



**BALTIMORE CITY COUNCIL
PUBLIC SAFETY AND
GOVERNMENT OPERATIONS
COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the Public Safety and Government Operations will be responsible for matters concerning public safety, including, but not limited to; emergency preparedness, police services, fire/EMS, and the executive, administrative, and operational functions of the city government and libraries.

**The Honorable Mark Conway
Chairman**

PUBLIC HEARING

**Wednesday, March 3, 2021
1:00 PM**

**Council Bill: 21-0030
Coordinated Multi-Agency
Code Inspections**

CITY COUNCIL COMMITTEES

ECONOMIC AND COMMUNITY DEVELOPMENT (ECD)

Sharon Green Middleton, Chair
John Bullock – Vice Chair
Mark Conway
Ryan Dorsey
Antonio Glover
Odette Ramos
Robert Stokes
Staff: Jennifer Coates

WAYS AND MEANS (W&M)

Eric Costello, Chair
Kristerfer Burnett
Ryan Dorsey
Danielle McCray
Sharon Green Middleton
Isaac “Yitzy” Schleifer
Robert Stokes
Staff: Marguerite Currin

PUBLIC SAFETY AND GOVERNMENT OPERATIONS (SGO)

Mark Conway – Chair
Kristerfer Burnett
Zeke Cohen
Erick Costello
Antonio Glover
Phylicia Porter
Odette Ramos
Staff: Samuel Johnson

EDUCATION, WORKFORCE, AND YOUTH (EWY)

Robert Stokes – Chair
John Bullock
Zeke Cohen
Antonio Glover
Sharon Green Middleton
Phylicia Porter
James Torrence
Staff: Marguerite Currin

HEALTH, ENVIRONMENT, AND TECHNOLOGY (HET)

Danielle McCray – Chair
John Bullock
Mark Conway
Ryan Dorsey
Phylicia Porter
James Torrence
Isaac “Yitzy” Schleifer
Staff: Matthew Peters

RULES AND LEGISLATIVE OVERSIGHT (OVERSIGHT)

Isaac “Yitzy” Schleifer, Chair
Kristerfer Burnett
Mark Conway
Eric Costello
Sharon Green Middleton
Odette Ramos
James Torrence
Staff: Richard Krummerich



BILL SYNOPSIS

Committee: Public Safety and Government Operations

Bill 21-0030

Coordinated Multi-Agency Code Inspections

Sponsor: *Councilmember Kris Burnett*

Introduced: *January 25, 2021*

Purpose:

For the purpose of requiring that the City Administrator coordinate a multi-agency code inspection after a commercial property has been issued certain environmental citations; requiring that the City Administrator and the Department of Housing and Community Development receive a copy of all environmental citations issued; specifying which agencies must be included in the multi-agency inspection team; requiring that the City Administrator provide certain information to councilmembers; requiring that the City Administrator submit an annual report detailing the work of the multi-agency inspection team; and providing for a special effective date.

Effective: This Ordinance takes effect on July 1, 2021

Agency Reports

City Administrator	
Law Department	Favorable
Fire Department	
Environmental Control Board	
Health Department	
Department of Public Works	
Department of Housing and Community Development	
Department of Finance	

By repealing and re-ordaining, with amendments
Article 1 – Mayor, City Council, and Municipal Agencies; Section(s) 40 – 7; Baltimore City Code
(Edition 2000)

By adding
Article 1 – Mayor, City Council, and Municipal Agencies; Section(s) 40 – 15; Baltimore City
Code (Edition 2000)

Analysis

Background

If enacted, Bill 21-0030 would include the following amended language:

(g) Record of citation to be kept.

The original or a copy of the citation must be filed and retained in the records of:

1. The board;
2. The City Administrator; and
3. The Department of Housing and Community Development for inclusion in its open data mapping application.

This amendment will codify the record retention process for the City Administrator who will be responsible for leading the coordinated multi-agency response. This section also requires that the data be tracked and published on the city’s open data mapping site so that the public can monitor the city’s response and abatement of nuisance complaints.

