

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 19-0389**

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Introduced by: Councilmembers Henry, Bullock, Stokes, Sneed, Ex Officio President Middleton,  
Councilmembers Clarke, Scott  
Introduced and read first time: May 6, 2019  
Assigned to: Taxation, Finance and Economic Development Committee  
Committee Report: Favorable with amendments  
Council action: Adopted  
Read second time: December 16, 2019

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**AN ORDINANCE CONCERNING**

**High-Performance Market-Rate Rental Housing (Citywide) --  
Eligibility for Tax Credit**

FOR the purpose of modifying the number of rental units required to qualify a multi-family dwelling for a high-performance market-rate rental housing tax credit.

BY repealing and reordaining, with amendments

Article 28 - Taxes  
Section 10-18(a)(3)  
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 28. Taxes**

**Subtitle 10. Credits**

**§ 10-18. High-performance market-rate rental housing – Citywide.**

(a) *Definitions.*

(3) *Market-rate rental housing project.*

“Market-rate rental housing project” means a multi-family dwelling:

(i) that contains [20] 10 or more rental units; and

**EXPLANATION:** CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.  
Underlining indicates matter added to the bill by amendment.  
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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(ii) in which dwelling, except to the extent specifically required by City Code Article 13, Subtitle 2B {"Inclusionary Housing Requirements"}, none of the rental units are subject to governmental restrictions on the amount of rent charged or on the tenant's income level.

**SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance shall apply retroactively to all projects under construction pursuant to a building permit that is valid as of the date this Ordinance is enacted, provided that: (i) the project has not received a final occupancy permit prior to the date this Ordinance is enacted; and (ii) an Initial Application has been submitted to the Department of Finance within 90 days of the date this Ordinance is enacted. It being the intention that, notwithstanding the time-frame set forth in the Rules and Regulations adopted by the Department of Finance, a project newly eligible for the credit pursuant to this Ordinance may be granted the credit provided the hereinabove conditions are met.

**SECTION 2 3. 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 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day after the date it is enacted.

Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

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Mayor, Baltimore City