

CODE OF BALTIMORE REGULATIONS ANNOTATED

Regulations Effective as of January 15, 2021

Title 14 DEPARTMENT OF TRANSPORTATION

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Title 14 DEPARTMENT OF TRANSPORTATION

SUBTITLE 01 STANDARD OPERATING PROCEDURES

CHAPTER 01 DEVELOPER AGREEMENT

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Subtitle 01 STANDARD OPERATING PROCEDURES

CHAPTER 01 DEVELOPER AGREEMENT

Administrative History

Title: Baltimore City Department of Transportation (14)

Subtitle: Standard Operating Procedures (.01)

Chapter: Right of Way (.06)

.03 Developers Agreement

14.01.06.03

14.01.06.03.01 Scope

- A. A Developer's Agreement is required for all work in the public right of way or which will be maintained by the City of Baltimore ("City") including:
 - (1) 3-inch or larger water services,
 - (2) Water mains,
 - (3) Developments which require ten (10) or more water supply services of any size;
 - (4) Sanitary or storm drain extensions;
 - (5) Conduit; or
 - (6) Road construction for private concerns; or
 - (7) To downsize water meters 2-inches and smaller in meter size, no Developer Agreement is required; a "Water Meter Downsize Request Form for Meters 2-Inches and Smaller" can be used instead.
- B. The Developer's Agreement will describe the type of work and location where it will be done;
 - (1) The Developer will have all work to be constructed in the right of way designed to City standards;
 - (2) An approved estimate of the construction costs will be used to base a 100% performance bond or irrevocable letter of credit to remain as surety for one year after completion;
 - (3) An inspection fee equal to 9% of the surety will be assessed for costs incurred by the City;
 - (4) The Developer will also be responsible for acquiring all other necessary or required permits; and
 - (5) Submit the as-built drawings at the end of the maintenance term upon final acceptance and prior to the release of the surety.
 - (6) The Developer shall certify all field changes are shown in the as-built drawings prior to the release of the surety.
- C. The City of Baltimore will not be liable for incorrectly sized services and meters, and will not assess adequate water supply;
 - (1) The City of Baltimore will make no representation as to the size of meter required for any application;
 - (2) Note that multistory buildings may require on site pumping.
- D. Please note that the Developer, his engineer, or representative will be responsible for selecting the location desired for the fire flow test;
 - (1) Fire flow tests shall be conducted on the same water main where the proposed water service connection will be made;

- (2) The Developer shall be required to arrange for a new fire flow test in order to determine if there is an adequate water supply for their project;
 - (3) Previous fire flow tests shall be rejected, a new test is required;
 - (4) The engineer shall prepare a sketch of and mail it along with the request for the fire flow test to the Department of Public Works, Ashburton Filtration Plant, 3001 Druid Park Drive, Baltimore, Maryland, 21215, Telephone No. 410-396-0239:
 - i. System configuration;
 - ii. Hydrant location; and
 - iii. Hydraulic zone.
- E. If any underground electrical services are part of the project, design of any needed conduit extension must be included as part of the Developer's Agreement, all conduit design and construction shall be completed in accordance with:
 - (1) the City of Baltimore Book Standard Details;
 - (2) Specifications; and
 - (3) the Conduits checklists included herein.
- F. The Developer must prepare plans and submit them to the Right of Way Section whereby they will be circulated for review and comments from all necessary agencies.
- G. Upon Approval of the plans by all agencies,
 - (1) the Developer's execution of the agreement, and the posting of the bond or letter of credit;
 - (2) The agreement will be submitted to the Board of Estimates for final execution;
 - (3) The estimated time for execution of the agreement is a minimum of one month.
- H. For the most part the approval time for the plans will be determined by the amount of time corrections or comments are addressed by the Developer's engineer;
- I. However, a minimum of three months should be anticipated for this entire process.
- J. To begin this process, you should make a request in writing to Mr. David Framm, Supervisor, Right of Way Section, for any 3-inch or larger meter services, 10 or more water supply services of any size, water main extensions, fire hydrants and/or related water appurtenances, sewer line, storm drain, conduit, or roadway work. For additional information, please contact Ms. Charlene Tyler at 410-396-3667.

14.01.06.03.02 PROCEDURES

- A. The Developer must verify through the Metered Accounts Division the service account numbers for all existing water services, and show them on the proposed construction plans.
- B. The Developer must request a fire flow test through the Department of Public Works, Ashburton Filtration Plant, 3001 Druid Park Drive, Baltimore, Maryland, 21215, Telephone No. 410-396-0239.
- C. The Developer must have the proposed construction within the right of way designed to City Standards by a Maryland Registered Professional Engineer;
- D. The Developer then submits the following under a cover letter to Mr. David Framm, Supervisor, Land Conveyance Section, The Harry S. Cummings Building, 401 East Fayette Street, Baltimore, MD 21202 a) a copy of the fire flow test results b) 30 copies of "Preliminary" plans and c) a non-refundable submittal fee in the amount of \$200.00 made payable to "Director of Finance".

- E. The Right of Way Section will assign a Developer's Agreement # and circulate the plans for review and comments.
- F. The Right of Way Section will collect all comments and advise the Developer when they may pick up the "Preliminary" comments.
- G. The Preliminary Plan shall be consistent with the approved Subdivision Plan, if Applicable
- H. Hydraulic modeling of the proposed development will be required for large development;
 - (1) Large developments are the ones deemed to have material impacts to the existing water system;
 - (2) The Developer shall submit the total water demand based on full built-out.
- I. After Developer receives their "Preliminary" comments, they should then proceed to finalize their plans and address conflicts that might arise with the individual agencies;
 - (1) It is the intention that the Developer will contact the Design Review Personnel (list provided) to work out their conflicts, prior to their semi-final submittal;
 - (2) If an easement is required the Developer should contact the Right of Way Section and have proper surveys performed and deed recorded.
- K. The Developer shall then submit 30 copies of "Semi-Final" plans for review and comment, and a preliminary construction cost estimate for review and approval.
- L. The Right of Way Section will then collect all comments and advise the Developer that they may pick-up the 'Semi-Final' comments;
- M. Water Engineering Office comments will include an assigned CWO#, and a Drawing #.
- N. The Developer then submits original engineering plans, signed and sealed by a Maryland Registered Professional Engineer, on Mylar, along with three (3) paper sets of the plans, to the Right of Way Section.
- O. If all comments have been addressed, the Right of Way Section will then prepare five (5) copies of the Developer's Agreement and forward them to the Owner or Developer to be executed (signed and witnessed);
 - (1) The Owner or Developer will then return the executed agreements along with;
 - (2) Five (5) original Performance Bonds or one (1) original Letter of Credit in the amount of the approved estimated construction cost.
- P. The Right of Way Section will then concurrently route the plan(s) for signature, and begin the process of Board of Estimates execution of the agreements.
- Q. After the Agreement has received approval by the Board of Estimates and the original (Mylar) plans have been signed by the City agencies, and any easement properly recorded (when applicable), the copies of the executed agreement plans would be distributed to:
 - (1) Board of Estimates (1)
 - (2) Utility Engineering Section/Water Engineering (1)
 - (3) Utility Billing (1)
 - (4) Developer (1)
 - (5) Right of Way Section (1)
 - (6) Department of Transportation - TEC Division (1) - if needed.
- R. The Developer shall make application for his water services are we not allowing main extensions with the Customer Service and Support (Metered Accounts) Division (Room 404 Abel Wolman Municipal Building, 200 N. Holliday Street);

- S. The Metered Accounts Division will supply the Developer with a "Cash Slip" in order to release the water meter(s).
- T. After the Developer has been given their approved plan agreement, they must then submit a project schedule to the Office of Permits or Utility Maintenance Division and arrange for a Preconstruction Meeting, which shall include the Contractor and staff inspector;
- U. The Bureau of Water and Wastewater will inspect the water installations and the Department of Transportation will inspect all other construction in the public right of way.
- V. After all of the previous steps have been followed, the Developer will then be given official notice to proceed by the Right of Way Section.
- W. Upon completion of the construction, an inspection must be made and the inspector must make written acceptance.
- X. The Bond or Letter of Credit shall remain in effect for one year after the written acceptance. Following the one-year warranty period, the Developer shall request the Right of Way Section to have a final inspection performed;
 - (1) Only after the approval by the City inspector and as-built plan received by Right of Way Services Division, the surety will be released.
 - (2) All plans will require AS-BUILTS on Mylar that include revisions, signed and sealed by a Maryland Registered Professional Engineer, prior to the release of the surety.
- Y. The Bond is then released and a Letter of Release is sent to the Developer;
 - (1) If a Letter of Credit applied;
 - (2) then a letter and the original Letter of Credit are sent certified to the issuing Bank and a copy is mailed to the Developer.
- Z. The Right of Way agent files the Mylars in the office.
- AA. All Fees should be made payable to the Director of Finance

