

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 20-0569

Introduced by: Councilmembers Sneed, Bullock, Dorsey, Henry, Burnett, Cohen, Clarke
Introduced and read first time: July 20, 2020
Assigned to: Public Safety Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: November 2, 2020

AN ORDINANCE CONCERNING

1 **Street Harassment Advisory Commission**

2 FOR the purpose of establishing the Street Harassment Advisory Commission; providing for the
3 Commission’s composition, terms of office, officers, meetings, quorum, and rules of
4 procedure; establishing the general purposes and specific duties of the Street Harassment
5 Advisory Commission; defining certain terms; requiring certain City agencies to adopt model
6 policies and training materials developed by the Street Harassment Advisory Commission;
7 and generally relating to the Street Harassment Advisory Commission.

8 BY adding

9 Article 1 - Mayor, City Council, & Municipal Agencies
10 Sections 57-1 to 57-5, to be under the new subtitle,
11 “Subtitle 57. Street Harassment Advisory Commission”
12 Baltimore City Code
13 (Edition 2000)

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

16 **Baltimore City Code**

17 **Article 1. Mayor, City Council, & Municipal Agencies**

18 **SUBTITLE 57. STREET HARASSMENT ADVISORY COMMISSION**

19 **§ 57-1. 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.
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 (B) *CITY AGENCIES*.

2 “CITY AGENCIES” MEANS:

3 (I) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT;

4 (II) THE DEPARTMENT OF PUBLIC WORKS;

5 (III) THE DEPARTMENT OF RECREATION AND PARKS;

6 (IV) THE DEPARTMENT OF TRANSPORTATION;

7 (V) THE HEALTH DEPARTMENT; ~~AND~~

8 (VI) THE DEPARTMENT OF GENERAL SERVICES; AND

9 (VII) ~~(VI)~~ THE PARKING AUTHORITY OF BALTIMORE CITY.

10 (C) *COMMISSION*.

11 “COMMISSION” MEANS THE STREET HARASSMENT ADVISORY COMMISSION.

12 (D) *HIGH-RISK LOCATION*.

13 “HIGH-RISK LOCATION” MEANS:

14 (1) THE ENCLOSED AREA WITHIN ANY MARYLAND TRANSPORTATION AUTHORITY BUS,
15 BALTIMORE CITY CIRCULATOR BUS, METRO SUBWAYLINK CAR, LIGHT RAILLINK
16 CAR, OR ANY OTHER COMMERCIAL VEHICLE CAPABLE OF CARRYING MORE THAN 6
17 PASSENGERS;

18 (2) THE AREA WITHIN 25 FEET OF ANY MARYLAND TRANSPORTATION AUTHORITY BUS
19 STOP, BALTIMORE CITY CIRCULATOR STOP, METRO SUBWAYLINK STATION, LIGHT
20 RAILLINK STATION, OR A SPACE DESIGNATED FOR THE LOADING AND UNLOADING
21 OF A COMMERCIAL VEHICLE CAPABLE OF CARRYING MORE THAN 6 PASSENGERS;

22 (3) THE ENCLOSED AREA WITHIN ANY PASSENGER-FOR-HIRE SERVICE VEHICLE, AS
23 DEFINED IN CITY CODE ARTICLE 28, § 24(1)(D);

24 (4) ANY ESTABLISHMENT THAT SERVES FOOD OR ALCOHOL;

25 (5) ANY SCHOOL, LIBRARY, OR ANY OTHER BUILDING PRIMARILY USED FOR THE
26 INSTRUCTION OF STUDENTS, INCLUDING A DAY CARE CENTER, NURSERY,
27 ELEMENTARY SCHOOL, SECONDARY SCHOOL, COLLEGE, AND UNIVERSITY;

28 (6) ANY BANK, HEALTH CARE FACILITY, LAUNDROMAT, RETAIL STORE, SHOPPING
29 MALL, SPORTS ARENA, MUSIC VENUE, AND THEATER;

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1 (7) ALL THE PUBLICLY-OWNED PROPERTY BETWEEN PROPERTY LINES SHOWN ON THE
2 RECORDS OF THE CITY, INCLUDING ANY RAILWAY, SIDEWALK, OR PARKING
3 BETWEEN SUCH PROPERTY LINES; AND

4 (8) ALL BUILDINGS THAT ARE OWNED, LEASED, OR OCCUPIED BY THE CITY
5 GOVERNMENT.

