


FROM	NAME & TITLE	David E. Scott, Director	CITY of BALTIMORE MEMO	
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	SUBJECT	CITY COUNCIL BILL 08-0115		

DATE: May 14, 2008

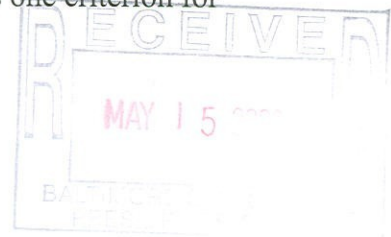
TO The Honorable President and Members
of the Baltimore City Council
c/o Karen Randle
Room 400 - City Hall

I am herein reporting on City Council Bill 08-0115 introduced by Council President Rawlings Blake on behalf of the Department of Legislative Reference.

The purpose of the Bill is to correct certain technical errors and omissions in the City Code and other enactments; repeal certain obsolete provisions; and to correct, clarify, and conform certain language.

Legislation is introduced from time to time to correct errors, omissions, and obsolete references in the Baltimore City Revised Code (Edition 2000). The last corrective measures were adopted under Ordinance 07-504. City Council Bill 08-0115, if approved, would correct certain errors and omissions, and would clarify language in the Code that resulted from subsequent legislative additions and deletions. This Bill makes corrections to the following areas of the Code:

- Building, Fire, and Related Codes – Adoption of the most recent iteration of the International Fire Code in 2007 transferred provisions related to overcrowding from § 1001.3 to § 107.6, necessitating conformance to the appropriate cross-reference in the City’s Fire Code for violations.
- Article 1 (Mayor, City Council, and Municipal Agencies) – Subtitle 40 (Environmental Control Board) and Subtitle 41 (Civil Citations) each list violations of referenced sections of the Code and corresponding fines that may be issued for violations. An obsolete penalty for the resale of tickets near sports facilities (repealed in 2007) needs to be removed from Subtitles 40 and 41, and the appropriate cross-reference to overcrowding under the Fire Code needs to be corrected, as noted above. In addition, Subtitle 40 needs to correct a cross-reference to sanitary maintenance in the Property Maintenance Code which, when adopted in 2007, resulted in the renumbering of these provisions.
- Article 5 (Finance, Property, and Procurement) – Subtitle 28 (Minority and Women’s Business Enterprises) lists general eligibility criteria for certification. Revisions made in 2007 require removal of references to small business as one criterion for certification.



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- Article 6 (Historical and Architectural Preservation) – A third prerequisite for the Commission on Historical and Architectural Preservation to consider in issuing a Certificate of Appropriateness or a Notice to Proceed was inadvertently omitted and needs to be added to this section of the Code.
- Article 8 (Ethics) – The members of the Sustainability Commission and all non-clerical employees of the Commission are to be added to the list of entities and employees required to file Financial Disclosure Statements.
- Article 19 (Police Ordinances) – Subtitle 71 references the sections of the Code for which Special Enforcement Officers may issue prepayable citations to violators. As noted in previous corrections, the provisions on overcrowding under the Fire Code and the provisions on sanitary maintenance under the Property Code need to conform to the appropriate cross-references that were changed in 2007.
- Article 26 (Surveys, Streets, and Highways) – Subtitle 3 (Opening, Widening, Closing Streets) references Article II of the Baltimore City Charter which relates to the laying out, opening, widening, extending, and closing of any “street, square, lane, or alley within Baltimore City”. The Code requires certain advertising, mapping, statements of benefits and damages, etc. to allow these actions to go forward. The word “square” was inadvertently left out of some sections of this Subtitle and needs to be added to this section of the Code for consistency and clarity.
- Article 31 (Transit and Traffic) – Subtitle 36 (Parking, etc., Fines, Penalties, and Procedures) lists certain offenses that may result in a \$75 fine. An obsolete reference to a provision repealed in 2003 for the Pimlico Race Track Area needs to be deleted from this section.

Having reviewed City Council Bill 08-0115, the Department of Public Works finds the proposed changes and corrections to be reasonable and necessary and therefore supports its passage.



DAVID E. SCOTT
DIRECTOR

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