

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 23-0425**

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Introduced by: The Council President and Councilmember Ramos  
At the request of: The Administration (Department of Housing and Community Development)  
Introduced and read first time: September 18, 2023  
Assigned to: Economic and Community Development Committee

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Committee Report: Favorable, with amendments  
Council action: Adopted  
Read second time: December 7, 2023

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**AN ORDINANCE CONCERNING**

**1            Improving Safety and Habitability in Supportive and Other Residential Housing**

2            FOR the purpose of defining the term “supportive housing facility” in the Baltimore City Building  
3            Code; requiring a permit before any person may transfer ownership or operation of certain  
4            property in certain circumstances; updating use and occupancy classifications; and  
5            categorizing congregate living facilities as rental dwellings and requiring their licensing.

6            BY repealing, and reordaining, with amendments  
7            Article - Building, Fire, and Related Codes  
8            Sections 2-103 (IBC §§ 105.1, and 202.2.54 through 202.2.58)  
9            Baltimore City Revised Code  
10           (2020 Edition)

11           BY adding  
12           Article - Building, Fire, and Related Codes  
13           Sections 2-103 (IBC §§ 202.2.56, 202.2.57, and 310.5)  
14           Baltimore City Revised Code  
15           (2020 Edition)

16           BY repealing, and reordaining, with amendments  
17           Article 13 - Housing and Urban Renewal  
18           Section 5-1(g)  
19           Baltimore City Code  
20           (Edition 2000)

21           BY adding  
22           Article 13 - Housing and Urban Renewal  
23           Section 5-1(j)  
24           Baltimore City Code  
25           (Edition 2000)

**EXPLANATION:** CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.  
Underlining indicates matter added to the bill by amendment.  
~~Strike out~~ indicates matter stricken from the bill by  
amendment or deleted from existing law by amendment.

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1       **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
2 Laws of Baltimore City read as follows:

3                               **Baltimore City Revised Code**  
4                               **Article – Building, Fire, and Related Codes**

5                               **Part II. International Building Code**

6       **§ 2-103. City modifications.**

7       The additions, deletions, amendments, and other modifications adopted by the City are as  
8 follows:

9                                               **Chapter 1**  
10                                              **Scope and Administration**

11       **Section 105 Permits**

12       **105.1 Required.** A permit issued by the Building Official is required before any person may  
13 do any of the following work:

14       . . .

15       7. on transfer of ownership or operation of property, continue any of the following uses  
16 [, as defined in City Code Article 32 {"Zoning"}]:

17               a. banquet hall (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-303(C)  
18                {"BANQUET HALL. "}),

19               b. body art establishment (AS DEFINED IN BALTIMORE CITY ZONING CODE  
20                § 1-303(J) {"BODY ART ESTABLISHMENT. "}),

21               c. carry-out food shop (AS DEFINED IN BALTIMORE CITY ZONING CODE  
22                § 1-303(T) {"CARRY-OUT FOOD SHOP. "}),

23               d. CONGREGATE LIVING FACILITIES (AS DEFINED IN § 202.1 OF THE BALTIMORE  
24                CITY BUILDING CODE),

25               E. [d.] day-care center: adult or child (AS DEFINED IN BALTIMORE CITY ZONING  
26                CODE §§ 1-304(Z) AND 1-305(A) {"DAY-CARE CENTER: CHILD. " AND  
27                "DAY-CARE CENTER: ADULT"}),

28               F. [e.] drive-through facility (AS DEFINED IN BALTIMORE CITY ZONING CODE  
29                § 1-305(H) {"DRIVE-THROUGH FACILITY. "}),

30               G. [f.] entertainment: [live or ] indoor OR LIVE (AS DEFINED IN BALTIMORE CITY  
31                ZONING CODE §§ 1-306(B) AND 1-306(C) {"ENTERTAINMENT: INDOOR. "  
32                AND "ENTERTAINMENT: LIVE"}),

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- 1 H. [g.] [gas] FUEL station (AS DEFINED IN BALTIMORE CITY ZONING CODE  
2 § 1-306(T) {"FUEL STATION. "}),
- 3 I. [h.] health-care clinic (AS DEFINED IN BALTIMORE CITY ZONING CODE  
4 § 1-307(F) {"HEALTH-CARE CLINIC. "}),,
- 5 J. [i.] lodge or social club (AS DEFINED IN BALTIMORE CITY ZONING CODE  
6 § 1-308(Q) {"LODGE OR SOCIAL CLUB. "}),
- 7 K. [j.] lounge (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-309(H-1)  
8 {"LOUNGE. "}),
- 9 L. [k.] pawn shop (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-311(L)  
10 {"PAWN SHOP. "}),
- 11 M. [l.] personal services establishment (AS DEFINED IN BALTIMORE CITY ZONING  
12 CODE § 1-311(O) {"PERSONAL SERVICES ESTABLISHMENT. "}),
- 13 N. RESIDENTIAL-CARE FACILITY (AS DEFINED IN BALTIMORE CITY ZONING CODE  
14 § 1-312(P) {"RESIDENTIAL-CARE FACILITY"})
- 15 O. [m.] restaurant (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-312(S)  
16 {"RESTAURANT. "}),
- 17 P. [n.] retail goods establishment – with [our] OR without alcoholic  
18 beverage sales (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-312(U)  
19 {"RETAIL GOODS ESTABLISHMENT."}), [or]
- 20 Q. ROOMING HOUSE (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-313(B)  
21 {"ROOMING HOUSE. "}),
- 22 R. SUPPORTIVE HOUSING FACILITY (AS DEFINED IN § 202.2.56 OF THIS CODE), OR
- 23 S. [o.] tavern (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-314(A)  
24 {"TAVERN. "}).