The newly created section of this law outlines the process that must be followed by the City Administrator when coordinating a response to an environmental citation issued at commercial properties only. Within 30 days of receipt of an environmental citation each agency that is a part of the multi-agency inspection team will respond out to the location and inspect the property to ensure that it is in compliance with all applicable laws, rules, and regulations enforceable by that agency. Once this process is completed, the City Administrator should inform the Councilmember of the district where the coordinated response occurred and provide all applicable information as a result of this process. In addition to this monthly communication with members of the Council, the City Administrator’s Office will be required to publish an annual report on June 30th of each year.

Additional Information

Fiscal Note: Not Available

Information Source(s):

Analysis by: Samuel Johnson, Jr.
Analysis Date: March 2, 2021

Direct Inquiries to: (410) 396-1091

**CITY OF BALTIMORE
COUNCIL BILL 21-0030
(First Reader)**

Introduced by: Councilmembers Burnett, Cohen, Dorsey, Porter, Middleton, Bullock, Ramos,
Torrence, Schleifer

Introduced and read first time: January 25, 2021

Assigned to: Public Safety and Government Operations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Public Works,
Department of Housing and Community Development, Department of Finance, City
Administrator, Environmental Control Board, Fire Department, Health Department, Mayor's
Office of Performance and Innovation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Coordinated Multi-Agency Code Inspections**

3 FOR the purpose of requiring that the City Administrator coordinate a multi-agency code
4 inspection after a commercial property has been issued certain environmental citations;
5 requiring that the City Administrator and the Department of Housing and Community
6 Development receive a copy of all environmental citations issued; specifying which agencies
7 must be included in the multi-agency inspection team; requiring that the City Administrator
8 provide certain information to councilmembers; requiring that the City Administrator submit
9 an annual report detailing the work of the multi-agency inspection team; and providing for a
10 special effective date.

11 BY repealing and re-ordaining, with amendments

12 Article 1 - Mayor, City Council, and Municipal Agencies
13 Section(s) 40-7
14 Baltimore City Code
15 (Edition 2000)

16 BY adding

17 Article 1 - Mayor, City Council, and Municipal Agencies
18 Section(s) 40-15
19 Baltimore City Code
20 (Edition 2000)

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

23 **Baltimore City Code**

24 **Article 1. Mayor, City Council, and Municipal Agencies**

25 **Subtitle 40. Environmental Control Board**

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 21-0030

§ 40-7. Environmental Citations.

(a) *Board to prescribe FORM AND WORDING.*

The Board must prescribe the form and wording of environmental citations.

(b) *Required contents.*

In addition to any other matters that the Board prescribes, an environmental citation must include:

(1) the name, if known, of the person cited;

(2) the violation with which the person is cited, including a reference to the specific law in question;

(3) the manner and time in which the person must either:

(i) pay the prepayable fine prescribed for the violation; or

(ii) request a hearing on the violation;

(4) the time within which the violation, if ongoing, must be abated; and

(5) a notice that failure to act in the manner and time stated in the citation may result in a default decision and order entered against the person.

(c) *Service of citations.*

An environmental citation must be:

(1) issued by a Code Enforcement Officer; and

(2) served on the person cited by 1 of the following methods:

(i) in person;

(ii) certified mail, return receipt requested;

(iii) delivery to a person of suitable age and discretion who resides at the cited person's last known address; or

(iv) for service on an occupant of the premises at which the violation occurred:

(A) posting on the main entrance of the premises; and

(B) mailing by regular mail to the person cited, at that person's last known address.

Council Bill 21-0030

1 (d) *Tenor of citation.*

2 When issued and served, the citation or a copy of it:

- 3 (1) constitutes full and complete notice of the violation cited in it;
- 4 (2) if abatement is ordered, constitutes a full and complete notice of the order of
5 abatement; and
- 6 (3) if sworn to or affirmed, is prima facie evidence of the facts contained in it.

7 (e) *Single document permissible.*

8 A single document may be used to issue two or more separately numbered citations.

9 (f) *Electronic signature.*

10 An electronic signature may be used to execute a citation and to serve as an affirmation,
11 under penalties of perjury, that the facts stated in the citation are true.

