

**CITY OF BALTIMORE
COUNCIL BILL 21-0101
(First Reader)**

Introduced by: The Council President

At the request of: The Administration (Department of Legislative Reference)

Introduced and read first time: July 19, 2021

Assigned to: Rules and Legislative Oversight Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of Housing and Community Development, Board of Estimates, Minority and Women's Opportunity Office, Board of Ethics, Baltimore City Employees' Retirement System, Fire and Police Employees' Retirement System, Police Department, Parking Authority, Environmental Control Board

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Corrective Bill 2021 – General**

3 FOR the purpose of correcting various errors and omissions in the City Code; correcting,
4 clarifying, and conforming certain inconsistent, superfluous, vague, ungrammatical,
5 misnumbered, and other unclear language; and providing for a special effective date.

6 BY repealing and reordaining, with amendments

7 Article - General Provisions
8 Sections 4-302, 4-303(c), 4-305(b)(3), 4-404, and 4-405
9 Baltimore City Revised Code
10 (Edition 2000)

11 BY repealing and reordaining, with amendments

12 Article - Health
13 Section 6-603.1(b)(1)(Art. 19), 8-111(c), 8-120(a)(2), and 10-116(intro)
14 Baltimore City Revised Code
15 (Edition 2000)

16 BY repealing and reordaining, with amendments

17 Article 1 - Mayor, City Council, and Municipal Agencies
18 Sections 10-10(b), 29-10(b)(2), 40-14(e)(3), and 41-14(2)
19 Baltimore City Code
20 (Edition 2000)

21 BY repealing and reordaining, with amendments

22 Article 5 - Finance, Property, and Procurement
23 Sections 9-5(c)(2)(ii)(C) and (d)(1), 31-3(b), and 38-2(b)(9)
24 Baltimore City Code
25 (Edition 2000)

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

Council Bill 21-0101

- 1 By repealing and reordaining, with amendments
2 Article 8 - Ethics
3 Sections 7-2(a) and 7-13
4 Baltimore City Code
5 (Edition 2000)
- 6 BY adding
7 Article 8 - Ethics
8 Section 7-8(22)
9 Baltimore City Code
10 (Edition 2000)
- 11 BY repealing and reordaining, with amendments
12 Article 9 - Fire Suppression and Prevention
13 Sections 1-1(intro) and 9-2
14 Baltimore City Code
15 (Edition 2000)
- 16 BY repealing and reordaining, with amendments
17 Article 13 - Housing and Urban Renewal
18 Sections 2-1(c)(1)(i), 2-3(a)(7) and (11), 3-1(a)(4) and (b)(1), 6-1 to 6-3, 6-4(a)(4), (b),
19 and (d)(1), 6-6(a)(1), (c), (d)(2) and (3), 6-8(b), 6-9(a), (b), and (c)(intro), 10-2(k)(2),
20 and 11-3(a)(2)
21 Baltimore City Code
22 (Edition 2000)
- 23 BY repealing and reordaining, with amendments
24 Article 14 - Special Benefits Districts
25 Sections 20-8(c) and 20-17(d)
26 Baltimore City Code
27 (Edition 2000)
- 28 BY repealing and reordaining, with amendments
29 Article 15 - Licensing and Regulation
30 Section 2-15(e)(3)
31 Baltimore City Code
32 (Edition 2000)
- 33 BY repealing and reordaining, with amendments
34 Article 19 - Police Ordinances
35 Sections 26-3(a), 27-12(a), and 48-4(a)
36 Baltimore City Code
37 (Edition 2000)
- 38 By repealing and reordaining, with amendments
39 Article 28 - Taxes
40 Sections 8.1-3(b)(1), 8-1-7(c)(9), 8.1-8(c)(2)(i), 8.1-10(intro), 8.1-15(b), 9-5(a),
41 10-19(c)(1), and 10-21(d)(2)
42 Baltimore City Code
43 (Edition 2000)

Council Bill 21-0101

1 By repealing and reordaining, with amendments
2 Article 31 - Transit and Traffic
3 Sections 2-6.1(c)(1)
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 - General Provisions**

10 **Title 4. Administrative Procedure Act – Regulations**

11 **Subtitle 3. Notice and Comment Period; Adoption**

12 **§ 4-302. Effect of notice.**

13 Publication of the notice required **[under] BY** this subtitle:

- 14 (1) creates a rebuttable presumption that the proposed regulation was adopted properly;
15 and
16 (2) is deemed to give a person who is subject to or affected by the proposed regulation
17 notice of the contents of the proposed regulation.