14.01.06.03.03 REQUIREMENTS

- A. Design, Review, Execution of Agreement
 - (1) Cover letter requesting a Developer's Agreement
 - (2) Preliminary plans - 15 sets, along with a digital version
 - (3) Submittal fee (\$200) (non-refundable)
 - (4) Copy of fire flow test
 - (5) Semi- Final Plans – 15 sets, along with a digital version
 - (6) If applicable Final Plans 15 sets, along with a digital version
 - (7) Preliminary construction estimate *****Material List shown on plans*****
 - (8) If applicable - approved easements and the approved Subdivision Plan
 - (9) Letter stating all conflicts have been addressed with one (1) original (Mylar) plans set and two (2) paper sets of the plans for approval routing. Engineering plans are to be signed and sealed.
 - (10) Five copies of executed agreement with Performance Bond (5 originals) or Letter of Credit (1 original).
- B. Pre-Construction
 - (1) Pay City Fixed Fees
 - (2) Meter applications, meter costs
 - (3) Construction schedule

- (4) Confirmation that the Contractor(s) that the Developer intends to utilize on the project are pre-qualified with Baltimore City.

C. Construction

- (1) Notification to Water and Wastewater Maintenance Division (410-396-7870) at least 2 weeks prior to start-up of construction.
- (2) Notification to Water and Wastewater Maintenance Division at least 3 working days prior to inspection of 4" and larger meter installations.
- (3) Notification to Water and Wastewater Maintenance Division at least 7 working days prior to the need for any valve operations.
- (4) Notification to Water and Wastewater Maintenance Division at least 5 working days prior to the inspection of meters smaller than 4" in the yokes.
- (5) Notification to Permits Inspection Section (410-396-1675) to arrange a preconstruction conference.

14.01.06.03.04 SCHEDULING---The following is a list of City agencies for the coordination of schedules, etc.

A. Routing status, review and design, agreement---

- (1) Right of Way Services Division, Land Conveyance Section
- (2) Location: The Councilman Harry S. Cummings Building, Lower Level 401 East Fayette Street, Baltimore Maryland 21202
- (3) Telephone Number: 410-396-5023
- (4) Contact Person: Mr. David Framm

B. Fire Flow Tests----

- (1) Water Analysis Office
- (2) Location: 3001 Druid Park Drive
- (3) Telephone Number: 410-396-0239
- (4) Contact Person: Staff

C. Customer Service and Support----

- (1) Utility Billing Section
- (2) Location: 200 N. Holliday St. Room 404 Abel Wolman Municipal Building
- (3) Telephone Number: 410-396-5533
- (4) Contact Person: Staff

D. Contractors Pre-qualifications----

- (1) Baltimore Office of Boards & Commissions
- (2) Location: 4 South Frederick Street
- (3) Telephone Number: 410-396-6883
- (4) Contact Person: Staff

E. Meter Pick-Ups----

- (1) Location: 2331 N. Fulton Street
- (2) Telephone Number: 410-396-7870
- (3) Contact Person: Staff

F. Inspection - Water Mains/Meter Installations----

- (1) Water and Wastewater Maintenance
- (2) Telephone Number: 410-396-1317

- (3) Contact Person: Staff
- G. Valve Operations----
- (1) Water and Wastewater Maintenance
- (2) Location: 2331 N. Fulton Street
- (3) Telephone Number: 410-396-7870
- (4) Contact Person: Staff

14.01.06.03.05 GENERAL DRAWING REQUIREMENTS

- A. Drawing sizes shall be limited to the City's standard of 24"x 36".
- B. An example of a blank plan sheet can be supplied to show how the signature and record block should be shown.

14.01.06.03.06 WATER DRAWING REQUIREMENTS

- A. All water plan drawings must contain:
 - (1) Shutoff diagram
 - (2) North arrow
 - (3) Minimum of three (3) coordinate tic marks
 - (4) All existing or proposed valves, reducers, hydrants and bends must be detailed and the references must be made to the applicable Baltimore City Standard Detail numbers for the proposed water appurtenances. The method of the proposed connections and proposed tie-ins have to be shown and labelled on the Plan. Plan shall include and label all proposed restraints and thrust blocks if applicable.
 - (5) Profiles based on City data (showing relation to other underground utilities). The Profile shall also show the existing and the proposed grades and the vertical clearances with any other utilities.
 - (6) Accurate standard plate numbers.
 - (7) A sequence of construction with valves numbered on the shutoff diagram (if applicable).
 - (8) Standard notes as shown on the blank plan sheet.
 - (9) Developers name and address
 - (10) Tax address (Ward, Section, Block, and Lot)
 - (11) Size of domestic meter and service size
 - (12) Fire line size, FM meter or Detector check meter, also if DC is it to be a turbo or compound? Show the applicable Baltimore City Standard Detail number(s) on Plan(s).
 - (13) All abandoned meters size, service and meter number.
 - (14) For all proposed multiple service(s) - a list of service type and size, meter size, and address.
 - (15) An assigned Developer's Agreement Number.
- B. Utility Clearances for Water Work:
 - a. Horizontal Clearances
 - i. When available, a minimum 5-foot horizontal clearance is requested between water facilities including appurtenances and other utilities; 3-foot clearances are required.

- ii. Water mains installed parallel with sanitary sewer mains require a minimum 10-foot clearance unless waived by the State of Maryland.
 - iii. Service installations and all water appurtenances are required to have a minimum 5-foot clearance from sanitary sewers and their appurtenances.
- b. Vertical Clearances
 - i. A vertical clearance of 12 inches is requested between utilities; 6-inch clearances are required.
 - ii. 12-inch clearances are required on water mains larger than 12-inches in diameter and when crossing sanitary sewers.

14.01.06.03.07 STANDARD WATER NOTES ON WATER PLANS

- A. The Contractor must notify "Miss Utility" at 1-800-257-7777 at least five (5) days prior beginning work
- B. Notify Water and Wastewater Maintenance Division (410-396-7870) at least two (2) weeks prior to startup of construction on the water service. For Sanitary, Conduit, Storm Water Services, contact the Permit Inspection Section (410-396-4059);
- C. The Contractor must receive written notice to proceed from Water and Wastewater Maintenance Division or the Permit Inspection Section prior to performing any work.
- D. For meter installation, Contractor must notify Baltimore City, Bureau of Water and Wastewater (410-396-1663) 72 hours before starting work;
- E. Complete meter installation to be inspected by the Water and Wastewater Maintenance Division representative prior to placement of top slab.
- F. The Contractor shall arrange to pick up Meter at the Department of Public Works Meter Shop on Franklintown Road.
- G. All existing water valves shall be operated by Water and Wastewater Maintenance Division forces only;
- H. Notify Mr. Anthony Stevenson (410-978-5981) at least seven (7) working days in advance of any necessary valve operations.
- I. All work shall be done in accordance with the Public Works Developer's Agreement and the City of Baltimore Book of Standards, City of Baltimore Manual of Design Procedure and Criteria
- J. The Contractor shall use extreme caution when working near or over existing water facilities.
- K. All services must be flushed prior to setting meters.
- L. Service must be capped and the completed service will be visually inspected for leaks.
- M. All services to be abandoned must be abandoned at the mains and all meters must be returned to Baltimore City.
- N. The Developer must verify through the Utility Billing Section (410-396-5533) the service account and meter numbers for all existing water services to remain or to be abandoned and shown on the proposed plans.
- O. Meters are not permitted to be installed in the roadway or driveways.
- P. Contractor must notify BGE (410-281-3507) at least two (2) days prior to construction.
- Q. Ductile Iron pipe shall be Class 54.
- R. The Contractor shall notify the Bureau of Water and Wastewater, Meter Repair Shop (410-396-0170). For meters 1-1/2" and larger notify at least one (1) week prior to pickup of meters.

