



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

7/2/2026

9:00am

CLARENCE "DU" BURNS COUNCIL CHAMBERS

26-0178

*Baltimore Harbor – Transfer of Authority to
Department of Transportation*

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**LAND USE & TRANSPORTATION COMMITTEE****The Honorable Ryan Dorsey
CHAIR****Bill Hearing***26-0178**Baltimore Harbor – Transfer of Authority to Department of Transportation*

Sponsor: City Council President (Administration)

Purpose: FOR the purpose of repealing obsolete provisions of Subtitle 5 {"Harbor"} of the Public Local Laws of Baltimore City and Article 10 {"Harbors, Docks, and Wharves"} of the Baltimore City Code regarding Baltimore Harbor; transferring the authority to regulate Baltimore Harbor from the Department of Housing and Community Development to the Department of Transportation; establishing the Office of the Harbormaster and all attendant authorities and duties under the Department of Transportation; and otherwise relating to the use and management of Baltimore Harbor

REPORTING AGENCIES

<u>Agency</u>	<u>Report</u>
Baltimore City Police Department	Favorable
Department of Housing & Community Development	Favorable
Department of Finance	Support
Department of Planning	Favorable
Department of Transportation	Favorable
Department of Law	Approved for form & sufficiency w/ amendments

BACKGROUND

This bill if enacted would:

1. Transfer authority for the regulation of Baltimore Harbor to the Baltimore City Department of Transportation from the Department of Housing and Community Development.
2. Establish in the Department of Transportation the Office of the Harbormaster.

The bill would define the Baltimore Harbor using the National Oceanic & Atmospheric Administration maps to include:

1. The northwest and middle branches of the Patapsco River
2. North westerly from a direct line connecting canton waterfront park and fort McHenry, inclusive of the inner harbor;
3. Westerly from a direct line connecting Fort McHenry to Masonville Cove.

The “inner harbor” is defined as all docks, wharves, and navigable waterways divided from the rest of the harbor by the line drawn from the south most end of point park to the terminus of pierside drive.

The DOT will have the power to:

1. Designate public facilities (wharves, docks, piers, etc...)
2. Maintain and patrol those facilities
3. Regulate stationing, anchoring, & moving of vessels in the harbor.
4. The creation of rules and regulations for the harbor

The Office of the Harbormaster as an employee of the DOT will have the responsibility to carry out these policies as well as make recommendations to the DOT Director and serve as their chief advisor on the harbor.

To enforce these regulations there will be a process to issue civil citations which will carry penalties. Some examples include (a full list can be found on pg. 20 of the 1st reader):

- Obstructing Access: Not more than \$1,000, 12 months in prison or a combination of both imprisonment and fine.
- Damage to public docks: \$500 for each violation
- Failure of private owner to repair dock or pier: \$100 fine with \$500 for every day of noncompliance
 - Owners will have a period of not less than 30 days to make repairs.

The Baltimore City Police Department has noted in their report that they feel that this will strengthen the City’s ability to manage public safety as well as environmental hazards as well as other issues that might impact the safe use of the Harbor.

The Law Department in their report notes the bill will meet form and legal sufficiency with amendments most of these amendments appear to be clarifying and technical for example 1 amendment is to insert an “a” before the word fine on pg. 5 or to strike the “s” from the end of authorizations on pg. 11. The DOT has reviewed these amendments and will be sponsoring them

FISCAL NOTE

The Department of Finance in their report notes that the responsibility for the harbor does exist in DHCD but the funding is in DOT (service 687: Inner Harbor Services – Transportation) and no agency has reported an anticipated fiscal impact.

While it may not result in significant revenue for the City it should be noted that this bill does update several of the fines that are currently in place for violations of regulations in the Harbor. For example, speeding in the Harbor was initially a fine of not more than \$100. Under this bill it will be set at a universal \$100 for the 1st offense and additional fines instead of being set at not less than \$50 will be

set at a \$200 fine for each additional violation. Discharging into the Harbor (gas, oil, tar or other “dregs” is going from a \$20 fine to \$1,000.

Analysis by: Tony Leva
Analysis Date: 6/29/2026

Direct Inquiries to: Anthony.Leva@baltimorecity.gov

**CITY OF BALTIMORE
COUNCIL BILL 26-0178
(First Reader)**

Introduced by: The Council President

At the request of: The Administration (Department of Transportation)

Introduced and read first time: April 27, 2026

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of Transportation, Department of Housing and Community Development, Department of Planning, Police Department

A BILL ENTITLED

AN ORDINANCE concerning

**Baltimore Harbor – Transfer of Authority
to Department of Transportation**

FOR the purpose of repealing obsolete provisions of Subtitle 5 {"Harbor"} of the Public Local Laws of Baltimore City and Article 10 {"Harbors, Docks, and Wharves"} of the Baltimore City Code regarding Baltimore Harbor; transferring the authority to regulate Baltimore Harbor from the Department of Housing and Community Development to the Department of Transportation; establishing the Office of the Harbormaster and all attendant authorities and duties under the Department of Transportation; and otherwise relating to the use and management of Baltimore Harbor.

BY repealing

The Public Local Laws of Baltimore City

Subtitle 5. – Harbor

Section 5-2

Article 4 – Code of Public Local Laws of Maryland

(Edition 1979, Supplement 1997, and 2000 Supplement, as amended)

BY adding

Article 1 – Mayor, City Council, and Municipal Agencies

New Sections 40-14(e)(4) and 41-14(4)

Baltimore City Code

(Edition 2000)

BY renumbering

Article 1 – Mayor, City Council, and Municipal Agencies

Section 40-14(e)(4) through (16), respectfully

to be

Section 40-14(e)(5) through (17), respectfully

Baltimore City Code

(Edition 2000)

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

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BY renumbering

Article 1 – Mayor, City Council, and Municipal Agencies

Section 41-14(5) through (14), respectfully
to be

Section 41-14(6) through (15), respectfully

Baltimore City Code

(Edition 2000)

BY repealing and re-ordaining, with amendments

Article 10 – Harbors, Docks, and Wharves

Sections 1-1 to 1-3, 2-1, 2-4, 2-5, 5-1 to 5-5, 5-8, 5-9, 6-3, 6-8 to 6-13, 6-18, 6-20, 6-25,
7-3(d), 7-5, 7-11, 7-43(b), 8-3, 8-4, and 8-7

Baltimore City Code

(Edition 2000)

BY repealing

Article 10 – Harbors, Docks, and Wharves

Sections 1-4 through 1-15, and 2-2

Baltimore City Code

(Edition 2000)

BY adding

Article 10 – Harbors, Docks, and Wharves

New Sections 1-1, and 2-1

Baltimore City Code

(Edition 2000)

BY renumbering

Article 10 – Harbors, Docks, and Wharves

Sections 1-1 to be 1-2, and 2-1 to be 2-2

Baltimore City Code

(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That § 5-2 of Subtitle 5 (“Harbor”) of the Code of Public Local laws of Baltimore City is hereby repealed.

SECTION 2. AND BE IT FURTHER ORDAINED, That §§ 1-3 to 1-13, 3-2 to 3-4, Subtitle 4 {“Municipal Airport”}, §§ 6-4 to 6-6, 6-10 to 6-11, 6-13 to 6-16, 6-18 to 6-19, Subtitle 7 {“Explosives”}, Subtitle 8 {“Ammonium Nitrates”}, and Subtitle 9 {“Steam Propelled Vessels”} of Article 10 – Harbors, Docks, and Wharves of the City Code be repealed.

SECTION 3. AND BE IT FURTHER ORDAINED, That the Laws of Baltimore City read as follows:

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Baltimore City Code

Article 10. [Harbors, Docks, and Wharves] BALTIMORE HARBOR

Subtitle 1. [Anchorage] GENERAL PROVISIONS

§ 1-1. DEFINITIONS.

(A) *IN GENERAL.*

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

(B) *BALTIMORE HARBOR.*

“BALTIMORE HARBOR” HAS THE MEANING STATED IN § 1-2 OF THIS SUBTITLE.

(C) *DEPARTMENT.*

“DEPARTMENT” MEANS THE DEPARTMENT OF TRANSPORTATION.

(D) *DIRECTOR.*

“DIRECTOR” MEANS THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION.

(E) *INNER HARBOR.*

“INNER HARBOR” MEANS ALL DOCKS, HARBORS, WHARVES, AND NAVIGABLE WATERWAYS OF THE CITY DIVIDED FROM THE REST OF THE WATERS OF THE BALTIMORE HARBOR BY A DIRECT LINE CONNECTING THE SOUTHERNMOST END OF POINT PARK TO THE TERMINUS OF PIERSIDE DRIVE.

§ 1-2. [1-1] HARBOR; Establishment; regulation.

(A) *ESTABLISHMENT.*

THE BALTIMORE HARBOR IS DEFINED USING THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION CHARTS 12281OG AND US5BALCA AND INCLUDES THE NORTHWEST AND MIDDLE BRANCHES OF THE PATAPSCO RIVER AND THEIR TRIBUTARIES EXISTING:

(1) NORTH WESTERLY FROM A DIRECT LINE CONNECTING CANTON WATERFRONT PARK AND FORT MCHENRY, INCLUSIVE OF THE INNER HARBOR; AND

(2) WESTERLY FROM A DIRECT LINE CONNECTING FORT MCHENRY TO MASONVILLE COVE.

