



Legislation Details (With Text)

File #: 20-0522 **Version:** 0 **Name:** Board of Municipal and Zoning Appeals - Repeal of "Physically Present" Requirements

Type: Ordinance **Status:** Enacted

File created: 4/27/2020 **In control:** Mayor

On agenda: **Final action:** 7/20/2020

Enactment date: **Enactment #:** 20-386

Title: Board of Municipal and Zoning Appeals - Repeal of "Physically Present" Requirements
For the purpose of repealing certain provisions of the Zoning Code regarding the Board of Municipal and Zoning Appeals that require members of the Board to be "physically present" during a hearing and for voting; and providing for a special effective date.

Sponsors: Isaac "Yitzzy" Schleifer, Bill Henry, Zeke Cohen, Kristerfer Burnett, Eric T. Costello, Mayor Brandon M. Scott

Indexes: Board of Municipal and Zoning Appeals (BMZA), Repeal

Code sections:

Attachments: 1. Daily Record 20-0522 Affidavits, 2. 20-0522~1st Reader, 3. Planning 20-0522, 4. Law 20-0522, 5. BMZA 20-0522, 6. Bill Synopsis 20-0522, 7. Hearing Agenda 20-0522, 8. Public Testimony 20-0522, 9. Hearing Minutes 20-0522, 10. Hearing Notes 20-0522, 11. 2nd Reader Amendments 20-0522 - Adopted, 12. 20-0522~3rd Reader, 13. Signed Ordinance 20-0522

| Date | Ver. | Action By | Action | Result |
|-----------|------|---------------------|---|--------|
| 7/20/2020 | 0 | City Council | Enacted, pursuant to Baltimore City Charter, Art. IV, Sec. 5(c) | |
| 6/15/2020 | 0 | City Council | Approved and Sent to the Mayor | |
| 5/18/2020 | 0 | City Council | 3rd Reader, for final passage | |
| 5/18/2020 | 0 | City Council | 3rd Reader, for final passage | |
| 5/14/2020 | 0 | Judiciary Committee | Recommended Favorably with Amendment | Pass |
| 4/30/2020 | 0 | The City Council | Refer to Board of Municipal and Zoning Appeals | |
| 4/30/2020 | 0 | The City Council | Refer to City Solicitor | |
| 4/30/2020 | 0 | The City Council | Refer to Planning Commission | |
| 4/29/2020 | 0 | Judiciary Committee | Advertising | |
| 4/27/2020 | 0 | City Council | Assigned | |
| 4/27/2020 | 0 | City Council | Introduced | |
| 4/27/2020 | 0 | Judiciary Committee | Scheduled for a Public Hearing | |

Introductory*

**City of Baltimore
Council Bill**

Introduced by: Councilmember Schleifer
At the request of: The Administration (Board of Municipal and Zoning Appeals)

A Bill Entitled

An Ordinance concerning

Board of Municipal and Zoning Appeals - Repeal of “Physically Present” Requirements

For the purpose of repealing certain provisions of the Zoning Code regarding the Board of Municipal and Zoning Appeals that require members of the Board to be “physically present” during a hearing and for voting; and providing for a special effective date.

By repealing

Article 32 - Zoning
Section(s) 3-202(j) and 3-202(m)
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 32. Zoning

Title 3. Outline of Code Administration

Subtitle 2. Administrative Agencies and Officials

§ 3-202. Board of Municipal and Zoning Appeals.

[(j) Public hearings - Member must be present to participate.]

[A member of the Board of Municipal and Zoning Appeals may not participate in a hearing unless the member is physically present at the hearing.]

....

[(m) Voting - Member must be present to vote.]

[A member of the Board of Municipal and Zoning Appeals may not vote on a matter unless the member:

- (1) was physically present at the public hearing on the matter: and
- (2) is physically present at the voting session.]

Section 2. And be it further ordained, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

Section 3. And be it further ordained, That this Ordinance takes effect on the date it is enacted. It will remain effective through August 31, 2020, and immediately after that date, with no further action by the Mayor and City Council, this Ordinance will be abrogated and of no further effect.