

**CITY OF BALTIMORE
COUNCIL BILL 14-0418
(First Reader)**

Introduced by: The Council President

At the request of: The Administration (Department of General Services)

Introduced and read first time: July 17, 2014

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Planning Commission, Fire Department,
Police Department, Department of General Services, Department of Public Works

A BILL ENTITLED

1 AN ORDINANCE concerning

2 style="text-align:center">**Alley-Gating and -Greening Program**

3 FOR the purpose of clarifying and simplifying the law governing and procedures for alley-gating
4 and -greening projects; lowering the percentage of abutting property owners required to
5 initiate a petition to gate an alley; simplifying the process for obtaining review of petitions
6 by the Police and Fire Departments; clarifying the different requirements for gating, but not
7 greening, an alley, gating and greening an alley, and greening an alley for which gating has
8 already been approved; consolidating and conforming repetitive requirements that are
9 common to all processes; correcting, clarifying, and conforming related provisions; and
10 generally relating to the gating, greening, and leasing of alleys under the authority of City
11 Charter Article II, § 35(e) and (f).

12 BY repealing and reordaining
13 Article 26 - Surveys, Streets, and Highways
14 Subtitle 8A - Gating and Greening Alleys
15 Baltimore City Code
16 (Edition 2000)

17 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
18 Laws of Baltimore City read as follows:

19 style="text-align:center">**Baltimore City Code**

20 style="text-align:center">**Article 26. Surveys, Streets, and Highways**

21 style="text-align:center">**Subtitle 8A. Gating and Greening Alleys**

22 **§ 8A-1. Definitions.**

23 (a) *In general.*

24 In this subtitle, the following terms have the meanings indicated.

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

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1 (b) *Abandoned property.*

2 “Abandoned property” means:

3 (1) an unoccupied structure or vacant lot on which taxes are in arrears for at least 2
4 years; or

5 (2) a building that:

6 (i) is unoccupied by an owner or tenant;

7 (ii) is unfit for habitation;

8 (iii) has deteriorated to the point at which:

9 A. it is structurally unsound; or

10 B. the cost of rehabilitating the building would significantly exceed
11 the building’s post-rehabilitation market value; and

12 (iv) has been the subject of a violation notice or order from the City that
13 requires the owner to:

14 A. rehabilitate the building to conform to minimum code habitability
15 requirements; or

16 B. demolish the building for health and safety reasons.

17 (C) [(b-1)] *Department.*

18 “Department” means the Department of General Services.

19 (D) [(c)] *Director.*

20 “Director” or “Director of General Services” means the Director of the Department of
21 General Services or the Director’s designee.

22 (E) [(d)] *Greening.*

23 (1) “Greening” means any alteration to an alley, beyond mere gating, that newly restricts
24 vehicular access to or in the alley.

25 (2) “Greening” includes, but is not limited to, the installation of a fixed object, plant, or
26 tree that newly restricts vehicular access to or in the alley.

27 [(3) “Greening” does not include any sodding, seeding, or pavement removal that does
28 not restrict vehicular access to or in the alley.]

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1 **§ 8A-2. RULES OF CONSTRUCTION.**

2 (A) *IN GENERAL.*

3 IN INTERPRETING AND APPLYING THIS SUBTITLE, THE FOLLOWING RULES OF
4 CONSTRUCTION APPLY.

5 (B) *CAPTIONS OR HEADINGS.*

6 THE CAPTIONS OR HEADINGS OF THE VARIOUS SECTIONS AND SUBSECTIONS:

7 (1) ARE FOR CONVENIENCE OF REFERENCE ONLY, INTENDED TO SUMMARIZE THE
8 STATUTORY PROVISIONS THAT FOLLOW; AND

9 (2) ARE NOT LAW AND ARE NOT TO BE TAKEN AS AFFECTING THE MEANING OR EFFECT
10 OF THE LAW.

11 (C) *GENDER.*

12 WORDS DENOTING ONE GENDER INCLUDE AND APPLY TO THE OTHER GENDERS AS WELL.

13 (D) *INCLUDES; INCLUDING.*

14 “INCLUDES” OR “INCLUDING” MEANS BY WAY OF ILLUSTRATION AND NOT BY WAY OF
15 LIMITATION.