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1 (B) *HARBOR FACILITIES.*

2 THE DIRECTOR OR DIRECTOR'S DESIGNEE MAY:

3 (1) LOCATE AND DESIGNATE PUBLIC WHARVES, DOCKS, PIERS, BULKHEADS, PILINGS,
4 AND ANCHORAGE LOCATIONS IN BALTIMORE HARBOR; AND

5 (2) MAINTAIN AND PATROL THOSE PUBLIC WHARVES, DOCKS, PIERS, BULKHEADS,
6 PILINGS, AND ANCHORAGES ESTABLISHED UNDER THIS SUBSECTION.

7 (C) *USE BY VESSELS.*

8 THE DIRECTOR SHALL REGULATE THE STATIONING, ANCHORING AND MOVING OF VESSELS
9 IN BALTIMORE HARBOR.

10 **§ 1-3. RULES AND REGULATIONS.**

11 SUBJECT TO TITLE 4 {"ADMINISTRATIVE PROCEDURE ACT – REGULATIONS"} OF THE CITY
12 GENERAL PROVISIONS ARTICLE, THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION
13 SHALL ADOPT RULES AND REGULATIONS TO CARRY OUT THIS ARTICLE 10.

14 **§ 1-4. HARBORMASTER**

15 (A) *ESTABLISHMENT.*

16 THERE IS AN OFFICE OF THE HARBORMASTER IN THE DEPARTMENT.

17 (B) *HEAD.*

18 THE HEAD OF THE OFFICE OF THE HARBORMASTER IS THE HARBORMASTER, WHO SHALL
19 BE AN EMPLOYEE OF THE DEPARTMENT.

20 (C) *PURPOSE.*

21 THE PURPOSE OF THE OFFICE OF THE HARBORMASTER IS TO CARRY OUT THE EXPRESS
22 POWERS OF THE CITY AS GRANTED IN ARTICLE II, § (10) OF THE CITY CHARTER.

23 (D) *DUTIES.*

24 THE HARBORMASTER SHALL HAVE THE POWER AND DUTY TO:

25 (1) IDENTIFY CHANGES IN PUBLIC POLICY, SERVICE DELIVERY, AND FUNDING
26 NECESSARY TO IMPROVE THE SERVICES AND DUTIES OF THE OFFICE;

27 (2) DEVELOP, IMPLEMENT, AND PROMOTE POLICIES TO CARRY OUT THE EXPRESS
28 POWERS OF THE CITY AS GRANTED IN ARTICLE II, § (10) OF THE CITY CHARTER;

29 (3) SERVE AS ADVISOR TO THE DEPARTMENT OF TRANSPORTATION ON MATTERS
30 RELATED TO THE HARBORS, DOCKS, AND WHARVES OF THE CITY; AND

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(4) PERFORM SUCH OTHER DUTIES AS REQUIRED BY THE DEPARTMENT OF
TRANSPORTATION.

§ 1-5. Obstructing access.

(a) *In general.*

(1) [The master or other] A person in charge of [any] A vessel [so] OPERATED OR
anchored as to obstruct the free passage of any other vessel to or from an anchorage,
wharf, or dock, or moored or anchored so that they will be or will swing beyond the
boundary of said anchorage, shall, upon being notified, immediately correct the
condition.

(2) [And if] If the condition continues beyond 6 hours from the time of notification, a
penalty of [\$25] \$200 for each and every hour beyond this time [limit, or 30 days in
the City Jail, or both, shall, upon conviction,] SHALL be imposed [upon the person
responsible therefor.] ON THE PERSON IN CHARGE OF THE VESSEL TO A MAXIMUM OF
\$1,000 PER DAY.

(b) *Removal of vessel.*

If no person be on such vessel, upon whom said notice can be served, then the [Harbor
Engineer] DIRECTOR OR DIRECTOR'S DESIGNEE shall have such vessel [removed]
RELOCATED and the expense for the same shall be paid [to the Harbor Engineer] by the
[master,] owner, OPERATOR, or agent of [such vessel.] THE VESSEL TO THE DIRECTOR OF
FINANCE.

§ 1-6. PENALTIES.

(A) *ENFORCEMENT BY CITATION.*

(1) *IN GENERAL.*

IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT
PROCEDURE, THIS ARTICLE MAY BE ENFORCED BY ISSUANCE OF A CIVIL CITATION
UNDER CITY CODE ARTICLE 1, SUBTITLE 41 {"CIVIL CITATIONS"}.

(2) *PROCESS NOT EXCLUSIVE.*

THE ISSUANCE OF A CITATION TO ENFORCE THIS ARTICLE DOES NOT PRECLUDE
PURSUING ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION
AUTHORIZED BY LAW.

(B) *CRIMINAL PENALTIES.*

ANY PERSON WHO VIOLATES ANY PROVISION OF THIS ARTICLE IS GUILTY OF A
MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO FINE OF NOT MORE THAN \$1,000 OR
TO IMPRISONMENT FOR NOT MORE THAN 12 MONTHS OR TO BOTH FINE AND IMPRISONMENT
FOR EACH OFFENSE.

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(C) EACH VIOLATION A SEPARATE OFFENSE.

EACH VIOLATION OF THIS ARTICLE SHALL BE CONSIDERED A SEPARATE OFFENSE.

(D) *EACH DAY A SEPARATE VIOLATION.*

EACH DAY UPON WHICH A VIOLATION CONTINUES SHALL BE CONSIDERED A SEPARATE OFFENSE.

SUBTITLE 2. [Subtitle 3.] Pierhead Lines.

§ 2-1. [§ 3-1.] Limiting lines.

(1) *In general.*

The pierhead lines established for the Patapsco River, by Acts of the Secretary of War, from time to time, and the lines inside the said pierhead lines in portions of the shown on plats numbered 1 to 5, signed by the Mayor and the Harbor Engineer under Ordinance No. 116 of 1894, and any other lines now or hereafter established by ordinance inside said United States Government pierhead lines, are hereby declared to be the limiting lines beyond which [no structure shall extend.] NO PIERS, BULKHEADS, WHARVES, PILINGS, STRUCTURES, OBSTRUCTIONS OR EXTENSIONS OF ANY CHARACTER MAY BE BUILT, ERECTED, CONSTRUCTED, MADE, OR EXTENDED.

(2) *MAPPING.*

THE DIRECTOR OR THE DIRECTOR'S DESIGNEE SHALL:

(I) CREATE, MAINTAIN, AND PUBLISH A MAP SHOWING THE LOCATION OF ALL PIERHEAD AND BULKHEAD LINES; AND

(II) FILE COPIES OF THE MAP WITH:

(A) THE OFFICE OF THE DIRECTOR;

(B) THE DEPARTMENT OF PLANNING;

(C) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT; AND

(D) THE DEPARTMENT OF LEGISLATIVE REFERENCE.

§ 2-2. [§ 3-2.] Dock opposite Fifth Lane; dock out from old Port Warden's Line.

Ordinance No. 111, approved May 7, 1853, being entitled "Supplement to an Ordinance, entitled 'An ordinance to change in some particulars, the present Port Warden's Line'", is hereby repealed, in part, by eliminating the provisions for a dock opposite Fifth Lane, and the dock therein provided to be extended to be laid out from the old Port Warden's Line on the northernmost line of the property formerly belonging to Henry William Ellicott.

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§ 2-3. [§ 3-3.] Pier and Bulkhead Line modified.

The Pier or Bulkhead Line in the Harbor of Baltimore City as established by Ordinance No. 83 of the Mayor and City Council of Baltimore, approved May 17, 1881, shall be modified and extended:

- (1) so as to make the Pier and Bulkhead Lines coincide with the Pierhead Line of the United States Government between points marked LVI and LVII, as shown on the map of the War Department of the United States Government, approved September 29, 1917, by the Assistant Secretary of War;
- (2) so that a new Pier and Bulkhead Line be established coinciding with the Pier and Bulkhead Line of the United States Government, as shown on the map of the War Department of the United States Government, approved September 29, 1917, by the Assistant Secretary of War, from said point LVII southeasterly to a point on said line 170.34 feet distant from said point LVII, and running thence by a straight line, S. 7° 27' 00" E. 238.33 feet to a point where said new Pier and Bulkhead Line intersects the Port Warden's Line established under Ordinance No. 111, approved May 7, 1853, and running thence S. 65° 44' 30" E. 60.7 feet along and coincident with said Port Warden's Line to a point where said Port Warden's Line intersects a line determined by decision of the Superior Court of Baltimore City in the case of St. Agnes' Hospital v. Mayor and City Council of Baltimore, date March 14, 1877;
- (3) so that a new Pierhead Line be established from said last named point of intersection running N. 44° 40' 40" E. 217.98 feet to the Pier and Bulkhead Line of the United States Government as shown on the said map of the War Department of the United States Government; and
- (4) so that a new Bulkhead Line be established running S. 65° 44' 30" E. 177.37 feet in a straight line along and coinciding with said Port Warden's Line, established under said Ordinance No. 111, approved May 7, 1853, said new Bulkhead Line extending from a point where said Port Warden's Line intersects the said line determined by said decision of the Superior Court of Baltimore City, to the northwesterly boundary line, as extended into the water, of the property leased by the Mayor and City Council of Baltimore to Platt and Company by lease dated July 21, 1865, and continuing thence in a straight line S. 44° 40' 40" W. 193.72 feet more or less along and coinciding with the said northwesterly boundary line, as so extended, of the said property leased by the Mayor and City Council of Baltimore to said Platt and Company to a point where said new Bulkhead Line intersects the Bulkhead Line established under said Ordinance No. 83, approved May 17, 1881, as shown on plat referred to in said Ordinance No. 83 of the Mayor and City Council of Baltimore.

§ 2-4. [§ 3-4.] Pierhead Line and Port Warden Line modified.

