

**CITY OF BALTIMORE  
COUNCIL BILL 13-0190  
(First Reader)**

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Introduced by: Councilmembers Kraft, Henry, Welch, Reisinger, Clarke, Middleton, Mosby,  
Curran, Holton

Introduced and read first time: January 28, 2013

Assigned to: Judiciary and Legislative Investigations Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Public Works, Health  
Department, Department of Finance, Commission on Sustainability

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Wastewater from Hydraulic Fracturing**

3 FOR the purpose of prohibiting the storage, treatment, discharge, or disposal of backflow or other  
4 wastewater resulting from hydrauling fracturing; defining certain terms; and imposing certain  
5 penalties.

6 BY adding

7 Article - Health

8 Section(s) 7-501 to 7-503, to be under the new subtitle designation,

9 "Subtitle 5. Wastewater from Hydraulic Fracturing

10 Baltimore City Revised Code

11 (Edition 2000)

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

14 **Baltimore City Revised Code**

15 **Article – Health**

16 **Title 7. Waste Control**

17 **SUBTITLE 5. WASTEWATER FROM HYDRAULIC FRACTURING**

18

19 **§ 7-501. DEFINITIONS.**

20 (A) *IN GENERAL.*

21 IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

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1 (B) *FLOW BACK.*

2 "FLOW BACK" MEANS THE FRACTURING FLUIDS THAT RETURN TO THE SURFACE AFTER A  
3 HYDRAULIC FRACTURE IS COMPLETED.

4 (C) *HYDRAULIC FRACTURING.*

5 "HYDRAULIC FRACTURING" MEANS THE DRILLING TECHNIQUE (ALSO KNOWN  
6 COLLOQUIALLY AS "FRACKING", "HYDROFRACKING", OR "HYDEOFRACTURING") OF  
7 EXPANDING OR CREATING E FRACTURES IN ROCK BY INJECTING FLUIDS, OFTEN A MIXTURE  
8 OF WATER AND CHEMICALS, SAND, OR OTHER SUBSTANCES, AND OFTEN UNDER PRESSURE,  
9 INTO OR UNDERNEATH THE SURFACE OF THE ROCK FOR VARIOUS PURPOSES, INCLUDING  
10 WELL DRILLING AND NATURAL GAS EXPLORATION AND PRODUCTION.

11 **§ 7-502. STORING, TREATING, DISPOSING, ETC., WASTEWATER PROHIBITED.**

12 NO PERSON MAY STORE, TREAT, DISCHARGE, OR DISPOSE OF IN THE CITY ANY BACK FLOW OR  
13 OTHER WASTEWATER RESULTING FROM HYDRAULIC FRACTURING.

14 **§ 7-503. PENALTIES: \$1,000 AND 90 DAYS.**

15 (A) *IN GENERAL.*

16 ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A  
17 MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000,  
18 IMPRISONMENT FOR NOT MORE THAN 90 DAYS, OR BOTH FINE AND IMPRISONMENT FOR  
19 EACH OFFENSE.

20 (B) *EACH DAY A SEPARATE OFFENSE.*

21 EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

22 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance  
23 are not law and may not be considered to have been enacted as a part of this or any prior  
24 Ordinance.

25 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
26 after the date it is enacted.