



BALTIMORE HOUSING

SHEILA DIXON
Mayor

PAUL T. GRAZIANO
Executive Director, HABC
Commissioner, HCDD

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Karen Randle, *Executive Secretary*

From: Paul T. Graziano, *Commissioner*

Date: September 21, 2009

Re: **City Council Bill 09-0274 - Unsafe Structures - Enforcement by Citation**

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 09-0274, which was introduced for the purpose of authorizing the issuance of environmental citations for violations of the Building Code provisions governing unsafe structures; and generally relating to enforcement of the City Building Code.

DHCD commends the lead sponsor for the introduction of this proposed legislation and we have since adopted the enforcement strategy that this particular bill embraces. Consequently, we do not believe that this legislation is warranted as this time. City Council Bill 09-0274 would grant Housing Code Enforcement (HCE) additional authority to issue a citation of \$1000 to an owner of an unsafe structure for failing to abate the condition. Optimally, the steep fine would compel the recalcitrant owner to undertake corrective action in a timely period. Subsequent to the introduction of City Council Bill 09-0274, the City Council enacted Ordinance 09-171 (City Council Bill 09-0309) which we believe mirrors the same intent and therefore makes the current bill unnecessary.

Similar to the provisions of City Council Bill 09-0274, Ordinance 09-171 finally granted HCE the authority to issue a \$500 citation to a property owner of a vacant or unsafe structure once proper notice has been sent. We believe that \$500 citation is a more sensible approach that will be sufficient to compel most owners to abate the violations with out having to commence enforcement proceedings in the District Court of Maryland. In the case of those particularly obstinate property owners for whom a single citation may not be sufficient, the new code provisions provide the flexibility to issue additional citations to increase the pressure on the violator by accumulating fines.

Since Ordinance 09-171 became effective in June 2009, we are in the process of implementing this new enforcement strategy. Consequently, the Department of Housing and Community Development requests respectfully that we are afforded sufficient time to demonstrate the new strategy's effectiveness before any additional legislation is considered. Once again, we commend the sponsor for her leadership and support.

PTG:pmd

cc: Ms. Angela Gibson
Ms. Diane Hutchins
Mr. Andrew Frank

