



Legislation Details (With Text)

File #: 22-0287 **Version:** 0 **Name:** Real Estate Practices - Disclosures - Historic Districts

Type: Ordinance **Status:** In Committee

File created: 10/3/2022 **In control:** Economic and Community Development

On agenda: **Final action:**

Enactment date: **Enactment #:**

Title: Real Estate Practices - Disclosures - Historic Districts
For the purpose of requiring certain disclosures in order to sell a property that is located in a historic district; and providing for certain penalties.

Sponsors: John T. Bullock, Sharon Green Middleton, James Torrence

Indexes: Historic District, Real Estate

Code sections:

Attachments: 1. 22-0287~1st Reader, 2. Law 22-0287, 3. CHAP MEMO - CCBill 22-0287, 4. CCB #22-0287 - Planning Commission, 5. 22-0287 BDC

Date	Ver.	Action By	Action	Result
10/6/2022	0	Baltimore City Council	Refer to Commission for Historical & Architectural Preservation	
10/6/2022	0	Baltimore City Council	Refer to Planning Commission	
10/6/2022	0	Baltimore City Council	Refer to Dept. of Housing and Community Development	
10/6/2022	0	Baltimore City Council	Refer to Board of Municipal and Zoning Appeals	
10/6/2022	0	Baltimore City Council	Refer to City Solicitor	
10/6/2022	0	Baltimore City Council	Refer to Baltimore Development Corporation	
10/3/2022	0	Baltimore City Council	Assigned	
10/3/2022	0	Baltimore City Council	Introduced	

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **Warning:** This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*

**City of Baltimore
Council Bill**

Introduced by: Councilmembers Bullock, Middleton
At the request of: Commission for Historical and Architectural Preservation

A Bill Entitled

An Ordinance concerning

Real Estate Practices - Disclosures - Historic Districts

For the purpose of requiring certain disclosures in order to sell a property that is located in a historic district; and providing for certain penalties.

By adding

Article 2 - Consumer Protection
Section 14-7
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 2. Consumer Protection

Subtitle 14. Real Estate Practices - Disclosures

§ 14-7. Historic districts.

(a) *In general.*

On or before entering into a contract for the sale of any real property, the seller must disclose to the buyer in writing whether the property is located in a Historical and Architectural Preservation District as defined under Article 6, § 1-1(f) {"Definitions - *Historical and Architectural Preservation District; Preservation District; District*"} of the Code.

(b) *Form of disclosure.*

The disclosure required by this section shall read as stated:

HISTORIC DISTRICT - DISCLOSURE

This property is [] is not [] located within a Historical and Architectural Preservation District.

_____ Seller's Initials

Before beginning any exterior alterations to a structure located within a Historical and Architectural Preservation District (a "historic district") the owner of the property and the structure must first secure an Authorization to Proceed ("ATP") from the Commission for Historical and Architectural Preservation ("CHAP").

Structures that are located within a historic district are designated as being part of a neighborhood that is of particular historical significance and architectural character.

CHAP is responsible for promoting the preservation of structures located in a historic district under Article 6 {"Historical and Architectural Preservation"} of the City Code.

Relevant excerpts from Article 6 of the City Code establishing the requirements stated above are provided below.

§ 8-2. Building permit required.

(a) *Exterior structures.*

No person may undertake, cause, or allow any of the following regulated alterations for or with respect to any structure located within an historic district without first obtaining a permit to do so from the

Building Official:

- (1) any reconstruction, alteration, or removal of any exterior architectural feature;
- (2) any change in an exterior color, whether by painting or other means;
- (3) any exterior excavation;
- (4) the construction or erection of any exterior building, fence, wall, or other structure of any kind; or
- (5) any exterior demolition.

§ 8-4. CHAP to review.

(c) *CHAP approval prerequisite for permit.*

The Building Official may not issue a permit for any regulated alteration unless the Commission first issues an Authorization to Proceed.

Learn more about CHAP and the process for securing an ATP:

Commission for Historical and Architectural Preservation
[insert mailing address]
[insert telephone number]
[insert website address]

(c) *Penalty.*

Any person who violates any provision of this section is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$500 for each offense.

Section 2. And be it further ordained, That this Ordinance takes effect on the 30th day after the date it is enacted.