



Legislation Text

File #: 20-0493, Version: 0

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 Clarke

A Bill Entitled

An Ordinance concerning
**Urban Renewal - Coldstream Homestead Montebello -
Amendment** __

For the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to provide an enforcement mechanism for violation of the regulation that prohibits the storage of materials outside buildings, except as permitted by the City's code regulations regarding storage receptacles for garbage, trash, or debris, and conforming certain language; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for special effective dates.

By authority of
Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

Recitals

The Urban Renewal Plan for Coldstream Homestead Montebello was originally approved by the Mayor and City Council of Baltimore by Ordinance 77-289 and last amended by Ordinance 18-129.

An amendment to the Urban Renewal Plan for Coldstream Homestead Montebello is necessary to provide an enforcement mechanism for violation of the regulation that prohibits the storage of materials outside buildings, except as permitted by the City's code regulations regarding storage receptacles for trash, garbage, or debris.

Under Article 13, § 2-6 of the Baltimore City Code, no change may be made in any approved renewal plan unless the change is approved in the same manner as that required for the approval of a renewal plan.

Section 1. Be it ordained by the Mayor and City Council of Baltimore, That the following change in the Urban Renewal Plan for Coldstream Homestead Montebello is approved:

Amend Section B.2.a.(1)(b) to read as follows:

B. Land Use Plan

2. Regulations, Controls, and Restrictions

a. Provisions Applicable to All Land and Property to be Acquired

...
(1) General Provisions

...
(b) No materials used by a business shall be stored or permitted to remain outside buildings. No waste material, refuse, or garbage shall be permitted to remain outside buildings, except as permitted by the Baltimore City Code regulations regarding [containers] storage receptacles for garbage, trash, or debris; the areas for such [containers] storage receptacles shall be properly screened.

Failure of a business to store business-related materials within permanent, enclosed buildings that meet Zoning Code bulk and yard regulations, Building Code requirements, or other City Code regulations shall result in the automatic termination of the business's use and occupancy permits.

Section 2. And be it further ordained, That the Urban Renewal Plan for Coldstream Homestead Montebello, as amended by this Ordinance and identified as "Urban Renewal Plan, Coldstream Homestead Montebello, revised to include Amendment __, dated February 10, 2020", is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record, available for public inspection and information.

Section 3. And be it further ordained, That if the amended Urban Renewal Plan approved by this Ordinance in any way fails to meet the statutory requirements for the content of a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal plan, those requirements are waived and the amended Urban Renewal Plan approved by this Ordinance is exempted from them.

Section 4. And be it further ordained, That if any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid for any reason, the invalidity does not affect any other provision or any other application of this Ordinance, and for this purpose the provisions of this Ordinance are declared severable.

Section 5. And be it further ordained, That if a provision of this Ordinance concerns the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or safety law or regulation, the applicable provisions shall be construed to give effect to each. However, if the provisions are found to be in irreconcilable conflict, the one that establishes the higher standard for the protection of the public health and safety prevails. If a provision of this Ordinance is found to be in conflict with an existing provision of any other law or regulation that establishes a lower standard for the protection of the public health and safety, the provision of this Ordinance prevails and the other conflicting provision is repealed to the extent of the conflict.

Section 6. And be it further ordained, That Section 1 of this Ordinance takes effect 1 year after the date it is enacted.

Section 7. And be it further ordained, That this Ordinance takes effect on the date it is enacted.