

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 08-0203

Introduced by: Councilmembers Henry, Clarke, Curran, Kraft, Branch, Cole, Conaway, Welch,
Reisinger, Holton, Middleton, Young, Spector
Introduced and read first time: September 15, 2008
Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: February 23, 2009

AN ORDINANCE CONCERNING

Retail Business Districts – Sanitation and Public Safety

FOR the purpose of including sanitation and public safety activities to the management services that may be provided by a Business Association within a Retail Business District; correcting, clarifying, and conforming related language; and generally related to the purposes and operations of Retail Business Districts.

BY repealing and reordaining, with amendments

Article 14 - Special Benefits Districts

Section(s) 11-1(a), 11-2(c), (e)(1), and (e)(3), and 11-9(c) and (d)

Baltimore City Code

(Edition 2000)

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

Baltimore City Code

Article 14. Special Benefits Districts

Subtitle 11. Retail Business Districts

§ 11-1. Definitions.

(a) *Business Association.*

“Business Association” means the incorporated organization of persons who operate retail, service, rental, or professional businesses within a particular Retail Business District [which] THAT provides management [and promotional] services [for the District] UNDER THIS SUBTITLE.

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.

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§ 11-2. Legislative intent.

(c) *Suburban centers threaten neighborhood districts.*

(1) The growth of suburban shopping centers has threatened many neighborhood retail business districts. Many cannot satisfactorily compete with new facilities [which] THAT offer convenience, adequate parking, pleasing physical environment, diversification of retail services, and a management system [which] THAT provides for promotional activities AND FOR ENHANCED SANITATION AND SECURITY SERVICES.

(2) Retail sales in these neighborhood shopping areas have decreased, and the loss of revenue has caused a gradual disinvestment in the commercial properties, vacancies, and, in the worst cases, abandonment by property owners. This disinvestment negatively affects the surrounding residential community, results in the loss of jobs and property taxes to the City, and requires the City to assume responsibility for [such] THESE properties.

(e) *Management program needed.*

(1) However, in order for neighborhood business districts to compete more efficiently for business with suburban shopping centers, funds and a management system are necessary to provide advertising and promotional activities AND ENHANCED SANITATION AND SECURITY SERVICES for the entire district.

(3) The management program created in this subtitle will harness the energies of the business community and provide it with the necessary funding through a Retail Business District License Fee. Furthermore, the proposed program will enable all business establishments within the boundaries of a given Retail Business District to join in [a] promotional, SANITATION, AND PUBLIC SAFETY [effort] EFFORTS not economically feasible for many individual businesses without [such] a program OF THIS SORT. The City Council finds that this program serves a public purpose and enhances the general welfare of the citizens of Baltimore City.

§ 11-9. Business Associations.

(c) *General responsibilities.*

The Business Association [shall be] IS responsible for:

(1) [the conduct of] CONDUCTING a management program to provide promotional; ~~SANITATION, AND PUBLIC SAFETY~~ services, WHICH MAY INCLUDE ENHANCED SANITATION AND PUBLIC SAFETY EFFORTS for the District; and

(2) [the administration of] ADMINISTERING the funds provided through the license fee procedure set forth in this subtitle.

(d) *Annual reports to Commissioner.*

On an annual basis, the Business Association representing the District shall file with the Commissioner:

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- 1 (1) an annual budget setting forth projected expenditures for advertising, promotions,
- 2 SANITATION, PUBLIC SAFETY and related activities and administrative expenses;
- 3 (2) any amendments to the charter or by-laws made during the preceding year; and
- 4 (3) a copy of an agreement between the Business Association and the Mayor and City
- 5 Council of Baltimore specifying the intent of [said] THE Business Association to
- 6 expend the funds transferred to that Retail Business District in accordance with
- 7 the annual budget.

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

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

 Mayor, Baltimore City