

**ORDINANCE NO. 1197**

**AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND AMENDING § 4.5 OF THE UNIFIED DEVELOPMENT CODE FOR THE PURPOSE OF REQUIRING THAT CONTRACTS FOR THE SALE OF REAL PROPERTY WITHIN THE CAMBRIDGE HISTORIC AREA OVERLAY DISTRICT INCLUDE A STATEMENT OF THAT FACT; REQUIRING SELLERS OF SUCH PROPERTY TO PROVIDE BUYERS WITH CERTAIN INFORMATION; AND GENERALLY RELATING TO REAL PROPERTY WITHIN THE CAMBRIDGE HISTORIC AREA OVERLAY DISTRICT.**

**WHEREAS**, pursuant to Md. Code Ann., Local Gov't § 5-202 and § 3-27(1) of the Charter of the City of Cambridge (the "Charter"), the Commissioners of Cambridge are generally authorized and empowered to pass ordinances not contrary to the Constitution and laws of the State of Maryland or the Charter as they may deem necessary for the good government of the City of Cambridge (the "City"); for the protection and preservation of the City's property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger, or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the City and visitors thereto and sojourners therein; and

**WHEREAS**, pursuant to Md. Code Ann., Land Use § 8-104(b), the Commissioners of Cambridge are authorized to pass local laws for the purposes of (1) safeguarding the heritage of the City by preserving sites, structures, or districts that reflect elements of cultural, social, economic, political, archaeological, or architectural history; (2) stabilizing and improving the property values of those sites, structures, or districts; (3) fostering civic beauty; (4) strengthening the local economy; and (5) promoting the preservation and appreciation of those sites, structures, and districts for the education and welfare of the City's residents; and

**WHEREAS**, requiring that contracts for the sale of real property within the City's Historic Overlay District include a statement that such property is located within the Historic Overlay District will enhance awareness of the various historic preservation requirements that apply to real properties therein; and

**WHEREAS**, the Commissioners of Cambridge find that the amendments set forth herein are necessary to protect the public health, safety, and welfare.

**NOW, THEREFORE, BE IT ORDAINED** by the Commissioners of Cambridge, that the City's Unified Development Code is hereby amended as follows:

**SECTION 1.** Section 4.5 (Historic Area Overlay District) is amended as follows:

**§ 4.5.9 Sales of Property in the Historic Area Overlay District**

**A. A contract for the sale of real property located in the Historic Area Overlay District shall include the following statement, which shall be initialed by the buyer(s):**

**Cambridge Historic Area Overlay District Only – Required Notice – City of Cambridge – This Property is located in the Cambridge Historic Area Overlay District and is subject to the provisions set forth in § 4.5 of the Cambridge Unified Development Code, as amended from time to time. The Buyer is encouraged to visit the City’s website at [www.choosecambridge.org](http://www.choosecambridge.org) and/or contact the Cambridge Historic District Commission at (410) 228-1955 to learn more about the various requirements that apply to properties located within the District.**

**B. The failure to include the statement in Subsection (A) above shall not excuse any buyer of real property in the Historic Area Overlay District from complying with all requirements applicable to such properties.**

**SECTION 2.** The recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

**SECTION 3.** In this Ordinance, unless a section of the UDC is expressly repealed in its entirety and reenacted, new or added language is underlined and in boldface type, and deleted text is crossed out with a single strikethrough. With respect to the substantive provisions of this Ordinance set forth in Section 1, language added after the date of introduction is in bold, italicized font and language deleted after the date of introduction is crossed out with a double strikethrough.

**SECTION 4.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the Commissioners of Cambridge that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

**SECTION 5.** All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 6.** The title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

**AND BE IT FURTHER** enacted and ordained that this Ordinance shall become effective on the tenth (10<sup>th</sup>) day following the date of passage.

ATTEST:

THE COMMISSIONERS OF CAMBRIDGE

\_\_\_\_\_  
Thomas M. Carroll, City Manager

By: \_\_\_\_\_  
Lajan Cephas, President of the Commissioners

**Introduced the \_\_\_ day of \_\_\_\_\_, 2022**

**Passed the \_\_\_ day of \_\_\_\_\_, 2022**

**Effective the \_\_\_ day of \_\_\_\_\_, 2022**