

CITY OF BALTIMORE
ORDINANCE **22-176**
Council Bill 22-0228

Introduced by: Councilmember Costello, Stokes
At the request of: Midtown Community Benefits District
Address: c/o Eric Souza, Executive Director
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Introduced and read first time: April 25, 2022

Assigned to: Economic and Community Development Committee

Committee Report: Favorable with amendment

Council action: Adopted

Read second time: October 3, 2022

AN ORDINANCE CONCERNING

Midtown Community Benefits District – Amendment

FOR the purpose of altering the boundaries of the Midtown Community Benefits District; amending the composition of the District's Board of Directors; revising the enforcement of taxing; adjusting the allowable rate of Supplementary Tax; and generally relating to the Midtown Community Benefits District.

BY repealing and re-ordaining, with amendments

Article 14 - Special Benefits Districts
Sections 7-2(a), 7-6(e), and 7-8(b) and (c)
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 7. Midtown Community Benefits District

§ 7-2. District created; boundaries.

(a) *In general.*

There is a community benefits district to be known as the Midtown Community Benefits District, within the following boundaries:

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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1 Beginning at the point of intersection of the center lines of Franklin Street and Park Avenue;
2 then east along the north side of Franklin Street to intersect with the property line between
3 Lot 4 and Lot 5 of Block 551; then north along that property line continuing across Hamilton
4 Street to intersect with the north side of Centre Street; then east on the north side of Centre
5 Street to intersect with the center line of I-83; then north on I-83 to intersect with the west
6 side of Calvert Street; then north on the west side of Calvert Street to intersect with the
7 [north] SOUTH side of North Avenue; then west on the [north] SOUTH side of North Avenue
8 [except that the properties in the 1900 block of North Charles Street and the 1900 block of
9 St. Paul Street shall be included]; then continuing west on the [north] SOUTH side of North
10 Avenue [to the west side of Charles Street; then north on Charles Street to the southwest
11 corner of Charles and 20-1/2 street; then west on the south side of 20-1/2 street to the east
12 side of Howard Street; then south on Howard Street to the southeast corner of North Avenue
13 and Howard Street then west on the south side of North Avenue] to intersect with the
14 southeast side of Gold Street; then southwest on the southeast side of Gold Street to intersect
15 with the northeast side of Tiffany Alley; then southeast on the northeast side of Tiffany Alley
16 to intersect with the northwest side of Dolphin Street; then northeast on the northwest and
17 north sides of Dolphin Street to intersect with the northeast side of Madison Avenue; then
18 southeast on the east side of Madison Avenue to intersect with the southeast side of Martin
19 Luther King, Jr. Boulevard; then southwest on the northeast side of Martin Luther King, Jr.
20 Boulevard to intersect with the northeast side of Read Street; then southeast on the northeast
21 side of Read Street to intersect with the east side of Tyson Street; then south on the east side
22 of Tyson Street to intersect with the south side of Monument Street; then west on the south
23 side of Monument Street to intersect with the east side of Howard Street; then south on the
24 east side of Howard Street to intersect with the north side of Centre Street; then east on the
25 north side of Centre Street to intersect with the east side of Park Avenue; then south on the
26 east side of Park Avenue to the point of beginning.

27 Provided, however, that the following property is included in the described area: 1801
28 Falls Road (Block 387, Lots 25b, 26, 35, 36, 37, and 38).

29 **§ 7-6. Board of Directors.**

30 (e) *Composition.*

31 (1) The Board comprises the following voting members:

32 (i) 1 member appointed by the Mayor.

33 (ii) 1 member shall be a member of the City Council appointed by the President of
34 the City Council.

35 (iii) At least 2 members from each of the following constituent organizations
36 within the District:

37 (A) Charles-North Community Association;

38 (B) [Mt. Royal Improvement Association] BOLTON HILL COMMUNITY
39 ASSOCIATION;

40 (C) Madison Park Improvement Association, Inc.; and

41 (D) Mt. Vernon-Belvedere Improvement Association.