25 **Chapter 2**  
26 **Definitions; Rules of Construction**

27 **Section 202 Definitions**

28 **202.2 Supplemental definitions.** Notwithstanding any different definition in the  
29 International Building Code, the following terms have the meanings given in this § 202.2.

30 . . .

31 **[202.2.54 Transfer.** “Transfer”, when used with respect to property subject to this  
32 Code, has the meaning stated in § 114.23 {"Responsibility of transferee"}.]

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1 **202.2.54 [202.2.55] Substantial damage.** “Substantial damage” has the meaning stated  
2 in City Code Article 7 {“Natural Resources”}, § 1-3 {“Definitions – “Floodproofing” to  
3 “Wet floodproofing”}.

4 **202.2.55 [202.2.56] Substantial improvement.** “Substantial improvement” has the  
5 meaning stated in City Code Article 7 {“Natural Resources”}, § 1-3 {“Definitions –  
6 “Floodproofing” to “Wet floodproofing”}.

7 **202.2.56 SUPPORTIVE HOUSING FACILITY.** “SUPPORTIVE HOUSING FACILITY” MEANS A  
8 NON-INSTITUTIONAL, SHARED LIVING ENVIRONMENT WHICH INTEGRATES SHELTER,  
9 SERVICE, AND SUPPORT NEEDS OF SOCIALLY ISOLATED PERSONS WHO ARE OTHERWISE IN  
10 GOOD HEALTH, CAN MAINTAIN A SEMI-INDEPENDENT LIFESTYLE, AND DO NOT REQUIRE  
11 CONSTANT SUPERVISION OR INTENSIVE HEALTH CARE AS PROVIDED BY AN INSTITUTION.

12 **202.2.57 TRANSFER.** “TRANSFER”, WHEN USED WITH RESPECT TO PROPERTY SUBJECT TO  
13 THIS CODE, HAS THE MEANING STATED IN § 114.23 {“RESPONSIBILITY OF TRANSFEREE”}.

14 **202.2.58 [202.2.57] Use.** “Use” means, unless the context indicates otherwise:

- 15 1. the purpose for which a building, structure, or land is used, occupied, or intended  
16 to be used or occupied, and
- 17 2. any activity, occupation, business, or operation carried out on land or in a building  
18 or structure.

19 **202.2.59 [202.2.58] Zoning Code.** “Zoning Code” means the Baltimore City Zoning  
20 Code, including the accompanying Zoning District Maps.

21 **Chapter 3**  
22 **Use and Occupancy Classification**

23 **Sections 301 to 309 {As in IBC}**

24 **Section 310 Residential Group R**

25 . . .

26 **310.5 RESIDENTIAL GROUP R-4.** RESIDENTIAL GROUP R-4 OCCUPANCY SHALL INCLUDE  
27 BUILDINGS, STRUCTURES, OR PORTIONS THEREOF FOR MORE THAN 5 BUT NOT MORE THAN  
28 16 PERSONS, EXCLUDING STAFF, WHO RESIDE ON A 24-HOUR BASIS IN A SUPERVISED  
29 RESIDENTIAL ENVIRONMENT AND RECEIVE CUSTODIAL CARE. RESIDENTIAL GROUP R-4  
30 SHALL ALSO INCLUDE ALL SUPPORTIVE HOUSING FACILITIES. BUILDINGS OF RESIDENTIAL  
31 GROUP R-4 SHALL BE CLASSIFIED AS ONE OF THE OCCUPANCY CONDITIONS SPECIFIED IN  
32 § 310.5.1 OR § 310.5.2 OF THIS SUBSECTION. THIS GROUP SHALL INCLUDE, BUT NOT BE  
33 LIMITED TO, THE FOLLOWING:

- 34 1. ALCOHOL AND DRUG CENTERS,
- 35 2. ASSISTED LIVING FACILITIES,



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1           (J) *SUPPORTIVE HOUSING FACILITY*.

2                   “SUPPORTIVE HOUSING FACILITY” HAS THE MEANING STATED IN § 202.2.56 OF THE  
3                   BALTIMORE CITY BUILDING CODE.

4           **SECTION 2. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30<sup>th</sup> day  
5           after the date it is enacted.

**Council Bill 23-0425**

Certified as duly passed this 18 day of December, 2023



\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 18 day of December, 2023



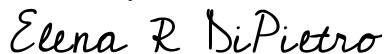
\_\_\_\_\_  
Chief Clerk

Approved this 17th day of January, 2024



\_\_\_\_\_  
Mayor, Baltimore City

Approved for Form and Legal Sufficiency  
This 18th Day of December, 2023.



\_\_\_\_\_  
Chief Solicitor