12 (g) *Record of citation to be kept.*

13 The original or a copy of the citation must be filed and retained in the records of:

- 14 (1) the Board;
- 15 (2) THE CITY ADMINISTRATOR; AND
- 16 (3) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR INCLUSION
17 IN ITS OPEN DATA MAPPING APPLICATION.

18 **§ 40-15. COORDINATED AGENCY RESPONSE.**

19 (A) *SCOPE OF SECTION.*

20 THIS SECTION ONLY APPLIES TO ENVIRONMENTAL CITATIONS ISSUED TO COMMERCIAL
21 PROPERTIES FOR VIOLATIONS OF:

- 22 (1) ARTICLE 19, SUBTITLE 32 {"MINORS - SALES IN PROXIMITY TO LIQUOR STORE"};
- 23 (2) ARTICLE 23 {"SANITATION"};
- 24 (3) TITLE 5, SUBTITLE 2 {"NUISANCE ABATEMENT"} OF THE HEALTH CODE;
- 25 (4) TITLE 7 {"WASTE CONTROL"} OF THE HEALTH CODE;
- 26 (5) TITLE 12 {"TOBACCO PRODUCTS AND SMOKING DEVICES"} OF THE HEALTH CODE;
27 OR
- 28 (6) TITLE 15 {"EPHEDRINE PRODUCTS"} OF THE HEALTH CODE.

Council Bill 21-0030

1 (B) *IN GENERAL.*

2 WITHIN 30 DAYS OF RECEIPT OF AN ENVIRONMENTAL CITATION DESCRIBED IN SUBSECTION
3 (A) OF THIS SECTION, THE CITY ADMINISTRATOR SHALL COORDINATE A MULTI-AGENCY,
4 COMPREHENSIVE CODE INSPECTION OF THE CITED PREMISES, AS SPECIFIED IN SUBSECTION
5 (C) OF THIS SECTION.

6 (C) *MULTI-AGENCY INSPECTION TEAM.*

7 (1) THE MULTI-AGENCY INSPECTION TEAM COORDINATED BY THE CITY ADMINISTRATOR
8 UNDER THIS SECTION SHALL INCLUDE REPRESENTATIVES FROM:

9 (I) THE FIRE DEPARTMENT;

10 (II) THE DEPARTMENT OF HEALTH;

11 (III) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT; AND

12 (IV) THE DEPARTMENT OF PUBLIC WORKS.

13 (2) EACH AGENCY SPECIFIED IN THIS SUBSECTION SHALL INSPECT THE PREMISES TO
14 ENSURE COMPLIANCE WITH LAWS, RULES, AND REGULATIONS ADMINISTERED BY THAT
15 AGENCY.

16 (D) *MONTHLY NOTICE TO COUNCILMEMBERS.*

17 NO LATER THAN THE 1ST OF EACH MONTH, THE CITY ADMINISTRATOR SHALL INFORM EACH
18 COUNCILMEMBER OF THE NUMBER AND SPECIFIC LOCATIONS OF ANY MULTI-AGENCY
19 INSPECTIONS CONDUCTED, IF ANY, PURSUANT TO THIS SECTION IN THE PREVIOUS MONTH
20 WITHIN THE RESPECTIVE COUNCILMEMBER'S DISTRICT.

21 (E) *ANNUAL REPORT.*

22 ON OR BEFORE JUNE 30 OF EACH YEAR, THE CITY ADMINISTRATOR SHALL SUBMIT A
23 REPORT TO THE MAYOR AND CITY COUNCIL DETAILING:

24 (1) THE NUMBER OF MULTI-AGENCY COORDINATED INSPECTIONS CONDUCTED UNDER
25 THIS SECTION OCCURRING IN THE PREVIOUS CALENDAR YEAR;

26 (2) THE NUMBER AND TYPES OF VIOLATIONS DISCOVERED AS THE RESULT OF MULTI-
27 AGENCY COORDINATED INSPECTIONS UNDER THIS SECTION IN THE PREVIOUS
28 CALENDAR YEAR; AND

29 (3) ANY RECOMMENDATIONS FOR LEGISLATIVE OR ADMINISTRATIVE ENHANCEMENTS
30 TO IMPROVE COMMUNITY QUALITY-OF-LIFE ISSUES AND MULTI-AGENCY
31 COOPERATION.

