

**City of Baltimore  
Department of Transportation**



**Alley Gating and Alley Greening Process**

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Alley Gating & Alley Greening Process  
July 2015

Did you ever dream about creating a quiet space or a green space in your alley? While not possible everywhere, many of our citizens have asked City Government to give them the legal tools to make this happen where it can happen. We listened and created the Alley Gating and Alley Greening Programs.



**Before**



**After**

Baltimore has approximately 600 miles of alleys; some private, most public. Public alleys are used for pedestrian and vehicular traffic, recycling and trash collection, utility connections, drainage, car washing and game playing.

Some residents wish to limit access to their alley with locked gates. They wish to eliminate the cars, the noise, the littering, and/or the loitering. This is called **ALLEY GATING**.

Other citizens wish to create a green oasis for their neighborhood by taking this one step further by making alterations that would make it impassible to vehicles. This is called **ALLEY GREENING**.

Be advised that Alley Gating and Alley Greening can be a difficult project that usually requires sustained follow through.

## **THE LAW**

The Gating and Greening Alleys ORDINANCE (Baltimore City Code Article 26, Subtitle 8A, (herein referred to as “ORDINANCE”) allows the Department of Transportation (DOT) to receive, evaluate, and process applications (requests) for Alley Gating and/or Alley Greening. Generally, alleys are eligible if the adjacent structures are mostly residential and the gating and/or greening will promote public health, safety, or welfare. Everything stated in the ORDINANCE, and all amendments to the ORDINANCE, override any conflicting information in this SOP.

## **THE NEIGHBORHOOD**

First, talk to your neighbors to see if this is something they would like to do. After all, this is your project and you will have to bear all the costs. Consents are required from the owners of at least 75% of the affected lots. Also, the Petitioner (neighborhood) must raise funds to purchase the gate. **THIS IS USUALLY THE MOST DIFFICULT PART.**

To proceed, you will need to take the following steps:

## **THE ALLEY GATING PROCESS**

“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.

1. Contact the Alley Gating Office located in the **Abel Wolman Municipal Building, Room 204 Holliday Street, Baltimore City, MD 21202** or by telephone at 410-396 GATE (4283) or email [alley.gating@baltimorecity.gov](mailto:alley.gating@baltimorecity.gov). We strongly recommend that the organizers meet with City staff in order to review the feasibility of the project and obtain the necessary forms to get the process started.
2. The Petitioner submits the Alley Gating Application (“Request”) with digital images of the alley, and a map (marked up City Block Plat – see attachment) indicating the alley(s) to be gated, shall be forwarded to the Alley Gating Office, Abel Wolman Municipal Building, 200 N. Holliday Street, Baltimore, Maryland 21202. The application must indicate the reason(s) for the gating of the alley(s) as indicated in Section 8A-7 of the ORDINANCE.
3. The Alley Gating Office will then email the package to all of the public and private utilities that commonly have facilities in the alleys as well as any City agencies that may have an interest. We ask them to provide us with comments to the proposal. Approval from the Police Commissioner and Fire Marshall is also

- required; however, while the Alley Gating Office is awaiting their approval (this can take some time), the applicant is encouraged to work on getting their consents signed by the property owners.
- A. The Department of Transportation Director (“Director”) may find the alley to be residential in nature based upon the ratio of residential units to non-residential units; e.g. a lot occupied by a building with a Laundromat on the ground level and apartment above shall constitute one residential and one other unit. If the number of residential units exceeds the non-residential units, then the alley will be considered residential.
  - B. The Director may require consents from parties other than the owners who may be affected.
  - C. The Director must approve the proposed gate locations as being in the best interest of the public.
4. If approved by the review agencies, the Alley Gating Office will direct you to the website to obtain the list of all abutting property owners. This website is also useful to obtain the owner’s address for properties where the owner doesn’t reside there. As the applicant, you will need to seek the approval from at least 75% of the owners of the affected properties. The Alley Gating Office will provide the Petitioner with two (2) types of consent forms to use. One is for properties owned by individuals; the other is for entities such as places of worship, corporation, trusts and LLC’s. When you fill out the consent forms please remember to attach a copy of the Block Plat showing where the proposed gates would be located.
  5. When you have assembled the necessary consents please mail or e-mail ([alley.gating@baltimorecity.gov](mailto:alley.gating@baltimorecity.gov)) copies of the following items to the Alley Gating Office. DO NOT send us originals.
    - A. Written consents from at least 75% of the abutting property owners (affected properties) not to include abandoned properties.
    - B. If approval from 75% of the abutting property owners cannot be obtained, and there are abandoned properties in your block, then an affidavit may be submitted for all abandoned properties, where a written consent was not obtained, as indicated in Section 8A-9 of the ORDINANCE. For example, if there are twenty (20) properties affected and five (5) of them are abandoned, then you will need to get consents from at least 75% of fifteen (15) property owners, or twelve (12) consents. Subsection 8A-1 of the ORDINANCE defines “Abandoned Property”.
    - C. A check for \$250.00 is to be submitted for our processing fee. The check shall be made payable to Director of Finance.

