

**CITY OF BALTIMORE
COUNCIL BILL 15-0590
(First Reader)**

Introduced by: Councilmember Henry, President Young, Councilmembers Middleton, Costello,
Kraft, Clarke, Reisinger, Spector, Welch, Scott, Mosby

Introduced and read first time: November 2, 2015

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Planning Department, Department of
Real Estate, Department of Housing and Community Development, Department of
Transportation, Department of Public Works, Department of General Services, Department of
Finance, Department of Recreation and Parks, Baltimore Development Corporation, Fire
Department, Police Department, Baltimore City Parking Authority Board

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Demolition, etc., of City Structures**

3 FOR the purpose of prohibiting the demolition or reconstruction of certain City-owned structures
4 unless expressly authorized by an ordinance of the Mayor and City Council; defining certain
5 terms; and requiring that, on introduction of a proposed authorizing ordinance, the bill be
6 referred to certain agencies for their reports and recommendations.

7 BY adding

8 Article 5 - Finance, Property, and Procurement
9 Sections 20A-1 through 20A-3, to be under the new subtitle designation,
10 "Subtitle 20A. Demolition, etc., of City Property"
11 Baltimore City Code
12 (Edition 2000)

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

15 **Baltimore City Code**

16 **Article 5. Finance, Property, and Procurement**

17 **SUBTITLE 20A. DEMOLITION, ETC., OF CITY PROPERTY**

18 **§ 20A-1. DEFINITIONS.**

19 (A) *IN GENERAL.*

20 IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

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

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1 (B) *CITY STRUCTURE.*

2 "CITY STRUCTURE" MEANS ANY BUILDING OR OTHER STRUCTURAL IMPROVEMENT TO
3 REAL PROPERTY THAT:

4 (1) IS OWNED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE; AND

5 (2) HAS BEEN OR IS BEING USED FOR A MUNICIPAL FUNCTION OR PUBLIC PURPOSE,
6 INCLUDING OFFICES, WORK PLACES, SCHOOLS, FIRE STATIONS, POLICE STATIONS,
7 MONUMENTS, RECREATION FACILITIES, NEIGHBORHOOD CENTERS, AND THE LIKE.

8 (C) *INCLUDES; INCLUDING.*

9 "INCLUDES" OR "INCLUDING" MEANS BY WAY OF ILLUSTRATION AND NOT BY WAY OF
10 LIMITATION.

11 (D) *PERSON.*

12 "PERSON" MEANS:

13 (I) AN INDIVIDUAL;

14 (II) A PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, OR OTHER ENTITY OF ANY
15 KIND;

16 (III) A RECEIVER, TRUSTEE, GUARDIAN, PERSONAL REPRESENTATIVE, FIDUCIARY, OR
17 REPRESENTATIVE OF ANY KIND; OR.

18 (IV) A GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR UNIT OF A
19 GOVERNMENTAL ENTITY.

20 **§ 20A-2. ORDINANCE REQUIRED FOR DEMOLITION, ETC.**

21 NO CITY OFFICIAL, EMPLOYEE, OR CONTRACTOR, NOR ANY OTHER PERSON MAY UNDERTAKE,
22 APPROVE, OR ALLOW THE DEMOLITION OR RECONSTRUCTION, IN WHOLE OR SUBSTANTIAL
23 PART, OF ANY CITY STRUCTURE UNLESS THE DEMOLITION OR RECONSTRUCTION HAS BEEN
24 EXPRESSLY AUTHORIZED BY AN ORDINANCE OF THE MAYOR AND CITY COUNCIL

25 **§ 20A-3. COUNCIL ACTION.**

26 (A) *AGENCY REFERRALS.*

27 ON INTRODUCTION OF ANY PROPOSED ORDINANCE TO AUTHORIZE THE DEMOLITION OR
28 RECONSTRUCTION OF A CITY STRUCTURE, THE CITY COUNCIL SHALL REFER THE BILL TO
29 THE FOLLOWING FOR THEIR WRITTEN REPORTS AND RECOMMENDATIONS:

30 (1) THE PLANNING DEPARTMENT;

31 (2) THE AGENCY OR PUBLIC OFFICIAL THAT HAS OR WILL HAVE CONTROL OVER THE
32 CITY STRUCTURE;

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1 (3) THE DEPARTMENT OF REAL ESTATE; AND

2 (4) ANY OTHER AGENCY THAT THE COUNCIL PRESIDENT DESIGNATES.

3 (B) *REPORTS, ETC., FOR SECOND READING.*

4 THE CITY COUNCIL MAY NOT PLACE THE BILL ON THE COUNCIL’S SECOND READING
5 CALENDAR UNTIL THE PLANNING DEPARTMENT AND THE AGENCY OR OFFICIAL IN
6 CONTROL OF THE CITY STRUCTURE:

7 (1) SUBMIT THEIR REPORTS AND RECOMMENDATIONS TO THE COUNCIL; OR

8 (2) FAIL TO DO SO WITHIN 30 DAYS OF THE REFERRAL.

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

12 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
13 after the date it is enacted.