



## Legislation Details (With Text)

**File #:** 23-0407      **Version:** 0      **Name:** Zoning - Discontinuance or Abandonment of Nonconforming Use - Reporting

**Type:** Ordinance      **Status:** Enacted

**File created:** 6/26/2023      **In control:** Baltimore City Council

**On agenda:**      **Final action:** 2/20/2024

**Enactment date:**      **Enactment #:** 24-313

**Title:** Zoning - Discontinuance or Abandonment of Nonconforming Use - Reporting  
 For the purpose of establishing a process for a person to report to the Zoning Administrator that a nonconforming use, or any part of that use, has been discontinued for 12 consecutive months or actually abandoned.

**Sponsors:** Odette Ramos

**Indexes:** Discontinuance, Zoning

**Code sections:**

**Attachments:** 1. 23-0407~1st Reader, 2. 23-0407 - Planning Commission, 3. DHCD 23-0407, 4. 23-0407(1)~1st(DHCD) Amendments, 5. Law - 23-0407, 6. Newspaper Affidavit 23-0407, 7. BDC 23-0407, 8. DOT 23-0407, 9. BMZA 23-0407, 10. 23-0407 Attendance Sheet, 11. EDC Hearing Notes 23-0407 11-28-23, 12. 23-0407 nonconformance bill Ramos Testimony 11.23, 13. 23-0407 - Hearing Packet, 14. cc23-0407(1)~1st (Law), 15. 23-0407(1)~1st(DHCD) Amendments (1) (1), 16. 23-0407 nonconformance bill Ramos Testimony 11.23 (1), 17. EDC Hearing Notes -- 23-0404--01-09-2024, 18. Voting Record - ECD - 23-0407, 19. 23-0407 Attendance Sheet, 20. 2nd Reader Amendments 23-0407~1st (ECD), 21. 23-0407~3rd Reader, 22. 23-0407 signed, 23. 23-0407 Completed Ordinance 24-313

Date	Ver.	Action By	Action	Result
2/26/2024	0	Mayor	Signed by Mayor	
1/29/2024	0	Baltimore City Council	Approved and Sent to the Mayor	
1/22/2024	0	Baltimore City Council	3rd Reader, for final passage	
1/22/2024	0	Economic and Community Development	Recommended Favorably with Amendment	
1/9/2024	0	Economic and Community Development	Recommended Favorably with Amendment	Pass
12/18/2023	0	Economic and Community Development	Scheduled for a Public Hearing	
11/13/2023	0	Economic and Community Development	Advertising	
10/16/2023	0	Economic and Community Development	Scheduled for a Public Hearing	
6/29/2023	0	Baltimore City Council	Refer to Baltimore Development Corporation	
6/29/2023	0	Baltimore City Council	Refer to Dept. of Transportation	
6/29/2023	0	Baltimore City Council	Refer to City Solicitor	
6/29/2023	0	Baltimore City Council	Refer to Board of Municipal and Zoning Appeals	
6/29/2023	0	Baltimore City Council	Refer to Planning Commission	

6/29/2023	0	Baltimore City Council	Refer to Dept. of Housing and Community Development
6/26/2023	0	Baltimore City Council	Assigned
6/26/2023	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: Councilmember Ramos

#### **A Bill Entitled**

An Ordinance concerning

#### **Zoning - Discontinuance or Abandonment of Nonconforming Use - Reporting**

For the purpose of establishing a process for a person to report to the Zoning Administrator that a nonconforming use, or any part of that use, has been discontinued for 12 consecutive months or actually abandoned.

By adding

Article 32 - Zoning  
Section 18-307(c)  
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 18. Nonconformities**

#### ***Subtitle 3. Nonconforming Uses***

#### **§ 18-307. Discontinuance or abandonment.**

(c) *Report to Zoning Administrator.*

(1) *In general.*

If a person reasonably believes that a nonconforming use has been, in whole or in part, discontinued or abandoned as described under this section, the person may file a report with the Zoning Administrator.

(2) *Contents.*

The report shall include:

- (i) the location of the discontinued or abandoned use;
- (ii) a description of the discontinued or abandoned use;
- (iii) the date the person last observed the use;
- (iv) a statement by the person affirming that the person reasonably believes the use described in subparagraph (ii) of this paragraph has not occurred in the past 12 months; and
- (v) the signature or signatures of the person reporting the discontinued or abandoned use.

(3) *Zoning Administrator to investigate.*

Upon receipt of a complaint issued under this subsection, the Zoning Administrator shall inspect structures and uses of land to determine compliance with this Code and, where violations are found, initiate action to secure compliance.

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