



**BALTIMORE  
HOUSING**

SHEILA DIXON  
Mayor

PAUL T. GRAZIANO  
Executive Director, HABCD  
Commissioner, HCD

## MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council  
c/o Karen Randle, Executive Secretary

From: Paul T. Graziano, Commissioner

Date: September 3, 2009

Re: **City Council Bill 09-0373 Food Service Facilities - Suspension or  
Nonrenewal of Licenses - Multiple or Unpaid Citations**

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The Department of Housing and Community Development has reviewed City Council Bill 09-0373, which was introduced for the purpose of authorizing the suspension or non-renewal of a license for a food service facility that has received multiple environmental or civil citations or is in default of an environmental or civil citation; requiring notice and an opportunity to be heard; and generally relating to the licensing and regulation of food service facilities.

The proposed legislation would authorize the Health Commissioner to suspend or deny renewal of the operating license of a food service facility, such as a restaurant or tavern, if the facility had received three or more environmental or civil police citations within the previous six months or has been declared to be in default on any single citation within the prior twelve months. Before suspending a license, City Council Bill 09-0373 requires the owners of the suspect facility must be afforded notice of the impending suspension or non-renewal and an opportunity for an administrative hearing.

If approved, this legislation would place a valuable tool in the City's code enforcement toolbox. In particular, it would give further relief to residents in neighborhoods adjacent to these establishments that ongoing concerns of excessive noise, loitering and other nuisances may result in punitive consequences for these businesses. By raising the potential that a license will be suspended or denied renewal, a food service facility operator would not be permitted to accumulate citations and fines as simply "the cost of doing business" without addressing and abating the underlying causes of the violations.

The Department of Housing and Community Development supports the adoption of City Council Bill 09-0373.

PTG:pmd

cc: Ms. Angela Gibson  
Ms. Diane Hutchins  
Mr. Andrew Frank