16 (E) *MANDATORY, PROHIBITORY, AND PERMISSIVE TERMS.*

17 (1) *MANDATORY TERMS.*

18 “MUST” AND “SHALL” ARE EACH MANDATORY TERMS USED TO EXPRESS A
19 REQUIREMENT OR TO IMPOSE A DUTY.

20 (2) *PROHIBITORY TERMS.*

21 “MUST NOT”, “MAY NOT”, AND “NO ... MAY” ARE EACH MANDATORY NEGATIVE TERMS
22 USED TO ESTABLISH A PROHIBITION.

23 (3) *PERMISSIVE TERMS.*

24 “MAY” IS PERMISSIVE.

25 (F) *NUMBER.*

26 THE SINGULAR INCLUDES THE PLURAL AND VICE VERSA.

27 (G) *TIME COMPUTATIONS.*

28 (1) *COMPUTATION OF TIME AFTER AN ACT, EVENT, OR DEFAULT.*

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1 (I) IN COMPUTING ANY PERIOD OF TIME PRESCRIBED BY THIS SUBTITLE, THE DAY OF
2 THE ACT, EVENT, OR DEFAULT AFTER WHICH THE DESIGNATED PERIOD OF TIME
3 BEGINS TO RUN IS NOT INCLUDED.

4 (II) IF THE PERIOD OF TIME ALLOWED IS MORE THAN 7 DAYS, INTERMEDIATE
5 SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS ARE COUNTED.

6 (III) IF THE PERIOD OF TIME ALLOWED IS 7 DAYS OR LESS, INTERMEDIATE SATURDAYS,
7 SUNDAYS, AND LEGAL HOLIDAYS ARE NOT COUNTED.

8 (IV) THE LAST DAY OF THE PERIOD SO COMPUTED IS INCLUDED UNLESS IT IS A
9 SATURDAY, SUNDAY, OR LEGAL HOLIDAY, IN WHICH EVENT THE PERIOD RUNS
10 UNTIL THE END OF THE NEXT DAY THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL
11 HOLIDAY.

12 (2) *COMPUTATION OF TIME BEFORE A DAY, ACT, OR EVENT.*

13 (I) IN DETERMINING THE LATEST DAY FOR PERFORMING AN ACT THAT IS REQUIRED BY
14 THIS SUBTITLE TO BE PERFORMED A PRESCRIBED NUMBER OF DAYS BEFORE A
15 CERTAIN DAY, ACT, OR EVENT, ALL DAYS PRECEDING THAT DAY, INCLUDING
16 INTERVENING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, ARE COUNTED IN
17 THE NUMBER OF DAYS SO PRESCRIBED.

18 (II) THE LATEST DAY IS INCLUDED IN THE DETERMINATION UNLESS IT IS A SATURDAY,
19 SUNDAY, OR LEGAL HOLIDAY, IN WHICH EVENT THE LATEST DAY IS THE FIRST
20 PRECEDING DAY THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL HOLIDAY.

21 **§ 8A-3. {RESERVED}**

22 **§ 8A-4. [§ 8A-2. In general] SCOPE; GENERAL STANDARDS.**

23 (a) *Scope OF SUBTITLE.*

24 This subtitle governs the procedures for gating, greening, and leasing alleys under the
25 authority of City Charter Article II, § 35(e) and (f).

26 (b) [*Standard*] *STANDARDS. FOR AUTHORIZING GATING AND GREENING.*

27 The Director of General Services may authorize the gating and, if applicable, the greening
28 of an alley if, on petition, public notice, and hearing as provided in this subtitle, the
29 Director determines that:

30 (1) the structures abutting the alley are predominantly residential;

31 (2) the alley is no longer needed for through pedestrian or vehicular traffic; and

32 (3) the gating and, if applicable, the greening will promote the public health, safety,
33 or welfare.

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1 **§ 8A-5. RULES AND REGULATIONS; FEES.**

2 (A) [(c)] *Rules and regulations.*

3 (1) The Director of General Services [shall] MUST adopt rules and regulations to carry out
4 this subtitle.

5 (2) [(3)] A copy of these rules and regulations must be filed with the Department of
6 Legislative Reference before they take effect.

7 (B) *FEES.*

8 [(2) These] THE rules and regulations ADOPTED UNDER THIS SUBTITLE may set reasonable
9 fees to cover the costs incurred by the Department in processing a petition [under this
10 subtitle].

