLUDING  
20 DECEMBER 31, 2014.

21 (3) In the Plan, amend the first paragraph of Appendix A to read as follows:

22 Appendix A

23 Properties for Acquisition and Disposition for Rehabilitation

24 In addition to those groups of properties to be acquired and disposed of for  
25 rehabilitation (designated with disposition lot numbers on Exhibit 3), the  
26 following properties are also being acquired and disposed of for rehabilitation.  
27 Certain of these properties may be consolidated with abutting footway alleys or  
28 used in whole or in part as rear or side yard space for adjacent properties. THE  
29 ACQUISITION PROPERTIES ADJACENT TO OR ABUTTING STREETS AND ALLEYS BEING  
30 CLOSED WILL ALSO INCLUDE ALL RIGHTS, TITLE AND INTEREST, OR ANY PRIVATE  
31 RIGHTS OF USE IN AND TO THE ADJACENT STREETS, RIGHTS-OF-WAY, OR ALLEYS  
32 SHOWN LYING WITHIN THE PERIMETER OF THE DISPOSITION MAP.

**Council Bill 11-0648**

1 (4) In the Plan, amend the first paragraph of Appendix C to read as follows:

2 Appendix C

3 Properties for Acquisition and Disposition for Clearance and Redevelopment

4 In addition to those groups of properties to be acquired and disposed of for  
5 clearance (designated with disposition lot numbers on Exhibit 3), the following  
6 properties are also being acquired and disposed of for clearance and  
7 redevelopment. CERTAIN PROPERTIES LISTED BELOW MAY BE USED IN WHOLE OR  
8 IN PART, AS REAR OR SIDE YARD SPACE FOR ADJACENT PROPERTY. THE  
9 ACQUISITION PROPERTIES ADJACENT TO OR ABUTTING STREETS AND ALLEYS BEING  
10 CLOSED WILL ALSO INCLUDE ALL RIGHTS, TITLE AND INTEREST, OR ANY PRIVATE  
11 RIGHTS OF USE IN AND TO THE ADJACENT STREETS, RIGHTS-OF-WAY, OR ALLEYS  
12 SHOWN LYING WITHIN THE PERIMETER OF THE DISPOSITION MAP.

13 (5) In the Plan, in Appendix A, delete the following from the list of properties:

14 103 N. Amity Street  
15 901 W. Baltimore Street  
16 903 W. Baltimore Street  
17 905 W. Baltimore Street  
18 821 W. Lexington Street  
19 837 W. Lexington Street  
20 839 W. Lexington Street

21 (6) In the Plan, in Appendix C, delete the following from the list of properties:

22 15 N. Amity Street  
23 15½ N. Amity Street  
24 17 N. Amity Street  
25 19 N. Amity Street  
26 21 N. Amity Street  
27 23 N. Amity Street  
28 25 N. Amity Street  
29 103 N. Amity Street  
30 105 N. Amity Street  
31 107 N. Amity Street  
32 808 W. Fayette Street  
33 922 W. Fayette Street  
34 924 W. Fayette Street  
35 927 W. Fayette Street

36 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Poppleton, as  
37 amended by this Ordinance and identified as “Urban Renewal Plan, Poppleton, revised to  
38 include Amendment 12, dated January 31, 2011”, is approved. The Department of Planning  
39 shall file a copy of the amended Urban Renewal Plan with the Department of Legislative  
40 Reference as a permanent public record, available for public inspection and information.

41 **SECTION 3. AND BE IT FURTHER ORDAINED,** That if the amended Urban Renewal Plan  
42 approved by this Ordinance in any way fails to meet the statutory requirements for the content of

**Council Bill 11-0648**

1 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal  
2 plan, those requirements are waived and the amended Urban Renewal Plan approved by this  
3 Ordinance is exempted from them.

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

8 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns  
9 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or  
10 safety law or regulation, the applicable provisions shall be construed to give effect to each.  
11 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the  
12 higher standard for the protection of the public health and safety prevails. If a provision of this  
13 Ordinance is found to be in conflict with an existing provision of any other law or regulation that  
14 establishes a lower standard for the protection of the public health and safety, the provision of  
15 this Ordinance prevails and the other conflicting provision is repealed to the extent of the  
16 conflict.

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

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\_\_

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Mayor, Baltimore City