18 **§ 4-303. Review by Committee.**

19 (c) *Scope of review.*

20 In its review under this section, the Committee shall consider whether the proposed
21 regulation:

- 22 (1) **[is in conformity] CONFORMS** with the statutory authority of the agency; and
23 (2) reasonably complies with the legislative intent of the statute under which
24 the regulation was proposed.

25 **§ 4-305. Emergency regulations.**

26 (b) *Temporary regulations.*

27 (3) *Expiration.*

- 28 (i) Except as provided in subparagraph (ii) of this paragraph, any temporary
29 regulation adopted under this section expires and no longer has legal
30 effect on the 90th day after the state of emergency has been lifted.

Council Bill 21-0101

1 (ii) If, within the 90 days after a state of emergency has been lifted, an agency
2 submits a temporary regulation to the City Solicitor as set forth in § 4-204
3 {"Submission to Solicitor"} of this title and otherwise follows the notice
4 and publication procedures set forth in this title to adopt that regulation as
5 permanent, the regulation [may] DOES not expire as stated in subparagraph
6 (i) of this paragraph.

7 **Subtitle 4. Codification**

8 **§ 4-404. Removal of obsolete provisions.**

9 (a) *In general.*

10 With the approval of the City Solicitor, an agency may request that the Director remove
11 from the Code:

- 12 (1) a part of a regulation that has been held unconstitutional by a court of competent
13 final jurisdiction; or
- 14 (2) a regulation whose specific enabling law has been repealed [by the Mayor and
15 City Council].

16 (b) *Reason for removal.*

17 The requesting agency shall state with particularity [the reason for] why the regulation is
18 obsolete and, if approved for removal by the City Solicitor, the Director shall include that
19 reason as an annotation within the Code.

20 **§ 4-405. Severability.**

21 If a section, paragraph, sentence, clause, phrase, or word of a regulation is declared
22 unconstitutional or invalid by a court of competent jurisdiction, the unconstitutionality or
23 invalidity [may] DOES not affect [any of] any remaining sections, paragraphs, sentences,
24 clauses, phrases, or words unless:

- 25 (1) the regulation is subject to a provision that prohibits severability; or
- 26 (2) the court finds that the remaining valid provisions alone are incomplete and incapable
27 of being carried out in accordance with the regulation’s purpose.

Council Bill 21-0101

Article - Health

Title 6. Food Service Facilities

§ 6-603.1. Suspension or nonrenewal for multiple or unpaid citations.

(b) *Covered offenses.*

(1) For purposes of this section, citations issued for violations of the following provisions of the City Code are presumed to be issued for reasons related to public health or to the prevention of disease, epidemics, or nuisances affecting public health:

Article 19. Police Ordinances

§ 1-2. Placement *{of advertising circulars}* without permission

...

§ 45-2. Signs on public property: Posting prohibited

[Subtitle 46. Signs – Campaign Signs in Residential Areas]

§ 47-5. Nighttime soliciting

....

COMMENT: Deletes obsolete reference. Article 19, Subtitle 46 {"Signs- Campaign Signs in Residential Areas"}, was repealed by Ordinance 19-324.

Title 8. Air Pollution

§ 8-111. Definitions.

(c) *Commercial solid waste incinerator; Facility.*

“Commercial solid waste incinerator” or “facility” means any facility in Baltimore City that produces energy or disposes of waste by combusting a solid fuel or waste, or gases produced on-site from the gasification or pyrolysis of a solid fuel or waste, and **[which]** **[THAT]** is capable of processing at least 25 tons of solid fuel or waste per day.

§ 8-120. Required CEMS reports.

(a) *Reports required.*

(2) All data supplied as part of the reports required by this section **[is]** **ARE** property of the City of Baltimore.

