



BALTIMORE CITY COUNCIL LAND USE & TRANSPORTATION COMMITTEE

On behalf of the Citizens of Baltimore City, the Land Use & Transportation Committee is committed to shaping a reliable, equitable, and sustainable future for Baltimore's land use and transportation systems. Through operational oversight and legislative action, the committee aims to develop and support lasting solutions grounded in principles of good governance.

The Honorable Ryan Dorsey

CHAIR

PUBLIC HEARING

4/16/2026

10:00AM

CLARENCE "DU" BURNS COUNCIL CHAMBERS

25-0119

Footways – Sidewalks - Accessibility

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**LAND USE & TRANSPORTATION COMMITTEE****The Honorable Ryan Dorsey
CHAIR****Bill Hearing***25-0119***Footways – Sidewalks – Accessibility**

Sponsor: City Council President (Admin)

Purpose: FOR the purpose of requiring a permit applicant to demonstrate that sidewalks adjoining a subject property comply with certain accessibility standards; establishing sidewalk accessibility standards; obligating a real property owner to construct, maintain, and repair accessible sidewalks; amending the minimum permitted sidewalk width in the City; establishing that a real property owner shall be responsible for inspection and repair of sidewalks and curb ramps to meet accessibility standards at or before certain trigger events; establishing a new authority under which the Director of Transportation may require repair or replacement of a sidewalk; amending fines for noncompliance; defining certain terms; and generally relating to the construction and maintenance of accessible sidewalks in the City.

REPORTING AGENCIES

• Law Department	• Approve for Form & Sufficiency
• Department of Finance	• Supports
• Department of Transportation	• Favorable
• Office of Equity & Civil Rights	• Favorable
• Office of Small & Minority Business Advocacy & Development	• Favorable

BACKGROUND**CITY LAW**

The City of Baltimore uses the International Building Code (IBC) as a part of its code when it comes to building and permitting in the City. Section 105 lists the types of work that requires a permit from a building official which includes (but is not limited to):¹

1. Changing the use of any structure or land

¹ Building, Fire, & Related Codes 1-105

2. Moving a lot line which would affect a structure
3. Performing any grading or excavating

Chapter 3 of the IBC deals with Use and Occupancy and requires that paved surfaces be maintained in good repair and free from hazardous conditions.²

Article 26 of the City Code addresses Surveys, Streets and Highways and in particular subtitle 9 addresses footways in particular. It proscribes that no footway may be less than 4 feet currently and that if someone digs up a footway they must construct “a substantial footway over the sidewalk...”.

OVERVIEW OF BILL

Bill 25-0019 if enacted would update several elements of both the IBC currently in place in Baltimore City and update several parts of the Code in Article 26 dealing with foot ways. Changes would include³:

1. A requirement under Chapter 3 section 304 of the IBC that all sidewalks adjoining a property comply with the Americans with Disability Act and the Department of Transportation’s book of standards.
 - a. This will include that footways are no less than 5 feet which is an additional foot in with from the current requirement of 4 feet.
2. A requirement to include in their application for a building permit:
 - a. Documentation that all sidewalks adjoining the subject property comply with the accessibility requirement of the City Code (§ 304.22)
 - b. All information and materials required under the Building Code for a permit must comply with the accessibility requirement under the proposed § 304.22 in the maintenance code
3. Changes the requirement that a temporary footway over a dug or torn up sidewalk be constructed over the footpath to allow for a temporary footpath to be constructed adjacent to the work being done
 - a. The temporary footpath is required to comply with the DOT’s book of standards and must be maintained until the original footpath is restored and repaved.
 - b. Penalties for not complying are increased from \$10.00 per day to \$100.00 per day.
4. Defines a triggering event for a property owner including
 - a. Transfer of title
 - b. Applying for a permit for construction or substantial renovation
 - c. When the property owner becomes aware of an unsafe sidewalk condition
5. Obligates a property owner to, upon a triggering event:
 - a. Inspect sidewalks and ramps
 - i. This must be done by a contractor with a valid license
 - ii. The report must be submitted to the DOT.
 - iii. After the completion of any work a property owner may be subject to a random inspection by the City.
 - b. Perform all work necessary to be in compliance with City Building Code
 - c. File a compliance certificate with the DOT

² Building Codes Part VII Section 304

³ 25-0119 1st Reader

6. Subjects property owners who submit a falsified self-certification, or do not preform necessary repairs or replacement of their sidewalks to penalties
7. Creates the following penalties
 - a. Failure to put in a temporary footway during construction \$100.00 per day
 - b. Violation of the inspection, replacement, and compliance certificates \$100.00 per day
8. Creates the following definitions:
 - a. Accessible sidewalk – a sidewalk designed & constructed to meet or exceed accessibility standards in the proposed § 304.22.2 of the City Building Code
 - b. Curb - the lateral boundary of a roadway whether or not it is marked by a curb stone
 - c. Curb Ramp - a short ramp cutting through or built up to the curb meant to provide an accessible transition between the street or alley and the sidewalk.
 - d. Footway – the section of a road beyond the vehicular path reserved for and used by pedestrians, may be paved or unpaved
 - e. Sidewalk – any paved footway
 - f. Substantial Renovation – any construction, repair, or improvement that:
 - i. Equals or exceed 50% of the structures assessed value, or;
 - ii. Affects more than 50% of the building’s gross floor area
 - g. Transfer of title - sale or transfer of an entire real property estate or the fee interest in that real property.

ANALYSIS

This legislation is in part meant to address the requirements of the Partial Consent Decree that the City is engaged in. Part D of the Consent Decree *Additional Programs to Remediate Non-Compliant Existing Pedestrian Walkways* notes several requirements that the City must satisfy for as a part of the decree. Number 7 in that list (pg. 12 of the decree) states “Within 6 months of the Effective Date of this Partial Consent Decree, the City will present a proposed ordinance to the City Council for adoption to require that when real property within the City is sold or permitted for remodeling or upgrades, the property owner will Remediate the adjacent Pedestrian Walkway, if necessary, to ensure that it is Accessible. Any Remediation performed under this ordinance will be subject to the City’s inspection and certification that it is Compliant”.