11 **§ 8A-6. {RESERVED}**

12 **§ 8A-7. [§ 8A-3.] Record of abutting owners.**

13 At the request of any person interested in the gating or greening of an alley, the DEPARTMENT
14 OF GENERAL SERVICES [shall] MUST provide that person with [a list of] ACCESS TO the names
15 and addresses, as then shown on the Department's records, of the owners of all properties
16 abutting that alley.

17 **§ 8A-8. [§ 8A-4.] Petition [by abutting owners – General] REQUIRED.**

18 (a) *In general.*

19 To initiate a proceeding under this subtitle, a petition BY ABUTTING OWNERS must be
20 submitted to the Director of General Services.

21 (B) *SCOPE OF PETITION.*

22 THE PETITION MUST SPECIFY WHETHER IT IS FOR:

23 (1) GATING, BUT NOT GREENING, AN ALLEY;

24 (2) GATING AND GREENING AN ALLEY; OR

25 (3) GREENING AN ALLEY FOR WHICH GATING ALREADY HAS BEEN APPROVED.

26 (C) *ACCOMPANYING STATEMENT AND CONSENTS.*

27 THE PETITION MUST BE ACCOMPANIED BY:

28 (1) A STATEMENT THAT SPECIFIES HOW THE PROPOSED GATING AND, IF APPLICABLE,
29 THE PROPOSED GREENING WOULD PROMOTE THE PUBLIC HEALTH, SAFETY, OR
30 WELFARE; AND

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1 (2) THE SIGNED CONSENTS OF ABUTTING OWNERS, AS REQUIRED BY § 8A-5 {"GATING
2 ONLY"} OR § 8A-6 {"GREENING"} OF THIS SUBTITLE, AS THE CASE MAY BE.

3 (D) [(b) *Form*] *FORMS AND CONTENTS*.

4 [The] EACH petition AND ITS ACCOMPANYING STATEMENT AND CONSENTS must be in the
5 form and contain the information that the Director requires BY RULE OR REGULATION.

6 **§ 8A-9. [§ 8A-5. Petition by] CONSENTS OF abutting owners – [Consents for gating] GATING**
7 **ONLY.**

8 (a) *Required consents.*

9 [(1)] A petition to gate, but not to green, an alley must be accompanied by the signed
10 consents of at least [80%] 75% of the owners of all abutting properties, not including
11 abandoned properties.

12 [(2) These consents must be in the form and tenor that the Director requires.]

13 (b) *Statement of diligent attempts.*

14 If 1 or more abutting owners has not consented in writing to the proposed gating, the
15 petition must be accompanied by an affidavit, made under the penalties of perjury, that
16 describes and substantiates diligent attempts made by the petitioners to obtain the
17 consents of [100% of] ALL OF the owners of all abutting properties.

18 **§ 8A-10. [§ 8A-6. Petition] CONSENTS by abutting owners – [Consents for greening]**
19 **GREENING.**

20 (a) *In general.*

21 [(1)] Except as provided in subsection (b) of this section, a petition to gate and green an
22 alley[,] or a petition to green an alley for which gating already has been approved[,] must
23 be accompanied by the signed consents of 100% of the owners of all abutting properties.

24 [(2) These consents must be in the form and tenor that the Director requires.]

25 (b) *Excepted properties.*

26 If 1 or more abutting properties are unoccupied or abandoned and, notwithstanding due
27 diligence, their owners have not been found, the petition may still be filed and considered
28 if:

29 (1) the petition is accompanied by the signed consents of 100% of the owners of all
30 occupied properties abutting the alley;

31 (2) the properties for which signed consents have been obtained constitute at least
32 80% of all of the properties, not including any abandoned properties, abutting the
33 alley; and

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1 (3) the petition is accompanied by an affidavit, made under the penalties of perjury,
2 that:

3 (i) describes and substantiates diligent attempts made by the petitioners to
4 obtain the consents of 100% of the owners of all unoccupied properties
5 and abandoned properties abutting the alley; and

6 (ii) affirms that no owner of any abutting property has refused to sign a
7 consent or otherwise is known to object to the petition.

8 **[§ 8A-7. Petition by abutting owners – Showing of public health, safety, or welfare.]**

9 [(a) *Gating petition.*]

10 [A petition to gate, but not green, an alley must be accompanied by:

11 (1) a statement that specifies how the gating would promote the public health, safety,
12 or welfare; and

13 (2) if the petitioners anticipate that they will seek to green the alley in the future, a
14 statement that specifies how the greening would promote the public health, safety,
15 or welfare.]