Council Bill 21-0101

Title 10. Animal Control and Protection

§ 10-116. Finding animal to be dangerous or vicious.

If, on investigation of a complaint, the Office believes that the animal is **A** dangerous or vicious animal, the Office must:

. . . .

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 10. Records Management

§ 10-10. Disposal of records.

(b) *In general.*

Except as provided in this section or in an approved Record Retention and Disposition Schedule, records created or received by an agency in the course of official City business are the property of the Mayor and City Council of Baltimore and may not be destroyed, sold, transferred, or otherwise **disposed OF.**

Subtitle 29. Violence Protection

§ 29-10. Biennial violence prevention strategy plan.

(b) *Development and coordination.*

(2) *Qualification.*

Only the entities listed in paragraph (1) of this subsection that are municipal agencies as defined in **CITY CHARTER** Article I, § 2(j) {"Definitions: Municipal agency"} are required to assist and participate with the Baltimore City Department of Health in this endeavor.

Subtitle 40. Environmental Control Board

§ 40-14. Violations to which subtitle applies.

(e) *Provisions and penalties enumerated.*

(3) **Article 19. Police Ordinances**

§ 1-2. Placement {of advertising circulars} without permission	
1 st offense	\$ 50
2 nd offense	\$100
3 rd or subsequent offense	\$500
. . .	

Council Bill 21-0101

1	§ 45-2. Signs on or affecting public property: Posting prohibited	\$500
2	[Subtitle 46. Signs – Campaign Signs in Residential Areas	\$100]
3	§ 50-2. Obstructing street, etc., or gutter	\$ 50
4	

5 COMMENT: Deletes obsolete reference. Article 19, Subtitle 46 {"Signs- Campaign Signs in
6 Residential Areas"}, was repealed by Ordinance 19-324.

Subtitle 41. Civil Citations

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

(2) Article 19. Police Ordinances

10	§ 1-2. Placement {of advertising circulars} without permission	
11	1 st offense	\$ 50
12	2 nd offense	\$100
13	3 rd or subsequent offense	\$500
14	...	

15	§ 45-2. Signs on or affecting public property: Posting prohibited	\$500
16	[Subtitle 46. Signs – Campaign Signs in Residential Areas	\$100]
17	§ 47-5. Nighttime soliciting	\$100
18	

19 COMMENT: Deletes obsolete reference. Article 19, Subtitle 46 {"Signs- Campaign Signs in
20 Residential Areas"}, was repealed by Ordinance 19-324.

Article 5. Finance, Property, and Procurement

Subtitle 9. Children and Youth Fund

§ 9-5. Board of Directors.

(c) *Composition.*

(2) *Diversity.*

(ii) *Youth participation.*

(C) The Board of Estimates may waive the requirement in sub-subparagraph (B) if the Board of Estimates finds that the Fund’s Board HAS taken reasonable and diligent efforts to comply with that requirement and that those efforts have failed.

(d) *Bylaws.*

Council Bill 21-0101

1 (1) The Board must adopt bylaws for the administration of the fiscal agent[;]. [however]
2 **HOWEVER**, those bylaws may not be inconsistent with the terms of this subtitle or of
3 the City Charter Article I, § 13 {"Children and Youth Fund"}.

4 **Subtitle 31. Health Care Advisory Panel**

5 **§ 31-3. Annual review of providers, etc.**

6 (b) *Scope of review.*

7 The annual review shall cover the evaluation criteria adopted by the Board of Estimates,
8 including, but not limited to, the following evaluation criteria:

- 9 (1) that each entity seeking to provide health care services under this subtitle consider
10 all qualified applicants for its provider panel without regard to race, color,
11 religion, sex, disability, sexual orientation, or national origin;
- 12 (2) that all solicitations or advertisements for applicants for membership on provider
13 panels state that all qualified applicants will be considered without regard to race,
14 color, religion, sex, disability, sexual orientation, or national origin; **AND**
- 15 (3) that all participants in the prequalification process maintain a provider panel that
16 meets certain criteria with respect to ethnic diversity as determined by the Board
17 of Estimates.

18 **Subtitle 38. Vendors' Hot Line**

19 **§ 38-2. Purpose.**

20 (b) *Information to be provided.*

21 The Vendors' Hot Line shall provide by prerecorded message to callers the following
22 information:

23 . . .