(a) *In general.*

The existing City Pierhead Line and the existing City Port Warden Line, in the vicinity of Boston Street and Clinton Street, are hereby changed by:

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(1) abolishing the existing City Port Warden Line from a point designated "A" to a point designated "1" and from a point designated "13" to a point designated "H",

(2) abolishing the existing City Pierhead Line from said point designated "A" to a point designated "H", and

(3) establishing a new City Pierhead Line from said point designated "A" to a point designated "XXIII A",

so as to make said new City Pierhead Line coincide with the proposed new modified Pierhead Line of the United States Government as approved conditionally by the Secretary of War on December 5, 1946, between a point designated "37" and said point designated "XXIII A".

(b) *Plats.*

All of said existing and proposed Port Warden, Pier and Bulkhead Lines, and all of the points designated in this section, are shown on a plat entitled "City of Baltimore, Department of Public Works, Bureau of Plans and Surveys, Plat Showing Pierhead, Bulkhead and Port Warden Lines in the Vicinity of Boston St. and Clinton St. extending from Linwood Ave. Easterly and Southerly to U. S. Army Engineers Harbor Station XXIIA", numbered 263A-5 and dated March 20, 1947, attached hereto and made in all respects a part hereof.

(c) *Description.*

Said new City Pierhead Line being particularly described as follows:

Beginning at a point "A" on the City's existing Pierhead and Port Warden Lines as established by Ordinance No. 83, approved May 17, 1881, where said combined line intersects the east building line of Linwood Avenue, if extended southerly, and running thence S. 15 degrees 24 minutes 00 second W. about 140 feet to point 29, thence S. 76 degrees 34 minutes 25.4 seconds E. 383.01 feet and coincident with United States Government's Pier and Bulkhead Line as established by the United States Army Engineers in 1917 to point 30, thence N. 32 degrees 23 minutes 20 seconds E. 26.94 feet to point 31, thence N. 87 degrees 08 minutes 20 seconds E. 433.88 feet to point 32, thence N. 32 degrees 23 minutes 20 seconds E. 432.292 feet to point 33 on the existing City Bulkhead Line, thence by the two following courses and distances and coincident with the said City Bulkhead Line S. 81 degrees 37 minutes 30 seconds E. 375.36 feet to point 7 and S. 04 degrees 30 minutes 10 seconds E. 60.64 feet to point 34, thence S. 87 degrees 00 minutes 20 seconds W. 265.29 feet to point 35, thence S. 32 degrees 23 minutes 20 seconds W. 482.53 feet to point 36, thence S. 87 degrees 08 minutes 20 seconds W. 121.22 feet to point 37 on the aforesaid proposed modified United States Government Pierhead Line, thence by the four following courses and distances and coincident with the said proposed new modified Government Pierhead Line, S. 02 degrees 36 minutes 29.6 seconds E. 3542.5 feet to point 21, S. 08 degrees 38 minutes 27.6 seconds E. 1243.26 feet to point 22, S. 15 degrees 23 minutes 21.6 seconds E. 554.83 feet to point 23, and S. 57 degrees 54 minutes 56.6 seconds E. 618.69 feet to point XXIII A.

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SUBTITLE 3. [Subtitle 5.] Maintenance of DOCKS, Piers, Wharves, etc.

§ 3-1. [§ 5-1.] Public DOCKS, piers, etc.

(A) IN GENERAL.

[Whenever the same may be proper and necessary, the Harbor Engineer shall cause public piers, wharves, and bulkheads to be built, rebuilt, and repaired at any water front property of the City.]

WHENEVER THE SAME MAY BE PROPER AND NECESSARY, THE DIRECTOR OR THE DIRECTOR'S DESIGNEE SHALL CAUSE PUBLIC ANCHORAGES, BULKHEADS, DOCKS, PIERS, PILINGS, AND WHARVES TO BE BUILT, REBUILT, AND REPAIRED AT ANY WATER FRONT PROPERTY OF THE CITY.

(B) PROHIBITED CONDUCT.

(1) IN GENERAL.

IT SHALL BE UNLAWFUL FOR ANY PERSON TO DEFACE, INJURE, DAMAGE, OR TRESPASS UPON ANY CITY OWNED OR OPERATED ANCHORAGES, BULKHEADS, DOCKS, PIERS, PILINGS, OR WHARVES.

(2) ENFORCEMENT.

ANY PERSON VIOLATING THE PROVISIONS OF THIS SECTION SHALL BE GUILTY OF A MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE SUBJECT TO A FINE OF NOT MORE THAN \$500 FOR EACH VIOLATION.

§ 3-2. [§ 5-2.] Private piers, etc.

(a) Notice to correct.

The [Harbor Engineer] DIRECTOR OR THE DIRECTOR'S DESIGNEE [shall] MAY require all private [piers, wharves, docks, and bulkheads] BULKHEADS, DOCKS, PIERS, PILINGS, OR WHARVES (bordering on the Patapsco River or its tributaries) that are decayed or defective, or in need of cleaning, rebuilding, or repair, or likely to be injurious to navigation or to health or safety, to be cleaned, repaired, or rebuilt within a reasonable time to be prescribed in a written notice (not less than 30 days) to be served on the agent, owner, or occupier of such pier, wharf, dock, or bulkhead.

(b) Owner to comply.

The owners of any such water front property shall promptly cause to be done any and all such work as required by said notice from the [Harbor Engineer.] DIRECTOR OR THE DIRECTOR'S DESIGNEE.

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1 (c) *Work by [Harbor Engineer.]* THE DEPARTMENT.

2 If the owner is a minor, or under other legal disability, or cannot be found, or, being
3 found, fails to comply with said notice, then the [Harbor Engineer] DIRECTOR OR THE
4 DIRECTOR'S DESIGNEE shall cause such work to be done, at the expense of such owner or
5 owners, to be recovered by the Mayor and City Council in due course of law.

6 (d) *Penalties.*

7 Any such property owner or owners who fail to comply with the requirements of this
8 section, or the aforesaid requirements of the [Harbor Engineer,] DIRECTOR OR THE
9 DIRECTOR'S DESIGNEE, shall be guilty of a misdemeanor and, upon conviction thereof
10 shall pay a fine of not less than [\$10] \$100 and not more than [\$50] \$500 for every day of
11 noncompliance.

12 § 3-3. [§ 5-3.] Consent needed for work.

13 (a) *In general.*

14 No piles shall be driven and no platform erected, nor shall any filling in or construction,
15 repairs, alterations, removals, dredging, demolitions, or work of any kind be made or
16 done in the Patapsco River or tributaries below mean high tide, or involving work below
17 mean high tide, without the written consent of the [Harbor Engineer.] DIRECTOR OR THE
18 DIRECTOR'S DESIGNEE.

19 (b) *Penalties.*

20 If any person shall violate the provisions of this section:

21 (1) he shall be deemed guilty of a misdemeanor and, upon conviction thereof, be
22 subject to a fine not exceeding [\$250;] \$500; and

23 (2) the [Harbor Engineer] DIRECTOR OR THE DIRECTOR'S DESIGNEE is hereby
24 empowered to remove forthwith at the expense of the person violating this section
25 the structure, obstruction, extension, or filling in complained of.

26 § 3-4. [§ 5-4. Permit] AUTHORIZATION needed for structures.

27 (a) *In general.*

28 No [shed, building, office, tally-house, booth, or stand shall be erected, nor shall any
29 derrick, hoisting mast, coal hopper, sign, or advertising device, or] STRUCTURE OR
30 EQUIPMENT MAY BE ERECTED OR AFFIXED, NOR obstruction of any kind be placed or
31 maintained on any pier, bulkhead, marginal street, quay, or [wharf structure,] WHARF, nor
32 upon any [reclaimed land,] LAND RECLAIMED FROM BENEATH THE PATAPSCO OR ITS
33 TRIBUTARIES, without [a] written [permit] AUTHORIZATION from the [Harbor Engineer.]
34 DIRECTOR OR THE DIRECTOR'S DESIGNEE.

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1 (b) *Penalties.*

2 If the owner, lessee, occupant, or agent of said wharf property or land, shall place or
3 permit the erection, [placing, or maintaining of any erection or] OR AFFIXING OF any
4 structure OR EQUIPMENT without such [permit] AUTHORIZATIONS from the [Harbor
5 Engineer] DIRECTOR OR THE DIRECTOR'S DESIGNEE then for failure to remove same:

6 (1) said owner, lessee, occupant, or agent shall be subject to a fine not exceeding
7 [\$200,] \$500, in addition to all damages for each and every violation of this
8 section; and

9 (2) the [Harbor Engineer] DIRECTOR OR THE DIRECTOR'S DESIGNEE is hereby
10 empowered to remove forthwith, at the expense of the person violating this
11 section, the structure or obstruction complained of.

12 **§ 3-5. [§ 5-5.] Pier endangered by additional cargo.**

13 (a) *In general.*

14 No cargo shall be discharged from any vessel or other water craft upon any pier,
15 bulkhead, or wharf structure, at which such vessel or other water craft is being unladen
16 after notice signed and served by the [Harbor Master or the Harbor Engineer] DIRECTOR
17 OR THE DIRECTOR'S DESIGNEE upon the owner, or stevedore, consignee, master, or other
18 officer of such vessel or other water craft, that such pier, bulkhead, or structure will be
19 endangered by the placing of additional cargo thereon.

20 (b) *Penalties.*

21 If any person shall violate the provisions of this section he shall be subject to a fine not
22 exceeding [\$200,] \$500, in addition to all damages caused thereby after the service of
23 said notice.

