

CHECK ONE: ___ ALLEY PAVING ___ FOOTWAY PAVING

RETURN COMPLETED APPLICATION TO:
BOARD OF MUNICIPAL AND ZONING APPEALS
417 E. FAYETTE STREET, ROOM 922
BALTIMORE, MD 21202
Or bmza@baltimorecity.gov

Appeal No. _____ (For Official use Only)

Phone: (410) 396-4301

Name of Petitioner

Attach a copy of the Alley/Footway Violation Notice or the Notice of Right to Appeal that you are appealing. Your application is not complete without a copy of this notice.

1. Address of property involved: _____

2. The Property is owned by: _____

3. The grounds of this appeal are (check the reason for your appeal):

- Appellant was not the owner of the property at the time of the violation notice.
- Necessity of performed work.
- Quality of performed work.
- Appellant did not receive a violation notice.
- Other reason. Please explain.

If additional space is necessary, attach further explanations, documents, and/or photographs to this form.

I hereby declare under penalties of perjury that:

- 1) I am the owner or have specific approval of the owner to act as agent for this application; and
- 2) I have examined this appeal and to the best of my knowledge and belief, the appeal is true, correct and a complete statement.

SIGNATURE _____ DATE: _____

MAILING ADDRESS: _____

CITY AND STATE: _____ ZIP CODE: _____

PHONE NUMBER: _____ EMAIL ADDRESS _____

FOOTWAYS (e.g. sidewalks)

All property owners are responsible for maintaining their portion of any footway (e.g. sidewalk) that binds or abuts their property. Baltimore City Code, Art. 26, §10.

The Department of Transportation (DOT) responds to calls for service from the public for broken or uneven sidewalks. After inspection by DOT inspectors, Notices are issued directing property owners to repair sidewalks if a sidewalk is in need of repair. Property owners may perform the maintenance themselves after obtaining a proper permit or opt to have Baltimore City complete the work as stated on the notice. Failure to respond to this notice is a default “yes” to having your sidewalk repaved at your expense. If no response is received within the time stated on the notice, contracts are issued with private contractors through a public bidding process. This work is completed at a standard rate based upon the square footage of the needed repair.

Under Baltimore City Code, Art. 26, §10-2, you have the right to appeal the above-cited sidewalk repair by filing an appeal from the violation notice or the notice of the right to appeal sent by the Department of Transportation to the Board of Municipal & Zoning Appeals (BMZA). BMZA is an *independent agency* of Baltimore City and is not a part of the Department of Transportation.

During this hearing, the Board will consider:

- the need for any repair;
- any evidence presented as to the reason for broken or otherwise compromised paving;
- the scale of the proposed work;
- whether you owned the property at the time the property was cited;
- any other evidence relevant under Art. 26, §10 as to the necessity of the work performed;
- any other evidence relevant under Art. 26, §10 as to the quality of the work that was performed.

The Board has the authority to:

- find that repairs are unnecessary and order the Department to rescind the notice;
- reduce the amount of the assessment;
- waive the entire assessment.

The Board will issue a written decision within 30 days of your hearing.

ALLEYWAYS

All property owners are responsible for maintaining their portion of any alleyway that *abuts* their property. Baltimore City Code, Art. 26, §8.

The Department of Transportation (DOT) responds to calls for service from the public for cracked, eroded, or otherwise compromised paving in alleyways. After inspection by DOT inspectors, notices are issued for all property owners along that alleyway to determine if repaving of that alleyway is desired. If the Department receives notification from more than half of those property owners that they do *not* desire to have their alleyway repaved, the repaving *is not* performed. If more than half of all property owners respond that they would like their alleyway to be repaved, that work *is* performed. Failing to respond to that notice is a default “yes” to the repaving of the alleyway. If no response is received within the time stated on the notice, contracts are issued with private contractors through a public bidding process. This work is completed at a standard rate based upon the square footage of the needed repair.

Under Baltimore City Code, Art. 26, §8-6, you have the right to appeal the above-cited alleyway repaving by filing an appeal from the violation notice or the notice of the right to appeal sent by the Department of Transportation to the Board of Municipal & Zoning Appeals (BMZA). BMZA is an *independent agency* of Baltimore City and is not a part of the Department of Transportation.

During this hearing, the Board will consider:

- the need for any repair;
- any evidence presented as to the reason for broken or otherwise compromised paving;
- the scale of the proposed work;
- whether you owned the property at the time the property was cited;
- any other evidence relevant under Art. 26, §8 as to the necessity of the work performed;
- any other evidence relevant under Art. 26, §8 as to the quality of the work that was performed.

The Board has the authority to:

- find that repairs are unnecessary and order the Department to rescind the notice;
- reduce the amount of the assessment;
- waive the entire assessment.

The Board will issue a written decision within 30 days of your hearing.