- 24 (9) any other information the Director **OF PURCHASING** considers appropriate and
25 practicable.

Council Bill 21-0101

Article 8. Ethics

Subtitle 7. Financial Disclosure

Part I. General Provisions

§ 7-2. General filing requirements.

(a) *Annual filing required.*

(1) *In general.*

Except as otherwise specified in this subtitle, each statement must be filed with the Ethics Board on or before April 30 of each year.

(2) *Elected officials.*

Elected officials must file the statement required by this subtitle on or before **January [30] 31** of each year.

COMMENT: Corrects date for intended end of the month.

Part II. Who Must File

§ 7-8. Persons required to file – Agency officials and staff.

The following officials and employees must file the financial disclosure statements required by this subtitle:

(22) INSPECTOR GENERAL, OFFICE OF.

(i) INSPECTOR GENERAL.

(ii) ASSISTANT INSPECTORS GENERAL.

(iii) ALL NON-CLERICAL EMPLOYEES OF OFFICE.

§ 7-13. Candidates for office.

(a) *In general.*

Except as provided in subsection (b) of this section, a candidate for an elected office for which an annual statement is required must file a statement annually:

(1) beginning with the year in which the candidate files a certificate of candidacy; and

(2) continuing through the year of the election.

Council Bill 21-0101

1 (b) *Exception.*

2 This section does not require the filing of a statement for any full year that is already
3 covered by a statement the individual has otherwise filed under this subtitle.

4 (c) *Filing requirements – Place.*

5 The statement required by this section must be filed with the Baltimore City Board of
6 Elections.

7 (d) *Filing requirements – Time.*

8 (1) The initial statement required by this section must be filed no later than with the filing
9 of the certificate of candidacy.

10 (2) In each subsequent year, through and including the year of the election, the statement
11 must be filed on or before the earlier of:

12 (i) April 30; or

13 (ii) the last day for the withdrawal of a candidacy under State Election Law
14 Article, § 5-502.

15 **(E) FILING REQUIREMENTS – CONTENTS.**

16 **THE DISCLOSURE REQUIREMENTS APPLICABLE TO A CANDIDATE FILING UNDER THIS**
17 **SECTION ARE THE SAME AS THOSE APPLICABLE TO AN INCUMBENT HOLDING THE OFFICE**
18 **INVOLVED.**

19 **COMMENT:** Added to expressly reflect the requirement imposed by the State General Provisions
20 Article, § 5-809.

21 **(F) [(e)]** *Filing prerequisite to candidacy.*

22 The Board of Elections may not accept a certificate of candidacy of a candidate covered
23 by this section unless the candidate has filed the initial statement required by subsection
24 (d)(1) of this section.

25 **(G) [(f)]** *Subsequent failure to file.*

26 If a later statement required by this section is overdue and is not filed within 20 days after
27 the candidate receives from the Board of Elections written notice of the failure to file, the
28 candidate is considered to have withdrawn his or her candidacy.

29 **(H) [(g)]** *Forwarding to Ethics Board.*

30 Within 30 days after receiving a statement, the Board of Supervisors of Elections must
31 forward the statement to the Ethics Board.

Council Bill 21-0101

Article 9. Fire Suppression and Prevention

Subtitle 1. Fire Department

§ 1-1. Fire Chief in general command.

The Chief of **THE** Fire Department:
.....

Subtitle 9. Hazardous Materials

§ 9-2. Security and safeguarding required.

All facilities on or in which any hazardous material is stored, dispensed, used, or handled must be secured against unauthorized entry and safeguarded with protective measures and facilities in accordance with the rules, regulations, and standards adopted under this **[section]** **SUBTITLE.**

COMMENT: See § 9-3 {"Rules, regulations and standards"}.

Article 13. Housing and Urban Renewal

Subtitle 2. Department of Housing and Community Development

§ 2-1. Determinations, declarations, and definitions.