Accessible is defined as being compliant with Title II of the Americans with Disabilities Act, 42 U.S.C. § 12101, et seq., codified at 28 C.F.R. § 35.151 and 36 C.F.R. part 1191, and Appendices B and D (hereafter “2010 ADA Standards”), or any ADA standards adopted by the U.S. Department of Justice and U.S. Department of Transportation for application in the pedestrian right-of-way.⁴

The bill also notes that these renovations or remediations are also subject to the City’s Department of Transportation’s Book of Standards. The Book of Standards is a design book that shows various applications and how they are configured. For example, a temporary traffic control for sidewalk closure using the roadway lane or shoulder as an alternate path is designated as BC 117.01 in the Book of Standards (see attached page at end of synopsis). It requires among other things:

1. A 5’ minimum alternate pedestrian path be maintained where possible.
2. The slope of a temporary ramp
3. How far the detachable edging should protrude.

⁴ Partial Consent Decree

4. How far a detachable barricade should extend.

There are several policy questions regarding the implementation of this bill. Examples include:

1. When do these regulations apply to historical footpaths in the City?
 - a. Subpart D of Title II of the ADA ([35.150 Existing Facilities](#)) notes that the ADA does not require that a public entity take action that would threaten or destroy the historic significance of a historic property. It is not clear in the bill:
 - i. How that determination would be made
 - ii. Who would make it
 - iii. How a property owner might appeal such a decision.
2. What is the requirement for property owners to align with other properties in their community?
 - a. If a footpath in a historic district is brick or cobblestone does this bill require that the property be brought into compliance with those materials? Historic materials can be expensive creating an additional cost to the property owner to be in compliance in these areas but using modern materials may disrupt the historic character of a community.
3. What are the requirements for homeowners to remediate sidewalks that are disrupted as a result of trees or utility work?
 - a. Trees planted in tree pits are done by the City and the encourages communities to increase the City's tree canopy with programs like Tree Baltimore. If a tree planted in a tree pit begins to push the sidewalk slabs what is the responsibility of the homeowner to address this vs. the City who manages the tree?
 - b. How do tree pits factor into the calculation of sidewalk with – several communities have expanded tree pits to allow for better growing and healthier trees – does this mean that a homeowner will be responsible for creating more sidewalk space to reach the minimum requirement of 5 feet width?
 - c. What is the responsibility of a homeowner if a sidewalk is damaged by a utility? And how can a homeowner hold a utility accountable for damage done?
4. What is the requirement for property owners to expand sidewalks?
 - a. The bill would require that a sidewalk be no less than 5 feet wide but if a sidewalk is currently 4 feet wide the bill does not proscribe where that additional foot of space should come from. Turning an additional foot of roadway into sidewalk:
 - i. May be an expensive endeavor for many property owners
 - ii. Leave the footpath in front of a home out of alignment with other properties on the street.
 - iii. If taken from the vehicular road would leave the road a foot shorter for driving and parking
 - iv. If taken from the property and additional foot may exceed a setback required by the zoning code.
5. What are the obligations of someone who is buying a property if someone selling a property does not make sure that the home is in compliance
 - a. Once a property is sold if it is found upon random inspection to not be in compliance with the proposed accessibility standards does that mean that the new property owner is required to then address that noncompliance?

AGENCY REPORTS

City agencies who have reported as of this analysis have been supportive of this bill. The department of finance in their report encouraged the Council and the Administration to structure fees and fines in a similar way to neighboring jurisdictions. Notably only Montgomery County has a similar fine however that is set at \$500.00 for the first offense and \$750 for a subsequent offense while the City is setting their fine at \$100.00.⁵ In both the City, and in Montgomery County each day that a violation is unabated is a separate offense and subject to citation.⁶ The Department of Finance does not expect that this fine will lead to a significant source of revenue.

The Department of Transportation, who would have primary responsibility for enforcement of this ordinance supports this bill and notes that it has come out of the partial consent decree that the City is engaged in. The DOT does note that they may have limited resources when it comes to implementation of the ordinance noting that they would need additional staff to manage the compliance certification process as well as noting that they would be limited in their ability to conduct random inspections of those compliance certificates. Dept of Transportation does not indicate in their report how much it would cost to hire additional staff to manage these aspects of the ordinance.⁷

It is not known what the classification of an inspector for the compliance certification would be classified as but according to the FY2026 agency budget the average for an Inspection Associate I salary is approximately \$55,000. For a Public Works Inspector, it is approximately \$56,000.⁸

References

1. Baltimore City Building Fire & Related Codes – Chapter 1 Section 105 – Permits <https://codes.baltimorecity.gov/us/md/cities/baltimore/code/building-codes/II/105>
2. Baltimore City Code, Building Code Part VII, Section 304 <https://codes.baltimorecity.gov/us/md/cities/baltimore/code/building-codes/VII/304>
3. 25-0019 1st Reader – attached in bill file
4. Department of Finance Report – attached in file
5. Department of Transportation Report - attached in file
6. American Legal Publishing Montgomery County Code 49.11.01.12 https://codelibrary.amlegal.com/codes/montgomerycounty/latest/montgomeryco_md/0-0-0-147702#JD_49-11
7. ADA.Gov – 2010 ADA regulations – Existing Facilities <https://www.ada.gov/law-and-regs/regulations/title-ii-2010-regulations/#-35150-existing-facilities>

Analysis by: Tony Leva
Analysis Date: 4/10/2026

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⁵ Dept of Finance Report 25-0119

⁶ American Legal Publishing

⁷ Dept of Finance Report 25-0119

⁸ FY26 Budget Agency Detail Vol II

CITY OF BALTIMORE
COUNCIL BILL 25-0119
(First Reader)

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: November 10, 2025
Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of Transportation, Office of Equity and Civil Rights, Mayor's Office of Small and Minority Business Advocacy and Development

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Footways – Sidewalks – Accessibility**

3 FOR the purpose of requiring a permit applicant to demonstrate that sidewalks adjoining a subject
4 property comply with certain accessibility standards; establishing sidewalk accessibility
5 standards; obligating a real property owner to construct, maintain, and repair accessible
6 sidewalks; amending the minimum permitted sidewalk width in the City; establishing that a
7 real property owner shall be responsible for inspection and repair of sidewalks and curb
8 ramps to meet accessibility standards at or before certain trigger events; establishing a new
9 authority under which the Director of Transportation may require repair or replacement of a
10 sidewalk; amending fines for noncompliance; defining certain terms; and generally relating to
11 the construction and maintenance of accessible sidewalks in the City.

