


<b>FROM</b>	NAME & TITLE	Sandra E. Baker, Esq., Executive Director	CITY of <b>BALTIMORE</b> <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Environmental Control Board 200 E. Lexington Street, Suite 100		
	SUBJECT	CITY COUNCIL BILL NO. 12-0154 Code Enforcement Officers		

**TO**

The Honorable Bernard C. Young  
 President  
 City Council of Baltimore  
 400 City Hall

DATE: October 26, 2012

The Environmental Control Board (ECB) supports, the bill FOR the purpose of redefining the persons authorized to issue environmental citations; correcting, clarifying, and conforming related provisions; and generally relating to the designation of environmental control officers.

This is a welcome clarification and update to the Baltimore City Code. However there is one reservation ECB has concerning the proposed amendment. The proposed §40-1(c)(2) reads, "HAS BEEN AUTHORIZED BY HIS OR HER AGENCY HEAD TO ISSUE ENVIRONMENTAL CITATIONS UNDER THIS SUBTITLE." The purpose of this bill is to clarify the persons authorized to issue environmental citations, and in essence is somewhat vague and potentially cumbersome as it allows any city agency to authorize one of their employees as code enforcement officer. There is a balance to this enforcement process in that ECB is directly affected by the number of individuals issuing citations. If the issuing agencies are allowed to increase their enforcement staff indiscriminately, without notification to ECB, the ECB system has the potential to be overwhelmed in its ability to facilitate follow-up and hearings as one entity increases with no notice or consideration for the consequences to the other entity, ECB, as occurred in 2007 with the transfer from DPW (14 inspectors) to HCD (99 inspectors). At this time citations almost tripled but ECB's staff did not, although the work certainly tripled.

Background checks still should apply, however qualification to fill the position should not be negated solely on the basis of a background check.

ECB supports the rest of the amendment as it clarifies who is a code enforcement officer.

*Flammant*

