



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Text

File #: 09-0349, **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: Councilmember Young

A BILL ENTITLED

AN ORDINANCE concerning
"Quick-Take" Condemnation - Notice of Proposed Commencement

FOR the purpose of requiring the City to provide certain notice before it institutes a quick-take condemnation proceeding; defining certain terms; and generally relating to pre-condemnation notice.

BY adding

Article 5 - Finance, Property, and Procurement
Section(s) 18-5, to be under the amended subtitle designation,
Subtitle 18. Condemnation Notices"
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 5. Finance, Property, and Procurement

Subtitle 18. Condemnation [Notice and Hearing] NOTICES

§ 18-5. QUICK-TAKE PROCEEDING - NOTICE OF INTENT TO INSTITUTE.

(A) DEFINITIONS.

(1) IN GENERAL.

IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(2) CITY.

"CITY" MEANS THE MAYOR AND CITY COUNCIL OF BALTIMORE AND ANY OF ITS AGENCIES, INSTRUMENTALITIES, OR OTHER UNITS.

(3) QUICK-TAKE PROCEEDING.

"QUICK-TAKE PROCEEDING" MEANS A CONDEMNATION ACTION IN WHICH THE CITY SEEKS IMMEDIATE TITLE OR POSSESSION OF PROPERTY UNDER AUTHORITY OF STATE CONSTITUTION, ARTICLE III, § 40A, THE CODE OF PUBLIC LOCAL LAWS OF BALTIMORE CITY, §§ 21-16 AND 21-7, OR OTHER ENABLING LAW.

(B) NOTICE REQUIRED.

AT LEAST 10 DAYS BEFORE THE CITY FILES A PETITION FOR IMMEDIATE TAKING OR OTHERWISE SEEKS TO INSTITUTE A QUICK-TAKE PROCEEDING, THE CITY SHALL SERVE WRITTEN NOTICE OF ITS INTENT TO DO SO ON:

(1) ALL KNOWN PERSONS WHOSE INTEREST IN THE PROPERTY IS SOUGHT TO BE CONDEMNED;
AND

(2) THE COUNCILMEMBER WHO REPRESENTS THE COUNCIL DISTRICT IN WHICH THE PROPERTY IS LOCATED.

(C) CONTENTS.

THE NOTICE SHALL:

(1) BRIEFLY IDENTIFY THE PROPERTY;

(2) SPECIFY THE DATE ON OR AFTER WHICH THE CITY INTENDS TO INSTITUTE THE QUICK-TAKE PROCEEDING;

(3) STATE THE REASONS WHY THE CITY'S TAKING IMMEDIATE TITLE OR POSSESSION IS NECESSARY; AND

(4) INCLUDE THE NAME, ADDRESS, AND TELEPHONE NUMBER OF AN INDIVIDUAL AUTHORIZED TO ACT ON BEHALF OF THE CITY IN THE MATTER.

(D) SERVICE.

(1) SERVICE UNDER SUBSECTION (B)(1) OF THIS SECTION SHALL BE MADE:

(I) IN PERSON; OR

(II) BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO THE PERSON'S LAST-KNOWN ADDRESS.

(2) SERVICE UNDER SUBSECTION (B)(2) OF THIS SECTION SHALL BE BY DELIVERY TO THE COUNCILMEMBER'S CITY HALL OFFICE.

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 30th day after the date it is enacted.

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