
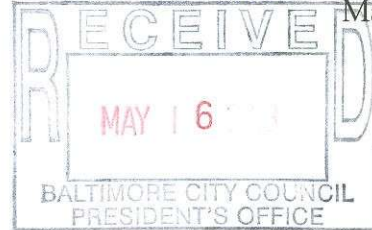


FROM	NAME & TITLE	Alfred H. Foxx, Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	CITY COUNCIL BILL 13-0222		

TO

The Honorable President and Members
of the Baltimore City Council
c/o Karen Randle
Room 400 – City Hall

DATE: May 14, 2013



I am herein reporting on City Council Bill 13-0222 introduced by the Council President on behalf of the Administration (Department of Legislative Reference).

The purpose of the Bill is to correct certain technical errors and omissions in the City Code; repeal certain obsolete or otherwise preempted, superseded, or superfluous provisions; and correct, clarify, and conform certain language.

Legislation is introduced from time to time to correct errors, omissions, and obsolete references in the Baltimore City Revised Code (Edition 2000). The last corrective measures were adopted under Ordinance 11-520. City Council Bill 13-0222, if approved, would correct certain errors and omissions, and would clarify language in the Code that resulted from subsequent legislative additions and deletions. This Bill makes corrections to the following areas of the Code:

- Building, Fire, and Related Codes – Ordinance 13-093 incorporated the most recent iteration of the Building, Fire and Related Codes. As part of that adoption, the Chapter 10 of the International Building Code (IBC) and the Chapter 3 Section 311 of the International Residential Code (IRC) address Means of Egress. An exception to stairway treads and risers was adopted under the IBC for certain occupancies, but the exception did not conform to the listings in the IBC and now requires correction. In addition, the IRC needs to be corrected to include the changes in the tread and riser dimensions that were inadvertently not included. The International Property Maintenance Code requires a technical correction in § 106.4 to clarify that the penalties for a violation of this Code are found in § 114 of the Baltimore City Building Code. The legislation will correct these unintended errors.
- Health Article – Ordinance 11-573 rewrote Article 10 {Animal Control and Protection}. Language referencing compensation for panel members of the Animal Hearing Panel was originally deleted but later reinstated on a floor vote. The compensation language inadvertently remained deleted. The definitions listed under § 10-901 of Subtitle 9 {Horse Riding and Driving} require reordering to achieve alphabetical order. Both of these issues will be corrected under this legislation.
- Article 13 (Housing and Urban Renewal) – Under Subtitle 7 {Residential Lease Requirements}, certain information is required in each residential lease to provide property owner contact information or for an agent of the owner. The legislation will correct an obsolete reference to an “authorized agent” and reference to

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“managing agent”, a term that is not used in the preceding provisions. The legislation also clarifies that the property agent must be authorized to receive court process on behalf of the owner.

- Article 16 (Markets) – All of Subtitle 7 {Market Advisory Committee} is being deleted from this Article since these duties and functions have been performed by the Baltimore Public Markets Corporation since 1994.
- Article 25 (Sewers) – Ordinance 13-113 created a new Subtitle 5 under the Health Article dealing with Waste Control (Title 7) to prohibit the storing, treating or disposing of hydraulic fracturing wastewater in the City or in any City-owned facility or property. Ordinance 13-113 also amended Article 25 to further prohibit the discharge of wastewater from hydraulic fracturing into the City’s sanitary sewers or storm drains. This legislation would correct a typographical error in the definition of this wastewater in the Sewer Article.
- Article 28 (Taxes) – The legislation corrects a Census Tract number for high-performance market-rate rental housing property tax credits described under Subtitle 10 of this Article.
- Article 31 (Transit and Traffic) – A subsection of Advisory Board membership in Subtitle 10 {Residential Permit Parking Program} became redundant with the passage of Ordinance 13-092 and would be removed under this legislation. The moratorium for Canton as a participating RPP area under § 10-11 has two conditions that require the word “or” to clarify the legislative intent. Under Subtitle 14 {Valet Parking} § 14-9(c)(3) inserting “the” before “applicant’s places of business” is necessary to read appropriately. The definition of a medallion towing vehicle under Subtitle 22 {Towing Services – Accident Towing} requires replacing the word “and” with “or” to clarify that these vehicles may be owned or operated by a medallion towing company to satisfy this definition and to be consistent with the rest of the subtitle.

Having reviewed City Council Bill 13-0222, the Department of Public Works finds the proposed changes and corrections to be reasonable and necessary and therefore supports its passage.

Respectfully,



ALFRED H. FOXX
DIRECTOR

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