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

Council Bill 21-0030

1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on July 1,
2 2021.

**PUBLIC SAFETY AND
GOVERNMENT OPERATIONS
COMMITTEE**

AGENCY REPORTS

CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW

JAMES L. SHEA
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

February 16, 2021

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 21-0030 - Coordinated Multi-Agency Code Inspections

Dear President and City Council Members:


The Law Department has reviewed City Council Bill 21-0030 for form and legal sufficiency. The bill requiring that the City Administrator coordinate a multi-agency code inspection after a commercial property has been issued certain environmental citations. It requires that the City Administrator and the Department of Housing and Community Development receive a copy of all environmental citations issued and specifies which agencies must be included in the multi-agency inspection team. The bill requires that the City Administrator provide certain information to councilmembers and requires that the City Administrator submit an annual report detailing the work of the multi-agency inspection team. The bill provides for a special effective date.

The requirements of this bill are procedural in nature. None of them pose a legal impediment to the passage of the legislation. The Law Department is prepared to approve the bill for form and legal sufficiency as drafted.

Sincerely,

Victor K. Tervala
Chief Solicitor

cc: James L. Shea, City Solicitor
Nina Themelis, Mayor's Office of Government Relations
Nikki Thompson, Director of Legislative Affairs
Matthew Stegman, Director of Fiscal and Legislative Services
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Ashlea Brown, Assistant Solicitor

FROM	NAME & TITLE	Rebecca Woods, Esq., Executive Director	CITY of BALTIMORE <i>MEMO</i>	
	AGENCY NAME & ADDRESS	Environmental Control Board 1 North Charles Street, 13th Floor, Baltimore, Maryland 21201		
	SUBJECT	City Council Bill # 21-0030 Coordinated Multi-Agency Code Inspections		

February 26, 2021

TO: The Honorable President and Members
Of the Baltimore City Council

Dear Mr. President and Members:

The Baltimore City Environmental Control Board (ECB) has been requested to review City Council Bill # 21-0030, Coordinated Multi-Agency Code Inspections. The purpose of the Bill is to require that the City Administrator coordinate a multi-agency code inspection after a commercial property has been issued certain environmental citations; to require that the City Administrator and the Department of Housing and Community Development receive a copy of all environmental citations issued; to specify which agencies must be included in the multi-agency inspection team; to require that the City Administrator provide certain information to councilmembers; to require that the City Administrator submit an annual report detailing the work of the multi-agency inspection team; and to provide for a special effective date.

The ECB is an administrative hearing board that adjudicates contested environmental citations. Environmental citations are issued by various City agencies for specific violations listed under Article 1, Section 40-14. Once issued by a City agency, the cited person, or entity, has approximately thirty (30) days to contest the citation in a hearing. That hearing takes place at the ECB with an Administrative Hearing Officer presiding over the case. This allows for the citation's review to be done by an agency that is independent from the agency issuing the citation.

During that hearing, the issuing agency has an opportunity to present their case and demonstrate, through testimony and evidence, that the cited person/entity violated the City Code. That cited person/entity then has the opportunity to challenge that testimony and evidence, and to present their own case. The ECB's Administrative Hearing Officer ultimately functions as the neutral and impartial fact finder when determining if the issuing agency met its burden.

It is important to note that, in order to maintain its independence and neutrality, the ECB is not involved in the issuance of environmental citations. The ECB does not participate in investigations or inspections; the ECB does not direct agencies to cite particular people or properties; and the ECB does not have any authority over the agencies that issue the citations and/or their staff.

Specific to the proposed bill, the ECB is strongly concerned about the placement of the bill's language within Article 1, Section 40 and its possible impact on the agency's appearance of impartiality. That impartiality is important so that cited persons/entities feel as if their hearing is conducted in a fair forum.

