

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 14-0464

Introduced by: Councilmembers Kraft, Curran, Branch, Middleton, Clarke, Spector, Welch,
Mosby, Henry, Scott

Introduced and read first time: December 4, 2014

Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: May 4, 2015

AN ORDINANCE CONCERNING

Hotels – Human Trafficking Prevention

1
2 FOR the purpose of requiring the registration of all hotels in the City; prohibiting hotels from
3 renting out sleeping accommodations for a period of less than ½ day; requiring that all hotel
4 employees receive training in how to identify human trafficking activities and human
5 trafficking victims; requiring hotels to certify that all employees have been given anti-human
6 trafficking training; requiring the posting of a certain certificate; prohibiting the issuance of a
7 multiple-family dwelling or rooming house license to a hotel that is not in compliance with
8 the training and certification requirements of this ordinance; defining certain terms; providing
9 for certain penalties; and generally relating to the operation of hotels in Baltimore City.

10 BY repealing and reordaining, with amendments

11 Article 13 - Housing and Urban Renewal

12 Section(s) 5-6

13 Baltimore City Code

14 (Edition 2000)

15 BY adding

16 Article 15 - Licensing and Regulation

17 Section(s) 10-1 to 10-9, to be under the new subtitle,

18 “Subtitle 10. Hotels”

19 Baltimore City Code

20 (Edition 2000)

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

Baltimore City Code

Article 13. Housing and Urban Renewal

Subtitle 5. Licensing of Multiple-Family Dwellings and Rooming Houses

EXPLANATION: CAPITALS indicate matter added to existing law.

[Brackets] indicate matter deleted from existing law.

Underlining indicates matter added to the bill by amendment.

~~Strike out~~ indicates matter stricken from the bill by

amendment or deleted from existing law by amendment.

Council Bill 14-0464

§ 5-6. Prerequisites for license.

A license may be issued or renewed under this subtitle only if:

- (1) all dwelling units are currently registered under Subtitle 4 {"Non-Owner-Occupied Dwellings; Vacant Structures"} of this article;
- (2) the registration fees and all outstanding interest and late fees required by Subtitle 4 have been paid;
- (3) the premises have been inspected by the Commissioner;
- (4) the premises are in compliance with State laws and regulations governing lead paint; and
- (5) the premises are not subject to an unabated violation notice issued under § 116 {"Unsafe Structures"} of the Baltimore City Building Code; AND
- (6) IF THE PREMISES INCLUDE A HOTEL SUBJECT TO SUBTITLE 10 {"HOTELS"} OF ARTICLE 15 {"LICENSING AND REGULATION"} OF THE BALTIMORE CITY CODE, THE HOTEL IS IN COMPLIANCE WITH THE TRAINING, CERTIFICATION, AND POSTING REQUIREMENTS OF THAT SUBTITLE.

Article 15. Licensing and Regulation

SUBTITLE 10. HOTELS.

§ 10-1. DEFINITIONS.

(A) *IN GENERAL.*

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

(B) *HUMAN TRAFFICKING.*

~~“HUMAN TRAFFICKING” MEANS THE USE OF FORCE, THREAT OF FORCE, FRAUD, OR COERCION TO:~~

~~(1) CAUSE AN INDIVIDUAL UNDER 18 TO ENGAGE IN A COMMERCIAL SEX ACT; OR~~

~~(2) RECRUIT, HARBOR, TRANSPORT, PROVIDE, OR OBTAIN ANY INDIVIDUAL FOR LABOR OR COMMERCIAL SEX.;~~

(1) SEX TRAFFICKING IN WHICH A COMMERCIAL SEX ACT IS INDUCED BY FORCE, FRAUD, OR COERCION, OR IN WHICH THE PERSON INDUCED TO PERFORM SUCH ACT HAS NOT ATTAINED 18 YEARS OF AGE; OR

(2) THE RECRUITMENT, HARBORING, TRANSPORTATION, PROVISION, OR OBTAINING OF A PERSON FOR LABOR OR SERVICES, THROUGH THE USE OF FORCE, FRAUD, OR

Council Bill 14-0464

1 COERCION FOR THE PURPOSE OF SUBJECTION TO INVOLUNTARY SERVITUDE,
2 PEONAGE, DEBT BONDAGE, OR SLAVERY.

3 (C) ~~FINANCE~~ HOUSING DEPARTMENT; *DEPARTMENT*.

4 “~~FINANCE~~ HOUSING DEPARTMENT” OR “DEPARTMENT” MEANS THE BALTIMORE CITY
5 DEPARTMENT OF ~~FINANCE~~ HOUSING.

6 (D) *HOTEL*.

7 “HOTEL” MEANS ~~A BUILDING~~ ANY BUILDING, INCLUDING ANY MOTEL, CONTAINING
8 SLEEPING ACCOMMODATIONS FOR MORE THAN 5 PERSONS AND OPEN TO THE TRANSIENT
9 PUBLIC.

10 (E) *PERSON*.

11 “PERSON” MEANS:

12 (1) AN INDIVIDUAL;

13 (2) A PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, OR OTHER ENTITY OF ANY
14 KIND; OR

15 (3) A RECEIVER, TRUSTEE, GUARDIAN, PERSONAL REPRESENTATIVE, FIDUCIARY, OR
16 REPRESENTATIVE OF ANY KIND.

