

**CITY OF BALTIMORE
COUNCIL BILL 22-0225
(First Reader)**

Introduced by: President Mosby

Introduced and read first time: April 25, 2022

Assigned to: Economic and Community Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and Community Development, Baltimore Police Department, Fire Department

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Vacant Structures – Nuisance Abatement – Penalty**

3 FOR the purpose of increasing a certain penalty for failing to obey a nuisance abatement order at
4 a certain type of property; providing for a special effective date; and generally relating to
5 nuisance abatement penalties for vacant structures.

6 BY adding

7 Article 19 - Police Ordinances
8 Section 43A-1(h)
9 Baltimore City Code
10 (Edition 2000)

11 BY amending

12 Article 19 - Police Ordinances
13 Section 43A-8
14 Baltimore City Code
15 (Edition 2000)

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

18 **Baltimore City Code**

19 **Article 19. Police Ordinances**

20 **Subtitle 43A. Neighborhood Nuisances – Abatement**

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

Council Bill 22-0225

1 **§ 43A-1. Definitions.**

2 (H) *VACANT STRUCTURE.*

3 (1) *IN GENERAL.*

4 “VACANT STRUCTURE” HAS THE MEANING STATED IN § 116.4.1.2 OF THE BALTIMORE
5 CITY BUILDING CODE.

6 (2) *EXCLUSIONS.*

7 “VACANT STRUCTURE” DOES NOT INCLUDE AN ACCESSORY STRUCTURE THAT IS NOT
8 INTENDED FOR OCCUPANCY, SUCH AS A GARAGE, SHED, OR STORAGE BUILDING.

9 **§ 43A-8. Penalties.**

10 (a) *In general.*

11 Any person who violates a provision of § 43A-7 is guilty of a misdemeanor and, on
12 conviction, is subject to the following penalties:

13 (1) for a violation of § 43A-7(a) {“Prohibited conduct: Destruction, etc., of posted
14 order”}, the offender is subject to a fine of not more than \$500; and

15 (2) for a violation of § 43A-7(b) {“Prohibited conduct: Failure to obey order”}, the
16 offender is subject to:

17 (I) a fine of not more than \$500 or to imprisonment for not more than 90 days
18 or to both fine and imprisonment[.] ; OR

19 (II) A FINE OF NOT MORE THAN \$1000 OR TO IMPRISONMENT FOR NOT MORE
20 THAN 90 DAY OR TO BOTH FINE AND IMPRISONMENT IF:

21 (A) THE PREMISIS SUBJECT TO THE ORDER ISSUED UNDER § 43A-2
22 {“NUISANCE ABATEMENT AUTHORIZED”} IS A VACANT STRUCTURE;
23 AND

24 (B) THE OFFENDER IS THE OWNER OF THE VACANT STRUCTURE.

25 (b) *Each day a separate offense.*

26 Each day that a violation continues is a separate offense.

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