24 **§ 3-6. [§ 5-6.] Injury to wharf or dock.**

25 (a) *In general.*

26 No vessel or other water craft shall load or discharge at any City wharf, pier, or dock, or
27 adjoining same, in such manner as to injure or damage or unreasonably to interfere with
28 the use of said structure.

29 (b) *Penalties.*

30 The owner or consignee of said vessel or other water craft who violates the provisions of
31 this section shall be subject to a fine of [\$20,] \$250, in addition to all damages caused by
32 such violation.

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§ 3-7. [§ 5-7.] Bulk cargoes on piers.

(a) In general.

[All] NO lumber, brick, or other material in bulk, MAY BE discharged on any CITY pier or [bulkhead must be placed at least 5 feet from the edge of the pier or bulkhead pending removal.] BULKHEAD.

(b) Penalties.

The owner or consignee of such lumber, brick, or other material, or the person placing or causing the same to be placed on such prohibited space shall be subject to a fine of [\$20] \$250 per day for each and every violation of this section.

§ 3-8. [§ 5-8.] Vehicles on piers.

(a) In general.

Except as otherwise [provided by ordinance,] AUTHORIZED IN WRITING BY THE DIRECTOR OR THE DIRECTOR'S DESIGNEE, no vehicle of any description shall be parked or stored at any time on any PIER, [street, driveway,] wharf, bridge, bulkhead, or land under the charge and control of the [Harbor Engineer.] DIRECTOR OR THE DIRECTOR'S DESIGNEE.

(b) Penalties.

If any person shall violate the provisions of this section,

(1) [he] THE PERSON shall be subject to a fine of [\$10;] \$100; and

(2) the [Harbor Engineer] DIRECTOR OR THE DIRECTOR'S DESIGNEE is hereby empowered to remove forthwith such obstructing vehicle and hold same until said fine and all other charges shall have been paid.

[§ 5-9. Work done under permit.]

[(a) In general.]

[All work under a permit issued by the Harbor Engineer shall be done:]

[(1) in accordance with the rules and regulations of the Department;]

[(2) in accordance with plans and specifications submitted by the permittee; and]

[(3) wholly at the expense of the permittee.]

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1 [(b) *Indemnification.*]

2 [The permittee shall indemnify and save harmless the Mayor and City Council of
3 Baltimore, its officers, agents, and servants, against and from all damages, cost, and
4 expense which they may suffer, or to which they may be put by reason of injury to the
5 person or property of another resulting from carelessness or negligence on the part of the
6 permittee.]

7 [(c) *Procedures.*]

8 [The procedure under the permit issued by the Harbor Engineer shall be in strict
9 compliance with all applicable laws and ordinances and the rules and regulations of the
10 city departments established for the purpose of enforcing them.]

11 [(d) *Revocation of permit.*]

12 [The Harbor Engineer shall have the right to revoke a permit at any time.]

13 **DRAFTER'S NOTE:** This § 5-9 {"Work done under permit."} is outdated and now duplicative of current
14 City law that governs indemnity, construction, permits, and procurement.

15 **SUBTITLE 4. [Subtitle 6. Wharfage] FEES and Other Regulations**

16 **§ 4-1. [§ 6-1. Charges.] FEES.**

17 [(a) *Wharfage rates.*]

18 [(1) The wharfage rates per calendar day, or for any fractional part thereof, for all goods,
19 wares, merchandise, or other articles landed at or upon and shipped from any public
20 wharf shall be the same as those which are in effect on June 12, 1950.]

21 [(2) The rates on all goods shipped from one vessel to another shall be ½ the rates above
22 prescribed and shall be paid by the vessel shipping the goods.]

23 [(3) The Harbor Master may require anything landed on any public wharf to be removed
24 within 24 hours after landing the same, or subject the same to a daily penalty of 50¢
25 for each foot occupied of the length of the wharf.]

26 [(b) *Dockage rates*]

27 [(1) No dockage shall be collected on any barge or scow lying at any City wharf, dock, or
28 bulkhead, upon which wharfage is collected in excess of \$2 per diem, or part
29 thereof.]

30 [(2) All vessels, including barges and scows lying at any City wharf, dock, or bulkhead
31 that are allowed free wharfage, shall pay the dockage rates per calendar day, or part
32 thereof, which are in effect on June 12, 1950.]

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1 [(3) Double said dockage rates shall be paid for all vessels for every day above 6 and
2 treble for every day above 12 that they shall remain at any wharf, dock, or bulkhead
3 aforesaid, unless allowed to remain longer by the Harbor Master, who is hereby
4 authorized to extend the time for said vessels in all cases when he may think the
5 public interest is promoted thereby, but no light-vessel, barge, or scow may remain at
6 any public wharf, dock, or bulkhead.]

7 [(4) If the Harbor Master serves notice on the captain, owner, consignee, or stevedore of
8 any vessel, barge, or scow, to remove same from any City wharf, dock, or bulkhead,
9 and the same is not removed within 2 hours after such notice has been served, the
10 Harbor Master shall collect from the captain, owner, consignee, or stevedore, \$2 for
11 the 1st day or part thereof, and \$2 additional for each and every day or part thereof,
12 that such vessel, barge, or scow shall remain at any City wharf, dock, or bulkhead, 2
13 hours after notice to remove same has been issued by the Harbor Master.]

14 [(c) *Change in rates*].

15 [The Board of Estimates shall have the power, from time to time, to increase, reduce, or
16 eliminate any of the wharfage or dockage rates as herein provided for and may include
17 and change, from time to time, rates for other articles not included in the
18 above-mentioned schedules.]

19 (A) *SETTING OF FEES AND RENTS*.

20 (1) THE BOARD OF ESTIMATES MAY SET RATES AND FEES FOR A PERSON TO LEASE, RENT,
21 OR USE CITY OWNED OR OPERATED ANCHORAGES, BULKHEADS, DOCKS, PIERS, PILINGS,
22 OR WHARVES FOR PRIVATE ENJOYMENT.

23 (2) THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY COLLECT RATES AND FEES
24 ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

25 (3) THE DIRECTOR OR THE DIRECTOR'S DESIGNEE SHALL SUBMIT A SCHEDULE OF RATES
26 AND FEES AS AUTHORIZED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE BOARD
27 OF ESTIMATES FOR APPROVAL BY APRIL 1 OF EACH YEAR.

28 (B) [(d)] *Posting and filing*.

29 The schedule of [the above rates] FEES shall be posted in the office of the [Harbor Master]
30 HARBORMASTER and a copy thereof filed with the Department of Legislative Reference
31 [within 1 week after June 12, 1950,] UPON APPROVAL BY THE BOARD OF ESTIMATES, and
32 any changes or additions in said [rates] FEES which shall be made by the Board of
33 Estimates shall be filed with the [Harbor Master] HARBORMASTER and the Department of
34 Legislative Reference on or before the time when such rates shall become effective.

35 (C) *PENALTY FOR NON-PAYMENT*.

36 ANY PERSON WHO DOES NOT PAY A POSTED FEE SHALL PAY A FINE OF NOT MORE THAN
37 \$500 FOR EACH OCCURRENCE.

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§ 4-2. [§ 6-2.] Inspection of [license, bills of lading, etc.] LICENSES.

(a) In general.

[(1) The master of any vessel lying at any public wharf shall:]

[(i) exhibit to the Harbor Master, upon request, the enrollment or license of such vessel showing her proper tonnage; and]

[(ii) furnish to the Harbor Master the manifest or bills of lading of cargo landed or received at said wharf.]

[(2) The person who inspects lumber on any public wharf or the owner or agent of lumber landed at such wharf shall furnish to the Harbor Master a certified copy of the certificate of inspection or the tally sheets showing the number of feet in each pile of such lumber.]

THE PERSON IN CHARGE OF ANY VESSEL LYING AT ANY CITY OWNED OR OPERATED ANCHORAGE, BULKHEAD, DOCK, PIER, PILING, OR WHARF SHALL EXHIBIT TO THE HARBORMASTER OR THE HARBORMASTER'S DESIGNEE PROOF OF VESSEL REGISTRATION AND INSURANCE.

(b) Penalties.

[The master of any vessel or other] ANY person who violates this section shall pay a fine of [\$20.] \$200.

§ 4-3. [§ 6-3.] Permission to [enter public dock.] USE HARBOR INFRASTRUCTURE.

(a) In general.

(1) [No vessel shall enter any public dock without permission from the Harbor Master, who shall prescribe:]

A PERSON MAY NOT ENTER NOR MAY THEY LEAVE THEIR VESSEL AT A CITY OWNED OR OPERATED ANCHORAGE, BULKHEAD, DOCK, PIER, PILING, OR WHARF WITHOUT PERMISSION FROM THE HARBORMASTER, WHO SHALL PRESCRIBE:

(i) the manner in which all vessels shall lie at any [public wharf,] CITY ANCHORAGE, BULKHEAD, DOCK, PIER, PILING, OR WHARF; [so that the facilities for discharging and receiving cargoes may be afforded as generally as possible and the public interest most promoted;]

(ii) the time vessels may occupy any [public dock,] CITY ANCHORAGE, BULKHEAD, DOCK, PIER, PILING, OR WHARF; and

(iii) the terms and conditions upon which they may load and [discharge cargoes therein.] DISCHARGE.

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(2) All [anchorages] CITY ANCHORAGES, BULKHEADS, DOCKS, PIERS, PILINGS, OR WHARVES shall be in charge of and subject to regulation by the [Harbor Engineer.] DIRECTOR OR THE DIRECTOR'S DESIGNEE.