- S. Meters designated for a specific location or address shall not be relocated without the written permission of the Bureau of Water and Wastewater.
- T. The proposed water service connection will be installed a minimum of five (5) feet from sanitary sewer house connection.
- U. Standard buttresses for vertical bends and caps shall conform B.C. 837.06 and 837.22.
- V. The Contractor shall confirm invert elevations of existing water mains and all utility crossings prior to any new construction;
- W. An information will require Red Line revised plans approved by the Utility Engineering Section prior to any new construction.

14.01.06.03.08 STANDARD CONDUIT NOTES ON PLANS

- A. In addition to those developed by the designer, the following notes shall be placed on the conduit design document (picture)
- B. When Conduit exists within the work area, Contractor shall notify the following at least 14 days prior to starting work:
 - i. Miss Utility 800-257-7777
 - ii. Street Light Maintenance 410-396-1311
 - iii. Conduit Maintenance 410-396-1515
- B. The Contractor shall use extreme caution when excavating and installing new utilities. In the event portions of the existing Baltimore City Conduit System are damaged as a result of project construction, repair or replacement of the damaged section shall be in accordance with the latest edition of Baltimore City Standards and Specifications;
- C. For Split Duct refer to Baltimore City Detail 802.03-4;
- D. Repairs will be at the Contractor's expense and approved by a conduit inspector.
- E. Contractor to notify all conduit leasees three (3) days prior to performing work.
- F. All ducts and manholes must be constructed to conform as close as possible to the standard duct formation called in profiles. All duct bank conduits shall be DB-120 with a wire temperature rating of 90 degrees per Baltimore City specification (26 07 01.1) except on bridges (Schedule 40) and where the duct bank crosses a steam line (fiberglass.)
- G. All ducts must leave at 90 degrees to the manhole wall and will proceed at the angle for the minimum of 5'-0" unless otherwise shown.
- H. Horizontal bends and sweeps in the conduit shall be a minimum radius of 35' or as otherwise noted if duct sections are to be installed with a radius less than 35', the duct shall be composed of preformed factory-fabricated segmental sections with radii greater than 3', and approved by conduit inspection as per the Baltimore Specifications (26 07 01.04) All vertical bends shall have a minimum radius of 20'
- I. Horizontal bends and sweeps in the secondary or uniform size duct system shall be as follow unless noted otherwise on the plans:
- J. For 5" ID PVC: All sweeps shall have a minimum 35' radius. All bends shall have a minimum 5' radius,
- K. For 4" ID PVC: All sweeps shall have a minimum 18' radius. All bends shall have a minimum 3.5' radius; or
- L. For 3" ID PVC: All sweeps shall have a minimum 15' radius. All bends shall have a minimum 1.5' radius;

- M. The contractor shall use only factory-preformed bends.
- N. Upon completion of conduit installation, contractor shall clear conduit of dirt, debris, etc. and test adequacy of conduit with an approved mandrel device;
- O. Upon correction of deficiency, if any, the contractor shall install in each duct, a braided nylon line having a minimum tensile strength of four hundred (400) pounds.
- P. Plug conduit open ends. For Duct Plugs refer to Baltimore City Detail 802.03-3.
- Q. Full trench compaction of suitable backfill material will be required for all proposed duct banks.
- R. The contractor shall temporarily support all excavations as necessary to protect existing utilities and structures to meet OSHA requirements and the Baltimore City Book of Standards (31 23 16.10).
- S. The duct section shall have a minimum cover of three feet six inches (3'-6") under roadways and four (4'-0") under sidewalks;
- T. The contractor may be required to adjust the depth of the conduit to avoid conflicts with existing or proposed utilities;
- U. Where it is possible to adhere to the minimum cover specified because of an underground obstruction, a protective slab will be needed and the engineer shall give approval before the configuration of the duct section or depth of cover is revised.
- X. The City of Baltimore conduit inspection & approval is required prior to BGE & cable installation.
- Y. All conduit sections shall be per Baltimore City Detail BC 824.01 (Standard Duct Sections) unless otherwise noted.
- Z. All plans should follow the Conduit Checklist.
- AA. Contractor shall use extreme caution when working over or near existing utilities;
 - (1) Existing utilities shown on the plans are for the convenience of the contractor;
 - (2) The City does not warrant or guarantee the completeness of the information given;
 - (3) It shall be the responsibility of the Contractor to verify the exact locations to his own satisfaction, prior to commencing work.
- BB. Should the Contractor discover any discrepancies between the plans and field conditions, the engineer shall be notified immediately;
 - (1) Any deviations from the plans without written authorization from the engineer shall be the responsibility of the contractor;
 - (2) Contractor may be required to adjust the conduit alignment as shown on the plans to avoid conflicts with existing utilities.
- CC. At all entrances into manholes, the contractor shall furnish and install duct terminators in accordance with Baltimore City Standards.
- DD. The Contractor shall maintain one complete set of contract prints on which they shall note, in red, the horizontal locations and elevations of all utilities and appurtenances installed;
- EE. This "As-Built" set of prints shall become property of the City of Baltimore at the termination of the project.
- FF. Contractor to remove existing conduit to be abandoned as necessary to perform new construction and plug existing conduit with Mix No. 2 Concrete;
- GG. Price and payment shall be incidental to the installation of new conduit and manholes.
- HH. All proposed manholes will be designed for HS-25 loading. Proposed manholes are required to have a minimum of two (2) feet of cover from the proposed ground line to the top of the manhole roof slab Baltimore City Detail 825.11.

- II. Furnish and maintain all necessary pumps, flumes, gutters, etc., to keep the excavation free from water at all times during the progress of work. Water shall be directed to a point approved by the city.
- JJ. Trenches for underground duct bank shall be excavated to a uniform grade and braced and sheathed. Water shall be removed as necessary. No conduit shall be laid in water.
- KK. The contractor shall submit shop drawings of any precast manholes meeting HS-25 load requirements;
- LL. The shop drawings shall be sealed, dated and signed by a professional engineer registered in the State of Maryland.
- MM. All concrete duct encasement shall be Mix. No. 1.
- NN. All underground duct banks shall have magnetically detectable plastic warning taper installed 12" about the duct for the entire length of the duct.

14.01.06.03.09 CONDUITS CHECKLIST

- A. Developer's Agreement vs. Permit –
 - (1) Generally, utility permits are only allowed for cable pulls or other conduit work that does not require excavation;
 - (2) Otherwise a Developer's Agreement will be required;
 - (3) On a case by case basis, some minor expansions or alterations to existing conduit systems are allowed under a permit;
 - i. for example, a single short duct run to be used for an electric service.
 - (4) The DOT Conduit's Section (443-984-0098) shall decide.
- B. Duct Lease and Franchise Agreements – A Developer's Agreement allows for the construction of a conduit system by a private party in the public right-of-way;
 - (1) The conduit system in the public right-of-way is to be dedicated to the City of Baltimore. A Duct Lease Agreement with that party must be completed before they can put cable in the system;
 - (2) All "private" structures in the public right-of-way need to have a Franchise Agreement or Minor Privilege. Companies that get a Franchise Agreement or Minor Privilege do not get the Duct Lease Agreement.
- C. Spare ducts requirement – For DOT Conduit, the Developer must supply spare ducts for future use. A minimum of two (2) spare ducts shall be required;
 - (1) The size and number of required spare ducts shall be determined by the DOT Conduit Engineering Section on a project by project basis;
 - (2) Note that lateral connections to private properties usually do not require additional spare ducts;
 - (3) However, the applicant or Developer may be required to apply for a minor privilege agreement for the lateral connections;
 - (4) All other conduit required outside of the lateral connection(s) will require the two (2) additional spare ducts, as the proposed conduit is in the public right of way and will consequently become DOT conduit;

- (5) The lateral connections will be evaluated on a case by case basis, as it is preferred to run DOT conduit to a manhole near the private property and to keep the lateral connections short.
- D. Directional Boring Policy- this is decided upon on a case by case basis.