6 (E) *STREET HARASSMENT.*

7 “STREET HARASSMENT” MEANS DISRESPECTFUL, OFFENSIVE, OR THREATENING
8 STATEMENTS, GESTURES, OR OTHER CONDUCT THAT IS:

9 (1) DIRECTED AT AN INDIVIDUAL IN A HIGH-RISK LOCATION WITHOUT THE
10 INDIVIDUAL’S CONSENT; AND

11 (2) BASED ON THE INDIVIDUAL’S ACTUAL OR PERCEIVED RACE, COLOR, RELIGIOUS
12 BELIEFS, NATIONAL ORIGIN, SEXUAL ORIENTATION, GENDER IDENTITY, DISABILITY,
13 OR HOUSING STATUS.

14 **§ 57-2. COMMISSION ESTABLISHED.**

15 (A) *IN GENERAL.*

16 THERE IS A BALTIMORE CITY STREET HARASSMENT ADVISORY COMMISSION.

17 (B) *COMPOSITION.*

18 (1) *IN GENERAL.*

19 THE COMMISSION COMPRISES ~~46~~ 15 VOTING MEMBERS AND 3 NON-VOTING MEMBERS.

20 (2) *VOTING MEMBERS.*

21 VOTING MEMBERS ARE APPOINTED BY THE MAYOR, IN ACCORDANCE WITH CITY
22 CHARTER ARTICLE IV, § 6, AS FOLLOWS:

23 (I) I SHALL BE A MEMBER OF THE BALTIMORE CITY COMMUNITY RELATIONS
24 COMMISSION;

25 ~~(II) I SHALL BE AN EMPLOYEE OF THE VICTIM’S AND WITNESS SERVICES UNIT OF~~
26 ~~THE BALTIMORE CITY STATE’S ATTORNEY’S OFFICE;~~

27 ~~(III) (III)~~ I SHALL BE A MEMBER OF THE BALTIMORE LESBIAN, GAY, BISEXUAL,
28 TRANSGENDER, AND QUEER COMMISSION;

29 ~~(IV) (IV)~~ I SHALL BE AN EMPLOYEE OF THE DEPARTMENT OF TRANSPORTATION;

30 ~~(V) I SHALL BE AN EMPLOYEE OF THE BALTIMORE POLICE DEPARTMENT;~~

31 ~~(VI) I SHALL BE AN EMPLOYEE OF THE MARYLAND TRANSPORTATION AUTHORITY;~~

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1 ~~(VII) 1 SHALL BE AN EMPLOYEE OF THE BOARD OF LIQUOR LICENSE~~
2 ~~COMMISSIONERS FOR BALTIMORE CITY; AND~~

3 (IV) 3 AT-LARGE MEMBERS; AND

4 (V) ~~(VIII) 9~~ COMMUNITY REPRESENTATIVES WHO ARE MEMBERS OF ORGANIZATIONS
5 THAT ENGAGE IN POLICY, ADVOCACY, OR DIRECT SERVICES WITHIN THE CITY
6 RELATED TO:

7 (A) STREET HARASSMENT;

8 (B) GENDER-BASED VIOLENCE;

9 (C) GENDER EQUITY;

10 (D) LGBTQ RIGHTS;

11 (E) RACIAL EQUITY;

12 (F) RELIGIOUS TOLERANCE;

13 (G) POVERTY OR HOMELESSNESS; OR

14 (H) IMMIGRANT RIGHTS.

15 (3) *NON-VOTING MEMBERS.*

16 THE 3 NON-VOTING MEMBERS ARE:

17 (I) THE MAYOR OR THE MAYOR'S DESIGNEE;

18 (II) THE PRESIDENT OF THE CITY COUNCIL OR THE PRESIDENT'S DESIGNEE; AND

19 (III) THE CITY COMPTROLLER OR THE CITY COMPTROLLER'S DESIGNEE.

20 **§ 57-3. TERMS, ORGANIZATION, MEETINGS, ETC.**

21 (A) *TERMS.*

22 (1) COMMISSION MEMBERS SERVE FOR A TERM OF 4 YEARS, CONCURRENT WITH THE TERM
23 OF THE MAYOR.

24 (2) AT THE END OF A TERM, EACH MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS
25 APPOINTED AND QUALIFIES.

26 (B) *COMPENSATION; EXPENSES.*

27 THE MEMBERS OF THE COMMISSION:

28 (1) SERVE WITHOUT COMPENSATION; BUT

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1 (2) ARE ENTITLED TO REIMBURSEMENT FOR REASONABLE EXPENSES INCURRED IN THE
2 PERFORMANCE OF THEIR DUTIES, AS PROVIDED IN THE ORDINANCE OF ESTIMATES.

3 (C) *OFFICERS; COMMITTEES.*

4 (1) *CHAIR OF THE COMMISSION.*

5 THE MEMBER REPRESENTING THE BALTIMORE CITY COMMUNITY RELATIONS
6 COMMISSION IS THE CHAIR OF THE COMMISSION.

7 (2) *VICE-CHAIR OF THE COMMISSION.*

8 ANNUALLY, ONE COMMUNITY REPRESENTATIVE SHALL BE SELECTED BY A MAJORITY
9 VOTE OF THE COMMUNITY REPRESENTATIVES TO SERVE AS VICE-CHAIR OF THE
10 COMMISSION.