(b) *Penalties.*

[The master of any vessel who refuses] ANY PERSON THAT FAILS to obey the regulations or requirements of THE DIRECTOR, THE DIRECTOR'S DESIGNEE, OR the [Harbor Master or of the Harbor Engineer, as the case may be,] HARBORMASTER in carrying out this section shall be guilty of a misdemeanor and shall be subject to a fine of not more than [\$50] \$100 for each and every hour the offense [continues.] CONTINUES TO A MAXIMUM OF \$1,000 PER DAY.

§ 4-4. [§ 6-7.] Removal of nuisances.

(a) *In general.*

[The Harbor Master shall cause all watermelons and other fruit, fish, vegetables, and refuse to be removed from any wharf whenever they shall become a nuisance.]

THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY CAUSE ANY MATERIAL, REFUSE, OR MATTER OF ANY KIND TO BE REMOVED FROM THE PATAPSCO RIVER AND ITS TRIBUTARIES, AND ANY CITY OWNED OR OPERATED ANCHORAGE, BULKHEAD, DOCK, PIER, PILING, OR WHARF TO PREVENT INJURY TO NAVIGATION OR HEALTH.

(B) *COSTS PAYABLE.*

THE OWNER OF ANY REMOVED MATERIAL, REFUSE, OR MATTER OF ANY KIND SHALL BE LIABLE TO PAY ALL EXPENSES INCURRED IN MOVING AND STORING THEIR PROPERTY TO THE DIRECTOR OF FINANCE.

(C) [(b)] *Penalties.*

The owner of any such [watermelons or other fruit, fish, or vegetables,] MATERIAL shall pay a penalty of [\$10] \$500 for every day the same shall remain UNCLAIMED after notice to remove the same has been given to the owner by the [Harbor Master.] DIRECTOR OR THE DIRECTOR'S DESIGNEE.

§ 4-5. [§ 6-8.] Removal of sunken vessels.

(a) *Notice to remove.*

[The Harbor Engineer shall cause to be removed, in such time as he may think reasonable, all vessels which may be sunk in the harbor or port of Baltimore.]

THE DIRECTOR OR THE DIRECTOR'S DESIGNEE SHALL PROVIDE NOTICE TO THE OWNER OF A VESSEL TO REMOVE, IN SUCH TIME AS THEY MAY THINK REASONABLE, ALL VESSELS WHICH MAY BE SUNK IN BALTIMORE HARBOR SUBJECT TO ANY APPLICABLE FEDERAL OR STATE LAW, INCLUDING MARITIME LAWS, OR COOPERATIVE AGREEMENTS.

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1 (b) *Penalties.*

2 The owner or owners of such sunken vessels, who refuse or neglect to remove the same
3 when directed to do so by the [Harbor Engineer] DIRECTOR OR THE DIRECTOR'S
4 DESIGNEE shall pay a fine of [not less than \$10 nor more than \$100] \$500 per day for
5 every day the said vessel shall remain after due notice as aforesaid.

6 (c) *Removal by [Harbor Engineer.] DIRECTOR.*

7 (1) In case the owner or agent of such sunken vessel cannot be found, then the [Harbor
8 Engineer] DIRECTOR OR THE DIRECTOR'S DESIGNEE shall proceed to remove said
9 vessel and pay the cost thereof out of any appropriation to [his Bureau] THE
10 DEPARTMENT or from any funds which the Board of Estimates may make available
11 for such purpose.

12 (2) As soon as the owners or agents of such sunken vessel so removed shall be found, the
13 Mayor shall proceed to recover by law the amount expended for the removal of said
14 vessel and also such fine as may be recovered under this section.

15 **§ 4-6. [§ 6-9.] Removal of obstructions.**

16 (a) *In general.*

17 [(1)] The [Harbor Engineer] DIRECTOR OR THE DIRECTOR'S DESIGNEE [shall:] MAY:

18 (1) [(i) have secured or removed all] SECURE OR REMOVE obstructions to navigation
19 that may be found drifting about, or otherwise obstructing navigation OF THE
20 PATAPSCO AND ITS TRIBUTARIES; and

21 (2) [(ii)] notify the owner or agent of same that the said obstruction has been so
22 secured or removed and held at his expense.

23 [(2) If not claimed within 10 days:]

24 [(i) the Harbor Engineer shall sell the same; and]

25 [(ii) any balance after the expense of securing or removing same has been paid,
26 shall be held by the Director of Finance to be paid to the owner if claimed within
27 12 months.]

28 (b) *Penalties.*

29 Any person who shall cast loose, set adrift or place any object likely to become a nuisance
30 or an obstruction to navigation shall pay a fine not exceeding \$200.

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§ 4-7. [§ 6-12. Gas tar, dregs, etc.] DISCHARGE INTO BALTIMORE HARBOR.

[If any gas company, or any other company, or person shall discharge or cause any water to flow into the harbor or any stream or sewer running thereinto in which water there may be any gas tar, or other lees or dregs, the company or person so offending shall pay a fine of \$20 for each offense and a further fine of \$20 for every day the offense continues.]

IF ANY COMPANY OR PERSON SHALL DISCHARGE FROM LAND OR A VESSEL, OR CAUSE ANY SUBSTANCE OR WASTE TO FLOW INTO BALTIMORE HARBOR OR ANY STREAM OR SEWER RUNNING THEREINTO ANY GASOLINE, OIL, GAS TAR, OR OTHER LEES OR DREGS, THE COMPANY OR PERSON SO OFFENDING SHALL PAY A FINE OF \$1,000 FOR EACH OFFENSE AND A FURTHER FINE OF \$1,000 FOR EVERY DAY THE OFFENSE CONTINUES.

§ 4-8 [§ 6-14.] Speed of vessels.

(a) In general.

[(1) No vessel shall move in the harbor at a greater rate of speed than:]

[(i) 7 nautical miles an hour westward of a line from Henderson's Wharf to the foot of Hull Street; and]

[(ii) 9 nautical miles an hour eastward of said line.]

[(2) No vessel shall move in the Patapsco River or tributaries within a distance of 300 feet from any pier or bulkhead at a greater rate of speed than 8 nautical miles an hour.]

VESSEL SPEED IN BALTIMORE HARBOR IS REGULATED BY THE MARYLAND DEPARTMENT OF NATURAL RESOURCES AND IS LIMITED TO 6 KNOTS UNLESS OTHERWISE PROVIDED FOR BY THE STATE IN ITS LAWS OR REGULATIONS.

(b) Penalties.

[The master, of any vessel] ANY PERSON violating this section shall pay a fine of [not exceeding] \$100 for the 1st offense and [not less than \$50 nor more than] \$200 for each subsequent offense.

§ 4-9 [§ 6-17. Smoking, etc., near explosives.] SMOKING.

(a) In general.

It shall be unlawful for any person to smoke, carry, or have any lighted match, pipe, cigar, or cigarette, or carry or use any portable open [light] FLAME in or upon any [wharf, shed, pier, or warehouse on any wharf or pier,] FUEL DOCK or on the deck of any vessel lying at or along side of any [wharf or pier or on or near any vessel loading or unloading explosives lying at or along side of any wharf or pier.] FUEL DOCK.

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1 (b) *Penalties.*

2 Any person violating the provisions of this section [or of any other provisions of §§ 1-1
3 through 6-17, inclusive, of this article, for which no penalty is prescribed, [shall,] SHALL
4 BE GUILTY OF A MISDEMEANOR AND upon conviction thereof, [be liable to a fine of not
5 less than \$5 nor more than \$25.] SHALL BE SUBJECT TO A FINE OF NOT LESS THAN \$50 NOR
6 MORE THAN \$250.

7 **§ 4-10. [§ 6-20.] Inspection of vessels.**

8 (a) *In general.*

9 The [Harbor Engineer, or any assistant designated by him,] DIRECTOR OR THE
10 DIRECTOR'S DESIGNEE shall have the authority and power to board and inspect vessels
11 located in the Baltimore Harbor for the purpose of seeing whether the laws and
12 ordinances of the City relative to the discharge of bilge water, oil, or other waste material
13 in the Harbor and the requirements for fire protection and other safety provisions are
14 being complied with.

15 (b) *Penalties.*

16 Any officer, agent, or employee of any vessel interfering with the inspection of vessels for
17 the purposes of this section shall be deemed guilty of a misdemeanor and, upon
18 conviction thereof, shall be subject to a penalty of not more than [100] \$500 for each
19 and every such violation.

20 **§ 4-11. [§ 6-25.] [Obstructing Harbor Master or Harbor Engineer.] OBSTRUCTING**
21 **OFFICIALS OF THE DEPARTMENT OF TRANSPORTATION.**

22 (a) *Penalties.*

23 Any person who shall obstruct the [Harbor Engineer, Harbor Master, and/or their
24 assistants,] DIRECTOR OR THE DIRECTOR'S DESIGNEE in the performance of [his or] their
25 lawful duties UNDER THIS ARTICLE shall be guilty of a misdemeanor and, upon conviction
26 thereof, shall be subject to a fine of [20] \$200 for each and every such offense.

27 (b) *Recovery of fines.*

28 All fines imposed for the violation of any of the provisions of this article shall be
29 recovered as other fines imposed by ordinance are recoverable; all of said fines when
30 collected to be paid to the Director of Finance.

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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.

(4) ARTICLE 10. BALTIMORE HARBOR.

SUBTITLE 1. GENERAL PROVISIONS

§ 1-5. OBSTRUCTING ACCESS. \$150

§ 1-6. PENALTIES. \$1,000

SUBTITLE 3. MAINTENANCE OF DOCKS, PIERS, WHARVES, ETC.