(c) *Definitions.*

(1) *Slum, blighted, or deteriorated area.*

As used herein, a slum, blighted, or deteriorated area is an area in which:

- (i) a preponderance of the structures or the dwelling units therein is detrimental to the public health, safety, or general welfare by reason of age, dilapidation, depreciation, overcrowding, excessive land coverage, faulty arrangement, lack of ventilation or sanitary facilities, failure to conform with the provisions of the ordinances or regulatory codes of the City of Baltimore relating to buildings, housing, or sanitation, neighborhood obsolescence or deterioration, **OR** inadequate open space, parking, or access to transportation; or

.....

Council Bill 21-0101

1 **§ 2-3. General powers.**

2 (a) *Enumerated.*

3 The Department of Housing and Community Development is authorized to:
4 . . .

5 (7) engage in studies, experimentation, and research pertaining to housing,
6 community development, **AND** the existence of and the problems of correcting,
7 eliminating, and preventing slums, blight, and urban deterioration; disseminate
8 public information with respect thereto, and cooperate with other agencies of the
9 City, the State, the Federal Government, or any agency thereof, in activities
10 undertaken in connection therewith;
11 . . .

12 (11) assist the several City departments involved in activities related to housing and
13 community development for the purpose of coordinating such activities and
14 establishing consistent policies and procedures with respect thereto; **AND**
15

16 **Subtitle 3. Human Services Division**

17 **§ 3-1. Declaration of policy and findings of fact.**

18 (a) *In general.*

19 The City Council finds that:
20 . . .

21 (4) many of said impoverished persons and families are dependent upon public
22 subsidy for their subsistence; **AND**
23

24 (b) *Program of concerted action needed.*

25 The City Council further finds that:

26 (1) to eliminate the causes of poverty and the problems attendant upon it, it is
27 imperative for the City of Baltimore to engage in a total program of concerted
28 community action which will harness and synchronize its resources for remedial
29 education, job training, health care, environmental improvement, social and
30 physical rehabilitation, and training in home management and healthy family
31 living; **AND**
32

Council Bill 21-0101

Subtitle 6. Tenant's Right of First Refusal

§ 6-1. Statement of public policy and purpose.

It is the intent and purpose of this [law] **SUBTITLE** that before title to any single-family residential rental property is voluntarily transferred, the tenant of that property shall have the opportunity to purchase the property on terms accepted as reasonable in the residential real estate market; and that residential property owners shall not be unreasonably impeded in selling their properties nor required to accept unreasonable terms of sale.

§ 6-2. Definitions.

(a) *Landlord.*

As used in this [law] **SUBTITLE**, "landlord" means an owner, lessor, sublessor, assignee, any agent thereof, or any other person receiving or entitled to receive rents or benefits for the use or occupancy of any residential rental unit within the City of Baltimore.

(b) *Tenant.*

(1) As used in this [law] **SUBTITLE**, "tenant" means a tenant, subtenant, lessee, sublessee, or other person entitled to the possession, occupancy, or **[the]** benefits thereof, of any rental unit owned by another person, and who has resided therein for not less than 6 months.

(2) Where a rental unit had been occupied by a tenant at any time during the preceding 6 months, the last such tenant to occupy the unit shall be considered a present tenant for purposes of this [law] **SUBTITLE**.

(3) Provided however that no tenant who has been summarily ejected for non-payment of rent pursuant to Subtitle 9 of the Public Local Laws of Baltimore City from a single-family rental property shall be entitled by this subtitle to a right of first refusal for that property.

§ 6-3. Tenant's right of first refusal.

Before a voluntary transfer of title to a single-family rental residential property may occur, the tenant of that property shall have the right of first refusal to purchase the property. Such right shall be exercised in accordance with the provisions of this [law] **SUBTITLE**.

§ 6-4. Exercise of right of first refusal.

(a) *In general.*

(4) Following notification by the tenant, as above, of the intent to exercise that right of first refusal, the landlord must tender to the tenant within 10 days an executed contract of sale for said property on the same terms and conditions as indicated in the offer of sale or the third-party contract, with the exception of any term or condition which is inconsistent with the provisions of this subtitle, in which instance the

Council Bill 21-0101

1 contract shall specify terms consistent with those provisions, and provided further that
2 the contract shall be consistent with an indication made by the tenant pursuant to
3 **PARAGRAPH** (3) above, as to the use of a particular government program of mortgage
4 insurance, guarantee, or financing.