12 BY adding

13 Article - Building, Fire, and Related Codes
14 Sections 2-103 (IBC § 105.1.6) and 7-102 (IPMC §§ 304.22.1 and 304.22.2)
15 Baltimore City Revised Code
16 (2024 Edition)

17 BY repealing and re-ordaining, with amendments

18 Article 1 - Mayor, City Council, and Municipal Agencies
19 Section 40-14(e)(4b)
20 Baltimore City Code
21 (Edition 2000)

22 BY repealing and re-ordaining, with amendments

23 Article 26 - Surveys, Streets, and Highways
24 Sections 9-1, 9-2(a) and (c), and 10-1
25 Baltimore City Code
26 (Edition 2000)

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

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1 BY adding
2 Article 26 - Surveys, Streets, and Highways
3 Section 9-4
4 Baltimore City Code
5 (Edition 2000)

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

8 **Baltimore City Revised Code**

9 **Article – Building, Fire, and Related Codes**

10 **Part II. International Building Code**

11 **§ 2-103. City modifications.**

12 The additions, deletions, amendments, and other modifications adopted by the City are as
13 follows:

14 **Chapter 1. Scope and Administration**

15 **Section 105. Permits**

16 A permit issued by the Building Official is required before any person may do any of the
17 following work:

18 **105.1 Required.**

19 **105.1.6 ACCESSIBLE SIDEWALKS.** A PERSON APPLYING FOR A PERMIT, AS REQUIRED
20 UNDER THIS SECTION, SHALL INCLUDE IN THEIR APPLICATION:

- 21 1. DOCUMENTATION IN THE FORM REQUIRED BY THE BUILDING OFFICIAL EVIDENCING
22 THAT ALL SIDEWALKS ADJOINING THE SUBJECT PROPERTY COMPLY WITH THE
23 ACCESSIBILITY REQUIREMENT AS STATED IN § 304.22 {"SIDEWALKS, DRIVEWAYS,
24 ETC."} OF THE BALTIMORE CITY PROPERTY MAINTENANCE CODE; OR
- 25 2. ALL INFORMATION AND MATERIALS REQUIRED UNDER § 105.3 {"APPLICATION FOR
26 PERMIT"} OF THIS BUILDING CODE TO REPAIR AND BUILD ALL SIDEWALKS
27 ADJOINING THE SUBJECT PROPERTY TO COMPLY WITH THE ACCESSIBILITY
28 REQUIREMENT AS STATED IN § 304.22 {"SIDEWALKS, DRIVEWAYS, ETC."} OF THE
29 BALTIMORE CITY PROPERTY MAINTENANCE CODE.

30 **Part VII. International Property Maintenance Code**

31 **§ 7-102. City modifications.**

32 The additions, deletions, amendments, and other modifications adopted by the City are as
33 follows:

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1 **Chapter 3. General Requirements**

2 **Section 304. Repair and Maintenance of Structures**

3 **304.22. Sidewalks, driveways, etc.**

4 **304.22.1 GENERAL.** All sidewalks, walkways, stairs, driveways, parking spaces, and
5 similar areas must be kept in good repair and free from hazardous conditions.

6 **304.22.2 ACCESSIBLE SIDEWALKS.** ALL SIDEWALKS ADJOINING A PROPERTY SHALL
7 COMPLY WITH THE AMERICANS WITH DISABILITIES ACT AND THE DEPARTMENT OF
8 TRANSPORTATION’S BOOK OF STANDARDS.

9 **Article 26. Surveys, Streets, and Highways**

10 **Subtitle 9. Footways - In general**

11 **§ 9-1. General standards.**

12 (a) *Width and location.*

13 (1) Every footway installed along any paved or unpaved street, lane, or alley of the City
14 must be of the width and in the location that the Director of Transportation directs in
15 each instance. In no event, however, may the width be less than [4] 5 feet.

16 (2) Wherever required by the Director of Transportation, the streets, lanes, and alleys of
17 the City must be paved to the building line, to the full width of the sidewalk
18 reservation.

19 (b) *Penalties.*

20 If the proprietor of any lot refuses or neglects to comply with this section, the owner of
21 the lot is subject to a fine of [\$10] \$100 for each day the neglect or refusal continues, to
22 be recovered as other fines and forfeitures are recoverable.

23 **§ 9-2. Temporary footway required when [digging up] WORK DISTURBS sidewalk.**

24 (a) *In general.*

25 [(1) Whenever any sidewalk is dug or torn up by any person or corporation, that person or
26 corporation must construct a substantial footway over the sidewalk so dug or torn
27 up.]

28 (1) ANY PERSON THAT DIGS UP, TEARS UP, OR OTHERWISE OBSTRUCTS A SIDEWALK TO
29 MAKE IT UNUSABLE SHALL CONSTRUCT A TEMPORARY FOOTWAY OVER OR ADJACENT
30 TO THE ORIGINAL SIDEWALK.

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1 (2) The [footway must:] PERSON SHALL:

2 (i) [be constructed] COMPLETE CONSTRUCTION OF A TEMPORARY FOOTWAY within
3 2 days from the [start of the digging or tearing up;] DATE THAT THE PERSON
4 DIGS UP, TEARS UP, OR OTHERWISE OBSTRUCTS THE SIDEWALK;

5 (ii) [be at least 3feet wide, with proper guards on the side for the use of the public;
6 and] DESIGN AND BUILD THE TEMPORARY FOOTWAY IN COMPLIANCE WITH THE
7 DEPARTMENT OF TRANSPORTATION’S BOOK OF STANDARDS; AND

8 (iii) [be maintained] MAINTAIN THE TEMPORARY FOOTWAY until the sidewalk is
9 restored and repaved in a proper manner.

10 (c) *Penalties.*

11 Every person or corporation who refuses or neglects to comply with this section is liable
12 to a penalty of [\$10] \$100 for each day that passes without a footway being in place as
13 required by this section.

14 **§ 9-4. FOOTWAY INSPECTION, REPLACEMENT, AND COMPLIANCE CERTIFICATES.**

15 (A) *DEFINITIONS.*

16 (1) *IN GENERAL.*

17 IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

18 (2) *ACCESSIBLE SIDEWALK.*

19 “ACCESSIBLE SIDEWALK” MEANS A SIDEWALK THAT IS DESIGNED AND CONSTRUCTED
20 TO MEET OR EXCEED THE ACCESSIBILITY STANDARDS SET FORTH IN § 304.22.2
21 {“ACCESSIBLE SIDEWALKS”} OF THE BALTIMORE CITY BUILDING CODE.

