
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
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BALTIMORE, MD 21202

October 1, 2024

The Honorable President and Members
of the Baltimore City Council
Attn: Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 24-0576 – Historic Preservation – Conservation Districts
– Establishment

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 24-0576 for form and legal sufficiency. The bill would add the concept of a “Conservation District” to several sections of Article 6 of the Baltimore City Code titled Historical and Architectural Preservation. It would then also expand the City’s Historic Tax Credit, in Section 10-8 of Article 28 of the City Code to include properties within a Historic “Conservation District.”

The City has power to regulate buildings. City Charter, Art. II, §§ (1), (47). Although the bill does not define a “Conservation District” specifically, it is a term of art defined in the National Historic Preservation Act, referenced in this bill. State law allows the City to create a local historic property tax credit. Md. Code, Tax-Prop., § 9-204.1(e)(1). The buildings must be on the national register of historic places, be within a certified heritage area or within the boundaries of a property or district designated by local law. Md. Code, Tax-Prop., § 9-204.1(f)(3). Additionally, the City’s program must “be subject to eligibility requirements no less stringent than those applicable to credits authorized under § 9-204” of the state’s Property Tax Article, which means that the buildings must have historic or architectural value, be designated under Title 8 of the state Land Use Article, be a landmark or an “architecturally compatible new structure that is located in a historic district.” Md. Code, Tax-Prop., §§ 9-204.1(f)(1); 9-204(a). Buildings that meet these requirements within a locally designated Conservation District may be eligible for the local historic tax credit.

The Law Department can approve the bill for form and legal sufficiency.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Hilary Ruley".

Hilary Ruley

Chief Solicitor

cc: Ebony Thompson, City Solicitor
Nina Themelis, Mayor's Office of Government Relations
Elena DiPietro, Chief Solicitor, General Counsel Division
Ashlea Brown, Chief Solicitor
Michelle Toth, Assistant Solicitor
Desiree Lucky, Assistance Solicitor