16 [(b) *Greening petition.*]

17 [A petition to gate and green an alley, or a petition to green an alley for which gating
18 already has been approved, must be accompanied by a statement that specifies how
19 granting the petition would promote the public health, safety, or welfare.]

20 **§ 8A-11. [§ 8A-8. Petition by abutting owners – Police and Fire reviews] REVIEWS BY**
21 **POLICE AND FIRE DEPARTMENTS.**

22 [The petition must be accompanied by a letter from the Police Commissioner and the Fire
23 Marshall indicating that each has reviewed the proposed petition and has no objection to it.]

24 (A) *REFERRAL BY DIRECTOR.*

25 ON RECEIPT OF A COMPLETED PETITION, THE DIRECTOR OF GENERAL SERVICES MUST
26 REFER THE PETITION AND TO BOTH THE POLICE COMMISSIONER AND THE FIRE MARSHALL
27 FOR THEIR RESPECTIVE REVIEWS AND REPORTS.

28 (B) *REPORTS AND RECOMMENDATIONS.*

29 WITHIN 30 DAYS OF THE REFERRAL, OR WITHIN ANY LONGER PERIOD AUTHORIZED BY THE
30 DIRECTOR OF GENERAL SERVICES, THE POLICE COMMISSIONER AND THE FIRE MARSHALL
31 MUST SUBMIT THEIR RESPECTIVE REPORTS TO THE DIRECTOR.

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1 (C) *ACTION BY DIRECTOR.*

2 THE DIRECTOR MAY NOT PROCEED TO HOLD A PUBLIC HEARING ON OR TO OTHERWISE
3 CONSIDER THE PETITION IF, WITHIN THE PERIOD SPECIFIED IN SUBSECTION (B) OF THIS
4 SECTION, EITHER THE POLICE COMMISSIONER OR THE FIRE MARSHALL, OR THEIR
5 RESPECTIVE DESIGNEE, REPORTS THAT HE OR SHE HAS AN OBJECTION TO THE PETITION.

6 **§ 8A-12. [§ 8A-9.] Public hearing.**

7 (a) *Director to conduct.*

8 [The] ABSENT A TIMELY REPORT AND OBJECTION FROM THE POLICE COMMISSIONER OR
9 THE FIRE MARSHALL, THE Director of General Services [shall conduct] MUST SCHEDULE a
10 public hearing on the petition.

11 (b) *Posting notice.*

12 (1) At least 10 days before [the date for which] the hearing [is scheduled], the petitioners
13 [shall] MUST post [a] notice of the hearing at each end of the alley.

14 (2) The POSTED notice must be of the size and contain the information that the Director
15 requires BY RULE OR REGULATION.

16 (c) *Mailed notice.*

17 (1) At least 10 days before the hearing, the petitioners [shall] MUST ALSO mail notice of
18 the hearing to the owners of all properties abutting the alley, as then shown on the
19 Department's records.

20 (2) The MAILED notice must [be of the size and] contain the information that the Director
21 requires BY RULE OR REGULATION.

22 **§ 8A-13. [§ 8A-10.] Decision.**

23 [(a) *In general.*]

24 [(1) The] WITHIN 30 DAYS OF THE HEARING, THE Director of General Services [shall] MUST:

25 (1) issue a written decision on the petition [within 30 days of the hearing.]; AND

26 (2) [A] SEND A copy of the [written] decision [shall be sent] to [a] THE person designated
27 FOR THIS PURPOSE by the petitioners.

28 [(b) *Additional finding for gating petitions.*]

29 [(1) If the petitioners request to gate, not green, the alley, but indicate that they might seek
30 to green the alley in the future, the director shall make a written finding that:

31 (i) the potential greening would promote the public health, safety, or welfare;

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1 (ii) the potential greening would not promote the public health, safety, or welfare;
2 or

3 (iii) more information would be needed in order to determine whether the
4 potential greening would promote the public health, safety, or welfare.]

5 [(2) If, subsequent to the issuance of the Director’s decision on gating, the petitioners
6 submit a petition to green the alley, the Director may rely on his or her earlier finding
7 of whether the greening would promote the public health, safety, or welfare.]