14.01.06.03.010 CONDUIT PLANS

- A. Station the horizontal conduit alignment from manhole to manhole or from manhole to end of run.
- B. Plans should have general notes and construction notes for the conduit and manholes.
- C. Show stations for PC's & PT's on conduit.
- D. Show radius bends on conduit. 35' Typical (12' minimum radius for 5" conduit)
- E. All conduits should enter the manhole perpendicular with a minimum of 3 feet of tangent at the manhole.
- F. Label conduit for type and size.
- G. Number each proposed and existing manhole.
- H. Show all existing and proposed utilities (screened) and check for conflicts with new conduit line.
- I. Show plus and offsets from base line to conduit PC's & PT's for ties.
- J. Show north arrow and street name
- K. Provide construction notes.
- L. Provide reference notes
- M. Show manhole schedule for number, size, type and location.
- N. Dimensions to the manhole are to the center. When the manhole lid has to be offset a detail of the roof slab should be shown showing the lib offset.
- O. Maximum distance between manholes should not exceed 500'.
- P. Where new conduit is constructed in the roadway a minimum of 3'-6" of cover should be maintained over the conduit. If the conduit has less than 3'-6" of cover, a protective slab for shallow conduit may be required. See 26 07 01.04 3.1, I.
- Q. If existing curb line is moved back and as a result it puts the existing conduit or manhole in the roadway, the depth of conduit should be checked for adequate cover (3'-6" min. cover). The manhole should slab is not traffic bearing, it will need replacing.
- R. DB-120 PVC should be used for all concrete encased conduit, except on bridges (Sch 40) and where the duct bank crosses a high-pressure stream line (Use Fiberglass). See 26 07 01.04 2.1, B.
- S. Show all test pits on the conduit plans. Add a test pit chart or add a note (For test pit information see specifications).
- T. No bend in a conduit run shall be greater than 90 degrees and only two 90-degree bends should be allowed per run. See 26 07 01.04 3.1, H.
- U. When possible keep the proposed manholes out of the roadway;
 - (1) When the manholes are constructed in the roadway they should be placed in the center of the travel lane and not in the wheel path.
- E. Avoid placing manhole in the parking lanes.

14.01.06.03.011 CONDUIT PROFILES

- A. Profiles required from manhole to manhole or manhole to end.
- B. Show all proposed and existing utility crossings and label.
- C. Call out all radii on vertical bends. (12' Minimum)
- D. All 5" & 6" conduit should enter in the bottom half of the proposed and existing manholes.
- E. All 3" and 4" should enter in the top half of manhole.
- F. Where proposed conduit enters in the long side of the manhole and has more than two 5" or 6" conduits, a recessed extension should be used.
- G. A clearance of 8" should be maintained from the top, bottom and sides of manhole when conduit enters the manhole.
- H. Station profiles in accordance with plan stationing.
- I. Where proposed conduit (5" or larger) crosses an existing steam line fiberglass pipe should be used and 5' clearance maintained.
- J. Show a floor elevation for the proposed manhole.
- K. Two feet (2') minimum cover should be maintained from proposed grade to top of proposed manhole roof slab.
- L. Provide stations and elevations along conduit line for construction purposes.
- M. All proposed conduits should enter manhole at 90 degrees and have 3' minimum tangent.
- N. Label conduit for size and type.
- O. Show proposed and existing manhole numbers.
- P. Show proposed and existing grades/ground lines.
- Q. Show cross section of conduit where rollovers occur and number the ducts.
- R. Show all street crossing.
- S. Maintain 3'-6" cover in roadway and 4' cover in sidewalks for proposed conduit when possible.

14.01.06.03.012 CONDUIT DETAILS

- A. All appropriate details should be shown.
- B. Blowdowns for all proposed and existing manholes affected should be shown.
- C. Dimension location of proposed conduit in existing and proposed manholes;
 - (1) 8" minimum should be maintained from the proposed conduit to the bottom, top, and sides of the manhole.
- F. Label all proposed conduit on blowdown.
- G. 5" and 6" conduit should enter in bottom half of manholes and be stacked vertically when possible;
 - (1) Example 2 wide by 3 high
- H. The 3" and 4" conduit should enter manhole in the top half when possible. The 3" and 4" duct should stay above the 5" and 6" ducts.
- I. Show all lighting and signal conduit on blowdowns and label as appropriate.
- J. Need note to add bell end adapters where appropriate.
- K. Cross check blow downs to see if conduit agrees with plan and profile.

14.01.06.03.013 STANDARD STREET LIGHTING NOTES ON PLANS

- A. Unless otherwise noted, all street lighting related work shall be in accordance with:
 - (1) the City of Baltimore's Department of Public Works (DPW) Specifications for Materials, Highways, Bridges, Utilities, and Incidental Structures ("Green Book");
 - (2) the City's Book of Standards;
 - (3) the Building Code of Baltimore City; and
 - (4) the utility Developer's Agreement.
- B. For work within the public right-of-way, the Contractor must obtain permits from the Department of Transportation Right of Way Services Division, Permits Section, the Councilman Harry S. Cummings Building, 401 East Fayette Street, Lobby, phone 410-396-6865 or 410-396-4508.
- C. Baltimore City's Department of Transportation (DOT) Maintenance Division maintains street lighting poles and the Baltimore Gas and Electric company (BGE) maintains street light cables in the area;
 - (1) During construction, The Contractor is required to protect and maintain all existing:
 - (a) lighting infrastructure;
 - (b) circuit continuity; and
 - (c) conduit facilities.
- D. The Contractor is required to notify BGE at 410-281-3507 and the Baltimore City DOT Street Lighting Maintenance Engineering Section at 410-396-4446 two (2) weeks prior to starting any work.
- E. If the Contractor uncovers or damages a street light, conduit or cable during construction, the Contractor is required to notify Street Lighting Maintenance Inspections at 410-396-4446 and BGE immediately;
 - (1) Street Lighting Maintenance would affect repairs or direct BGE to make safe conditions and/or replace cables prior to resuming construction;
 - (2) All such repairs shall be made at the Contractor's expense.
- F. If the existing lighting system cannot be maintained in service during construction, the Contractor is required to provide temporary lighting in accordance with Baltimore City standards until the permanent lighting is installed and in satisfactory operation;
 - (1) The total cost of materials and labor for street lighting work, including BGE cable connection work;
 - (2) shall be borne by the Contractor.
- G. In areas where the Contractor is to remove the footway where buried cable is present, the Contractor shall notify and coordinate with BGE (410-470-6744);
- H. BGE may elect to install new cable prior to the installation of the new footway.
- I. Coordination for BGE street lighting construction services requires that the latest Red-Lined or updated drawings (as it pertains to street lighting infrastructure) are provided electronically to Baltimore City's Transportation Maintenance Division;
 - (1) If applicable, the marked-up drawings submitted will serve as the basis for determining the probable cost estimate for BGE services;
 - (2) The Contractor shall contact Street Lighting Maintenance (410-396-4446) at least 10 work days prior to starting any work.
- J. The Contractor shall contact the Conduit Maintenance Inspections at 410-396-1515 three (3) days before the start of construction;

- K. Cable installation by BGE will not be carried out without completion of an inspection by Conduit Maintenance.

14.01.06.03.014 STANDARD HIGHWAY NOTES ON PLANS

- A. All traffic control must be in accordance with the current edition of the Federal Highway M.U.T.C.D., the Maryland S.H.A. work zone traffic control standards and details, and the City of Baltimore work zone traffic control standards and details;
 - (1) It is the responsibility of the Contractor to supply, install, and maintain all traffic control equipment for the duration of this contract.
- B. Pavement repair in (insert street name) shall be in accordance with (insert B.C Standard).
- C. Disturbed curbs shall be repaired in-kind to the nearest joint.
- D. Sidewalks shall be repaired joint-to-joint with 5 inches of Mix No. 2 concrete on 3 inches of CR-6. See City Standard #'s BC 655.01, BC 655.05, and BC 655.10 for sidewalk standard details.
- E. Contractor shall maintain a minimum four (4) foot wide pedestrian footway or implement an appropriate pedestrian detour while actively working in the sidewalk.
- F. All excavations and trenches shall be plated at the end of each workday and "Steel Plates Ahead" warning signs displayed in advance;
 - (1) Plates are to be recessed per BC 576.17-2 in the winter to avoid snow plows knocking them out of position.
- G. The Contractor must contact the Department of Transportation Staff (410-396-6875) two (2) weeks prior to the start of construction and one (1) week prior to any changes to the Maintenance of Traffic (M.O.T.) plan.
- H. The Contractor must obtain permits from the Department of Transportation Right of Way Services Division, Permits Section, the Councilman Harry S. Cummings Building, 401 East Fayette Street, Lobby, phone 410-396-6865 or 410-396-4508;
 - (1) The Contractor may be billed additional traffic inspection fees not related to previous costs.
- I. No work or disruptions to traffic between the hours of 7:00 a.m. – 9:00 a.m. and 4:00 p.m. – 6:00 p.m. on weekdays. The Contractor must get approval from the Department of Transportation in writing for any work on Holidays or weekends.
- J. Additional notes may be required on a project by project basis. The Engineer should consult with the appropriate agency for further information.

