

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 08-0250

Introduced by: Councilmembers Kraft, Henry, Curran
Introduced and read first time: December 4, 2008
Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: March 2, 2009

AN ORDINANCE CONCERNING

Street Regulations – Obstructions

FOR the purpose of consolidating certain provisions governing the obstruction of streets, lanes, sidewalks, footways, or alleys; increasing applicable penalties; repealing certain obsolete or otherwise unnecessary provisions; and correcting, clarifying, and conforming related language.

BY repealing

Article 19 - Police Ordinance
Section(s) 50-1
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article 19 - Police Ordinances
Section(s) 50-2
Baltimore City 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 19. Police Ordinances

Subtitle 50. Street Regulations

Part 1. Obstructions

[§ 50-1. Boxes, etc. on street.

(a) *Times prohibited.*

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 If any person or persons shall place or cause to be placed, in any street, lane, or alley in
2 the City, any barrel, hogshead, box, crate, or other package, and shall suffer the same to
3 remain for a longer time than 12 hours or, in any instance, after 9 p.m., every person so
4 offending shall forfeit and pay \$1, and the further sum of \$1 for every day the same shall
5 be suffered to remain.

6 (b) *Places prohibited.*

7 And in no case shall any person be permitted to use more space than ½ of the foot
8 pavement by placing the above named articles thereupon, under a penalty of \$1 for each
9 and every offense.]

10 § 50-2. Obstructing street, etc., or gutter.

11 (a) *Prohibited conduct.*

12 Except as specifically provided in this section, no person may, in any manner, obstruct
13 any street, lane, SIDEWALK, FOOTWAY, or alley [of] IN the City or any of their gutters.

14 (b) *Exception [- Deliveries] FOR DELIVERIES, etc.*

15 This section does not apply to someone [while] in the immediate act of delivering ITEMS
16 TO or removing [some article to or] ITEMS from a place of business or A dwelling AS
17 LONG AS THE ITEMS DO NOT USE MORE SPACE THAN ½ OF THE PAVEMENT.

18 [(c) *Exception – Items requiring inspection, etc.*

19 Articles that are to be inspected or guarded under law may be placed on the sidewalk, but
20 only if they are arranged so as not to obstruct the passage through the streets or sidewalks
21 between the pavement and any house, store, cellar, or backyard, without the consent of
22 the owner or occupant.]

23 (c) [(d)] *Enforcement by citation.*

24 (1) In addition to any other civil or criminal remedy or enforcement procedure, this
25 section may be enforced by issuance of:

26 (i) an environmental citation under City Code Article 1, Subtitle 40
27 {"Environmental Control Board"}; or

28 (ii) a civil citation under City Code Article 1, Subtitle 41 {"Civil Citations"}.

29 (2) The issuance of a citation to enforce this section does not preclude pursuing any other
30 civil or criminal remedy or enforcement action authorized by law.

31 (D) [(e)] *Penalties.*

32 (1) Any person who violates any provision of this section is guilty of a misdemeanor, and
33 on conviction, is subject to the penalties specified in this subsection.

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1 (2) On a 1st conviction, the penalty for a violation of this section is a fine of not more
2 than ~~\$50~~ \$250 for each offense.

3 (3) On a 2nd or subsequent conviction, the penalty for a violation of this section is a fine
4 of not more than ~~\$100~~ \$500 for each offense.

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

8 **SECTION 3. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30th day
9 after the date it is enacted.

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City