5 (b) *Sale to other for less than offer.*

6 (1) If the landlord enters into a sale contract with a third party after the expiration of the
7 30-day period in **SUBSECTION** (a) above and if the net proceeds of that sales contract
8 are less in amount than the amount in the offer of sale to the tenant, or if the terms and
9 conditions of that sales contract are materially more favorable to the buyer than those
10 contained in the offer of sale to the tenant, as provided in **SUBSECTION** (a) above, then
11 the tenant shall be notified of such contract in the manner provided for in **SUBSECTION**
12 (a) above.

13 (2) The tenant shall then have the right to contract with the landlord in lieu of the third
14 party, provided the proceeds of the tenant’s offer to purchase are not less in amount
15 than the offer of the third party. Said right shall be in effect for 15 days from the
16 mailing of notification of the sales contract, unless the net proceeds of the third-party
17 sales contract are less than 80% of the amount in the offer of sale to the tenant in
18 **SUBSECTION** (a) above, or more than 6 months has elapsed since the offer to the tenant
19 in **SUBSECTION** (a) above, in which **CASE** the tenant shall have the right for 30 days
20 from the mailing of notification.

21 (3) A tenant shall exercise the right to contract in lieu of a third party pursuant to this
22 **[paragraph] SUBSECTION** in the manner provided by **[Paragraph] SUBSECTION** (a)(3)
23 of this section and where a tenant does so the provisions of **[Paragraphs]**
24 **SUBSECTIONS** (a)(4) and (a)(5) shall apply.

25 (d) *Contract without sale price in dollars.*

26 (1) Where a landlord’s contract with a third party, which is required by **[Paragraph]**
27 **SUBSECTION** (a) or (b) above to be submitted to the tenant, fails to set forth the sale
28 price in dollars of the individual property for which the tenant has the right of first
29 refusal pursuant to this subtitle, then in the notice to the tenant of said contract the
30 landlord shall set forth a dollar amount which as a cash price is equivalent to the
31 consideration attributable to that property under the terms of the third-party contract.

32 **§ 6-6. Miscellaneous.**

33 (a) *Any tenant will do.*

34 (1) If a landlord enters into a sales contract with the tenant, as defined by this **[law]**
35 **SUBTITLE**, pursuant to the intent and requirements of this **[law] SUBTITLE**, the
36 landlord shall be deemed to be in compliance with this **[law] SUBTITLE**, and to
37 have met the requirements of this **[law] SUBTITLE** even though such person is not
38 the person with whom the landlord entered into a written or oral lease on the
39 dwelling unit nor the sale occupant of the dwelling.

Council Bill 21-0101

1 (c) *Waivers — right to receive offer.*

2 No tenant may waive his right to receive an offer of sale or notification as required by
3 this [law] SUBTITLE.

4 (d) *Waivers — time periods.*

5 (2) Any such waiver shall:

6 (i) be in writing and signed by the tenant; AND

7 (ii) contain a statement, at the top of the waiver, that the tenant is under no
8 obligation to sign such a waiver and cannot be evicted for refusal to sign the
9 waiver.

10 (3) No landlord may evict a tenant for refusing to sign a waiver of the tenant’s right under
11 this [law] SUBTITLE. Any waiver not in accordance with this [paragraph] SUBSECTION
12 shall be null and void and of no effect.

13 **§ 6-8. Penalties.**

14 (b) *Injunctive relief.*

15 A tenant may seek relief from an appropriate court to restrain or enjoin any violation of
16 the provisions of this [law] SUBTITLE.

17 **§ 6-9. Affidavit on transfers to third parties.**

18 (a) *Affidavit of compliance required.*

19 In any transfer of real property subject to this [law] SUBTITLE to a party other than a
20 tenant, the owner shall file in the land records of Baltimore City an affidavit in the form
21 set forth in [Paragraph] SUBSECTION (c) below, certifying that the requirements of this
22 subtitle have been met, as a part of the deed conveyance.

