

**CITY OF BALTIMORE  
COUNCIL BILL 26-0192  
(First Reader)**

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Introduced by: The Council President  
Cosponsored by: Councilmembers Dorsey, Bullock, Porter, Blanchard, Jones, and Ramos  
At the request of: Charter Review Special Committee  
Introduced and read first time: May 11, 2026  
Assigned to: Charter Review Special Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor

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A RESOLUTION ENTITLED

1 A RESOLUTION OF THE MAYOR AND CITY COUNCIL concerning

2 **Charter Amendment – Minor Privileges**

3 FOR the purpose of providing for the grant of certain minor privilege rights under a process  
4 established by ordinance; removing certain improper, non-essential, obsolete, and redundant  
5 provisions; setting a special effective date; and submitting this amendment to the qualified  
6 voters of the City for adoption or rejection.

7 BY proposing to amend  
8 Article VIII – Franchises  
9 Sections 1 and 2  
10 Baltimore City Charter  
11 (1996 Edition)

12 BY proposing to repeal  
13 Article VIII – Franchises  
14 Sections 4 through 9  
15 Baltimore City Charter  
16 (1996 Edition)

17 BY proposing to amend and renumber  
18 Article VIII – Franchises  
19 Section 3  
20 to be  
21 Section 4  
22 Baltimore City Charter  
23 (1996 Edition)

24 BY proposing to add  
25 Article VIII – Franchises  
26 Section 3  
27 Baltimore City Charter  
28 (1996 Edition)

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



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**§ 2. [Procedures; Compensation; Minor privileges.] PROCEDURE; COMPENSATION.**

Whenever an ordinance is introduced into the City Council pursuant to the provisions of Section 1 of this Article VIII, which ordinance shall contain all the terms and conditions of the proposed grant, including a provision as to the rates, fares and charges, if the grant provides for the charging of rates, fares or charges, and a provision that the franchise or right shall be executed and enjoyed within six months after the grant, it shall, after the first reading, be referred forthwith to the Board of Estimates. The said Board shall make diligent inquiry as to the money value of said franchise or right proposed to be granted and the adequacy of the proposed compensation to be paid therefor to the City as offered in said ordinance, and the propriety of the terms and conditions of said ordinance, and said board is empowered to increase the compensation to be paid therefor to the City and to alter the terms and conditions of said ordinance, including the space in or over which the franchise or right is proposed to be granted and the person to whom the franchise or right shall be granted, provided such alterations are not inconsistent with the requirements and provisions of the Charter, and it shall be the duty of said Board to fix in said ordinance the said compensation at the largest amount it may be able to obtain, by advertising or otherwise, for said franchise or right, and no grant thereof by the City Council shall be made except for the compensation and on the terms approved by vote or resolution of the said Board, entered in the minutes or records of said Board and attached to said ordinance with the signature of a majority of said Board signed thereto, and in the absence of such vote or resolution of said Board said proposed ordinance may not be passed but shall lapse and be void.

**§ 3. MINOR PRIVILEGES.**

*(A) DEFINITIONS.*

*(1) IN GENERAL.*

IN THIS ARTICLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

*(2) MINOR PRIVILEGE.*

“MINOR PRIVILEGE” MEANS A RIGHT GRANTED BY THE CITY TO A PERSON TO USE A PORTION OF PUBLIC PROPERTY FOR PRIVATE PURPOSES AS IDENTIFIED AND DEFINED BY ORDINANCE.

*(3) PERMANENT MINOR PRIVILEGE.*

“PERMANENT MINOR PRIVILEGE” MEANS A MINOR PRIVILEGE THAT CANNOT BE REMOVED WITHOUT MATERIALLY ALTERING THE PUBLIC PROPERTY WHERE IT IS LOCATED.

*(4) TEMPORARY MINOR PRIVILEGE.*

“TEMPORARY MINOR PRIVILEGE” MEANS A MINOR PRIVILEGE THAT CAN BE REMOVED WITHOUT MATERIALLY ALTERING THE PUBLIC PROPERTY WHERE IT IS LOCATED.

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1 (B) *TEMPORARY AND PERMANENT MINOR PRIVILEGES*

2 [Provided, that the] THE right to use the streets, or other public property, by any person  
3 for [steps, porticoes, bay windows, bow windows, show windows, signs, columns, piers,  
4 or other projections or structural ornaments of any character except so far as the same  
5 may be prohibited by law, and covered vaults, covered areaways, drains, drainpipes,] A  
6 TEMPORARY OR PERMANENT MINOR PRIVILEGE or any other private purpose not prohibited  
7 by law or ordinance and not being a franchise or right requiring a formal grant by  
8 ordinance, may be granted by [the Board of Estimates for such an amount of money and  
9 upon such terms as the said Board may consider right and proper without the necessity of  
10 an ordinance or advertising.] AN EXECUTIVE AGENCY UNDER A PROCESS ESTABLISHED BY  
11 ORDINANCE.