When reviewing the placement of the bill's language, Section 40 does not seem appropriate because that section is specifically dedicated to the Environmental Control Board. It outlines the make up of the Board, its jurisdiction and authority, the requirements for a citation's contents and its proper service, and the general administrative "life" of a citation. Section 40 does not discuss the substance of specific violations, it does not lay out the process of issuance, and it does not mention any other agencies and/or their citing practices. The Section's main purpose is solely limited to its titled agency, the Environmental Control Board.

Further, upon review of the added language, it does not require the ECB take on any role in the coordinated response effort, participate in the inspection, or contribute to the reporting requirement, nor would it be appropriate to do so. It does not seem to require any action by the ECB at all. Due to this, the inclusion of the new language in the Environmental Control Board's Code section, without any intersection with the agency's core functionality, will only serve to blur the lines between the agencies issuing the citations and the ECB's independent adjudication of those citations.

The ECB's concern regarding the possible blurred lines is based on years of correspondence with Baltimore City residents, property owners, and business owners that conflate this agency with the agencies issuing the citations. Most people see the word "environmental" in the title of the agency and assume that the ECB caused them to be cited and/or that the ECB is in partnership with the issuing agencies. This leads cited persons/entities to automatically believe that they would not get a fair hearing. This is an idea that the ECB has to dispel on a daily basis. Due to this, the ECB fears that the newly proposed language will only work against the agency's attempts to highlight its neutrality. Again, that neutrality is what allows for cited persons/entities to feel as if they are receiving a fair and impartial hearing.

Moreover, the Baltimore City Code is vast and outlines many responsibilities for residents, property owners, and business owners within the City limits. However, the jurisdiction of the ECB is limited to the violations listed in Section 40-14. This is because there are different mechanisms in place for the enforcement of other Code violations. For instance, the Department of Housing and Community Development issues Violation Notices and Orders for certain City Code violations.

This is two-fold. There may be a Code requirement that does not allow for a citation to be issued without prior notice, which is why a Violation Notice is issued instead; however, those Violation Notices can then allow for different enforcement options, such as receiverships and injunctions. Further, if the inspector then wants to issue a citation, they can do so.

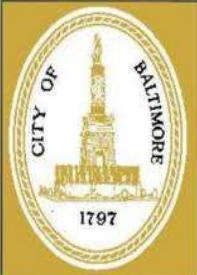
With the above in mind, limiting the Multi-Agency coordinated effort to environmental citations, and the violations listed in Section 40-14, may hinder the bill's overall purpose to target commercial properties that violate multiple requirements across various sections of the City Code. Further, the ECB's system within the 3270 Mainframe is not coded to include designations between commercial and residential properties. Due to this, the agency would be incapable of providing the data to target commercial properties because the agency's system simply does not carry that information. Instead, the Department of Housing and Community Development may be better able to locate the relevant commercial properties for the inspection team's coordinated efforts.

Overall, it should be underscored that the ECB is not opposed to the creation of a Multi-Agency Inspection Team; however, in order to maintain the agency's neutrality, for the purpose of conducting fair and impartial hearings, the bill's language should not be placed in Article 1, Section 40. Its inclusion in the Environmental Control Board's Code Section will only confuse Baltimore City residents, property owners, and business owners as they seek an equitable process to resolve their citations.

Instead, the ECB would recommend crafting a separate Code section for Coordinated Multi-Agency Code Inspections. It would mitigate any confusion to the public and it would allow for broader enforcement of Code violations outside of the ECB's limited jurisdiction.

Rebecca A. Woods

Rebecca A. Woods, Esq.
Executive Director
Environmental Control Board

FROM	NAME & TITLE	Matthew W. Garbark, Acting Director	CITY of BALTIMORE <i>MEMO</i>	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	City Council Bill 21-0030		

February 26, 2021

TO:

Public Safety and Government Operations Committee

I am herein reporting on City Council Bill 21-0030 introduced by Council Members Burnett, Cohen, Dorsey, Porter, Middleton, Bullock, Ramos, Torrence, and Schleifer.