23 (b) *Transferee’s rights protected.*

24 Where an affidavit has been filed as provided by [paragraph] SUBSECTION (a) above, the
25 rights and title of a third party transferee, his heirs, successors or assigns shall be free of
26 any restriction or claim arising in favor of a tenant of said property under or through any
27 provision of this subtitle.

28 (c) *Statements required.*

29 An affidavit affirming compliance with the requirements of this subtitle shall be filed as
30 provided by [paragraph] SUBSECTION (a) above and shall incorporate one of the following
31 statements as appropriate:
32

Council Bill 21-0101

Subtitle 10. Condominiums

§ 10-2. Definitions.

(k) *Rental facility.*

“Rental facility”:

...

(2) [shall not] **MAY NOT** be construed to mean:

(i) any transient facility such as boarding houses, tourist homes, inns, motels, hotels, **[school dormitory,]** hospitals, medical facilities, **OR SCHOOL DORMITORIES;** or

(ii) any facilities operated for religious or eleemosynary purposes.

Subtitle 11. Registration of Vacant Lots

§ 11-3. Information required with registration.

(a) *In general.*

The registration statement shall contain the following information:

...

(2) the name and address of the owner of record, and in addition, if the owner is a corporation, the name and address of the resident agent thereof; **AND**

....

Article 14. Special Benefits Districts

Subtitle 20. Baltimore Tourism Improvement District

§ 20-8. Annual financial plan.

(c) *Board of Estimates approval required.*

The District Management Committee may not approve a financial plan that includes District special **[assessment] ASSESSMENTS** in excess of those approved by the Board of Estimates.

§ 20-17. Dissolution of District.

(d) *Limited continuation.*

Council Bill 21-0101

1 In the event of District dissolution described in [paragraphs] SUBSECTIONS (a) or (b) of
2 this section, the District Management Committee shall continue its existence only as long
3 as necessary to:

- 4 (1) terminate operations related to the District in a reasonable fashion; and
5 (2) arrange for the refunding of all funds not needed to satisfy outstanding obligations
6 and reserves for uncertain obligations and liabilities.

7 Article 15. Licensing and Regulation

8 Subtitle 2. Amusements

9 § 2-15. Fees and taxes.

10 (e) *Quarterly payments for simulated slot machines.*

11 (3) The rules and regulations adopted under § 2-17 of this subtitle must establish:

12 (i) the amount of the service charge to be paid with each quarterly installment;

13 AND

14 (ii) a schedule indicating when quarterly payments are due each year.

15 Article 19. Police Ordinances

16 Subtitle 26. Loitering – Drug-Free Zones

17 § 26-3. Commissioner to certify zones; term.

18 (a) *In general.*

19 The POLICE Commissioner may establish, alter, recertify, or terminate [such] THE
20 certification OF DRUG-FREE ZONES from time to time.

21 Subtitle 27. Loitering – Prostitution

22 § 27-12. Commissioner to certify zones; term.

23 (a) *In general.*

24 The Police Commissioner may establish, alter, recertify, or terminate [such] THE
25 certification OF PROSTITUTION-FREE ZONES from time to time.

Council Bill 21-0101

Subtitle 48. Sporting Events

§ 48-4. Flying over stadium.

(a) *Prohibited conduct.*

It is unlawful for any person **TO** operate an aircraft over or around the outer limits of M&T Bank Stadium or Oriole Park at Camden Yards for any advertising or commercial purposes.

Article 28. Taxes

Subtitle 8.1. In Rem Foreclosure – Vacant and Abandoned Property

§ 8.1-3. HCD may initiate action; Applicable properties.

(b) *Applicable properties.*

Except as provided in subsection (c) of this section, in order to be subject to an action for foreclosure under this subtitle:

(1) the real property must be:

(i) a vacant lot; or

(ii) an improved property cited as vacant and unsafe or unfit for habitation or other authorized use on a housing or building violation notice, provided that:

(A) the time for appeal of the violation notice has expired without an appeal having been filed; or

(B) an administrative review of a filed appeal has been decided in favor of the Building Official, as defined in the City Building, Fire, and Related Codes **ARTICLE**;

....

§ 8.1-7. Complaint.

(c) *Contents.*

A complaint filed under this section shall include:

...

