

Baltimore City Board of Municipal & Zoning Appeals

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 when complaints for broken sidewalks are reported. After inspection by DOT inspectors, Notices are issued directing property owners to repair sidewalks if all or portions of a sidewalk are in need of repair or are otherwise a danger to the public. 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 and work commences upon a contracted period. 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 decision of the Department of Transportation to this agency, 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; or
- financial hardship.

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 and that decision is final.

Baltimore City Board of Municipal & Zoning Appeals

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 when complaints for cracked, eroded, or otherwise compromised paving in alleyways are reported. 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 and work commences upon a contracted period. 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 decision of the Department of Transportation to this agency, 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; or
- financial hardship.

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 and that decision is final.