§ 3-1. PUBLIC DOCKS, PIERS, ETC. \$150

§ 3-2. PRIVATE PIERS, ETC. \$150

§ 3-3. CONSENT NEEDED FOR WORK. \$150

§ 3-4. AUTHORIZATION NEEDED FOR STRUCTURES. \$150

§ 3-5. PIER ENDANGERED BY ADDITIONAL CARGO. \$150

§ 3-6. INJURY TO WHARF OR DOCK. \$150

§ 3-7. BULK CARGOES ON PIERS.. \$150

§ 3-8. VEHICLES ON PIERS. \$150

SUBTITLE 4. FEES AND OTHER REGULATIONS.

§ 4-1. FEES {FAILURE TO PAY}. \$150

§ 4-2. INSPECTION OF LICENSES. \$150

§ 4-3. PERMISSION TO USE HARBOR INFRASTRUCTURE. \$150

§ 4-4. REMOVAL OF NUISANCES. \$150

§ 4-5. REMOVAL OF SUNKEN VESSELS. \$150

§ 4-6. REMOVAL OF OBSTRUCTIONS. \$150

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§ 4-7. DISCHARGE INTO BALTIMORE HARBOR.

EACH OFFENSE \$1,000

EACH DAY THE OFFENSE CONTINUES \$1,000

§ 4-8. SPEED OF VESSELS.

1ST OFFENSE \$150

2ND OR SUBSEQUENT OFFENSE \$200

§ 4-9. SMOKING. \$150

§ 4-10. INSPECTION OF VESSELS. \$150

§ 4-11. OBSTRUCTING OFFICIALS OF THE
DEPARTMENT OF TRANSPORTATION. \$150

(5) [(4)] *Article 13. Housing and Urban Renewal*

...

(6) [(5)] *Article 15. Licensing and Regulation*

...

(7) [(6)] *Article 19. Police Ordinances*

...

(8) [(7)] *Article 23. Sanitation*

...

(9) [(8)] *Article 24. Water*

...

(10) [(9)] *Article 26. Surveys, Streets, and Highways*

...

(11) [(10)] *Article 31. Transit and Traffic*

...

(12) [(11)] *Article 32. Zoning*

...

(13) [(12)] *Building, Fire, and Related Codes Article –
Building Code*

...

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(14) [(13)] *Building, Fire, and Related Codes Article –
Fire Code*

...

(15) [(14)] *Building, Fire, and Related Codes Article –
Property Maintenance Code*

(16) [(15)] *Building, Fire, and Related Codes Article –
International Residential Code*

...

(17) [(16)] *Health Code*

...

Subtitle 41. Civil Citations

§ 41-14. Offenses to which subtitle applies – Listing.

...

(4) ARTICLE 10. BALTIMORE HARBOR.

SUBTITLE 1. GENERAL PROVISIONS

§ 1-5. OBSTRUCTING ACCESS. \$150

§ 1-6. PENALTIES. \$1,000

SUBTITLE 3. MAINTENANCE OF DOCKS, PIERS, WHARVES, ETC.

§ 3-1. PUBLIC DOCKS, PIERS, ETC. \$150

§ 3-2. PRIVATE PIERS, ETC. \$150

§ 3-3. CONSENT NEEDED FOR WORK. \$150

§ 3-4. AUTHORIZATION NEEDED FOR STRUCTURES. \$150

§ 3-5. PIER ENDANGERED BY ADDITIONAL CARGO. \$150

§ 3-6. INJURY TO WHARF OR DOCK. \$150

§ 3-7. BULK CARGOES ON PIERS.. \$150

§ 3-8. VEHICLES ON PIERS. \$150

SUBTITLE 4. FEES AND OTHER REGULATIONS.

§ 4-1. FEES {FAILURE TO PAY}. \$150

§ 4-2. INSPECTION OF LICENSES. \$150

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1	§ 4-3. PERMISSION TO USE HARBOR INFRASTRUCTURE.	\$150
2	§ 4-4. REMOVAL OF NUISANCES.	\$150
3	§ 4-5. REMOVAL OF SUNKEN VESSELS.	\$150
4	§ 4-6. REMOVAL OF OBSTRUCTIONS.	\$150
5	§ 4-7. DISCHARGE INTO BALTIMORE HARBOR.	
6	EACH OFFENSE	\$1,000
7	EACH DAY THE OFFENSE CONTINUES	\$1,000
8	§ 4-8. SPEED OF VESSELS.	
9	1ST OFFENSE	\$150
10	2ND OR SUBSEQUENT OFFENSE	\$200
11	§ 4-9. SMOKING.	\$150
12	§ 4-10. INSPECTION OF VESSELS.	\$150
13	§ 4-11. OBSTRUCTING OFFICIALS OF THE	
14	DEPARTMENT OF TRANSPORTATION.	\$150
15	(5) [(4)] <i>Article 13. Housing and Urban Renewal</i>	
16	...	
17	(6) [(5)] <i>Article 15. Licensing and Regulation</i>	
18	...	
19	(7) [(6)] <i>Article 19. Police Ordinances</i>	
20	...	
21	(8) [(7)] <i>Article 24. Water</i>	
22	...	
23	(9) [(8)] <i>Article 26. Surveys, Streets, and Highways</i>	
24	...	
25	(10) [(9)] <i>Article 31. Transit and Traffic</i>	
26	...	
27	(11) [(10)] <i>Article 32. Zoning</i>	
28	...	

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1 (12) [(11)] *Building, Fire, and Related Codes Article –*
2 *Fire Code*

3 . . .

4 (13) [(12)] *Building, Fire, and Related Codes Article –*
5 *Property Maintenance Code*

6 . . .

7 (14) [(13)] *Health Code*

8 . . .

9 **SECTION 4. AND BE IT FURTHER ORDAINED,** That any pierhead, bulkhead, and Port Warden
10 line previously established by Ordinance of the Mayor and City Council, as amended from time
11 to time, shall continue to exist and remain as the official limiting lines beyond which structures
12 may not extend into Baltimore Harbor.

13 **SECTION 5. AND BE IT FURTHER ORDAINED,** That Subtitle 10 {“Actions and Remedies”} of
14 Article 10 remains in full force and effect, and is neither amended nor abrogated by this
15 Ordinance.

16 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
17 after the date it is enacted.

BALTIMORE CITY COUNCIL



LAND USE & TRANSPORTATION COMMITTEE

26-0178

*Baltimore Harbor – Transfer of Authority to
Department of Transportation*

Agency Reports

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

June 12, 2026

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

Re: City Council Bill 26-0178 – Baltimore Harbor – Transfer of Authority to Department
of Transportation

Dear President and City Council Members:

The Law Department reviewed City Council Bill 26-0178 for form and legal sufficiency. The bill would repeal obsolete provisions of Subtitle 5 {"Harbor"} of the Public Local Laws of Baltimore City and Article 10 {"Harbors, Docks, and Wharves"} of the Baltimore City Code regarding the Baltimore Harbor; transfer authority to regulate Baltimore Harbor from the Department of Housing and Community Development to the Department of Transportation; establish the Office of the Harbormaster with attendant authorities and duties under the Department of Transportation; and otherwise relate to the use and management of Baltimore Harbor. The ordinance would take effect on the 30th day after its enactment.

Council Bill 26-0178 seeks repeal of the public local law regarding a vessel causing obstruction to the free passage of other vessels in the Inner Harbor. Baltimore City Code of Public Local Laws, § 5-2. That provision is contained in Section 1-15 of Article 10 of the current City Code. Council Bill 26-0178 renumbers and amends this provision as Section 1-5 of Article 10. In repealing Section 5-2 of the Public Local Laws, the City Council is exercising its authority under the police powers grant pursuant to the City's express powers. Baltimore City Charter Art. II, §§ 10, 27; *see also Pressman v. Barnes*, 209 Md. 544, 556-57 (1956) (Baltimore City has the power under its Charter "to enact local laws of said City, including the power to repeal or amend local laws enacted by the General Assembly, upon all matters covered by the express powers granted. Md. Constitution, art. 11A, § 3.").

The Law Department has the following comments and required amendments to Council Bill 26-0178:

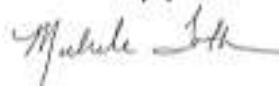
- Page 5, lines 25-26 state that the provisions of the law may be enforced by way of a civil citation under Article 1, Subtitle 41 of the City Code. Enforcement by way of environmental citation under Article 1, Subtitle 40 of the City Code is also authorized on pages 20-21 of Council Bill 26-0178. Accordingly, on page 5 in line 26 delete the period

at the end of the sentence and insert the words “or by issuance of an environmental citation under City Code Article 1, Subtitle 40 {Environmental Control Board}.”

- Page 5, line 33 insert “a” before the word “fine.”
- Page 6, line 10 insert the word “Harbor” after the word “the” and before the word “shown.”
- Page 9, line 28 add “pier, wharf, dock, or bulkhead” and insert the word “piling,” before the word “or”.
- Page 11, line 4 strike the “s” from the end of the word “authorizations.”
- Page 14, line 22 delete the words “for private enjoyment.” This needs to be deleted because the term “private enjoyment” could be read to be use for a purpose that this inalienable property was not intended, which would require a franchise under Section 1 of Article VIII of the City Charter. Removing this phrase allows the Charter’s franchise provisions to govern and thereby allows the leasing or permitting of this inalienable land for the purpose it was intended while not permitting it to be used for other purposes without a franchise.
- Page 14, line 34 delete the word “rates” and insert the word “fees” in its place.
- Page 17, lines 29-30 the language in Section 4-6(b) of Article 10 in Council Bill 26-0178 sets a penalty for any person who takes an affirmative action to cast, set adrift, or place an obstructing object into the Patapsco River and its tributaries. The language is not broad enough to cover the situation where a person negligently permits their property to deteriorate causing pieces to break off and become obstructions in the Patapsco River and its tributaries. Section 3-2 of Article 10 on page 9 of Council Bill 26-0178 requires private piers, bulkheads, docks, pilings, or wharves to be rebuilt if they are in disrepair and likely to be injurious to navigation. Under Section 3-2(d) on page 10 of the bill a property owner who fails to rebuild a deteriorating structure is guilty of a violation. Section 4-6 on page 17 imposes a separate violation from the one specified in Section 3-2 on page 10. Accordingly, if the intent of Section 4-6 is for the violation to also apply to a person who by failing to act permits an obstruction to become adrift in the Patapsco River or its tributaries then the language in this section should be modified to reflect that. A draft amendment would be to add “, allow to deteriorate,” before the “or” in line 29 on page 17.
- Page 18, line 6 it is unnecessary to include the words “company or” because the definition of person in Section 1-107(a)(3) of the General Provisions Article of the City Code is broad enough to encompass a company, as well as other entities. The inclusion of the word “company” does not affect the legal sufficiency of the bill.