(9) a request that the Circuit Court enter a judgment that:

(I) forecloses the existing interests of all interested parties to the property; and

(II) orders ownership of the property **to BE** transferred to the City.

Council Bill 21-0101

§ 8.1-8. Defendants; Service of process.

(c) *Unknown owners.*

(2) *In general.*

When the owner of a real property cannot be reasonably ascertained:

(i) the unknown owner to the property may be included as a defendant by the following designation:

“Unknown owner of (identify the nature of the interest: fee simple, leasehold, or reversionary) interest in the property (giving a description of the property in substantially the same form as the description that appears on the pre-complaint notice), the unknown owner’s heirs, devisees, and personal representatives and their or any of their heirs, devisees, executors, administrators, grantees, assigns, or successors in right, title, and interest[.]”;

.....

§ 8.1-10. Sufficiency of notice.

The provisions of this subtitle as to notice and service of process to persons who may have an interest in a property, in conjunction with the order of publication, routine tax notices, and the pre-filing and post-filing notices required [under] BY this subtitle, as well as the knowledge of the taxes and the consequences for nonpayment of the taxes is declared:

.....

§ 8.1-15. Post-judgment sale.

(b) *Land bank.*

[In the event the Mayor and City Council establish] IF BALTIMORE CITY ESTABLISHES a [land bank authorized under] LAND BANK AUTHORITY [under] IN ACCORDANCE WITH City Charter, Article II, § 65 {“Land Bank Authority”}, the City may convey the property to [the] THAT Authority [described in the implementing ordinance] to be used for the City’s or the Authority’s blight elimination and revitalization goals.

Subtitle 9. Exemptions

§ 9-5. New and expanded manufacturers, milk processors, laundries.

(a) *Tools and implements.*

In order to encourage and promote the location of new manufacturing industries, and the expansion, growth and development of established manufacturing industries, in Baltimore City, beginning on July 1, 1958, and continuing thereafter, all mechanical tools or implements regardless of the kind of motive power needed or used to operate them, machinery, motors, engines, apparatus, or equipment used entirely or chiefly in connection with manufacturing, and all machinery and equipment used in the

Council Bill 21-0101

1 pasteurization and processing of milk, and all laundry machinery when employed or used
2 in the business of laundering, shall be exempt from taxation for all ordinary municipal
3 purposes of the Mayor and City Council of Baltimore:

4 (1) if and when such personal property is used by any new manufacturing, milk
5 processing, or laundering industry, as the case may be, located wholly within
6 Baltimore City and if and when the plant or factory of such new manufacturing,
7 milk processing, or laundering industry, as the case may be, is completed and
8 placed in operation after July 1, 1958; or

9 (2) if and when such personal property is acquired and used after July 1,1958, by an
10 established manufacturing, milk processing, or laundering industry, as the case
11 may be, located wholly within Baltimore City for or in connection with the
12 expansion, growth or development of such established manufacturing, milk
13 processing, or laundering industry, as the case may be, **AND** the total assessed
14 valuation of such personal property is in excess of \$10,000 in each and every
15 instance or particular case which is covered by the provisions of this subsection.

16 **Subtitle 10. Credits**

17 **§ 10-19. Urban agricultural property.**

18 (c) *Qualifications for credit.*

19 (1) *In general.*

20 **[(i)]** To qualify for the credit granted by this section, a parcel of land:

21 **[(i)] [(A)]** must be an urban agricultural property that is being used for urban
22 agricultural purposes;

23 **[(ii)] [(B)]** may not be used for any other purpose that would subject the parcel
24 to property tax liability;

25 **[(iii)] [(C)]** must be maintained in full compliance with the City Building, Fire,
26 and Related Codes Article; and

27 **[(iv)] [(D)]** unless a waiver is granted under paragraph (3) of this subsection,
28 must produce and either sell or otherwise distribute each tax year plants,
29 plant products, animals, or animal products with an aggregate value of
30 \$5,000 or more.

31 **§ 10-21. Public safety officers.**

32 (d) *Limitation on other credits.*

33 In any taxable year for which a property receives a credit granted under this section, the
34 property may not receive any other property tax credit provided by Baltimore City except:

35 (1) the local portion of the credit authorized by State Tax-Property Article § 9-105