14.01.06.03.015 DESIGN REVIEW CONTACTS

- A. DOT Right of Way Section---Mr. David Framm 410-396-5023
- K. DOT Right of Way Permits Section--- Ms. Sarena Washington 410-396-4508
- L. DOT Engineering and Construction Division
 - (1) Street Lighting ---Mr. Suresh Bhatt 410-396-6946
 - (2) Design Engineering---Mr. Alvaro Lozano 410-396-6946
 - (3) Signal Engineering ---Mr. Raj Sharma 443-984-2158
 - (4) Traffic Engineering ---Mr. John Malinowski 443-984-2150

- (5) Bridge Engineering ---Mr. Greg Bauer 410-396-6935
- (6) Conduit Engineering ---Mr. Reginald Gresham 443-984-0098
- M. DOT Maintenance Division--- Staff 410-396-1686
- N. DOT Permits Inspection Section ---Mr. Tim Knight 410-396-1675
- O. DPW Environmental Compliance and Laboratory Service ---Nathaniel Krause, PE 410-396-0732
- P. DPW Water and Wastewater Maintenance ---Staff 410-396-7870
- Q. Utility Billing ---Staff 410-396-5533
- R. Erosion and Sediment Control ---Nathaniel Krause, P.E. 410-396-0732
- S. Baltimore Development Corp---Staff 410-837-9305
- T. Verizon ---Mr. Bill Blomeier 410-393-6370
- U. Vicinity/Veolia ---Ms. Pamela Clark 410-649-2459
- V. BGE – Ken Garvey ---Mr. Kenneth Garvey 410-291-3094
- W. BGE Gas ---Mr. Thomas Mitchell 410-470-7863
- X. Parking Authority ---Mr. Stanford Leach 443-573-2800

14.01.06.03.016 WATER METER PRICING FOR CONTRACT INSTALLATIONS--- The meter prices for new applications effective July 1, 1995 are as follows:

- (2) 5/8" meter \$50.00
- (3) 3/4" meter \$60.00
- (4) 1" meter \$80.00
- (5) 1 1/2" meter \$220.00
- (6) 2" meter \$280.00
- (7) 3" compound \$1,100.00
- (8) 4" compound \$1,600.00
- (9) 6" compound \$2,800.00
- (10) 4" MFM-MVR \$3,700.00
- (11) 6" MFM-MVR \$5,100.00
- (12) 8" MFM-MVR \$7,700.00
- (13) 10" MFM-MVR \$12,975.00
- (14) 12" MFM-MVR \$13,500.00
- (15) 4" detector check \$675.00
- (16) 6" detector check \$930.00
- (17) 8" detector check \$1,430.00
- (18) 10" detector check \$2,720.00

14.01.06.03.017 EASEMENTS

- A. If an easement is required the developer/owner will be required to prepare and execute the City's standard Right-of-Way Agreement and descriptive plat for attachment;
 - (1) Easements are required in the event the proposed public utility will encroach on the private property of the developer/owner;
 - (2) The easement will assure the City an unencumbered right to access and maintain the proposed construction.

- B. The developer/owner should contact the Right-of Way Section, 410-396-3667, to obtain an example of a recently approved easement plat, a copy of the standard agreement and any additional information or clarification.

14.01.06.03.018 RIGHT OF ENTRY AGREEMENTS

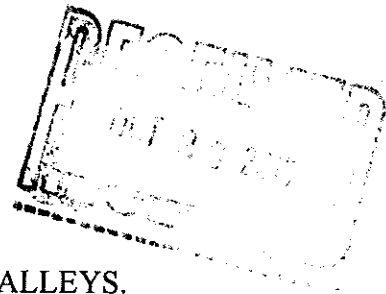
- A. Right of Entry Agreement is an optional agreement, which can be request by the Developer, in order to allow construction to begin prior to Board of Estimates approval.
- B. Any Right of Entry Agreement is strictly at the pleasure of the Department of Transportation. At minimum, the following items MUST be completed prior to the release of a Right of Entry:
 - (1) Mylar plans fully approved;
 - (2) Developer's Agreement fully executed with 5 Bonds or 1 Letter of Credit;
 - (3) All fees submitted;
 - (4) The fee for a Right of Entry is \$750.00; and
 - (5) Execution of a Right of Entry is not guaranteed.
- C. This SOP is a documented general policy that is to be followed;
 - (1) However, it is left to the Director's discretion to make exceptions to this policy from time to time under special circumstances without prior notice or approval; and
 - (2) To update this SOP as needed without prior notice.

Subtitle 02 ALLEY GATING RULES AND REGULATIONS

Administrative History

Effective Date: October 28, 2013

Alley Gating Rules and Regulations



These rules and regulations are in furtherance of Article 26, Subtitle 8A of the Baltimore City Code entitled GATING and GREENING ALLEYS.

As used in these regulations:

- *Act* shall mean of Article 26, Subtitle 8A of the Baltimore City Code entitled GATING and GREENING ALLEYS;
- *Director* shall mean the Director of the Baltimore City Department of General Services and his designees;
- *Alley Gating Office* shall mean a facility or facilities designated by the Director to manage matters pertaining to the Act.
- *Alley* shall mean a passageway connecting to a street usually located in the rear of properties that are fronting on said streets. Alleys do not have street addresses assigned to them.

Any person or organization interested in having an alley gated should contact the office:

- In person at Alley Gating Office, Department of General Services at 204 Abel Wolman Municipal Building, 200 Holliday Street, Baltimore, MD 21202
- By email to Alley.gating@baltimorecity.gov
- Telephone 410.396.GATE (4283); or by
- FAX to 410.837.8225.

An application to start the process must be in writing on the form provided by the Alley Gating Office, together with a Baltimore City block plat with markings showing the location of the proposed gate or gates as well as photographic images of the subject alley. Such applications may be delivered to the Alley Gating Office, by email of image file(s), or U.S.P.S., regular delivery or hand delivery.

The Director must approve the proposed gate locations as being in the best interests of the public.

Upon receipt of a satisfactory application, the Director shall conduct an investigation of the feasibility of the proposed gates by sending copies to the Police and Fire Departments, and other City Agencies including the Departments of Public Works and Transportation, the public utilities, and such other parties as the Director may deem appropriate. The transmittal of such copies shall include an opportunity to object or otherwise comment on the application by a date certain. Such investigation shall be completed within a period of thirty (30) days.

The Baltimore Police and Fire Departments must affirmatively consent to the application in order to be approved. The Director shall maintain liaisons designated by said Departments. These departments are expected to respond to an alley gating request within thirty (30) days.

After the Director has determined that the application is acceptable, the office shall provide consent forms to the applicant to be signed by owners of lots abutting the subject alley and any other lots affected as determined by the Director. These forms, or photocopies thereof, must be used by the applicant in obtaining written consents. No other forms will be accepted.

The applicant shall make *bona fide* efforts to obtain the consents of the owners of all of the lots designated as affected by the Director.

The Director may presume the owner(s) of each lot are the parties identified as such in the City's tax records after the Director has given tentative approval. This presumption may be rebutted.