The Department of Transportation, the Department of Legislative Reference, and the Law Department worked in conjunction on drafting this bill. Accordingly, if the required amendments are made the Law Department can approve the bill for form and legal sufficiency.

Sincerely yours,



Michele M. Toth
Assistant Solicitor

cc: Ebony Thompson
Council President Cohen
Ethan Hasiuk
Nina Themelis

Ty'lor Schnella
Shamoyia Gardiner
Aaron Degraffenreidt
Hilary Ruley
Jeff Hochstetler
Ashlea Brown
Desiree Luckey
Ahleah Clark



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Erin C. Murphy Esq. – Chief of Staff and Government Affairs – Baltimore Police Department
CC	Mayor’s Office of Government Relations
DATE	06/08/2026
SUBJECT	26-0178 - Baltimore Harbor – Transfer of Authority to Department of Transportation

Position: Favorable

BILL SYNOPSIS

The Baltimore City Police Department has reviewed Council Bill 26-0178. Council Bill 26-0178 transfers responsibility for regulating and managing Baltimore Harbor from the Department of Housing and Community Development to the Department of Transportation and formally establishes an Office of the Harbormaster within DOT. The bill updates and reorganizes Baltimore Harbor laws by repealing provisions, updating terminology, and consolidating authority for harbor operations, infrastructure, navigation, and enforcement under the Director of Transportation. It also creates updated enforcement mechanisms, including civil citations, increased fines and penalties, authority to regulate vessel operations, remove obstructions and nuisances, and address environmental violations such as unauthorized discharges into the harbor. Finally, the bill authorizes the Board of Estimates to establish fees for the use of City-owned harbor facilities and preserves existing harbor pier structures.

SUMMARY OF POSITION

The Baltimore Police Department supports Council Bill 26-0178, which modernizes and streamlines the governance of Baltimore Harbor by consolidating harbor management and regulatory authority within the Department of Transportation. The legislation establishes clear lines of responsibility through the creation of the Office of the Harbormaster and updates outdated provisions of City law to reflect current operational and enforcement needs.

The bill strengthens the City's ability to address public safety, environmental hazards, navigational obstructions, and other conditions that may impact the safe use of Baltimore Harbor. By providing enhanced enforcement tools, including updated penalties and civil citation authority, the legislation promotes accountability and supports coordinated responses to

violations that threaten public safety and the harbor environment.

The Baltimore Police Department values the bill's emphasis on clearly defined regulatory authority and interagency coordination, which will improve operational efficiency and support effective management of one of Baltimore's most significant public assets. For these reasons, the Department respectfully recommends a favorable report on Council Bill 26-0178.

FISCAL IMPACT

The Baltimore Police Department does not anticipate a major fiscal impact.

AMENDMENTS

The Baltimore Police Department has no requested amendments.



**CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT**

TO	The Honorable President and Members of the Baltimore City Council
FROM	Timothy Keane, Acting Commissioner, Housing and Community Development
CC	Mayor's Office of Government Relations
DATE	June 24, 2026
SUBJECT	26-0178 Baltimore Harbor – Transfer of Authority to Department of Transportation

Position: Favorable

BILL SYNOPSIS

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 26-0178 Baltimore Harbor – Transfer of Authority to Department of Transportation for the purpose of repealing obsolete provisions of Subtitle 5 {"Harbor"} of the Public Local Laws of Baltimore City and Article 10 {"Harbors, Docks, and Wharves"} of the Baltimore City Code regarding Baltimore Harbor; transferring the authority to regulate Baltimore Harbor from the Department of Housing and Community Development to the Department of Transportation; establishing the Office of the Harbormaster and all attendant authorities and duties under the Department of Transportation; and otherwise relating to the use and management of Baltimore Harbor

If enacted, City Council Bill 26-0178 would transfer authority to regulate Baltimore Harbor from the Department of Housing and Community Development to the Department of Transportation, establish the Office of the Harbormaster under the Department of Transportation, and delete obsolete provisions of the related code. If approved, this Bill will take effect on the 30th day after its enactment.

SUMMARY OF POSITION

This Bill primarily intends to formally transfer the regulatory authority of the Inner Harbor to The Department of Transportation's (DOT) Harbormaster Office and clean up outdated references within the code. Examples of that authority include the ability to set docking rates, collect docking fees from boaters, designate mooring fields and anchorages, and more. This regulation has historically been carried out by DOT's Dockmaster (now Harbormaster), but city code technically designates this authority to DHCD.

DHCD supports the effort to transfer Inner Harbor regulatory authority to DOT. Designating the Harbormaster as responsible for such provisions would be both rational and in alignment with the historical application. We would also like to express our gratitude to DOT for their thorough and thoughtful efforts in explaining to our agency why this legislation was necessary and the ways by which it might benefit Baltimore City. DHCD respectfully requests a favorable report on City Council Bill 26-0178 Baltimore Harbor – Transfer of Authority to Department of Transportation.

FISCAL IMPACT

As drafted, this Bill would have minimal fiscal or administrative impact on DHCD.

AMENDMENTS

DHCD does not seek any amendments to this Bill at this time.



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Bob Cennane, Deputy Finance Director <i>Bob Cennane</i>
DATE	June 23 rd , 2026
SUBJECT	26-0178, Baltimore Harbor – Transfer of Authority to Department of Transportation

The Honorable President and
Members of the City Council
City Hall, Room 400

Position: Support

The Department of Finance is herein reporting on City Council Bill 26-0178, Baltimore Harbor – Transfer of Authority to Department of Transportation (DOT), the purpose of which is to transfer responsibility for regulating and managing Baltimore Harbor from the Department of Housing and Community Development (DHCD) to the DOT and establishes a new Office of the Harbormaster within DOT.

Background

This legislation reflects an administrative reorganization and codification of existing harbor management functions. The bill modernizes and reorganizes the City's harbor laws by repealing outdated provisions, redefining harbor boundaries and infrastructure regulations, and granting DOT authority over docks, piers, wharves, anchorage areas, and vessel operations. It also updates enforcement mechanisms, including civil citations and increased fines and penalties for violations such as obstructing navigation, unauthorized construction, pollution discharges, and unsafe vessel activity in the harbor. Additionally, the bill authorizes the Board of Estimates to establish fees for the use of City-owned harbor infrastructure and requires DOT to maintain maps, regulations, and oversight of harbor facilities. Finally, the legislation codifies ongoing harbor operations currently performed by the Harbormaster's office. While the legal authority for the Harbor Master lies under DHCD, the budget for this office exists under the Dock Master in DOT, Service 687: Inner Harbor Services - Transportation.

Fiscal Impact

The Department of Finance does not anticipate a cost for the City as a result of this legislation.

Conclusion

The Department of Finance does not anticipate any material fiscal impact resulting from this legislation as it formalizes existing operational responsibilities within DOT, updates outdated provisions of the City Code, and consolidates harbor management functions under the Office of the Harbormaster.

For the reasons stated above, the Department of Finance supports City Council Bill 26-0178.

cc: Michael Mocksten
Nina Themelis



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Ren Southard, Acting Director, Department of Planning
CC	Mayor's Office of Government Relations
DATE	June 24, 2026
SUBJECT	City Council Bill #26-0178

Position: Favorable

SUMMARY OF POSITION

This bill will transfer authority for the oversight of the Harbor from the Department of Housing and Community Development (DHCD) to the Department of Transportation (DOT), and modernizing City Code to better match modern operations. Planning will remain a partner where the water's edge interacts with landward development such as the Promenade, and other waterfront developments. Other than that intersection of interests, Planning defers to DOT as the most directly impacted agency.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at eric.tiso@baltimorecity.gov or at 410-396-8358.



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	May 29, 2026
SUBJECT	26-0178 • Baltimore Harbor – Transfer of Authority to Department of Transportation

Position: Favorable

BACKGROUND

Council Bill 26-0178 transfers authority over the regulation and management of the Baltimore Harbor from the Department of Housing and Community Development (DHCD) to DOT. The legislation modernizes outdated provisions within Article 10 of the Baltimore City Code by removing references to positions, roles, and duties which are no longer used by or applicable to the City. Further, it formally establishes the Harbormaster as a function within the Department while authorizing DOT to oversee Harbor operations, vessel activity, permitting, infrastructure management, and enforcement activities. The bill also establishes and updates certain penalties related to safety, the environment, structures, and obstructions within the Harbor.

The Harbormaster is responsible for the management of docking at Baltimore's municipal piers by setting and collecting docking fees, delivering services to users, and managing wharfage and land-use agreements. The Harbormaster is also tasked with maintaining public access and general fund revenue, consulting on waterfront development, and keeping Harbor infrastructure in a state of good repair. More recently, the Harbormaster's office has coordinated logistics surrounding Sail250 and supported dredging efforts ahead of the event.