22 (3) *CURB.*

23 “CURB” MEANS THE LATERAL BOUNDARY OF A ROADWAY, WHETHER THE BOUNDARY
24 IS MARKED BY A CURB STONE OR NOT.

25 (4) *CURB RAMP.*

26 “CURB RAMP” MEANS A SHORT RAMP CUTTING THROUGH OR BUILT UP TO THE CURB
27 THAT IS DESIGNED TO PROVIDE A SMOOTH AND ACCESSIBLE TRANSITION BETWEEN THE
28 SIDEWALK AND THE ADJOINING ROADWAY, ALLEY, OR CROSSWALK.

29 (5) *FOOTWAY.*

30 “FOOTWAY” MEANS THAT SECTION BEYOND THE VEHICULAR PATH ALONG A PAVED OR
31 UNPAVED ROADWAY THAT IS RESERVED FOR AND NORMALLY USED BY PEDESTRIANS.

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1 (6) *SIDEWALK.*

2 “SIDEWALK” MEANS ANY PAVED FOOTWAY.

3 (7) *SUBSTANTIAL RENOVATION.*

4 “SUBSTANTIAL RENOVATION” MEANS ANY CONSTRUCTION, ALTERATION, REPAIR, OR
5 IMPROVEMENT TO AN EXISTING STRUCTURE OR PORTION THEREOF, THE COST OF WHICH
6 EQUALS OR EXCEEDS 50% OF THE STRUCTURE’S CURRENT ASSESSED VALUE, OR THAT
7 AFFECTS MORE THAN 50% OF THE BUILDING’S GROSS FLOOR AREA.

8 (8) *TRANSFER OF TITLE.*

9 “TRANSFER OF TITLE” MEANS THE SALE OR TRANSFER OF AN ENTIRE REAL PROPERTY
10 ESTATE OR THE FEE INTEREST IN THAT REAL PROPERTY.

11 (B) *OBLIGATION OF PROPERTY OWNER.*

12 (1) *EVENT TRIGGERS.*

13 A PROPERTY OWNER SHALL PERFORM THE OBLIGATIONS OF PARAGRAPH (2) OF THIS
14 SUBSECTION IN THE FOLLOWING CIRCUMSTANCES:

15 (I) AS A PRECONDITION TO THE TRANSFER OF TITLE;

16 (II) WHENEVER A PROPERTY OWNER APPLIES FOR ANY PERMIT OR OTHER APPROVAL
17 NEEDED FOR CONSTRUCTION OR SUBSTANTIAL RENOVATION OF ANY PORTION
18 OF A STRUCTURE OR LOT ADJACENT TO, ABUTTING, OR FRONTING ANY PORTION
19 OF A SIDEWALK AREA; OR

20 (III) WHEN A PROPERTY OWNER BECOMES AWARE OF AN UNSAFE SIDEWALK
21 CONDITION, OR WHEN THE PROPERTY OWNER IS NOTIFIED BY THE CITY OF AN
22 UNSAFE SIDEWALK CONDITION UNDER SUBTITLE 10 {“FOOTWAYS - ALONG
23 PAVED STREETS”} OF THIS ARTICLE.

24 (2) *OBLIGATIONS.*

25 A PROPERTY OWNER SHALL:

26 (I) INSPECT SIDEWALKS AND CURB RAMPS;

27
28 (II) PERFORM ALL NECESSARY REPAIR OR REPLACEMENT WORK TO COMPLY WITH
29 § 304.22 {“SIDEWALKS, DRIVEWAYS, ETC.”} OF THE BALTIMORE CITY
30 PROPERTY MAINTENANCE CODE; AND

31 (III) FILE WITH THE DEPARTMENT OF TRANSPORTATION A COMPLIANCE
32 CERTIFICATE.

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1 (C) *INSPECTIONS.*

2 (1) *IN GENERAL.*

3 A SELF-CERTIFICATION INSPECTION SHALL BE CONDUCTED BY A CONTRACTOR WHO
4 HOLDS A VALID LICENSE IN THE STATE AND CITY.

5 (2) *REPORTING.*

6 THE PROPERTY OWNER SHALL SUBMIT TO THE DEPARTMENT OF TRANSPORTATION A
7 COMPLETE COPY OF THE INSPECTION REPORT AND WRITTEN CONFIRMATION BY THE
8 INSPECTOR THAT ANY REPAIRS OR REPLACEMENTS RECOMMENDED BY THE INSPECTOR
9 HAVE BEEN COMPLETED.

10 (D) *COMPLIANCE CERTIFICATE.*

11 THE DEPARTMENT OF TRANSPORTATION MAY ISSUE A COMPLIANCE CERTIFICATE TO A
12 PROPERTY OWNER AFTER RECEIPT OF A SELF-CERTIFICATION INSPECTION REPORT AND
13 CONFIRMATION OF COMPLETED REPAIRS OR REPLACEMENT AS REQUIRED BY
14 SUBSECTION (C) OF THIS SECTION.

15 (E) *RANDOM INSPECTION.*

16 WITHIN 5 YEARS OF ISSUANCE OF A COMPLIANCE CERTIFICATE, A PROPERTY OWNER MAY
17 BE SUBJECT TO RANDOM INSPECTION BY THE CITY.

18 (F) *PENALTY.*

19 A PROPERTY OWNER WHO FALSIFIES A SELF-CERTIFICATION INSPECTION REPORT AND HAS
20 NOT PERFORMED ALL NECESSARY SIDEWALK AND CURB RAMP REPAIR OR REPLACEMENT
21 SHALL BE SUBJECT TO SPECIFIED CIVIL PENALTIES AND LIENS.

22 **Subtitle 10. Footways - Along Paved Streets**

23 **§ 10-1. Notice to property owners.**

24 (a) *Scope.*

25 This section applies whenever the Director of Transportation:

26 (1) finds that any footway, in whole or in part, of any paved street, lane, or alley of
27 the City:

28 (i) is not properly graded and paved;

29 (ii) is in bad repair;

30 (iii) is otherwise in a defective condition; [or]

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(IV) IS VIOLATIVE OF THE REQUIREMENTS UNDER § 304.22 {“SIDEWALKS, DRIVEWAYS, ETC.”} OF THE BALTIMORE CITY PROPERTY MAINTENANCE CODE, INCLUDING THE AMERICANS WITH DISABILITIES ACT; OR

(V) [(iv)] is inconsistent with a streetscape plan approved in accordance with Subtitle 10A of this article; and

(2) determines, in [his or her] THEIR judgment, that the footway:

(i) needs grading, paving, repaving, or repairing; or

(ii) otherwise needs to be brought into compliance with the approved streetscape plan.