Once the applicant believes that all the needed consents have been obtained copies are to be sent to the Alley Gating Office via hand delivery, fax or email. Upon receipt the Director shall review said copies and shall advise the applicant of the Director's findings within thirty (30) days. During the thirty (30) day period during which the Department is reviewing the application, changes in ownership totaling not more than three (3) properties which may cause the number of consents to go below the 80% required, will not be cause to disallow the application as related to the requirement of 80%. Should there be a change in ownership of more than three (3) properties during said thirty (30) day period; the applicant shall be required to seek new consents to obtain the total of 80%.

When the Director is satisfied that all other conditions have been satisfactorily met, a public hearing will be scheduled. DGS will provide the applicant with adequate notice of the hearing date.

Once the Director is satisfied that the application has met all requirements, a public hearing shall be scheduled at least two weeks after such approval.

The Applicant must pay a fee of \$250 payable to "Director of Finance".

At least ten (10) days before the public hearing, using guidelines from the office, the applicant must:

- Mail notice to all affected property owners using text provided by the Director.
- Post notice of the hearing at each end of the alley to be gated and at such other places the Director may require.

The Director will conduct the hearings and may require testimony under oath and affidavits. The Director may use informal rules of procedure and evidence. The applicant has the burden of proving every required element by a preponderance of convincing evidence. The hearing may be continued from time to time and place to place without further public notice.

The Director shall issue a written decision on the application to gate the alley within 30 days of the conclusion of hearing. A copy of the decision shall be sent to the applicant and any other party that attended the hearing, or who provided contact information and requested a copy.

If the Director decides that the alley should be gated after the hearing, the Director shall prepare a Lease Agreement using a form prepared by the Law Department. The applicant must supply the City with an incorporated or unincorporated entity which will be the responsible party under the Lease. Such entity shall be the lessee ("Lessee"). Applicant shall submit five (5) executed copies to the office together with all required fees.

After approval by the Law Department and execution by the Director, the Director shall submit the agreement to the Board of Estimates for approval.

After approval by the Board of Estimates, and before any improvements can be made, the Lessee's contractor must obtain any necessary permits from the Department of General Services' Permit Office.

Every gate must have lock boxes required by the Director mounted on the gates or a visible adjoining structure.

The applicant for permits shall provide DGS with appropriate plans for the proposed improvements.

The Lessee may not impose any rules relating to the gates without written approval from the Director.


The Lessee may not place any chattels in the Alley that cannot be readily moved.

The Director may find the Alley to be residential in nature based upon the ratio of residential units to non-residential; e.g. a lot occupied by a building with a laundromat on the ground level with an apartment above shall constitute one residential and one other unit. If the number of residential units exceeds the non-residential, then the Alley will be considered Residential.

A Developer's Agreement is required for greening.

If applicable, a change of grade hearing must be held by the Department of Transportation.

The Director may require consents from parties other than the owners who may be affected.

FROM	NAME & TITLE	Nicole S. James, Real Estate Agent <i>NSJ</i>	CITY OF BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Public Works - Bureau of General Services 204 Abel Wolman Municipal Building		
	SUBJECT	Alley Gating Rules and Regulations		

DATE:

TO

May 8, 2007

Avery Aisenstrark, Director
Legislative Reference
City Hall
6th Floor, Room 626
100 N. Holliday Street

Attached please find a copy of the Alley Gating Rules and Regulations .

Please contact me at 410-396-3667 if any additional information is needed.

Attachment

NSJ:nsj
cc:Mr. Paul Barnes

Alley Gating Rules and Regulations

April 18, 2007

1. A written request, with a map indicating the alleys to be gated, should be forwarded to the Director of Public Works, 600 Abel Wolman Municipal Building, 200 N. Holliday Street, Baltimore, Maryland 21202. Written request must indicate a reason or reasons for the gating of the alley(s) as indicated in Section 8A-7 of the Ordinance.
2. The Department of Public Works will contact the Bureau of Solid Waste and the Department of Transportation for approval. Approval from both Solid Waste and Transportation is needed before the process can proceed.
3. If approved by the Bureaus, the Department of Public Works will provide to the applicant a list of all abutting property owners with addresses, as they are shown in its records. The Department will also provide a copy of a consent form, which must be used by the applicant.
4. Applicant must submit all of the following:
 - A. Written consents from at least 80 per cent of the abutting property owners, not to include abandoned properties.
 - B. An affidavit must be submitted for all abandoned properties, where a written consent was not obtained as indicated in Section 8A-5 of the Ordinance.
 - C. A statement with accompanying date that specifies how the alley gating will promote public health, safety or welfare.
 - D. A written approval from the Police Commissioner and the Fire Marshall must be submitted to the Department of Public Works.
 - E. A statement that no parking spaces will be lost and that no additional parking will be required on the street due to the gating of the alley or alleys.
 - F. A fee of \$ 750.00 is to be submitted. Check should be made payable to the Director of Finance.
5. The Department of Public Works will contact the applicant, indicating the date and time that the Director of Public Works, or his designee, will hold a hearing on the alley gating.
6. Applicant will be responsible to mail notice to all abutting property owners, as indicated on the Department of Public Works' records, at least 10 ten days

Alley Gating Rules and Regulations

before the announced hearing. In addition, the applicant must post notice of the hearing at each end of the alley to be gated. The Department of Public Works will provide to the applicant a copy of the guidelines for the Signs.

7. Upon holding a hearing to gate an alley(s), the Director of Public Works shall issue a written decision on the Petition to gate the alley(s) within 30 days of the hearing. A copy of the decision shall be sent to the party designated by the petitioners.
8. The Department of Public Works shall provide to the party designated by the petitioners, a copy of a lease agreement. The applicant shall complete the agreement and forward three copies to the Department of Public Works. Upon approval of the Lease Agreement, by the Board of Estimates, the Department of Public Works will forward a copy of the fully executed agreement to the person designated by the applicant.

Alley Greening

1. If an alley greening is being requested, consents must be obtained from 100 per cent of the abutting property owners as outlined in Section 8A.6 of the Alley Gating Ordinance
2. Before an alley greening can be approved, an engineered drawing must be submitted. The City's Public Works Developers Agreement process must be followed and a Developer's Agreement approved.
3. A change of grade hearing must be held by the Department of Transportation.
4. The applicant or the contractor must have an approved Developer's Agreement and lease agreement prior to beginning work.

Alley Gating Consent Form

This letter is to confirm, that the undersigned party or parties hereby acknowledge and agree to the following:

1. That a _____ alley located between _____
and _____ within the City of Baltimore and
shown on City Block Plat Number _____ shall be gated and
cease to be a public way.
2. The party(parties) hereby release and relinquish any and all rights
that he/she/they or any of them have in said public way.
3. The party's (parties') property is described as

Ward____ Section _____ Block _____ Lot _____
4. This property is Residential _____ Commercial _____ (check one)

Name:
Signature

Witness/Attest

Name:
Signature

Subtitle 03 RULES AND REGULATIONS FOR TRAFFIC MITIGATION

Administrative History

Effective Date: October 22, 2012

Title 14: Baltimore City Department of Transportation.

14.03. RULES AND REGULATIONS FOR TRAFFIC MITIGATION

14.03.01. Authority.

These Rules and Regulations are established pursuant to:

- A. Article – Building, Fire and Related Codes Sections 2-103 (IBC 105.3.1, 105.3.3 and 105.3.4 and IBC Chapter 38);
- B. Baltimore City Revised Code (Edition 2000) Article – Zoning Sections 2-305, 2-403(c), 13-704(b), 14-201 (d) and (e), and 16-301; and
- C. Baltimore City Revised Code (Edition 2000) Article 1 Mayor, City Council and Municipal Agencies Section 40-14(e)(5a) Baltimore City Code (Edition 2000).

14.03.02. Purpose.

- A. Pursuant to Ordinance 06-0345 as amended by Ordinance 11-529, development projects of a certain size must be reviewed by the Department of Transportation to determine if traffic impact study (TIS) and/or mitigation is required.
- B. The purpose of traffic mitigation is to provide for certain development projects to mitigate their impacts on the City's intermodal transportation network.

14.03.03. Evaluation Standards.

The mitigation impacts are evaluated in one of two ways:

- A. For projects located inside of a Traffic Mitigation Zone the mitigation is provided by payment of a fee; and
- B. Outside of the Traffic Mitigation Zone a Traffic Impact Study (TIS) may be required in order to evaluate the impact.