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1 (iv) The Board shall contain 4 at-large members, 1 from each of the following
2 communities comprising the District:

3 (A) Charles-North;

4 (B) Bolton Hill;

5 (C) Madison-Park; and

6 (D) Mt. Vernon-Belvedere.

7 (2) The Board may contain additional members from the following constituent groups, as
8 determined by the Board from time to time:

9 [(i) up to 4 members from the neighborhood associations bordering the District,
10 the Downtown Management District Authority and the Charles Village
11 Benefits Authority, who shall be voting or nonvoting, as determined by the
12 Board from time to time;]

13 (I) [(ii)] up to 3 voting members from the [churches and non-profit] organizations
14 within the District that make voluntary contributions to the District:

15 (A) MARYLAND INSTITUTE COLLEGE OF ART;

16 (B) UNIVERSITY OF BALTIMORE; AND

17 (C) PEABODY INSTITUTE OF THE JOHNS HOPKINS UNIVERSITY; AND

18 (II) [(iii)] up to [4] 6 voting members representing constituencies that the Board
19 determines in its discretion will enhance the Authority's success in
20 furthering the broad objectives of improving and enhancing public
21 services throughout the District, including, by way of example only,
22 retail merchants, major employers, professionals practicing in the
23 District, and residential tenants.

24 (3) At least 2/3 of the Board must be PROPERTY owners or representatives of property
25 owners subject to the tax imposed by this subtitle.

26 (4) Consistent with the encouragement of partnerships between the Authority and
27 property owners exempt from the tax imposed by this subtitle, the Board is
28 encouraged to consider representation of exempt partners on the Board.

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1 § 7-8. Supplemental Tax.

2 (b) *Assessment; collection; enforcement.*

3 (1) The funding for operation of the Authority shall be provided by a supplemental
4 property tax (the "Supplemental Tax") on the assessable base of the District as
5 determined in subsection (a).

6 (2) The Supplemental Tax shall be assessed and collected in conjunction with the
7 property taxes assessed and collected by the City ("Regular Tax"), unless otherwise
8 established by the Board of Estimates.

9 (3) Enforcement of the Supplemental Tax shall be in accordance with the enforcement of
10 the Regular Tax, and all provisions applicable to the assessments, refunds, [credits,]
11 collections, and enforcement which apply to the Regular Tax shall apply to the
12 Supplemental Tax unless modified herein.

13 (c) *Determination of tax.*

14 The Supplemental Tax rate shall be determined as follows:

15 (1) Any increase in the rate of the Supplemental Tax must be approved by a majority
16 of the voting Board members.

17 (2) For the initial budget year, the rate of the Supplemental Tax shall be set to raise
18 revenues equal to the costs of the Financial Plan but shall not exceed a full year
19 rate of 30¢ per \$100 of assessed value.

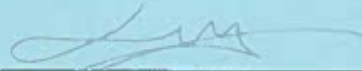
20 (3) For the first full budget year, the rate of the Supplemental Tax shall be set to raise
21 revenues equal to the costs of the Financial Plan but shall not exceed 30¢ per \$100
22 of assessed value, except that the rate may be adjusted to produce revenue
23 equivalent to the full year 30¢ yield of the initial budget year.

24 (4) For any year after the first full budget year, the rate of the Supplemental Tax may
25 be adjusted to yield revenues which are no more than [5%] 10% greater than in
26 the prior year UNLESS THE INCREASE IS APPROVED BY 80% OR MORE OF THE
27 VOTING BOARD MEMBERS.

28 SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day
29 after the date it is enacted.

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Certified as duly passed this 24 day of October, 2022



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 24 day of October, 2022



Chief Clerk

Approved this 1 day of November, 2022



Mayor, Baltimore City

Approved for Form and Legal Sufficiency
This 1st Day of November, 2022.

Elena R DiPietro

Chief Solicitor