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 40-14. Violations to which subtitle applies.

(e) *Provisions and penalties enumerated.*

(4b) *Article 26. Surveys, Streets, and Highways.*

Subtitle 6. Building Address Numbers \$25

SUBTITLE 9. FOOTWAYS - IN GENERAL

§ 9-2. TEMPORARY FOOTWAY REQUIRED WHEN WORK DISTURBS SIDEWALK \$100

§ 9-4. FOOTWAY INSPECTION, REPLACEMENT, AND COMPLIANCE CERTIFICATES \$100

Subtitle 23. Underground Conduit System \$1,000

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

BALTIMORE CITY COUNCIL



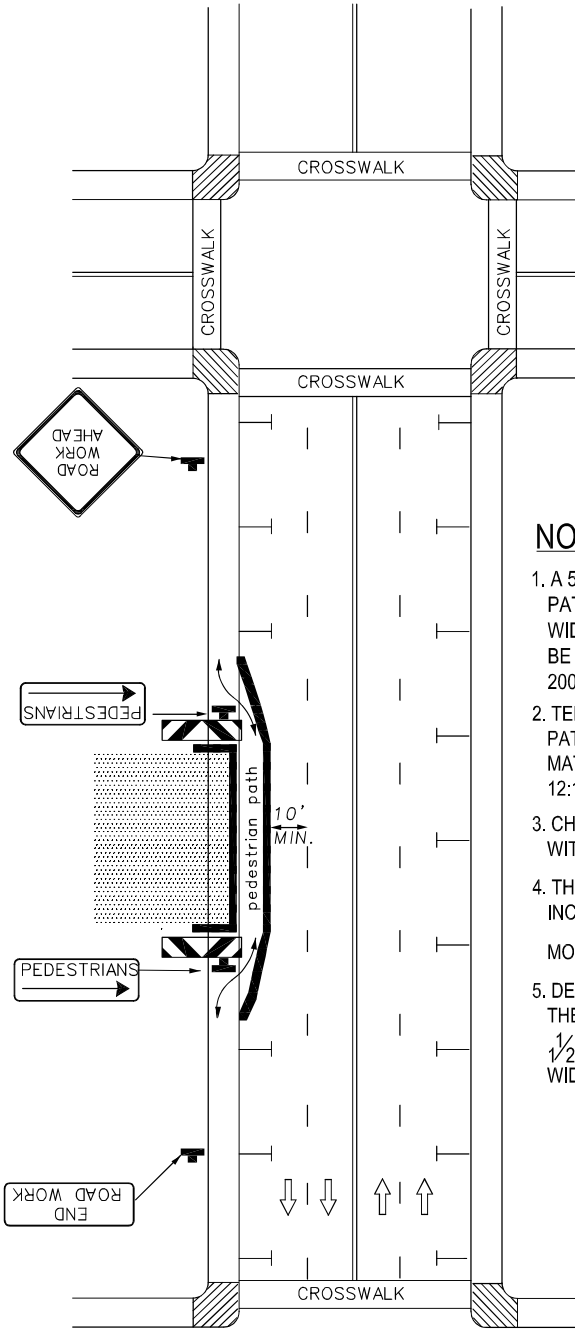
LAND USE & TRANSPORTATION COMMITTEE

25-0119

Footways – Sidewalks - Accessibility

Additional Materials

TEMPORARY TRAFFIC CONTROL TYPICAL APPLICATION FOR SIDEWALK CLOSURE ALTERNATE PEDESTRIAN ROUTE USING ROADWAY LANE OR SHOULDER











IMPORTANT:
THIS DRAWING SHALL BE USED IN COMBINATION WITH THE GENERAL NOTES BC 104.01-1 THRU BC 104.01-7

NOTES

1. A 5 FOOT MINIMUM WIDTH PEDESTRIAN PATH / ALTERNATE PEDESTRIAN PATH SHALL BE MAINTAINED WHERE POSSIBLE. WHERE A 5 FOOT MIN WIDTH CANNOT BE ACHIEVED, A MINIMUM WIDTH OF 36 INCHES SHALL BE PROVIDED WITH PASSING ZONES (60 IN X 60 IN) AT LEAST EVERY 200FT.
2. TEMPORARY RAMPS SHALL HAVE A SLOPE OF 12:1 MAX. THE PEDESTRIAN PATH AND RAMP SHALL BE CONSTRUCTED OF HOT MIX ASPHALT OR OTHER MATERIAL THAT CAN PROVIDE SMOOTH, HARD SURFACE & WILL MAINTAIN 12:1 SLOPE.
3. CHANNELIZING DEVICES SHALL BE TEMPORARY CONCRETE BARRIERS WITH THE ADDITION OF CONTINUOUS DETECTABLE EDGING.
4. THE CONTINUOUS DETECTABLE EDGINGS SHALL PROTRUDE AT LEAST 6 INCHES ABOVE THE PATHWAY WITH THE BOTTOM OF THE EDGING NO MORE THAN 1/2 INCHES ABOVE THE PATHWAY.
5. DETECTABLE BARRICADES SHALL EXTEND AT LEAST 36" ABOVE THE PATHWAY WITH THE BOTTOM OF THE BARRICADE NO MORE THAN 1/2 INCHES ABOVE THE PATHWAY, AND SHALL EXTEND THE FULL WIDTH OF THE CLOSURE

KEY:

-  SIGN
-  CHANNELIZING DEVICES WITH DETECTABLE EDGING
-  DETECTABLE BARRICADE
-  DIRECTION OF TRAFFIC
-  WORK SITE
-  PARKING SPACES / SHOULDER AREA
-  TEMPORARY RAMP (WITH DETECTABLE SURFACE WARNING)
-  EXISTING CURB RAMP



