

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 128  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Charter Amendment”; in the same line, after “Housing” insert “- Proposed Development - Notice to Community Association”; strike beginning with “adding” in line 3 down through “regulations;” in line 10 and substitute “requiring a developer, before obtaining a permit from Baltimore City for the construction of a certain development located in Baltimore City within the boundaries of a community represented by a community association, to notify the community association and meet with its members at a scheduled meeting concerning the proposed development; defining a certain term;”; and strike in their entirety lines 12 through 16, inclusive, and substitute:

“BY repealing and reenacting, without amendments,

Article - Real Property

Section 14-123(a)(1) and (2)

Annotated Code of Maryland

(2003 Replacement Volume and 2005 Supplement)

BY adding to

Article - Real Property

Section 14-129

Annotated Code of Maryland

(2003 Replacement Volume and 2005 Supplement)”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 13 on page 2, inclusive, and substitute:

“Article - Real Property

(Over)

14-123.

(a) (1) In this section the following words have the meanings indicated.

(2) “Community association” means a Maryland nonprofit association, corporation, or other organization that:

(i) Is comprised of at least 25 households or 25% of the households, whichever is less, of a local neighborhood consisting of 40 or more individual households as defined by specific geographic boundaries in the bylaws or charter of the association;

(ii) Requires, as a condition of membership, the voluntary payment of monetary dues at least annually;

(iii) Is operated primarily for the promotion of social welfare and general neighborhood improvement and enhancement;

(iv) Has been in existence for at least 2 years when it files suit under this section;

(v) 1. Is exempt from taxation under § 501(c)(3) or (4) of the Internal Revenue Code; or

2. Has been included for a period of at least 2 years prior to bringing an action under this section in Baltimore City’s Community Association Directory published by the Baltimore City Department of Planning; and

(vi) In the case of a Maryland corporation, is in good standing.

14-129.

(A) IN THIS SECTION, “COMMUNITY ASSOCIATION” HAS THE MEANING STATED IN § 14-123 OF THIS SUBTITLE.

(B) BEFORE A DEVELOPER MAY OBTAIN A PERMIT FROM BALTIMORE CITY FOR THE CONSTRUCTION OF A DEVELOPMENT IN BALTIMORE CITY CONSISTING OF 20 OR MORE HOUSING UNITS WITHIN THE BOUNDARIES OF A COMMUNITY

REPRESENTED BY A COMMUNITY ASSOCIATION, THE DEVELOPER OR THE DEVELOPER'S AGENT SHALL:

(1) NOTIFY THE COMMUNITY ASSOCIATION OF THE PROPOSED DEVELOPMENT; AND

(2) ATTEND A SCHEDULED MEETING OF THE COMMUNITY ASSOCIATION OR A COMMITTEE OR SUBCOMMITTEE OF THE ASSOCIATION AND CONSULT WITH THE MEMBERS OF THE COMMUNITY ASSOCIATION WHO ATTEND THE MEETING."