

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor  
101 City Hall  
Baltimore, Maryland 21202

June 7, 2016

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 16-0659 – Baltimore City Landmark List: Exteriors — St.  
Mark’s Institutional Baptist Church

Dear President and City Council Members:

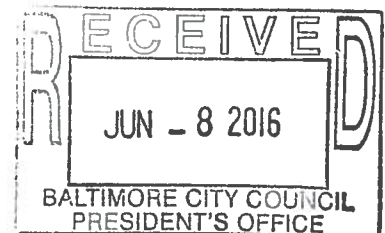
The Law Department has reviewed City Council Bill 16-0659 for form and legal sufficiency. It would designate St. Mark’s Institutional Baptist Church at 655 North Bentalou Street, as an “historical landmark: exterior” by adding a section to Subtitle 17A of Article 6 of the Baltimore City Code.

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), the Planning Commission, and any other agency that the Council President designates. City Code, Art. 6, §4-5(a). CHAP and the Planning Commission must submit those reports to the Council prior to the Council placing the bill on Second Reader unless it has been 100 days since the bill’s referral to those Commissions. City Code, Art. 6, §4-5(b).

Additionally, there must be a hearing on the bill prior to placing it on Second Reader. 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 sign at least 3 feet by 4 feet on the property in prominent locations visible from each street frontage and in the widow visible to those passing by, and be mailed first- class to the property owners at least 15 days before the hearing. City Code, Art. 6, §§4-6.

However, receipt of the CHAP report is a prerequisite to the Council’s holding a hearing on the bill, if it seeks to add a structure to the “Landmark List: Exteriors” or modify the boundaries of a structure (inside or exterior) and the bill was not initiated by CHAP, as was the case here. City Code, Art. 6, §4-8(b). If CHAP does not submit that report within 100 days of the referral, then the Council may proceed to set a hearing on the bill without a CHAP report. City Code, Art. 6, §4-8(c).

*Fav w/ comments*



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

Sincerely,



Hilary Ruley  
Chief Solicitor

- cc: George Nilson, City Solicitor  
Angela C. Gibson, Mayor's Legislative Liaison  
Elena DiPietro, Chief Solicitor, General Counsel Division  
Victor Tervalá, Chief Solicitor  
Jennifer Landis, Assistant Solicitor