

**CITY OF BALTIMORE  
COUNCIL BILL 17-0093  
(First Reader)**

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Introduced by: The Council President  
At the request of: The Administration (Law Department)  
Introduced and read first time: July 17, 2017  
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 Transportation, Department of Housing and Community Development

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Appeals to Zoning Board – Corrective**

3 FOR the purpose of deleting certain court-imposed statutory provisions, since rendered  
4 inoperative by Ch. 596, Acts of 2017, which direct persons aggrieved by land-use decisions  
5 of the Planning Commission (among certain other “authorized administrative officer[s] or  
6 unit[s]”) to appeal those decisions to the Board of Municipal and Zoning Appeals, rather  
7 than seeking their judicial review; conforming the new Zoning Code to decades of  
8 City practice and procedures that recognize the final-administrative status of Planning  
9 Commission decisions; and providing for a special effective date.

10 BY authority of

11 Article - Land Use  
12 Section 10-404  
13 Annotated Code of Maryland  
14 (As amended by Ch. 596, Acts of 2017 )

15 BY repealing and reordaining, with amendments

16 Article 32 - Zoning  
17 Sections 3-202(l) and 19-301(a)  
18 Baltimore City Code  
19 (As amended by Ord. 17-015)

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

22 **Baltimore City Code**

23 **Article 32. Zoning**

24 **Title 3. Outline of Code Administration**

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

**Council Bill 17-0093**

***Subtitle 2. Administrative Agencies and Officials***

**§ 3-202. Board of Municipal and Zoning Appeals.**

(1) *Voting – Number of votes.*

The number of votes specified in the State Land Use Article is required for the Board to:

(1) reverse any order, requirement, decision, or determination [made or imposed under this Code by] OF the Zoning Administrator [or by some other authorized administrative officer or administrative unit]; or

(2) decide in favor of the applicant on any matter on which it is required to pass under this Code.

**Title 19. Prohibited Conduct; Enforcement; Administrative and Judicial Review**

***Subtitle 3. Administrative and Judicial Review***

**§ 19-301. Administrative appeals.**

(a) *Who may appeal.*

A decision of the Zoning Administrator [or other authorized administrative officer or unit], including the issuance of a violation notice under Subtitle 2 {“Enforcement”} of this title, may be appealed to the Board of Municipal and Zoning Appeals by:

(1) any person aggrieved by the decision; or

(2) any officer or department, board, bureau, or other unit of the City affected by the decision.

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

**SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect when it is enacted.