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6. When all items are submitted and we are satisfied with the consents, the Alley Gating Office will contact the applicant with the date, time, and location for the public hearing.
7. Once a hearing date is established, the Alley Gating Office will send the applicant the text for signs and mailed notices with instructions. The applicant will be responsible for mailing the notice to all abutting property owners, as indicated in the City of Baltimore tax records, at least 10 ten days before the scheduled hearing date. In addition, the applicant must post a Notice of the hearing at each end of the alley to be gated. The Alley Gating Office will provide to the applicant a copy of the guidelines for the signs, which must be a minimum of 11" x 14".
8. When you come to the hearing make sure that you have the original signed consents and other required documents (i.e. certified mail receipt and/or abandoned property notice). The Alley Gating Office will prepare an affidavit which you will be required to execute.
9. Upon holding a hearing to gate an alley(s), the Director (or appointee) 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.
10. If the Alley Gating request is approved, the Alley Gating Office will prepare a Lease Agreement for the Lessee. The Lessee is a Neighborhood Association or Non-Profit Entity (see Subsection 8A-15 of the ORDINANCE). The Lease Agreement is typically a five (5) year term that automatically renews for four (4) 5 year terms, assuming there are no unresolved issues. Once the applicant has executed the Lease Agreement, forward three (3) executed copies to the Alley Gating Office (Abel Wolman Municipal Building, Room 204 Holliday Street, Baltimore, MD 21202). After the Lease Agreement is executed, it will go to the City's Law Department for their approval, then to our Director for execution. We will then get clearance from the Mayor's Office to submit the Lease Agreement to the Board of Estimates for approval. Upon approval of the Lease Agreement, by the Board of Estimates, the Department of Transportation will forward a copy of the fully executed Agreement to the person designated by the applicant.
11. Once we have approval from the Board of Estimates, you and/or your contractor must obtain any necessary permits from the HCD Permit Office located at 417 E. Fayette Street, First Floor, Baltimore, MD 21202. The HCD Permit Office will need to approve the gate details to ensure that they meet design and safety standards.
  - A. For certain cases (historic neighborhoods), you will need to get approval from the Baltimore City Commission for Historic and Architectural Preservation (CHAP) for the historical design aspects.

12. When the permits are approved, the applicant may then have the gates built or installed. Each gate will require three (3) lock boxes: one for the Fire Department (knox box), one for BGE (provided by DOT on behalf of BGE), and a third for the other utilities, City agencies, and the Police Department. The lock boxes must be mounted on the gates or a visible adjoining structure.
  - A. The Lessee may not impose any rules relating to the gates without written approval from the Director.
  - B. The Lessee may not place any chattels in the Alley that cannot be readily moved.

### **Alley Greening**

Follow the same procedures as outlined above for Alley Gating with the following exceptions:

1. If an Alley Greening project is being requested, consents must be obtained from 100% of the abutting property owners as outlined in the ORDINANCE.
2. Before an Alley Greening can be approved, an engineered drawing must be submitted. The City's Developers Agreement process must be followed and a Developer's Agreement approved. Contact the Land Conveyance Section at 410-396-3667 for a copy of the Developer's Agreement process.
3. If applicable, a Change of Grade Hearing must be held by DOT. Contact the DOT Transportation Engineering and Construction Division at 410-396-6946 to schedule this hearing.
4. The applicant or the contractor must have an approved Developer's Agreement and executed Lease Agreement prior to beginning work.