This legislation represents the culmination of over a year of work and interagency coordination by the Harbormaster's office. The Department has consulted with City stakeholders (DHCD, Police, Law, Real Estate, Legislative Reference, and MOGR), the Maryland Department of Natural Resources, and the United States Coast Guard. These conversations have shaped the development of Council Bill 26-0178 to ensure the legislation reflects real-world conditions and sets up the Harbor for success.

RECOMMENDATION

Council Bill 26-0178 modernizes Article 10 by bringing City Code in line with the Harbor's

operational reality and removing language which has become obsolete over the years. The bill strengthens DOT's ability to manage docking, infrastructure, and enforcement throughout the Baltimore Harbor. Furthermore, because the Harbormaster's office already operates within the agency's budget, the Department does not anticipate a negative fiscal impact as a result of this legislation. As such, the Department requests a favorable report on Council Bill 26-0178.

Proposed Amendment to Article 10: Harbors, Docks, and Wharves

**PREPARED BY
Baltimore Harbormaster**

July 2, 2026



**Brandon M. Scott
Mayor**

WHAT DOES THE HARBORMASTER DO?

2

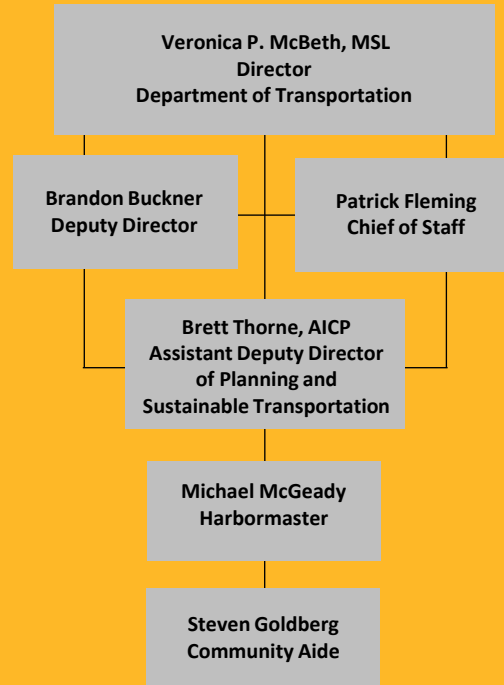


- Manage docking at Baltimore City Municipal Piers: propose fee structure, collect fees and deliver world-class service to residents and visitors
- Monitor wharfage and land use agreements impacting public access & revenue for General Fund
- Leverage marine construction expertise to consult on waterfront development, monitor maritime infrastructure and prioritize state-of-good-repair
- Encourage boater compliance with safety rules in coordination with BCPD, BCFD, BCRP, BDC, DoRE, WPB, MPA, DNR, MDE, USCG and USACE
- Coordinate maritime logistics with emergency management and event stakeholders (Sail250)
- Advocate for maritime issues with community groups, developers and industry



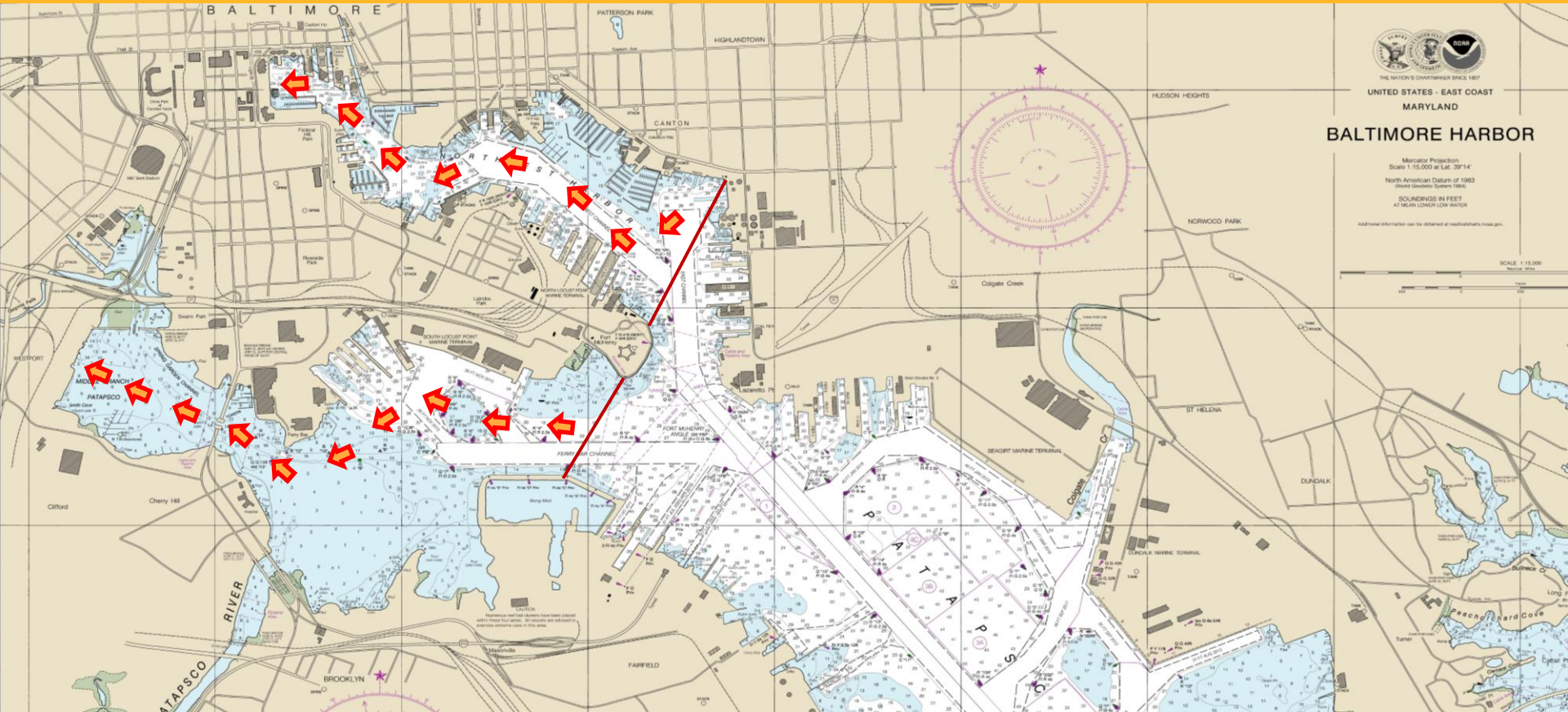
Brandon M. Scott
Mayor

BCDOT TRANSPORTATION SERVICES ORG CHART 3



PATAPSCO RIVER AREA OF RESPONSIBILITY

4



WHAT'S THE PROBLEM?

5



Article 10 of the City Code {“Harbors, Docks, and Wharves”} currently places harbor rulemaking under the Department of Housing and Community Development (DHCD). This agency no longer actively supports harbor management and rulemaking.

Through this amendment to Article 10, authority to regulate Baltimore Harbor would transfer from the Department of Housing and Community Development to the Department of Transportation.



Brandon M. Scott
Mayor

WHAT'S THE SOLUTION?

6



Over the last 14 months, BCDOT has consulted with DHCD, the Baltimore Police Department, the Law Department, the Department of Real Estate, the Department of Legislative Reference, MOGR, the Maryland Department of Natural Resources, the United States Coast Guard and numerous others to prepare an amendment to Article 10.

The solution is to pass an Amendment to Article 10.



Brandon M. Scott
Mayor

ARTICLE 10 SUBTITLES

7

Subtitle 1. Anchorages

Subtitle 2. Inner Harbor

Subtitle 3. Pierhead Lines

Subtitle 4. Municipal Airport

Subtitle 5. Maintenance of Piers, Wharves, etc.

Subtitle 6. Wharfage and Other Regulations

Subtitle 7. Explosives

Subtitle 8. Ammonium Nitrates

Subtitle 9. Steam-Propelled Vessels

4. Municipal Airport

Baltimore Municipal Airport closed in 1960, site is now Dundalk Marine Terminal (MPA).

7. Explosives

Defines regulations to govern handling of explosives in the Port of Baltimore. Port of Baltimore is now operated by the State.

8. Ammonium Nitrates

Baltimore City does not establish provisions regarding shipments of ammonium nitrates on board any ship or vessel prior to its arrival in the Patapsco River or any of its tributaries.

9. Steam-Propelled Vessels

Antiquated language from the era of steam.

REQUESTING YOUR SUPPORT TO...

8



- Transfer rulemaking authority for Baltimore Harbor from the Department of Housing and Community Development to the Department of Transportation
- Define the Harbormaster Office under the Department of Transportation
- Restate the authority of Harbormaster to collect boater fees and establish special enforcement powers



Brandon M. Scott
Mayor

REQUESTING YOUR SUPPORT TO...

9



Amend and restate language regarding:

- Subtitle 1 - Harbor and Anchorages
- Subtitle 2 - Inner Harbor
- Subtitle 3 - Pierhead Lines
- Subtitle 5 - Maintenance of Waterfront Infrastructure, Piers, Wharves, etc.
- Subtitle 6 - Wharfage Agreements and Other Regulations

Remove outdated language regarding:

- Subtitle 4 - Municipal Airport
- Subtitle 7 - Explosives
- Subtitle 8 - Ammonium Nitrates
- Subtitle 9 - Steam Propelled Vessels

QUESTIONS?

10



Brandon M. Scott
Mayor