12 [The applicant for any such right shall make written application therefor to the Board of  
13 Estimates, stating therein the use desired and the amount he proposes to pay therefor.  
14 Before filing the application with the Board of Estimates, the applicant shall serve copies  
15 thereof on the owners of the adjoining properties. The use applied for shall be enjoyed  
16 only on the payment of the consideration fixed by said Board and on the terms and  
17 conditions prescribed by it in writing, which terms and conditions, including the  
18 consideration charged therefor, may be changed from time to time by the Board — but  
19 with respect to “permanent” minor privileges, as defined in Section 9 of this Article VIII  
20 of the Charter, only after reasonable notice to the holder of the privilege and opportunity  
21 to him to be heard before the Board or its designated representative — and provided  
22 further, that all grants of minor privileges shall also be subject to the provisions of said  
23 Section 9 of this Article VIII.]

24 [The Board of Estimates may delegate to any department or other municipal agency, and  
25 such department or other municipal agency shall exercise, any administrative powers and  
26 duties relating to minor privileges.]

27 **§ 4. [3. Duration.] TERM; RENEWAL; TRANSFER ON TERMINATION.**

28 No franchise or right in relation to any street, either on, above or below the surface of the  
29 same, or franchise or right with respect to any other public property, shall be granted by the  
30 City to any person for a longer period than twenty-five years, but such grant may, at the  
31 option of the City, provide for giving to the grantee the right (on fair revaluation, including in  
32 such revaluation the value derived from the said franchise or right) to renewals not exceeding  
33 in the aggregate twenty-five years.

34 Regardless of the number of previous grants of a given franchise to its holder, or the number  
35 of years such holder may have held the same, the City may renew the same to him on the  
36 same or different terms from that theretofore granted, including an increase or decrease of the  
37 consideration or charge therefor, provided always, no grant by the City of a franchise or right  
38 in, over or under any part of its public property, whether an original grant or a renewal  
39 thereof, shall (save for a possible provision for renewals in accordance with the first sentence  
40 of this section) create a term therefor or a right to obtain a renewal of said term extending  
41 more than twenty-five years from the date of the ordinance granting or renewing the same, as  
42 the case may be.

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1 Any grant of a franchise may provide that upon the termination of the said franchise or right  
2 granted by the City, the plant, as well as the property of the grantee situated in, above or  
3 under the streets or other public property aforesaid with its appurtenances, shall thereupon be  
4 and become the property of the City, without further or other compensation to the grantee; or  
5 such grant may provide that upon such determination, there shall be a fair valuation of the  
6 plant and property, which shall be and become the property of the City at its election, on  
7 paying the grantee said valuation. If, by virtue of the grant, the plant and property are to  
8 become the property of the City without money payment therefor, the City shall have the  
9 option either to take and operate the said property on its own account, or to renew the said  
10 grant for not exceeding twenty-five years on a revaluation or sell the same to the highest  
11 bidder at public sale. If the original grant shall prescribe that the City shall at its election  
12 make payment for such plant and property, such payment shall be at a fair valuation of the  
13 same as property, excluding any value derived from the franchise or right and if the City shall  
14 make payment for such plant and property, it may, in that event, operate the plant and  
15 property on its own account for five years, after which it may determine either to continue  
16 such operation on its own account or to lease the said plant and property and the said  
17 franchise or right to use the streets, or other public property in connection therewith, for  
18 limited periods, not to exceed twenty-five years from the date of the grant, under such rules  
19 and regulations as it may prescribe, or to sell the plant and property to the highest bidder at  
20 public sale.

21 Every grant of any such franchise or right shall make provision, by way of forfeiture or  
22 otherwise, for the purpose of compelling compliance with the terms of the grant, and to  
23 secure efficiency of public service at reasonable rates, and the maintenance of the property in  
24 good condition, throughout the full term of the grant. The grant shall also specify the mode  
25 of determining the valuations and revaluations which may be provided for therein.

26 SECTIONS 1, 2, AND 4 OF THIS ARTICLE VIII SHALL APPLY TO ANY RENEWAL OR EXTENSION OF  
27 A FRANCHISE, WHETHER TO THE SAME GRANTEE OR TO OTHERS.

28 **[§ 4. Street railways.]**

29 [The Board of Estimates, subject to ratification and approval by ordinance, is empowered to  
30 agree with any street railway company for the surrender of any of its franchises, easements or  
31 rights-of-way, and in substitution for the franchise, easement or right-of-way so surrendered  
32 to grant a new franchise, easement or right-of-way on any street, and which may be for the  
33 same duration as the franchise, easement or right-of-way surrendered; and to provide, in  
34 appropriate cases, for a graduated park tax, as prescribed by Chapter 566 of the Acts of the  
35 General Assembly of 1906.]