The purpose of the Bill is to require the City Administrator to coordinate a multi-agency code inspection after a commercial property has been issued certain environmental citations; require the City Administrator and the Department of Housing and Community Development to receive a copy of all environmental citations issued; specify which agencies must be included in the multi-agency inspection team; require the City Administrator to provide certain information to councilmembers; require that the City Administrator submit an annual report detailing the work of the multi-agency inspection team; and provide for a special effective date.

City Council Bill 21-0030 includes the Department of Public Works as one of the agencies required to be a participating member of the multi-agency inspection team. The legislation also includes the following types of environmental citations issued by code enforcement officers to commercial property owners, that would trigger the proposed multi-agency inspection team for violations of:

- Article 19 Subtitle 32 {Minors – Sales in Proximity to Liquor Store};
- Article 23 {Sanitation}; and
- Title 5 Subtitle 2 {Nuisance Abatement}, Title 7 {Waste Control}, Title 12 {Tobacco Products and Smoking Devices}, and Title 15 {Ephedrine Products} of the Health Code.

While sanitation violations do concern the Department of Public Works, the Department does not have code enforcement officers and does not perform code inspections or issue citations for these violations. The Bureau of Solid Waste did have sanitation enforcement responsibilities at one time, but the sanitation enforcement officer positions were transferred to the Department of Housing and Community Development in 2007.

The Honorable President and Members
of the Baltimore City Council
February 26, 2021
Page 2

Due to the Department of Public Works' lack of code enforcement responsibilities, it is the Department's position that it be removed from the legislation by striking line 12 on page 4 of the Bill, thus removing Public Works from the multi-agency code inspection team.

Matthew W. Garbark
Acting Director

MWG:MMC

Attachment

**AMENDMENTS TO COUNCIL BILL 21-0030
(1st Reader Copy)**

Proposed by: Department of Public Works

{To be offered to the Public Safety and Government Operations Committee}


Amendment No. 1

On page 4, in line 10, after the semi-colon, insert “AND”; and, on that same page, in line 11, strike beginning with the semi-colon down through and including “WORKS” in line 12.



MEMORANDUM

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

From: Alice Kennedy, Acting Housing Commissioner 

Date: January 23, 2021

Re: City Council Bill 21-0030 Coordinated Multi-Agency Code Inspections

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 21-0030 for the purpose of requiring that the City Administrator coordinate a multi-agency code inspection after a commercial property has been issued certain environmental citations; requiring that the City Administrator and the Department of Housing and Community Development receive a copy of all environmental citations issued; specifying which agencies must be included in the multi-agency inspection team; requiring that the City Administrator provide certain information to councilmembers; requiring that the City Administrator submit an annual report detailing the work of the multi-agency inspection team; and providing for a special effective date.

DHCD is committed to the cleanliness and the appropriate maintenance of all property in the City of Baltimore to promote the health and safety of our communities. We recognize that cross agency coordination increases efficiency, aligns expenditures, engenders urgency, fosters holistic solutions and provides a forum for problem solving and innovation. However, we have significant operational and fiscal concerns around the implementation of this legislation.

The Social Club Task Force (SCTF) is a good example of long standing, cross-agency coordination with members of the Police Department, Fire Department, Health Department, Liquor Board, and Department of Housing & Community Development's Special Investigations Unit (SIU). The SCTF monitors businesses compliance with local laws including; the Building Fire and Related Codes, Article 19 Police Ordinances, Article 23 Sanitation, and the Health Code. A multi-agency team of inspectors goes out every weekend from 6pm to 2am to investigate business concerns reported from the community through the 311 system, or at the request of elected officials. The SCTF issues citations to those property owners found in violation. DHCD's SIU also frequently coordinates with the Baltimore City Fire Department to conduct day-time business checks to ensure that businesses are in compliance with building and zoning code requirements.

Housing Inspectors and Investigators routinely make referrals to other agencies or coordinate efforts to resolve community nuisances. DHCD's code enforcement inspectors conduct proactive inspections and respond to complaints generated through the 311 system. They issue notices and citations for conditions such as high grass and weeds, trash and debris, vacant

Brandon M. Scott, Mayor • Alice Kennedy, Acting Housing Commissioner

417 East Fayette Street • Baltimore, MD 21202 • 443-984-5757 • dhcd.baltimorecity.gov



properties and abandoned vehicles on private property, to give a few examples. Inspectors respond to all code enforcement complaints, including residential, commercial and City owned property. Work Orders that DHCD generates from these inspections go to sister agencies for completion and follow up.

