



Legislation Details (With Text)

File #: 21-0049 **Version:** 0 **Name:** Prohibited Disposals - Fines and Reporting (The Neighbors Against Predatory Dumping Act)

Type: Ordinance **Status:** Enacted

File created: 3/8/2021 **In control:** Baltimore City Council

On agenda: **Final action:** 7/14/2021

Enactment date: **Enactment #:** 21-034

Title: Prohibited Disposals - Fines and Reporting (The Neighbors Against Predatory Dumping Act)
 For the purpose of modifying the applicable environmental control citation and civil citation fines for violating Title 7, Subtitle 6 of the Baltimore City Health Code; and requiring that the Health Commissioner submit an annual report detailing certain information regarding the City's prohibited disposal laws.

Sponsors: Zeke Cohen, Kristerfer Burnett, Ryan Dorsey, Sharon Green Middleton, John Bullock, Odette Ramos, James Torrence

Indexes: Disposal, Dumping, Fines, Prohibited, Reporting Requirements

Code sections:

Attachments: 1. 21-0049~1st Reader, 2. ECB 21-0049, 3. DPW 21-0049, 4. Law 21-0049, 5. Finance 21-0049, 6. DHCD 21-0049, 7. Health 21-0049, 8. Synopsis 21-0049, 9. Hearing Agenda 21-0049, 10. Hearing Minutes 21-0049, 11. Voting Record 21-0049, 12. Hearing Notes 21-0049, 13. 2nd Reader Amendments 21-0049, 14. 21-0049~3rd Reader, 15. 21-0049 Signed, 16. Signed Ordinance 21-0049

Date	Ver.	Action By	Action	Result
7/19/2021	0	Mayor	Signed by Mayor	
6/21/2021	0	Baltimore City Council	Approved and Sent to the Mayor	
5/17/2021	0	Baltimore City Council	Postponed until date certain	
5/3/2021	0	Baltimore City Council	3rd Reader, for final passage	
5/3/2021	0	Health, Environment, and Technology	Recommended Favorably with Amendment	
4/21/2021	0	Health, Environment, and Technology	Recommended Favorably with Amendment	Pass
4/5/2021	0	Health, Environment, and Technology	Scheduled for a Public Hearing	
3/11/2021	0	Baltimore City Council	Refer to Dept. of Housing and Community Development	
3/11/2021	0	Baltimore City Council	Refer to Dept. of Finance	
3/11/2021	0	Baltimore City Council	Refer to City Solicitor	
3/11/2021	0	Baltimore City Council	Refer to Dept. of Health	
3/11/2021	0	Baltimore City Council	Refer to Environmental Control Board	
3/11/2021	0	Baltimore City Council	Refer to Dept. of Public Works	
3/8/2021	0	Baltimore City Council	Assigned	
3/8/2021	0	Baltimore City Council	Introduced	

Explanation: Capitals indicate matter added to existing law.
 [Brackets] indicate matter deleted from existing law.

* **Warning:** This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*
City of Baltimore
Council Bill

Introduced by: Councilmembers Cohen, Burnett, Dorsey

A Bill Entitled

An Ordinance concerning

Prohibited Disposals - Fines and Reporting (The Neighbors Against Predatory Dumping Act)

For the purpose of modifying the applicable environmental control citation and civil citation fines for violating Title 7, Subtitle 6 of the Baltimore City Health Code; and requiring that the Health Commissioner submit an annual report detailing certain information regarding the City's prohibited disposal laws.

By repealing and re-ordaining, with amendments

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 40-14(e)(7) and 41-14(6)
Baltimore City Code
(Edition 2000)

By repealing and re-ordaining, without amendments

Article - Health
Section(s) 7-632
Baltimore City Revised Code
(Edition 2000)

By adding

Article - Health
Section(s) 7-635
Baltimore City Revised Code
(Edition 2000)

Section 1. Be it ordained by the Mayor and City Council of Baltimore, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 40-14. Violations to which subtitle applies.

(e) *Provisions and penalties enumerated.*

(7) ***Health Code***

...

Title 7: Waste Control

Subtitle 2: Solid Waste Collection

\$100

Subtitle 4: Landfills

\$200

Subtitle 6: Prohibited Disposal

[Less than 25 lbs and less than 10 cu. ft. in 24-hour period

\$500]

[25 lbs or more or 10 cu. ft. or more in 24-hour period]

\$1,000

...

Subtitle 41. Civil Citations

§ 41-14. Offenses to which subtitle applies - Listing.

(6) Health Code

...

Title 7: Waste Control

Subtitle 2: Solid Waste Collection

\$100

Subtitle 4: Landfills

\$200

Subtitle 6: Prohibited Disposal

[Less than 25 lbs. and less than 10 cu. ft. in 24-hour period

\$500]

[25 lbs or more or 10 cu. ft. or more in 24-hour period]

\$1,000

...

Baltimore City Revised Code

Article - Health

Title 7. Waste Control

Subtitle 6. Prohibited Disposal

Part IV. Enforcement; Penalties

§ 7-632. Criminal penalties.

(a) *Basic penalty: \$1,000 and 90 days.*

Except as specified in subsection (b) of this section, any person who violates any provision of this subtitle or who authorizes any employee or agent to violate any provision of this subtitle is guilty of a misdemeanor and, on conviction, is subject to any one or more of the following for each offense:

- (1) a fine of not more than \$1,000; and
- (2) imprisonment for not more than 90 days.

(b) *Enhanced penalty: \$1,000 and 12 months.*

If the violation entails the disposal, in any 24-hour period, of material that weighs 25 or more pounds or material that comprises 10 or more cubic feet, the penalty for a violation of this subtitle is any one or more of the following for each offense:

- (1) a fine of not more than \$1,000;
- (2) imprisonment for not more than 12 months; and
- (3) revocation of the privilege of seeking a building permit in the City.

§§ 7-633 to 7-634. {Reserved}

Part V. Reporting

§ 7-635. Annual report.

(a) *In general.*

On or before June 30 of each year, the Commissioner shall submit a report to the Mayor and City Council detailing:

- (1) compliance with this subtitle;
- (2) the number of vehicles seized and forfeited in the previous calendar year under Part III of this subtitle;
- (3) any grant awards made in the previous calendar year under § 7-627 {"Grants for reports of violations"} of this subtitle;
- (4) the number of violations issued in the previous calendar year, disaggregated by zip code; and
- (5) any legislative or administrative recommendations for better compliance and enforcement with this subtitle.

(b) *Agency cooperation.*

At the request of the Commissioner, all City officials and agencies shall cooperate with the Commissioner in compiling the data required by this section.

Section 2. And be it further ordained, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

Section 3. And be it further ordained, That this Ordinance takes effect on the 30th day after the date it is enacted.