11 (3) *COMMITTEES.*

12 THE COMMISSION MAY ESTABLISH COMMITTEES TO ASSIST IT IN CARRYING OUT ITS
13 FUNCTIONS AND DUTIES.

14 (D) *MEETINGS; QUORUM.*

15 (1) THE COMMISSION SHALL MEET AT LEAST ONCE QUARTERLY, AT TIMES TO BE
16 DETERMINED BY THE CHAIRPERSON AT THE COMMISSION'S FIRST MEETING OF THE
17 FISCAL YEAR.

18 (2) A MAJORITY OF THE VOTING MEMBERS OF THE COMMISSION CONSTITUTES A QUORUM
19 FOR THE TRANSACTION OF BUSINESS.

20 (3) AN AFFIRMATIVE VOTE BY THE MAJORITY OF A QUORUM IS NEEDED FOR ANY OFFICIAL
21 ACTION.

22 (E) *RULES OF PROCEDURE.*

23 THE COMMISSION MAY ADOPT RULES OF PROCEDURE TO GOVERN ITS MEETINGS AND
24 OPERATIONS.

25 **§ 57-4. COMMISSION PURPOSES AND DUTIES.**

26 (A) *GENERAL PURPOSES.*

27 THE COMMISSIONS' PURPOSES ARE TO:

28 (1) INCREASE GENERAL AWARENESS OF THE PROBLEM OF STREET HARASSMENT AND
29 THE NEED FOR PREVENTION OF STREET HARASSMENT;

30 (2) IDENTIFY CATEGORIES OF INDIVIDUALS MOST AT RISK OF STREET HARASSMENT;

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- 1 (3) CREATE MODEL POLICIES AND TRAINING MATERIALS TO ASSIST CITY AGENCIES IN
2 REDUCING STREET HARASSMENT; AND
- 3 (4) ASSIST CITY AGENCIES IN IMPLEMENTING THESE MODEL POLICIES AND TRAINING
4 MATERIALS.

5 (B) *SPECIFIC DUTIES.*

6 THE COMMISSION SHALL:

- 7 (1) ENCOURAGE PUBLIC AWARENESS OF STREET HARASSMENT AND THE IMPORTANCE
8 OF ELIMINATING IT THROUGH CONDUCTING PUBLIC INFORMATION CAMPAIGNS
9 ABOUT STREET HARASSMENT AND RESOURCES AVAILABLE IN THE CITY FOR
10 VICTIMS OF STREET HARASSMENT;
- 11 (2) IDENTIFY CATEGORIES OF INDIVIDUALS MOST AT RISK OF STREET HARASSMENT;
- 12 (3) CREATE NON-PUNITIVE MODEL POLICIES AND TRAINING MATERIALS TO BE ADOPTED
13 BY CITY AGENCIES FOR PREVENTING AND RESPONDING TO HARASSMENT,
14 INCLUDING NON-PUNITIVE MODEL POLICIES AND TRAINING MATERIALS FOR
15 EMPLOYEES WHO WORK DIRECTLY WITH THE PUBLIC;
- 16 (4) ASSIST CITY AGENCIES IN ADOPTING THE MODEL POLICIES AND TRAINING
17 MATERIALS;
- 18 (5) MONITOR THE IMPLEMENTATION OF MODEL POLICIES AND TRAINING MATERIALS BY
19 CITY AGENCIES;
- 20 (6) DISCUSS THE NEED, IF ANY, FOR A PROCESS BY WHICH VICTIMS AND WITNESSES OF
21 STREET HARASSMENT CAN REPORT INSTANCES OF ~~THE~~ HARASSMENT TO CITY
22 AGENCIES, AND, IF NEEDED, WORK WITH CITY AGENCIES IN ~~IMPLEMENT~~
23 IMPLEMENTING THE PROCESS; AND
- 24 (7) PERFORM ANY OTHER DUTIES AS REQUIRED BY THE MAYOR.

25 **§ 57-5. ANNUAL REPORTS.**

26 ON OR BEFORE JULY 31 OF EACH YEAR, THE COMMISSION MUST SUBMIT A REPORT TO THE
27 MAYOR AND CITY COUNCIL DESCRIBING THE MODEL POLICIES AND TRAINING MATERIALS
28 CREATED BY THE COMMISSION DURING THE PREVIOUS FISCAL YEAR AND ASSESSING THE
29 IMPLEMENTATION OF THE POLICIES AND TRAINING MATERIALS WITHIN EACH OF THE CITY
30 AGENCIES.

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

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

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

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City