If enacted, City Council Bill 21-0030 would require that the City Administrator coordinate a multi-agency code inspection after a commercial property has been issued certain environmental citations. Based on a review of 2019 citation data there were 816 commercial locations cited by DHCD for violations listed in this Bill and if this legislation is adopted, would trigger a mandatory additional inspection by a multi-agency task force.

The fiscal impact of this legislation on DHCD is estimated to cost \$450,890 annually. This legislation represents an unfunded mandate and the agency would request that the Administration include an additional \$500,000 in the agency's budget to cover estimated and unanticipated costs.

Budget item	Cost
3 full time investigators	\$300,000
1 Attorney	\$120,000
Overtime costs	\$5,000
3 Vehicles	\$5,751
Vehicle maintenance	\$14, 585
Fuel	\$1,474
MOIT - IT equipment fees	\$1,200
Phones	\$2,880
Total	\$450, 890

This legislation also places additional operational responsibilities on the agency. The inspections proposed in this legislation are more in depth and labor intensive than typical code inspections. They require research beforehand on existing violations, violation history and permitted uses; coordinating the inspections with the other agencies; following up on the findings; gathering information from the other agencies; and coordinated re-inspections. In addition to the strain on inspections, this will also increase the workload of DHCD's legal section as it would require them to handle the filing of Code Enforcement cases and incorporating the resolution of the other agencies outstanding violations.

While every complaint deserves an investigation, not every complaint warrants a multi-agency follow-up inspection. Agencies currently coordinate as necessary depending on the type of complaint that is reported. Mandating a Multi-Agency Code Inspection for every environmental citation described in the Bill within 30 days of issuance removes the discretion from the inspectors and may be redundant to inspections and follow up already taking place. Additionally, these required inspections may pull inspectors away from other duties.

DHCD appreciates the opportunity to discuss agency activities around inspections and multi-agency collaboration with the City Council but has concerns that this effort might be duplicative and will add an additional fiscal and operational burden on the agency. **DHCD would like to offer a friendly amendment to page 4 line 3, to replace “shall” with “may” so that it reads, “The City Administrator MAY coordinate a multi-agency, comprehensive code inspection.”** This amendment will allow the City Administrator and City Agencies to use their best discretion to prioritize limited resources in the decision to coordinate multi-agency inspections.


We will continue to work with the Administration and partner agencies in order to improve multi-agency collaboration and communication with the citizens of Baltimore.

DHCD has provided the following **letter of information and recommend amendment** to City Council Bill 21-0030.

AK/sm



cc: Ms. Nina Themelis, *Mayor's Office of Government Relations*

FROM	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department <i>NRF</i>	CITY OF BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. 21202		
	SUBJECT	City Council Bill #21-0030 Coordinated Multi-Agency Code Inspections		

DATE:

TO

**The Honorable Nick J. Mosby, President
And All Members of the Baltimore City Council
City Hall, Room 408**

February 2, 2021

FOR the purpose of requiring that the City Administrator coordinate a multi-agency code inspection after a commercial property has been issued certain environmental citations; requiring that the City Administrator and the Department of Housing and Community Development receive a copy of all environmental citations issued; specifying which agencies must be included in the multi-agency inspection team; requiring that the City Administrator provide certain information to councilmembers; requiring that the City Administrator submit an annual report detailing the work of the multi-agency inspection team; and providing for a special effective date.

The Baltimore City Fire Department has no objections to City Council Bill 21-0030 Coordinated Multi-Agency Code Inspections. All Agencies must comply with all applicable codes, ordinances, and laws written in the Building, Fire, and Related Codes of Baltimore City 2020 Edition (As Enacted by Ord. 15-547, and Last Amended by Ord. 18-1830) and applicable Maryland laws.