
400.01 DEFENSE AGAINST ENCROACHMENT PROCEDURE

Associated Policy: 400 Protection of BCRP Parkland	Date Introduced: January 01, 2016
Name of Responsible Division: Parks	Date Approved: February 17, 2021
BCRP Executive Director: Reginald Moore	

DEFINITIONS

- **Encroachment** is when a property owner violates the property rights of a neighbor by building on or extending a structure onto the neighbor's land or property intentionally or otherwise.

PROCEDURE

Baltimore City Department of Recreation and Parks ("BCRP") seeks to be a good neighbor to adjoining property owners and simultaneously protect the public park land from encroachment.

I. TYPES OF BCRP PARK LAND ENCROACHMENT

There are various types of park land encroachment that is of concern to BCRP:

- Neighbor extending their backyard landscaping on to the adjoining BCRP park land;
- Neighbor using the adjoining BCRP park land as a dump for grass clippings and other garden waste;
- Neighborhood youth building a tree house in a BCRP park land tree;
- Neighbor parking their RV or boat on adjoining BCRP park land;
- Neighbor using adjoining BCRP park land for play equipment;
- Neighbor cutting a trail from their property into the BCRP park;
- Neighbor building a storage building on adjoining BCRP park land; or
- Neighbor removing vegetation from adjoining BCRP park land.

I. DEFENDING AGAINST BCRP PARK LAND ENCROACHMENT

- A. Boundary Markers.** Boundary markers shall be installed at or just inside the known boundary. The spacing of the markers shall be such that the next one can be seen in both directions when standing at one.
- B. Boundary GIS Survey.** A boundary GIS survey should be done of all parks that have the potential for land encroachment. Additionally, BCRP park staff will conduct a walking survey of all BCRP parks boundaries that GIS indicates as possible land encroachment.
 - 1. Reporting.** BCRP park staff will write a report of any encroachments that are reported during the survey, including digital photographs, and forward the information to BCRP's Deputy Director of Parks.

- a. **Major Encroachments.** BCRP's Deputy Director of Parks should refer all major encroachments to BCRP's Director.
 - b. **Minor Encroachments.** BCRP's Deputy Director of Parks will notify the property owner adjoined to BCRP park land by mail and give notice to immediately remove the encroachment.
2. **Follow-Up.** After thirty days, BCRP park staff will again survey and photograph the encroached area in question. If the encroachment has been remediated, BCRP's Deputy Director of Parks shall communicate with the property owner BCRP's appreciation for their assistance. If no remediation has occurred, the encroachment should be referred to the attention of BCRP's Director and a BCRP park staff shall personally visit the property owner, if they are local, to explain the action needed to remediate the situation. A new deadline for corrective action shall be provided to the property owner.
3. **Law Department.** If the remediation has not occurred following the new corrective action date, BCRP's Director is informed and future action is discussed, including referring the encroachment to the Baltimore City Law Department ("Law Department") for legal action. Upon receipt of the Law Department's advice, BCRP's Director shall determine necessary additional action.
4. **Filing.** All communications with the encroaching property owner and BCRP staff survey notes and photographs shall be filed for future reference.