

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

ANDRE M. DAVIS, City Solicitor
101 City Hall
Baltimore, Maryland 21202

March 6, 2019

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 19-0329 – Repeal of the Hamilton Business Urban
Renewal Plan

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 19-0329 for form and legal sufficiency. Section 2-6(g)(1) of Article 13 of the City Code requires that any change to an Urban Renewal Plan be made by ordinance. This is the appropriate mechanism for repealing the Hamilton Business Urban Renewal Plan (the “Plan”). *See, e.g., Mayor and City Council of Baltimore v. Neighborhood Rentals, Inc.*, 170 Md. App. 671, 683 (2006)(nothing “prohibits, either expressly or impliedly, a future city council from lengthening or shortening the life of [any Urban Renewal] Plan or terminating it altogether.”).

The City Department of Housing and Community Development must give this proposed repeal to the “Hamilton Businessmen’s Association and local improvement associations or their successors, for their review and comment” at or before the time the Planning Commission receives the proposed repeal. Plan, ¶ G.2. The associations have three weeks to respond to any proposed change. Plan, ¶ G.2. There must be a public hearing on the change. Plan, ¶ G.2. At least ten days before that hearing, the associations must be given written notice of the date and time of that hearing. Plan, ¶ G.2. “With respect to any land in the Project Area previously disposed of by the City for use in accordance with the urban renewal plan, the then owner of such land whose interests therein are materially affected by such changes shall receive at least ten days prior to such hearing, written notice of the time and place of such hearing and information as to where a copy of the proposed amendments may be inspected.” Plan, ¶ G.2.

As there are no legal prohibitions repealing the Urban Renewal Plan, and assuming the notice requirements are met, the Law Department can approve City Council Bill 19-0329 for form and legal sufficiency.

Very truly yours,

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Chief Solicitor

**cc: Andre M. Davis, City Solicitor
Karen Stokes, Mayor's Office of Government Relations
Jeffrey Amoros, Mayor's Office of Government Relations
Elena DiPietro, Chief Solicitor
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