

**CITY OF BALTIMORE
COUNCIL BILL 14-0392
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: June 2, 2014
Assigned to: Urban Affairs and Aging Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Department of Public Works, Commission for Historical and Architectural Preservation, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Broadway East –**
3 **Amendment _**

4 FOR the purpose of amending the Urban Renewal Plan for Broadway East to reauthorize the
5 acquisition of properties within the Project Area and to remove certain properties from the
6 list in Appendix A; waiving certain content and procedural requirements; making the
7 provisions of this Ordinance severable; providing for the application of this Ordinance in
8 conjunction with certain other ordinances; and providing for a special effective date.

9 BY authority of
10 Article 13 - Housing and Urban Renewal
11 Section 2-6
12 Baltimore City Code
13 (Edition 2000)

14 **Recitals**

15 The Urban Renewal Plan for Broadway East was originally approved by the Mayor and City
16 Council of Baltimore by Ordinance 88-156 and last amended by Ordinance 11-534.

17 An amendment to the Urban Renewal Plan for Broadway East is necessary to reauthorize the
18 Plan's powers of acquisition and condemnation so that these actions may legally continue, in
19 compliance with § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, and
20 to remove certain properties from the list in Appendix A.

21 Under Article 13, § 2-6 of the Baltimore City Code, no change may be made in any approved
22 renewal plan unless the change is approved in the same manner as that required for the approval
23 of a renewal plan.

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

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1 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
2 following changes in the Urban Renewal Plan for Broadway East are approved:

3 (1) In the Plan, amend C.1.c. to read as follows:

4 C. Techniques Used to Achieve Plan Objectives

5 1. Acquisition

6

7 c. The authority to acquire the Properties within the Project Area is expressly
8 confirmed and reauthorized through and including [December 31, 2014]
9 DECEMBER 31, 2018.

10 (2) In the Plan, in Appendix A, delete the following from the list of properties:

- 11 58. 1201 North Broadway
- 12 59. 1201.5 North Broadway
- 13 61. 1205 North Broadway
- 14 72. 1237 North Broadway
- 15 73. 1239 North Broadway

16 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Broadway
17 East, as amended by this Ordinance and identified as “Urban Renewal Plan, Broadway East,
18 revised to include Amendment __, dated June 2, 2014”, is approved. The Department of Planning
19 shall file a copy of the amended Urban Renewal Plan with the Department of Legislative
20 Reference as a permanent public record, available for public inspection and information.

21 **SECTION 3. AND BE IT FURTHER ORDAINED,** That if the amended Urban Renewal Plan
22 approved by this Ordinance in any way fails to meet the statutory requirements for the content of
23 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal
24 plan, those requirements are waived and the amended Urban Renewal Plan approved by this
25 Ordinance is exempted from them.

26 **SECTION 4. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the
27 application of this Ordinance to any person or circumstance is held invalid for any reason, the
28 invalidity does not affect any other provision or any other application of this Ordinance, and for
29 this purpose the provisions of this Ordinance are declared severable.

30 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns
31 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
32 safety law or regulation, the applicable provisions shall be construed to give effect to each.
33 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
34 higher standard for the protection of the public health and safety prevails. If a provision of this
35 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
36 establishes a lower standard for the protection of the public health and safety, the provision of
37 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
38 conflict.

39 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
40 enacted.