APPROVED:
Frank Murphy
DEPUTY DIRECTOR - OPERATIONS
Khalil Zaid
DIRECTOR, DEPARTMENT OF TRANSPORTATION

**CITY OF BALTIMORE
DEPARTMENT OF TRANSPORTATION
TRAFFIC DIVISION**

**PED AND CURB-LANE CONTROL /
MULTILANE UNDIVIDED SPEEDS
LESS THAN OR EQUAL TO 40 MPH /
OVER 12 HRS. OR NIGHTTIME USE**

ISSUED	REVISED	REVISED
8 / 2010		

**STANDARD NO.
BC 117.01-1**

SCALE: NONE SHEET 1 OF 4

Service 683 Budget: Salaries and Wages for Permanent Full-Time Funded Positions

Civilian Positions	Fiscal 2025 Budget		Fiscal 2026 Budget		Changes	
	Count	Amount	Count	Amount	Count	Amount
General Fund						
00090 - Operations Manager I (Non-civil)	1	160,726	1	133,768	0	(26,958)
00093 - Operations Director I	1	151,275	1	152,773	0	1,498
00141 - Data Fellow	2	132,480	2	153,852	0	21,372
31109 - Operations Officer I	1	74,223	1	71,745	0	(2,478)
31112 - Operations Officer IV	1	125,628	0	0	(1)	(125,628)
31114 - Operations Manager I	0	0	1	158,745	1	158,745
31500 - Program Compliance Assistant	1	47,341	1	54,234	0	6,893
33113 - Data Entry Operator III	1	49,107	1	59,658	0	10,551
33187 - GIS Analyst	3	203,331	3	262,059	0	58,728
33189 - GIS Technician	1	62,015	1	76,139	0	14,124
33212 - Office Support Specialist II	12	473,278	11	448,300	(1)	(24,978)
33213 - Office Support Specialist III	11	497,266	11	592,421	0	95,155
33215 - Office Supervisor	7	398,226	7	503,906	0	105,680
33562 - Storekeeper II	3	134,926	3	158,834	0	23,908
34131 - Accounting Assistant I	1	41,025	1	52,974	0	11,949
42211 - Public Works Inspector I	3	154,862	3	169,781	0	14,919
42212 - Public Works Inspector II	23	1,411,152	23	1,747,075	0	335,923
42213 - Public Works Inspector III	23	1,766,579	23	2,004,766	0	238,187
42221 - Construction Project Supervisor I	7	629,336	7	625,351	0	(3,985)
42222 - Construction Project Supervisor II	5	531,598	5	541,981	0	10,383
42231 - Inspection Associate I	4	197,854	4	220,336	0	22,482
42232 - Inspection Associate II	1	57,117	1	47,871	0	(9,246)
42235 - Inspection Associate Supervisor	1	64,703	1	73,184	0	8,481
42241 - Materials Inspector	1	50,655	1	55,623	0	4,968
42412 - Traffic Investigator II	3	135,797	3	153,989	0	18,192
52221 - Mason I	1	41,092	1	42,315	0	1,223
52222 - Mason II	2	101,162	2	92,156	0	(9,006)
52225 - Mason Supervisor	1	50,801	1	76,842	0	26,041
52241 - Carpenter I	1	42,107	1	40,071	0	(2,036)
52242 - Carpenter II	1	41,092	1	42,315	0	1,223
52941 - Laborer	88	3,682,623	88	4,534,081	0	851,458
52942 - Laborer Crew Leader I	8	371,670	8	548,224	0	176,554
52951 - Utility Aide	1	41,239	1	54,754	0	13,515
52995 - Events Manager	1	62,015	1	77,663	0	15,648
53111 - Building Repairer	1	41,092	1	44,700	0	3,608
53121 - Custodial Worker I	2	73,074	2	86,775	0	13,701
53311 - Cement Finisher	3	124,274	3	159,149	0	34,875
53331 - Highway Maintenance Supervisor	11	743,106	11	929,312	0	186,206
53332 - Superintendent of Transportation Maintenance	6	542,377	6	547,752	0	5,375
53335 - General Superintendent, Transportation Maintenance	1	102,443	1	103,457	0	1,014

BALTIMORE CITY COUNCIL



LAND USE & TRANSPORTATION COMMITTEE

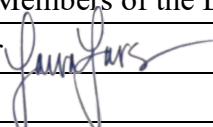
25-0119

Footways – Sidewalks - Accessibility

Agency Reports



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Laura Larsen, Budget Director 
DATE	January 27 th , 2026
SUBJECT	25-0119 Footways – Sidewalks – Accessibility

Position: Support

The Department of Finance is herein reporting on City Council Bill 25-0119 Footways – Sidewalks – Accessibility, the purpose of which is to require property owners and permit applicants to ensure that sidewalks next to their properties meet accessibility standards. It sets new sidewalk accessibility requirements, raises the minimum sidewalk width, and makes property owners responsible for inspecting, repairing, and maintaining sidewalks and curb ramps—especially during property sales, major renovations, or permit applications. It also grants the Director of Transportation new authority to order sidewalk repairs, increases fines for noncompliance, and updates related definitions and standards for accessible sidewalk construction and maintenance.

Background

Council Bill 25-0119 makes significant updates to how sidewalks must be built and maintained in Baltimore City, with a strong focus on accessibility, ADA compliance, and property-owner responsibility. Existing law makes property owners financially responsible for sidewalks next to their property. This legislation would require that these sidewalks meet ADA standards, requires proof of accessibility when applying for certain permits or selling property, increases the minimum sidewalk width throughout the City, strengthens enforcement, and adds penalties for non-compliance.

Fiscal Impact

The Department of Finance does not expect a significant fiscal impact from this legislation.

Fiscal Analysis

The Department of Finance surveyed surrounding jurisdictions to see if these jurisdictions had a similar fine, jurisdictions surveyed were Anne Arundel, Baltimore, Howard, Montgomery, and Prince George’s Counties as well as Washington, D.C. Only Montgomery County had a similar fine that penalizes a lack of alternate route when sidewalks are obstructed due to maintenance work occurring.

Jurisdiction	Code Citation	First offense	Second offense
Baltimore City (proposed)	Temporary Footway Required when work disturbs sidewalk	\$100	-
Montgomery County (in regulation)	COMCOR 49.11.01.06 Pedestrian Detour	\$500	\$750

	Standards and Signage		
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Other Considerations

The Department of Finance is currently overseeing a review of all of the City’s fines and fees. The Department is benchmarking the fines and fees against those in Anne Arundel, Baltimore, Howard, Montgomery, and Prince George’s Counties as well as Washington, D.C. The Department of Finance encourages the administration and the Council to match proposed fines to surrounding jurisdictions.