17 **§ 10-2. REGISTRATION REQUIRED.**

18 NO PERSON MAY OPERATE A HOTEL IN BALTIMORE CITY WITHOUT FIRST REGISTERING THE
19 HOTEL WITH THE DEPARTMENT OF ~~FINANCE~~ HOUSING ON THE FORM REQUIRED BY THE
20 DEPARTMENT.

21 **§ 10-3. RULES, REGULATIONS, AND FORMS.**

22 (A) *DEPARTMENT TO ADOPT*.

23 THE ~~FINANCE~~ HOUSING DEPARTMENT MUST ADOPT RULES, REGULATIONS, AND FORMS TO
24 CARRY OUT THIS SUBTITLE.

25 (B) *FILING*.

26 A COPY OF THE RULES, REGULATIONS, AND FORMS AND OF ANY AMENDMENTS TO THEM
27 MUST BE FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY TAKE
28 EFFECT.

29 **§ 10-4. {Reserved}**

Council Bill 14-0464

1 ~~§ 10-5. HOURLY RENTALS PROHIBITED.~~

2 NO PERSON WHO OWNS OR OPERATES A HOTEL WITHIN THE CITY MAY RENT OUT SLEEPING
3 ACCOMMODATIONS FOR A PERIOD OF LESS THAN 1/2 DAY.

4 § 10-6. ANTI-TRAFFICKING TRAINING REQUIRED.
5

6 (A) HOTEL EMPLOYEES TO BE TRAINED.

7 (1) ANY PERSON WHO OWNS OR OPERATES A HOTEL WITHIN THE CITY MUST PROVIDE
8 TRAINING TO ALL NEW HOTEL EMPLOYEES, WITHIN 30 DAYS OF HIRE, ON HOW TO
9 IDENTIFY HUMAN TRAFFICKING ACTIVITIES AND HUMAN TRAFFICKING VICTIMS.

10 (2) ANY PERSON WHO OWNS OR OPERATES A HOTEL WITHIN THE CITY MUST PROVIDE
11 TRAINING TO ALL EXISTING HOTEL EMPLOYEES ON HOW TO IDENTIFY HUMAN
12 TRAFFICKING ACTIVITIES AND HUMAN TRAFFICKING VICTIMS BY AUGUST 1ST, 2016.

13 (B) ~~HEALTH COMMISSIONER APPROVED TRAINING~~ POLICE APPROVED VIDEO REQUIRED.

14 THE ANTI-TRAFFICKING TRAINING PROGRAM REQUIRED BY THIS SECTION MUST ~~INCLUDE~~
15 ~~VIEWING A TRAINING VIDEO~~ BE APPROVED BY THE ~~POLICE~~ HEALTH COMMISSIONER AS
16 APPROPRIATE FOR TRAINING EMPLOYEES ON HOW TO IDENTIFY HUMAN TRAFFICKING
17 ACTIVITIES AND HUMAN TRAFFICKING VICTIMS.

18 (C) CERTIFICATION REQUIRED.

19 BEGINNING IN CALENDAR YEAR 2016, ANY PERSON WHO OWNS OR OPERATES A HOTEL
20 WITHIN THE CITY MUST ANNUALLY CERTIFY TO THE ~~POLICE~~ HOUSING COMMISSIONER, NO
21 LATER THAN AUGUST 1ST OF EACH YEAR, THAT ALL OF THEIR EMPLOYEES HAVE
22 COMPLETED THE TRAINING REQUIRED BY THIS SECTION.

23 § 10-7. POSTING CERTIFICATION.

24 (A) IN GENERAL

25 AFTER THE ISSUANCE TO A HOTEL OF A MULTIPLE FAMILY DWELLING LICENSE REQUIRED
26 BY CITY CODE ARTICLE 13 {"HOUSING AND URBAN RENEWAL"}, § 5-4 {"LICENSE
27 REQUIRED"} , THE HOTEL MUST PROMINENTLY DISPLAY A SIGN STATING THAT THE
28 FACILITY HAS PROVIDED TRAINING TO ALL EMPLOYEES ON HOW TO IDENTIFY HUMAN
29 TRAFFICKING ACTIVITIES AND HUMAN TRAFFICKING VICTIMS.

30 (B) MANNER OF DISPLAY.

31 THE SIGN REQUIRED BY SUBSECTION (A) OF THIS SECTION MUST BE PROMINENTLY
32 DISPLAYED IN THE LOBBY OF THE HOTEL IN THE FORM AND MANNER REQUIRED BY THE
33 DEPARTMENT.

34 ~~§§ 10-7 TO~~ § 10-8. {Reserved}

Council Bill 14-0464

1 **§ 10-9. PENALTIES.**

2 (A) *IN GENERAL.*

3 ANY PERSON WHO VIOLATES OR WHO NEGLECTS OR REFUSES TO COMPLY WITH ANY
4 PROVISION OF THIS SUBTITLE OR OF ANY RULE OR REGULATION ADOPTED UNDER THIS
5 SUBTITLE IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF
6 NOT MORE THAN \$1000 OR IMPRISONMENT FOR NOT MORE THAN 12 MONTHS OR BOTH FINE
7 AND IMPRISONMENT.

8 (B) *EACH DAY A SEPARATE OFFENSE.*

9 EACH DAY THAT A VIOLATION CONTINUES AFTER NOTIFICATION CONSTITUTES A SEPARATE
10 OFFENSE.

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

14 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
15 after the date it is enacted.

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City