36 **[§ 5. Trackless trolleys.]**

37 [The City may, by ordinance, permit any street railway company to operate under its existing  
38 franchises vehicles propelled by electricity furnished by overhead wires but not operated  
39 upon rails, and any such grant heretofore made is hereby ratified and confirmed.]

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### 1    **[§ 6. Advertising.]**

2           [Before any grant of the franchises or right to use any street, or other public property, either  
3           on, above or below the surface of the same shall be made, the proposed specific grant, except  
4           as provided in the second paragraph of Section 2 of this Article VIII, embodied in the form of  
5           a brief advertisement, prepared by the Board of Estimates, at the expense of the applicant,  
6           shall be published by the Comptroller for at least three days in one daily newspaper published  
7           in Baltimore City to be designated by the Board of Estimates, and all the provisions of the  
8           first paragraph of Section 2 of this Article VIII shall be complied with.]

### 9    **[§ 7. Reservation of rights.]**

10           [When the grant of a franchise or right is made in compliance with the foregoing sections, the  
11           City shall not part with, but shall expressly reserve the right and duty at all times to exercise  
12           in the interest of the public full municipal superintendence, regulation and control in respect  
13           to all matters connected with said grant and not inconsistent with the terms thereof.]

### 14   **[§ 8. Renewals.]**

15           [Sections 1, 2,[3, 6, and 7 of this Article VIII shall apply to any renewal or extension of a  
16           franchise, whether to the same grantee or to others.]

### 17   **[§ 9. Minor privileges.]**

18           [(a) *Temporary minor privilege charges.*]

19           [Beginning with the year 1935, the amount of the lien of the City for charges for  
20           temporary minor privileges, as hereinafter defined, shall be limited to the amount of the  
21           charge therefor for the last calendar year for which made. The person to whom such  
22           temporary minor privilege is granted shall be personally liable to the City for the amount  
23           of such charges. If any such charge is not paid by April 1st of the year succeeding that in  
24           respect of which the charge was made, the Department of Finance shall record the lien for  
25           such previous year's charge in the tax lien record, where it shall continue to be a lien,  
26           until paid, upon the property on which such minor privilege is located. The Department of  
27           Finance may proceed to enforce the liability above provided for or to sell the property in  
28           satisfaction of such lien under the provisions of Article 81 of the Code of Public General  
29           Laws of Maryland.]

30           [(b) *“Temporary” and “permanent” defined; Procedures.*]

31           [Temporary minor privileges are those in the nature of awnings, barber poles, signs,  
32           skids, clothes racks, sidewalk displays and vending machines and the like, which can be  
33           removed without a material alteration of the property where the said privilege is located.]

34           [Permanent minor privileges are those in the nature of steps, porticoes, bay windows, bow  
35           windows, show windows, columns, tiers, covered vaults, covered areaways, drains or  
36           drainpipes, and the like which cannot be removed without a material alteration of the  
37           property where the said privilege is located.]

38           [The procedure for granting minor privileges is set forth in Section 2 of this Article VIII.]

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1 [(c) *Savings clause.*]

2 [Nothing contained in this section shall affect the payment or collection of any minor  
3 privilege charges, temporary, or permanent, accruing before the year 1935 or the payment  
4 or collection of charges for permanent minor privileges during and after the year 1935. As  
5 to any of such charges which are not paid when due, the Department of Finance may  
6 institute suit against the holder of the privilege and the owner of the property at the time  
7 the charge arose, and shall record them in the tax lien record, and they shall remain a lien  
8 until paid and may sell the property at which the privilege is located under the provisions  
9 of said Article 81.]

10 [(d) *Designation by Board of Estimates.*]

11 [In issuing minor privileges the Board of Estimates shall designate the same as being  
12 “temporary” or “permanent” as defined in this section.]

13 **SECTION 2. AND BE IT FURTHER RESOLVED,** That each provision repealed by this Resolution  
14 shall, upon approval by the legal and qualified voters of Baltimore City, become fully effective  
15 upon the date of the next General Election conducted in Baltimore City or upon passage of an  
16 ordinance or promulgation of a regulation governing the subject matter of the repealed provision,  
17 whichever is sooner. To the extent of any inconsistency or conflict between such ordinance or  
18 regulation and the repealed provision, the ordinance shall prevail.

19 **SECTION 3. AND BE IT FURTHER RESOLVED,** That all provisions of this amendment to the  
20 City Charter not contemplated by Section 2 shall, upon approval by the legal and qualified voters  
21 of Baltimore City, become effective in accordance with Article XI-A, § 5 of the Maryland  
22 Constitution from and after the 30<sup>th</sup> day after the General Election on November 3, 2026.

23 **SECTION 4. AND BE IT FURTHER RESOLVED,** That this proposed amendment to the City  
24 Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection,  
25 in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the  
26 City Solicitor.