Conclusion

Council Bill 25-0119 strengthens Baltimore City’s commitment to accessible, well-maintained sidewalks by modernizing standards, increasing accountability for property owners, and enhancing enforcement tools. The Department of Finance does not anticipate a significant fiscal impact. As the City continues its broader review of fines and fees, in order to ensure that proposed penalties remain consistent with surrounding jurisdictions.

For the reasons stated above, the Department of Finance supports City Council Bill 25-0119.

cc: Michael Mocksten
Nina Themelis



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Veronica P. McBeth, Director, Department of Transportation
CC	Mayor's Office of Government Relations
DATE	December 9, 2025
SUBJECT	25-0119 • Footways – Sidewalks – Accessibility

Position: Favorable

BILL SYNOPSIS

The City has entered into an arrangement known as Civil Action #1: 21-cv-01454-JKB Class Action Partial Consent Decree (the “Partial Consent Decree”). The Partial Consent Decree became effective on March 31, 2025. The City has agreed to introduce Council Bill 25-0119 as part of the Partial Consent Decree.

Through the Partial Consent Decree, the City has agreed to increase investment in sidewalks and accessible infrastructure such as curb ramps (also known as ADA ramps). The City’s deferred maintenance challenges have contributed to a lag in the adoption of accessible infrastructure, an issue which the Department is making every effort to correct. Through the steps outlined in the Partial Consent Decree, it is DOT’s intention to create a roadway network which is more accessible to users of all ability levels.

Council Bill 25-0119 would change certain requirements associated with footways/sidewalks and temporary pedestrian detours for roadwork preventing access to existing sidewalks. The bill would increase the minimum required width of sidewalks to five feet, mirroring DOT’s minimum standards for new sidewalks. The rules established in Article 26, § 9-4 (regarding footway compliance certificates) would require property owners to make sidewalks safe and compliant with applicable laws as a condition for transferring ownership of property or applying for certain permits. Additionally, property owners would be required to correct safety hazards upon their discovery or notification by the City; this notification is currently in place and is issued at DOT’s discretion, provided that sidewalk conditions warrant repairs.

While DOT is largely responsible for the maintenance of City right-of-way, current City law tasks property owners with the maintenance of the sidewalks adjacent to their properties. This legislation would reinforce that responsibility in an effort to accelerate upgrades to substandard City sidewalks.

Implementing this legislation would present certain requirements, including:

- **Self-certification inspections.** Inspections would need to be conducted by contractors licensed in the City and State at the property owner's expense. Penalties will be levied in instances of falsified inspection results.
- **Compliance certificates.** The Department will begin to issue compliance certificates to property owners as inspections are performed. These certificates would be required as part of the transfer of property; therefore, additional staff would likely be required to avoid delays to real estate transfers.
-
- **Random inspections.** Subjecting compliance-certified properties to random inspections may require additional inspections staff. The Department may be limited in its ability to conduct these inspections without additional resources.
-

SUMMARY OF POSITION

The Department is primarily responsible for the maintenance of sidewalks and other pedestrian infrastructure in Baltimore City. In addition, DOT was extensively involved in legal negotiations leading to the Partial Consent Decree. The Department presents this report for informational record and respectfully requests a favorable report on Council Bill 25-0119.

CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
EBONY M. THOMPSON, CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

April 13, 2026

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

Re: City Council Bill 25-0119 – Footways – Sidewalks – Accessibility

Dear President and City Council Members:

The Law Department has reviewed Mayor and City Council Bill 25-0119 for form and legal sufficiency. The bill would require a permit applicant to demonstrate that sidewalks adjoining a subject property comply with certain accessibility standards. It would also establish sidewalk accessibility standards and obligate a real property owner to construct, maintain, and repair accessible sidewalks. The bill amends the minimum permitted sidewalk width in the City from 4' to 5' wide. It establishes that a real property owner shall be responsible for inspection and repair of sidewalks and curb ramps to meet accessibility standards at or before certain trigger events. The bill establishes a new authority under which the Director of Transportation may require repair or replacement of a sidewalk, raises fines for noncompliance from \$10 daily to \$100 daily, defines certain terms, and generally relates to the construction and maintenance of accessible sidewalks in the City.

The Mayor and City Council of Baltimore have the express power to regulate the “construction, use, operation, maintenance and removal of buildings and structures, or any part thereof, of every kind” and to pass laws that promote the general welfare. City Charter, Art. II, §§ (1), (47). The City also has the express power to regulate the construction and installation of certain public right of ways. City Charter, Art. II, § (35). The City can require property owners to repair any footway that is “otherwise in a defective condition”. City Code, Art. 26, § 10-1(a)(1)(iii).

This broad express legislative power is subject to the statewide Maryland Building Performance Standards (“MBPS” or “Standards”), made up of the International Building Code (IBC), the International Residential Code (IRC), and the International Energy Conservation Code (IECC), with modifications by the State. Code of Maryland Regulations (“COMAR”), 09.12.51.02; Md.

Code, Pub. Saf., § 12-501(h). State law requires each jurisdiction in Maryland to “implement and enforce” the Standards for buildings and structures, subject to any local amendments. Md. Code, Pub. Saf., § 12-505(a)(1)(i).

Local jurisdictions may modify the Standards subject to certain restrictions:

(a)(1) A local jurisdiction may adopt local amendments to the Standards if the local amendments do not:

- (i) prohibit the minimum implementation and enforcement activities set forth in § 12-505 of this subtitle;
- (ii) weaken energy conservation and efficiency provisions contained in the Standards;
- (iii) except as provided in paragraph (3) of this subsection, weaken the automatic fire sprinkler systems provisions for townhouses and one- and two-family dwellings contained in the Standards; or
- (iv) weaken wind design and wind-borne debris provisions contained in the Standards.

Md. Code, Pub. Saf., § 12-504(a)(1).

A local jurisdiction must adopt a local amendment in accordance with applicable local law and provide a copy of the local amendment to the Maryland Department of Labor at least 15 days before the effective date of the amendment or within five days after the adoption of an emergency local amendment. Md. Code, Public Safety § 12-504(d)-(e). The modifications proposed by City Council Bill 25-0119 permissibly modify the Standards.