14.03.04. References.

Unless otherwise provided, all references made to Sections in these Rules and Regulations reference the sections of the Baltimore City Revised Code; Building, Fire and Related Codes Article, Section(s) 2-103 (IBC Chapter 38).

14.03.05. Definitions

In this regulation, these terms are defined as follows:

- A. "Applicant" means the person or organization applying for a zoning authorization or building permit subject to the Ordinance
- B. "BMC" means the Baltimore Metropolitan Council or its successor organization
- C. "Development" or "Development Project" means the physical improvement subject to the zoning authorization or building permit applied for

- D. "Department" means the Department of Transportation
- E. "Director" means the Director of Transportation or his/her designee
- F. "ITE" means the Institute of Transportation Engineers or its successor organization
- G. "Ordinance" means Ordinance #06-0345 as amended by Ordinance #11-529
- H. "Study" or "TIS" means a Traffic Impact Study
- H. Traffic Analysis Zone (TAZ) means the unit of geography used for traffic analysis.

14.03.06. Traffic Mitigation Zones. (Section 3805)

14.03.06. 01. Traffic Management Plans.

Pursuant to IBC, Section 3805.2 and prior to the adoption by the Planning Commission of a 10-year Traffic Management Plan or a Plan update for each Traffic Mitigation Zone:

- A. the Plan or update must be published on the Department's website for at least 30 days prior to the date of the Planning Commission hearing; and
- B. The Director or his/her designee must hold at least one public hearing on the proposed Plan or update between 6 p.m. and 8 p.m. during the 30-day period.

14.A.06.02. Establishment of Subzones. (Section 3803.2)

A. Subzones are established to distinguish the usage of non-single occupant vehicle modes within each traffic mitigation zone.

B. Subzones are defined geographically based boundaries consisting of contiguous census blocks using the most recent available Transportation Analysis Zones (TAZ) prepared by the Baltimore Metropolitan Council (BMC).

C. Subzones are established where the centerline of each street or alley acts as the dividing line between one subzone and another.

D. Adjustments to Subzone Boundaries

- 1. Subzone boundaries may be adjusted by the Director after study of updated information provided by the ITE, Census, BMC and other relevant materials.
- 2. Except where a change to a subzone is made in order to conform a traffic mitigation subzone to newly established TAZ boundaries, changes to subzones shall be made only upon public review consistent with Section 3803.3.

14.03.06.03. Traffic Mitigation Fees (Section 3806)

A. When an application for a building permit meets the criteria in Section 3802.2, the Applicant shall submit to the Director of Transportation:

- 1. project information indicating the proposed land use(s);
- 2. the square footage and/or unit count for the proposed building; and

3. any other information necessary to determine trip generation and credits;
- B. An application fee, paid by check made payable to “Director of Finance” as follows:

Fee	Criteria
\$100	10-25 units or 15,001 sq. ft. to 50,000 sq. ft.
\$250	26-100 units or 50,001 sq. ft. to 100,000 sq. ft.
\$1,000	101 units or more, or 101,000 sq. ft. or more or any mixed-use development

- C. Upon receiving an Application, the Director shall:
1. Confirm its accuracy;
 2. Request supplemental information, if necessary;
 3. Establish the total traffic mitigation payment due; and
 4. Cause an invoice to be issued for same, unless the Applicant has applied for credits or offsets as defined herein.
- D. As a condition precedent to the Director’s approval of the building permit, the Applicant shall pay to the Director of Finance the total amount due or enter into payment agreement consistent with Section 3806.6.
- E. Where a payment agreement is approved by the Board of Estimates, the Director may approve the building permit only upon receipt of the required initial payment.
- F. Upon receipt of traffic mitigation fee payment(s), the Director of Finance shall:
1. Cause the fees to be deposited into the General Fund; and
 2. Be placed in a special revenue account for the zone in which the application is made.

14.03.07. Procedures for Determining Trips Attributable to an In-Zone Project (Section 3806.3)

14.03.07.01. Establishment of Trip Generation Rates

- A. In developing the number of trips attributable to a particular development, the Department shall consider the following factors:
1. Trip generation by land use type and project size;
 2. Pass-by and internally-captured trips; and
 3. Trip adjustment factors based on the availability of non-auto modes in the vicinity of the project.

B. Trip generation rates shall be established from the ITE Trip Generation 7th Edition, unless the Director determines that the sample size or characteristics are insufficient for a particular development type.

C. Where it is determined that suitable trip generation rates are not available, the Director shall develop a trip generation rate for the subject application based on research of similar projects in other jurisdictions, commercially available data, or other methods as may be necessary.

D. Establishment of Trip Adjustment Factors

1. Trip adjustment factors are established using data prepared by the BMC for the percentage of trips taken by other than single-occupant vehicle and shall be disaggregated by primary land use type: residential, office and commercial/retail.

2. Where a mixed-use development is planned, the Director shall disaggregate the trip adjustment factor proportionate to the proposed land uses.

3. Where proximity to a rail-based form of transit is the basis of a trip adjustment factor, separate adjustments shall be made for applicants within $\frac{1}{4}$ and $\frac{1}{2}$ mile of the rail transit station.

4. The Director shall use the most recently available data by the BMC for establishing trip adjustment factors.

5. The updating of data based on newly released data shall not require public review under Section 3803.3.

6. When considering mixed-use and commercial developments, the Director shall consider as a reduction in the number of trips generated those trips which “pass-by” or are captured internally within the subject development.

7. The Director shall not grant pass-by and internally captured trips at a rate greater than 50% then is recommended by the discount factors contained ITE’s Trip Generation Handbook: An ITE Recommended Practice.

14.03.08. Negotiated Trip Generation Credits. (Section 3806.4)

A. Where an Applicant proposes to establish, as part of the building program, one or more means of reducing the number of trips generated by the development, the Applicant shall provide in writing:

1. The nature of the project or program to be established;
2. The estimated number of single-occupant vehicles to be reduced as a result of the project or program;
3. Research or other evidence supporting the long-term viability of the project or program and its reduction of single-occupant vehicle trips.

B. The Director shall review each application for negotiated trip credits and may:

1. Recommend to the Board of Estimates the adoption of a binding agreement consistent with 3806.4.2.1; or
 2. Reject the application.
- C. Offsets to Traffic Mitigation Fees.
1. Right-of-Way Dedication. (Section 3806.5)
 - (a) If an applicant controls property that the Director determines to be necessary for the construction of a project included in a Traffic Mitigation Plan or necessary for the implementation of an improvement contained in a Traffic Mitigation Agreement, the Director may accept the dedication of the needed property to the City's use and issue a set-off credit toward the Traffic-Mitigation Fee assessed on the project in exchange.
 - (b) In the event of an acceptance of the dedication:
 - (i) The total amount of the Traffic Mitigation Fee to be paid would be reduced by the appraised value of the property dedicated to the City.
 - (ii) If the land value is greater than the mitigation obligation, it is the intent that the dedication will be made without further costs to the City.
 - (c) The dedication must take place:
 - (i) Through the normal Department of General Services process, which may include approval of the dedication as part of a Final Subdivision Plan approved by the Planning Commission; or
 - (ii) A metes and bounds plat and legal description accepted by the Department of General Services.
 - (d) The value of the property will be based on a real estate appraisal in accordance with the City's Appraisal Policy, overseen by the Department of Real Estate, as approved and updated by the Board of Estimates from time-to-time.
 - (e) The cost of the appraisal shall be borne equally by the Applicant and the City.
 - (f) Where the Department declines to accept the donation following the appraisal, the Department shall reimburse the Applicant.
 - (g) Where the Applicant declines to make the donation following the appraisal, the Applicant shall reimburse the Department.