8 **§ 8A-14. {RESERVED}**

9 **§ 8A-15. [§ 8A-11.] Required lease[– Gating].**

10 (a) *In general.*

11 The approval of any petition to gate[, but not to] OR green[,] an alley is subject to the
12 entry into a lease, in the form and on the terms approved by the Board of Estimates,
13 between the City, as lessor, and [an] A NEIGHBORHOOD ASSOCIATION OR OTHER NON-
14 PROFIT entity that consists of property owners whose [lots] PROPERTIES abut the alley OR
15 OTHERWISE REPRESENTS THE AREA IN WHICH THE ALLEY AND ITS ABUTTING PROPERTIES
16 ARE LOCATED, as lessee.

17 (b) *Terms AND CONDITIONS.*

18 The lease [shall] MUST include, at a minimum, provisions to the following effect[:].

19 (1) All plans for the design and construction of gates, [and] for any sodding, SEEDING,
20 PAVEMENT removal [of pavement], or other landscaping of the alley, AND, IF
21 WITHIN THE SCOPE OF THE APPROVED PETITION, FOR ANY GREENING OF THE ALLEY
22 must be reviewed and approved by the Department of Public Works and the
23 Department of General Services.

24 (2) All costs related to the preparation of these plans, to the purchase, installation, and
25 maintenance of gates, TO SODDING, SEEDING, [landscaping, including the]
26 PAVEMENT removal [of pavement], OR OTHER LANDSCAPING OF THE ALLEY, OR, IF
27 WITHIN THE SCOPE OF THE APPROVED PETITION, TO ANY GREENING OF THE ALLEY,
28 and ALL COSTS RELATED to general maintenance of the alley, including all fees for
29 building, fire, or related permits, are at the lessee’s expense.

30 (3) [The] IF THE APPROVED PETITION IS FOR GATING, BUT NOT GREENING, THE ALLEY,
31 THE lessee may not cause or permit [the] ANY [“]greening[”] of the alley[. That is,
32 the lessee may not make] OR OTHERWISE CAUSE or permit any alteration to the
33 alley, beyond mere gating, that would newly restrict vehicular access to or in the
34 alley.

35 (4) IF THE APPROVED PETITION IS FOR GATING AND GREENING THE ALLEY OR FOR
36 GREENING AN ALLEY FOR WHICH GATING ALREADY HAS BEEN APPROVED, NO
37 GREENING ACTIVITIES MAY BE UNDERTAKEN UNTIL THE LESSEE HAS FIRST
38 ENTERED INTO A DEVELOPER’S AGREEMENT WITH THE DEPARTMENT.

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1 (5) [(4)] Access to the alley must be available to [fire, police, public works,] THE
2 CITY’S POLICE, FIRE, PUBLIC WORKS, AND TRANSPORTATION DEPARTMENTS,
3 [and] TO ALL other appropriate agencies of the City, and to all companies that
4 have utilities lawfully located in the alley.

5 (6) [(5)] A Knox box must be placed on each gate for access by authorized vehicles
6 and pedestrians.

7 (7) [(6)] No utilities in the alley may be disturbed or built upon, and all easements for
8 utilities must be preserved.

9 (8) [(7)] If the [Department of] Public Works DEPARTMENT OR TRANSPORTATION
10 DEPARTMENT, [its] THEIR employees, agents, or contractors enter the alley for
11 maintenance, repair, or replacement of City utilities, the Department:

12 (i) is responsible, on completion of its work, for restoring the alley to grade;
13 but

14 (ii) is not responsible for any other work in the alley or for any other costs
15 incurred in restoring the alley.

16 (9) [(8)] Nothing in the lease MAY AFFECT OR [is to] be construed to affect any
17 person’s private rights in the alley.

18 (10) [(9)] The Director of General Services may terminate the lease and may order or
19 cause, at the lessee’s expense, the removal of all gates and other obstructions and
20 the alley’s restoration if:

21 (I) AT ANY TIME, THE OWNERS OF A MAJORITY OF THE ABUTTING PROPERTIES,
22 NOT INCLUDING ANY ABANDONED PROPERTIES, SO REQUEST IN WRITING;

23 (II) [(i)] at any time, the lessee is in default of any term of the lease and has
24 failed to cure that default in accordance with the terms of the lease; or

25 (III) [(ii)] after a public hearing, with prior notice as provided in the lease, the
26 [director] DIRECTOR determines that:

27 A. the alley is needed for through pedestrian or vehicular traffic; or

28 B. the gating AND, IF APPLICABLE, THE GREENING no longer promotes
29 the public health, safety, or welfare.

30 [(10) The Director of General Services may, after a public hearing, with prior notice
31 as provided in the lease, terminate the lease and order or cause, at the lessee’s sole
32 expense, the removal of all gates and other obstructions and the alley’s restoration
33 if, at any time, the owners of a majority of the abutting properties, not including
34 any abandoned properties, so request in writing.]

