
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
JAMES L. SHEA,
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SUITE 101, CITY HALL
BALTIMORE, MD 21202

November 4, 2022

Honorable President
Members of the City Council
c/o Natawna Austin, Executive Secretary
409 City Hall
Baltimore, MD 21202

Re: City Council Bill 22-0263 – Baltimore City Landmark List: Exteriors — Harlem Theater

Dear President and City Council Members:

The Law Department reviewed City Council Bill 22-0263 for form and legal sufficiency. It would designate The Harlem Theater at 616 North Gilmore Street, as an “historical landmark: exterior” by adding a section to Subtitle 18A of Article 6 of the Baltimore City Code. The Ordinance would take effect 30 days after enactment.

An ordinance of the Mayor and City Council is required to add a structure to the “Landmark List: Exteriors.” City Code, Art. 6, §4-2(1). The City Council must refer the bill for written reports and recommendations to the Commission for Historical and Architectural Preservation (CHAP), and the Planning Commission. The Council President can also designate other agencies to review and make recommendations. See City Code, Art. 6, §4-5(a). The bill to designate an exterior or interior structure as a landmark may not be placed on the second reading calendar until CHAP and the Planning Commission submit their reports to the Council or fail to do so within 100 days of referral of the bill to the agencies. See City Code, Art. 6, §4-5(b).

Additionally, there must be a hearing on the bill before placing it on the second reading calendar. City Code, Art. 6, §4-6(a). Notice of that hearing, including bill number, name and address of requestor, date, time, place and purpose of the hearing, and address of the property, must be posted in a conspicuous place on the subject property and sent by first-class mail to the owners of record of the property. See Art. 6, §4-6(b). The notice must be mailed and posted at least 15 days before the public hearing, and the posted notice must meet the requirements set forth in Art. 6. See Art. 6, §4-6(d) & (e). If the ordinance to add a structure to the “Landmark List-Exteriors” was not initiated at the request of CHAP, the Council cannot hold a hearing on the ordinance until it receives CHAP’s written report and recommendations, or CHAP fails to file a report and recommendations within 100 days of referral. See Art. 6, §4-8.

In this case, CHAP reviewed the bill and submitted a report approving the landmark designation. Assuming the Planning Commission submits its report, and the notice and hearing requirements are satisfied, the Law Department can approve the bill for form and legal sufficiency.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michele Toth".

Michele Toth
Special Solicitor

cc: Nikki Thompson
Nina Themelis
Elena DiPietro
Hilary Ruley
Ashlea Brown
Jeff Hochstetler
Dereka Bolden