2. Use of Fees for Site Access Improvements. (Section 3807.3)

- (a) An applicant requesting to have improvements made pursuant to Section 3807.3 shall have the burden of demonstrating to the satisfaction of the Department that the request has a beneficial impact on traffic safety or operations.
- (b) The demonstration of a beneficial impact shall be based on generally accepted traffic engineering standards such as warrants for signal controls, the use of Synchro or other traffic engineering software, etc.
- (c) When the Department approves, subject to the approval of the Board of Estimates, the rebate of fees to an Applicant for the purpose of constructing improvements allowed under this Section, the Applicant shall provide a construction cost estimate which shall be verified by the Director.
- (d) Except as provided in Subparagraph (e) of this Paragraph, the construction cost estimate shall be the basis for fees rebated to the Applicant.
- (e) Alternatively, the Department may retain such funds as may be necessary to construct the improvements, provided further that should the total cost of said improvements exceed the limitation on use of fees for the site access improvements, the Applicant shall reimburse the City for the excess amount. If the total cost of the improvements exceeds the use of available fees for site access improvements.
- (f) Upon completion of the construction of the improvement, the Applicant shall provide sufficient documentation to substantiate the actual cost of the improvement. If the actual cost of the improvement is less than the rebated amount, the Applicant shall pay to the Department the difference within 30 days of request by the Department.

14.03.09. Allocation and Accounting of Fees to Specific Projects Contained in a Traffic Management Zone Plan. (Section 3807.4)

- A. The Director shall cause to be established a Capital Improvement Program account for each of the subzones, subject to approval of the Planning Commission and the Board of Estimates.
- B. Appropriations to the accounts established pursuant to Paragraph A of this Section may be made:
 - (1) In the annual Ordinance of Estimates; or
 - (2) By supplemental appropriation in an amount that the Director reasonably projects to be paid in traffic mitigation fees over the course of the fiscal year.
- C. In preparing the annual Capital Improvement Program, the Director shall propose appropriation of traffic mitigation funds to any project within the adopted plan for a traffic mitigation zone.

- D. By September 30th of each calendar year, the Director, in consultation with the Director of Finance, shall publish on the Department's website an accounting of all funds obligated and expended over the prior six fiscal years from fees collected under the Ordinance.

14.03.10. Requirements for Traffic Impact Studies Conducted for Out-of-Zone Projects Exceeding Thresholds (Section 3802.2)

- A. When a project meets the criteria established in Section 3802.2 or other applicable sections, the Applicant shall submit to the Director the following:
1. A project information form noting the square footage, unit count, and other information necessary to determine trip generation;
 2. A copy of the site plan; and
 3. A non-refundable application fee of \$250, which shall be credited against study costs established herein, if a study is required or Finding of No Significant Impact is established.
- B. Scope of Study & Contents of Report.
1. Upon receipt of the Application to conduct a Traffic Impact Study, the Director shall convene a panel of agency representatives to determine the scope of the Traffic Impact Study;
 2. The Scope of the study may, at the Director's discretion, include participation by the Applicant and proximate community organizations.
 3. The Scope of Study shall include:
 - a. The limits of the area to be studied, not to exceed ½ mile from the property line of the subject project, except as provided herein; and
 - b. The traffic related issues to be studied, such as:
 - i. Arterial Travel Time and Delay, including intersection level of service;
 - ii. Site access & on-site circulation to the extent that it affects off-site traffic impacts;
 - iii. Parking Demand, Utilization and Turnover to the extent that such analysis impacts the total number of trips generated by the site;
 - iv. Queuing analysis;
 - v. Sight distance analysis;
 - vi. Gap and Speed studies;
 - vii. Traffic signal timing optimization;

- viii. Signal warrant analysis per Manual on Uniform Traffic Control Devices guidelines;
 - ix. Left turn phasing analysis for signalized intersections;
 - x. Safety analysis and review of historical accident data;
 - xi. Pedestrian and Bicycle Level of Service;
 - xii. Transit Boarding, Alighting and Level of Service; and
 - xiii. Intersection geometry including turning radii, particularly related to freight movement.
- 4. Upon determination of the Scope of Study, the Director shall:
 - a. Inform the Applicant of the estimated cost of the study; and
 - b. Cause to be issued an invoice for 50% of the total study cost, including the City's project management fees.
- 5. The City's project management fees shall equal 32% of the total study cost or \$8,000, whichever is less.
- 6. The Director shall issue a Notice to Proceed to the consultant engineer conducting the TIS upon receipt of payment.
- 7. Upon receipt of the draft report and prior to releasing the draft report to the Applicant, the Director shall cause to be issued an invoice for the balance of the study cost and project management fees.
- 8. The consultant engineer conducting the TIS shall be chosen from a pre-qualified list for professional engineering services possessed by the Office of Board and Commissioners;
 - a. The list shall be compiled based on applicable procurement laws and procedures;
 - b. For more information about applicable procurement laws and procedures, please contact the Baltimore City Department of Finance, Bureau of Purchases at 410-396-5700 or citibuy@baltimorecity.gov.
- 9. The Scope of Study may not exceed ½ mile from the outermost boundary of the property line of the subject project, as defined in Section 3802.2.1, unless the Director determines that either of the following extraordinary circumstances exist:
 - a. The project is within one mile of an access point to I-95, I-395, I-895, I-83 or MD 295; or
 - b. The project is expected to have a significant regional travel shed and/or unusually high trip generation, such as but not limited to a stadium, area, concert hall, casino or similar venue.

10. If, at any time during the conduct of the study, the applicant makes significant changes to the size, use or site plan of the proposed development, the applicant shall promptly notify the Director in writing;
 - a. Upon receipt of said changes, the Department shall promptly adjust the Scope of Study, if necessary; and
 - b. Advise the applicant of any additional cost and/or time needed complete the study.
11. Any delay caused by a change in the Scope of Study under Subparagraph 10 shall cause the 60-day study duration limitation described in Section C, subparagraph 1 and 2 of these regulations to re-set.
12. Upon completion of the draft study, the assigned engineering consultant shall provide the following separate reports:
 - a. A summary of trip generation, distribution, current and future levels of service and any other findings related to the matters identified in the scope of study;
 - b. Recommendations, if any, with regard to mitigating adverse impacts identified in the study; and,
 - c. If no recommendations are provided pursuant to Subparagraph b, a report explaining why no recommendations must be provided.
13. The consultant's recommendations shall be considered by the Department along with any other recommendations it chooses to make based on the study.
14. A traffic impact study is to be considered final only once:
 - a. A Traffic Mitigation Agreement, if necessary, is entered into and approved by the Board of Estimates; or
 - b. The Director issues a "Finding of No Significant Impact" based on the study findings.

C. Unsatisfactory, Incomplete, and Tardy Studies.

1. Failure to Perform the Study in a Timely Manner.
 - a. Should the Department fail to perform the TIS within 60 days required under the Ordinance, the Applicant may proceed to contract for the TIS with a Consultant appearing on the pre-qualified list for professional engineering services with the Office of Board and Commissioners.
 - b. The City will refund any payments and release to the Applicant any data or information already collected or performed as part of the study.
2. Consultant's Failure to Perform a Sufficient or Complete Study

- a. Should the Consultant fail to complete the TIS in a satisfactory manner within 60 days required under the Ordinance, the Director may, at his or her sole discretion, proceed to contract for a TIS with an alternative Consultant appearing on the pre-qualified list of professional engineering services with the Office of Board and Commissioners.
- b. A TIS shall be considered Unsatisfactory if any of the following apply:
 - i. It fails to sufficiently respond to the items requested in the Scope of Study,
 - ii. It is proven to materially misrepresent any information purported to be factual, or
 - iii. It fails to comply with the terms of the Ordinance or these Rules and Regulations.

D. Expedited Study & Finding

- 1. Notwithstanding any other provisions of these regulations, the Director may expedite the conduct of a Traffic Impact Study if the Director determines that no significant traffic impact is likely to occur as a result of the subject development, based on:
 - a. data collected and maintained by the Department; or
 - b. another study has been completed within the 24 months prior to the subject application
- 2. Upon issuance of a "Finding of No Significant Impact," the Director shall notify the relevant building or zoning official(s) that the permits related to the Application are to be approved with regard to this Ordinance.
- 3. For the issuance of such a finding in accordance with this Subparagraph, the Applicant shall pay an administrative fee to the Director of Finance in the amount of \$250.

14.03.11. Administrative Fees.

A. All fees contained in these regulations, except with regard to traffic mitigation fees approved for in-zone projects, shall be adjusted annually in accordance with the Fee Policy approved by the Board of Estimates.

B. Changes in administrative fees shall not require public review under these regulations.

Effective Date: October, 22, 2012