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1 **[§ 8A-12. Required lease – Greening.]**

2 [(a) *In general.*]

3 [The approval of any petition to gate and green an alley, or to green an alley for which
4 gating already has been approved, is subject to the entry into a lease, in the form and on
5 the terms approved by the Board of Estimates, between the City, as lessor, and an entity
6 that consists of property owners whose lots abut the alley, as lessee.]

7 [(b) *Terms.*]

8 [The lease shall include, at a minimum, provisions to the following effect:

- 9 (1) All plans for the design and construction of gates, for the greening of the alley,
10 and for any sodding, removal of pavement, or other landscaping of the alley must
11 be reviewed and approved by the Department of General Services.
- 12 (2) All costs related to the preparation of these plans, to the purchase, installation, and
13 maintenance of gates, to greening, to landscaping, including the removal of
14 pavement, and to general maintenance of the alley, including all fees for building,
15 fire, or related permits, are at the lessee’s expense.
- 16 (3) Access to the alley must be available to Fire, Police, Public Works, and other
17 appropriate agencies of the City and to all companies that have utilities lawfully
18 located in the alley.
- 19 (4) A Knox box must be placed on each gate for access by authorized vehicles and
20 pedestrians.
- 21 (5) No utilities in the alley may be disturbed or built upon, and all easements for
22 utilities must be preserved.
- 23 (6) If the Department of Public Works, its employees, agents, or contractors enter the
24 alley for maintenance, repair, or replacement of City utilities, the Department:
- 25 (i) is responsible, on completion of its work, for restoring the alley to grade;
26 but
- 27 (ii) is not responsible for any other work in the alley or for any other costs
28 incurred in restoring the alley.
- 29 (7) Nothing in the lease is to be construed to affect any person’s private rights in the
30 alley.
- 31 (8) The Director of General Services may terminate the lease and may order or cause,
32 at the lessee’s expense, the removal of all gates and other obstructions and the
33 alley’s restoration if:
- 34 (i) at any time, the lessee is in default of any term of the lease and has failed
35 to cure that default in accordance with the terms of the lease; or

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1 (ii) after a public hearing, with prior notice as provided in the lease, the
2 director determines that:

3 A. the alley is needed for through pedestrian or vehicular traffic; or

4 B. the gating or greening no longer promotes the public health, safety,
5 or welfare.

6 (9) The Director of General Services may, after a public hearing, with prior notice as
7 provided in the lease, terminate the lease and order or cause, at the lessee's sole
8 expense, the removal of all gates and other obstructions and the alley's restoration
9 if, at any time, the owners of a majority of the abutting properties, not including
10 any abandoned properties, so request in writing.]

11 **§ 8A-16. [§ 8A-13.] Restoration of alley by utility companies.**

12 If a company that has utilities lawfully located in a leased alley enters the alley for
13 maintenance, repair, or replacement of the utilities, the company:

14 (1) is responsible, on completion of its work, for restoring the alley to grade; but

15 (2) is not responsible to the lessee for any other work in the alley or for any other costs
16 incurred in restoring the alley.

17 **§ 8A-17. {RESERVED}**

18 **§ 8A-18. [§ 8A-14.] Judicial and appellate review.**

19 (a) *Judicial review.*

20 A person aggrieved by a final decision of the Director under this subtitle may seek
21 judicial review of that decision by petition to the Circuit Court for Baltimore City in
22 accordance with the Maryland Rules of Procedure.

23 (b) *Appellate review.*

24 A party to the judicial review may appeal the court's final judgment to the Court of
25 Special Appeals in accordance with the Maryland Rules of Procedure.

26 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
27 are not law and may not be considered to have been enacted as a part of this or any prior
28 Ordinance.

29 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
30 after the date it is enacted.