Assuming proper notice is provided to the Maryland Department of Labor following the enactment of the bill, as there are no legal impediments to this bill, the Law Department can approve it for form and legal sufficiency

Sincerely,



Desiree Luckey
Assistant Solicitor

cc: Ebony Thompson, City Solicitor
Hilary Ruley, Chief Solicitor
Jeff Hochstetler, Chief Solicitor

Ashlea Brown, Chief Solicitor
Michelle Toth, Assistant Solicitor



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Amber Greene, Chief Equity Officer Director, Office of Equity & Civil Rights
CC	Mayor's Office of Government Relations
ANALYST	Zachary Wellman, Equity Policy Analyst
DATE	February 24, 2026
SUBJECT	OECR Report on Baltimore City Council Bill 25-0119 Footways – Sidewalks – Accessibility

POSITION: Favorable

BILL SYNOPSIS

The Office of Equity and Civil Rights (OECR) has reviewed and is herein reporting on City Council Bill 25-0119 – *Footways – Sidewalks – Accessibility*.

This is an ordinance that accomplishes the following:

- Define certain terms related to accessible sidewalks.
- Establish sidewalk accessibility standards.
- Obligate real property owners to construct, maintain, and repair accessible sidewalks.
- Increase the minimum permitted sidewalk width.
- Establish that real property owners are responsible for the inspection and repair of sidewalks and curb ramps when selling, applying for a permit for construction, or becoming aware of unsafe sidewalk conditions.
- Provide the Director of Transportation with the authority to require repair or replacement of a sidewalk by a real property owner.
- Upon an event trigger, provide for inspection and issuance of a compliance certificate of footway accessibility, subject to reinspection.
- Amend fines for noncompliance from \$10 to \$100 per day.
- Provide for an effective date.

The ordinance accomplishes this by adding Sections 2-103 (IBC § 105.1.6) and 7-102 (IPMC §§ 304.22.1 and 304.22.2) to Article - Building, Fire, and Related Codes and Section 9-4 to Article 26 - Surveys, Streets, and Highways of the Baltimore City Code. It also does this by repealing and re-ordaining, with amendments, Section 40-14(e)(4b) of Article 1 Sections 9-1, 9-2(a) and (c), and 10-1 of Article 26 - Surveys, Streets, and Highways of the Baltimore City Code.

SUMMARY OF POSITION

City Council Bill 25-0119 seeks to entrust property owners with the responsibility to maintain accessible and safe footways connected to or adjacent to their property. The intention is to ensure that sidewalks and curb cuts on private property throughout the City allow residents with mobility-based disabilities to traverse the City. The City committed to proposing this bill as a part of its settlement in the federal ADA class action lawsuit lodged against it, *Goodlaxson, et al. v. Mayor and City Council of Baltimore*.

By vesting responsibility for maintaining, inspecting, and repairing footway accessibility with relevant property owners when transferring ownership, obtaining construction permits, or being notified, the legislation reduces the likelihood that footways adjoining private property will fall into disrepair, become unsafe, or become inaccessible. These event triggers will then require the property owner to submit a completed passing inspection to the Department of Transportation to obtain a compliance certificate of footway accessibility, subject to random reinspection. This provision of the legislation should ensure continued compliance and upkeep of public footways, so they do not become inaccessible again, by granting the Director of Transportation the authority to enforce compliance with Title II of the Americans with Disabilities Act (ADA) in the Baltimore City Code.

Title II of the Americans with Disabilities Act (ADA) requires local governments to ensure accessible pedestrian routes and curb ramps at intersections, especially when streets or walkways are newly constructed or altered. To this extent, Federal guidance has recognized the authority for municipalities to establish and enforce property-owner maintenance ordinances as a mechanism for compliance with Title II of the ADA, while the city retains ultimate responsibility for program accessibility.

EQUITY ASSESSMENT

People living with disabilities are among the most unrecognized, marginalized, and underserved identities; the obstacles to their full access and inclusion in society are often overlooked or unaddressed until inaccessibility results in harmful repercussions to their individual health, well-being, or needs. To this extent, their accommodation needs are often unaddressed until legal action is taken, forcing legal recognition of their exclusion and accommodation to rectify it; such was the case in *Goodlaxson, et al. v. Mayor and City Council of Baltimore*. This need to fight for inclusion and recognition comes at the detriment of individuals with disabilities' time, finances, and emotional well-being. City Council Bill 25-0119 should, in theory, preemptively mitigate some of these harmful effects resulting from inaccessible or non-existent footways throughout Baltimore. This should not only improve the equity and safety of residents living with disabilities, but also that of younger residents, older residents, residents with injuries, pregnant persons, families, couriers, and residents of generally disinvested communities that fall into disrepair.

Beyond ADA compliance, sidewalk and curb-ramp conditions are a public safety issue. Barriers such as missing curb ramps, narrow or broken sidewalks, and obstructions can force pedestrians—especially wheelchair users, seniors, and parents with strollers—into the roadway or unsafe crossings. Strengthening the upkeep and timely repairs of Baltimore's footways

reduces preventable hazards and supports safer, more predictable pedestrian travel for all. This is consistent with the ‘curb-cut effect,’ the finding that accessibility features intentionally geared towards serving people with disabilities often result in more equitable outcomes for broader, non-disabled populations.ⁱ

FISCAL IMPACT

City Council Bill 25-0119 may result in an influx of complaint correspondence to the Mayor’s Commission on Disabilities from Baltimore City residents related to sidewalk inaccessibility concerns. However, this legislation is not expected to have any direct operational, investigatory, or enforcement outcomes that involve the OECR. While the Department of Transportation will maintain operational, investigatory, and/or enforcement responsibilities, OECR, under its equity mandate, would continue to track ADA-related complaints and data. As such, OECR may have minimal to moderate fiscal impacts on the office associated with the legislation.

CONCLUSION

City Council Bill 25-0119 intends to make sidewalks and curb cuts throughout the City more accessible and reliable while also preventing the City’s accessibility features from falling into permanent states of disrepair. The OECR discerns no inequity in the bill's intent, purpose, or impact; rather, the legislation is likely to have affirmative impacts on the equity of residents living with mobility disabilities and their families. As such, the Office of Equity and Civil Rights respectfully requests a **favorable** committee report on City Council Bill 25-0119.

Respectfully Submitted,



Amber Greene
Director, Office of Equity & Civil Rights

ⁱ *Apodaca Schlossberg, J. (2021, November 17). How the curb-cut effect boosts equity for everyone. UCLA Health. <https://www.uclahealth.org/news/article/how-the-curb-cut-effect-boosts-equity-for-everyone>*