

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 25-0018

Introduced by: Councilmember Ramos
Cosponsored by: Councilmembers Parker, Conway, Schleifer, Middleton, Torrence, Gray,
Porter, Blanchard, and Glover
Introduced and read first time: February 10, 2025
Assigned to: Public Safety Committee
Committee Report: Favorable with Amendments
Council action: Adopted
Read second time: September 29, 2025

AN ORDINANCE CONCERNING

Emergency Scene – Unauthorized Persons Prohibited

FOR the purpose of prohibiting the presence of an unauthorized person within the boundaries of an emergency scene; establishing certain penalties; defining certain terms; providing for a special effective date; and generally relating to unauthorized persons within the boundaries of an emergency scene.

BY repealing and re-ordaining, with amendments,
Article 9 - Fire Suppression and Prevention
Section 1-2
Baltimore City Code
(Edition 2000)

BY adding
Article 19 - Police Ordinances
Section 25-5
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:

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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Baltimore City Code

Article 9. Fire Suppression and Prevention

Division I: Fire Operations

Subtitle 1. Fire Department

§ 1-2. Control of persons and property at fires.

(A) IN GENERAL.

The Chief of the Fire Department shall, during the occurrence of fires or alarm of fires, have authority for himself, and the power to delegate to his assistants, the authority to control all persons and property in the vicinity of a fire, during the continuance thereof; provided, that the exercise of such authority does not conflict with any law of the United States, or of the State of Maryland.

(B) ESTABLISHMENT OF EMERGENCY SCENE.

WHEN RESPONDING TO AN EMERGENCY, THE CHIEF OR THE CHIEF'S DESIGNEE SHALL:

(1) IDENTIFY THE EMERGENCY SCENE, AS DEFINED IN CITY CODE, ARTICLE 19, § 25-5(A);

(2) ESTABLISH THE BOUNDARIES OF THE EMERGENCY SCENE USING:

(I) ~~CAUTION TAPE~~ A BARRICADE;

(II) POSTED PERSONNEL; OR

(III) ANOTHER REASONABLE METHOD; AND

(3) AFTER THE FIRE DEPARTMENT COMPLETES THE INVESTIGATION OF THE EMERGENCY, REMOVE ANY BOUNDARIES MARKING THE EMERGENCY ~~SCENE~~.
SCENE, UNLESS THE CHIEF MAKES A DETERMINATION THAT A PUBLIC SAFETY HAZARD REMAINS.

(C) PERSONS PRESENT.

ONLY AN AUTHORIZED PERSON, AS DEFINED IN CITY CODE, ARTICLE 19, § 25-5(A), MAY BE PRESENT WITHIN THE BOUNDARIES OF AN EMERGENCY SCENE.

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Article 19. Police Ordinances

Subtitle 25. Loitering

§ 25-5. EMERGENCY SCENE.

(A) DEFINITIONS.

(1) IN GENERAL.

IN THIS SUBSECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(2) AUTHORIZED PERSON.

(I) IN GENERAL.

“AUTHORIZED PERSON” MEANS ~~AN~~ A PERSON WHO IS GIVEN PERMISSION TO BE PRESENT WITHIN THE BOUNDARIES OF AN EMERGENCY SCENE BY THE CHIEF.

(II) INCLUSIONS.

“AUTHORIZED PERSON” MAY INCLUDE:

~~(A) A FIREFIGHTER~~ PERSONNEL FROM THE BALTIMORE CITY FIRE DEPARTMENT;

~~(B) EMERGENCY MEDICAL SERVICES PERSONNEL;~~

~~(C)~~ (B) PERSONNEL FROM THE BALTIMORE POLICE DEPARTMENT;

~~(D)~~ (C) A VICTIM OF THE FIRE;

~~(E)~~ (D) A FAMILY MEMBER OF A VICTIM OF THE FIRE;

~~(F) (E) PERSONNEL FROM THE AMERICAN RED CROSS;~~ A COMMUNITY- OR VOLUNTEER-BASED NONPROFIT ORGANIZATION THAT SUPPORTS AND ASSISTS VICTIMS AND SURVIVORS OF DISASTERS;

~~(G)~~ (F) PERSONNEL FROM THE BALTIMORE CITY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT; OR

~~(H)~~ (G) AN OFFICIAL, AS DEFINED IN CITY CODE, ARTICLE 8, § 2-21, WITH IDENTIFICATION ISSUED BY THE CITY.

(3) CHIEF.

“CHIEF” MEANS THE CHIEF OF THE BALTIMORE CITY FIRE DEPARTMENT OR THE CHIEF’S DESIGNEE.

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1 (4) *DEPARTMENT.*

2 “DEPARTMENT” MEANS THE BALTIMORE CITY FIRE DEPARTMENT.

3 (5) *EMERGENCY SCENE.*

4 “EMERGENCY SCENE” MEANS THE IMMEDIATE AREA NECESSARY FOR THE
5 DEPARTMENT TO INVESTIGATE AN EMERGENCY.

6 (B) *PROHIBITED CONDUCT.*

7 (1) *IN GENERAL.*

8 A PERSON MAY NOT LOITER WITHIN THE BOUNDARIES OF AN EMERGENCY SCENE.

9 (2) *EXCEPTION.*

10 AN AUTHORIZED PERSON, AS DEFINED UNDER SUBSECTION (A)(2) OF THIS SECTION,
11 MAY BE PRESENT WITHIN THE BOUNDARIES OF AN EMERGENCY SCENE.

12 (C) *SCOPE.*

13 NO PERSON MAY BE CHARGED WITH A VIOLATION OF THIS SECTION UNLESS AND UNTIL THE
14 ARRESTING OFFICER HAS FIRST WARNED THE PERSON OF THE VIOLATION AND THE PERSON
15 HAS FAILED OR REFUSED TO STOP THE VIOLATION.

16 (D) *PENALTIES.*

17 ANY PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION IS GUILTY OF A
18 MISDEMEANOR AND, ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN \$500 OR
19 IMPRISONMENT FOR NOT MORE THAN ~~90~~ 60 DAYS, OR BOTH FINE AND IMPRISONMENT.

20 (E) *EACH VIOLATION A SEPARATE OFFENSE.*

21 EACH VIOLATION OF THE PROVISIONS OF THIS SECTION IS A SEPARATE OFFENSE.

22 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on ~~the 30th day~~
23 **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