



Legislation Text

File #: 10-0479, **Version:** 0

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

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)

A BILL ENTITLED

AN ORDINANCE concerning
Sinclair Lane Bridge - Reconstruction, Repair, and Maintenance

FOR the purpose of superseding certain laws governing the Sinclair Lane railroad bridge; ratifying a new agreement between the City and CSX Transportation for the construction and ownership of the bridge; providing for the repeal of laws inconsistent with this Ordinance; providing for a special effective date; and generally relating to the duties and responsibilities for and the ownership of the Sinclair Lane railroad bridge.

Background

On November 18, 2009, the Board of Estimates approved an "Agreement Regarding [t]he Reconstruction of [t]he Sinclair Lane Bridge" (the "Sinclair Lane Bridge Agreement" or "Agreement") between the Mayor and City Council of Baltimore (the "City") and CSX Transportation, Inc. ("CSXT").

Previously, Ordinance 1890-083 (the "Enabling Ordinance") authorized the Baltimore Belt Railroad to build a bridge at Loney's Lane (now Edison Highway) and Sinclair Lane. In 1934, by written agreement between the City and the Baltimore and Ohio (the "B&O") and Baltimore Belt Railroads (the "1934 Agreement"), the railroads agreed, among other things, to demolish the then-bridge and construct a new, substantially larger bridge (the "Sinclair Lane Bridge" or "Bridge"), with the costs of construction to be divided between the City (2/3) and the railroads (1/3) and with costs of future maintenance (except paving) to be assumed by the railroads.

CSXT has since succeeded to the interests of the B&O and Belt Railroads in the Bridge and to their duties under the Enabling Ordinance and the 1934 Agreement.

Recent inspections indicate that the Sinclair Lane Bridge will require reconstruction or substantial repairs due to its age and condition. The City and CSXT entered into the Sinclair Lane Bridge Agreement to specify their respective duties and obligations in connection with the reconstruction, repair, and maintenance of the Sinclair Lane Bridge.

The Sinclair Lane Bridge Agreement expressly recognizes that "the duties and obligations set forth in this Agreement differ from those duties and obligations set forth in the [Enabling Ordinance] and common law precedent", thus requiring a new Ordinance to ratify and approve the Sinclair Lane Bridge Agreement and to supersede all prior laws and agreements to the extent of any inconsistency between them and the Sinclair Lane Bridge Agreement.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council ratifies and approves the Sinclair Lane Bridge Agreement, as entered into between the City and CSXT and approved by the Board of Estimates on November 18, 2009.

SECTION 2. AND BE IT FURTHER ORDAINED, That all agreements, laws, or parts of agreements and laws inconsistent with the Sinclair Lane Bridge Agreement (including, but not limited to, Ordinance 1890-083, the 1934 Agreement, and common law precedent) are superseded to the extent of the inconsistency.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

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