

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 21-0102**

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Introduced by: Councilmembers Torrence, Cohen, Bullock, Porter, Middleton, Burnett, Ramos  
Introduced and read first time: July 19, 2021  
Assigned to: Economic and Community Development Committee  
Committee Report: Favorable, with amendments  
Council action: ♦  
Read second time: March 16, 2022

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**AN ORDINANCE CONCERNING**

**1            Building Permits – Disposal Plan Requirement (The John F. Chalmers Sr. Act)**

2        FOR the purpose of requiring certain holders of permits issued by the Department of Housing and  
3        Community Development to submit a disposal plan with the permit application; requiring  
4        permit holders to submit proof of disposal to the Department within a certain period of time  
5        after the permit work has concluded; establishing a certain citation amount; providing for a  
6        special effective date; and generally relating to requiring permit holders dispose of waste and  
7        refuse in a proper and legal manner.

8        BY repealing and re-ordaining, with amendments

9            Article - Building, Fire, and Related Codes  
10          Section(s) 2-103 (BC § 105.3)  
11          Baltimore City Revised Code  
12          (2020 Edition)

13        BY adding

14            Article - Building, Fire, and Related Codes  
15            Section(s) 2-103 (BC § 105.11)  
16            Baltimore City Revised Code  
17            (2020 Edition)

18        BY repealing and re-ordaining, with amendments

19            Article 1 - Mayor, City Council, and Municipal Agencies  
20            Section 40-14(e)(5c)  
21            Baltimore City Code  
22            (Edition 2000)

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

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.

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**Baltimore City Revised Code**

**Article – Building, Fire, and Related Codes**

**Part II. International Building Code**

**§ 2-103. City modifications.**

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

**Chapter 1. Scope and Administration**

**105.3 Application for permit.** To obtain a permit, the applicant must first file an application on the form provided by the Building Official for that purpose. The application must:

1. identify and describe the work to be covered under the permit,
2. describe the land on which the proposed work is to be done by legal description, street address, or similar description that will readily identify and definitely locate the proposed building or work,
3. indicate the use and occupancy for which the proposed work is intended,
4. specify the gross floor area, as defined in Baltimore City Zoning Code § 1-306(j) {"Floor Area: Gross (GFA)"}, involved in the proposed work,
5. specify the number of dwelling units, if any, involved in the proposed work,
6. be accompanied by the construction documents and other information required by § 107 {"Submittal Documents"} of this Code, and
7. if the property is located within an Historical and Architectural Preservation District or included on the City's Landmark List or Potential-Landmark List, be forwarded to the Commission for Historical and Architectural Preservation, for review and action under City Code Article 6 {"Historical and Architectural Preservation"}, Subtitle 8 {"Alterations, etc., to or Affecting Properties"},
8. state the valuation of the proposed work,
9. if the proposed work will replace any existing structure, be accompanied by photographs that depict the existing conditions and existing structures on the site,
- ~~10. A DETAILED DISPOSAL PLAN INDICATING:~~

~~A. THE SITE AND ADDRESS WHERE WASTE AND REFUSE FROM THE WORK SITE SHALL BE DISPOSED,~~

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~~B. HOW THE WASTE AND REFUSE SHALL BE TRANSPORTED TO THE DISPOSAL SITE,  
AND~~

~~C. ANY OTHER RELEVANT INFORMATION REGARDING THE PROPER AND LEGAL  
DISPOSAL OF WASTE AND REFUSE FROM THE WORK SITE.~~

10. INCLUDE A DETAILED DISPOSAL PLAN ON THE FORM PROVIDED BY THE BUILDING  
OFFICIAL FOR THAT PURPOSE, IF:

A. THE PROPOSED WORK INCLUDES INTERIOR OR EXTERIOR DEMOLITION, AND

B. THE BUILDING OFFICIAL REQUIRES THE APPLICANT TO PROVIDE A DETAILED  
DISPOSAL PLAN,

11. [10.] identify the parties by providing:

a. the full names, phone numbers, addresses, and (if available) email addresses  
of the owner, lessee, and applicant,

b. the full name, phone number, address, and (if available) email address of a  
person who can be contacted at all times in case of an emergency, and

c. if the owner, lessee, or applicant is a corporation, partnership, limited liability  
company, or other entity, full names, phone numbers, addresses, and (if  
available) email addresses of its officers, partners, or members, as the case  
may be,

12. [11.] provide any other data and information that the Building Official requires,

13. [12.] be signed by the applicant, or the applicant's authorized agent, and

14. [13.] if signed by an agent, be accompanied by:

a. proof of agency, and

b. proof of the agent's identity, by copy or presentation of a valid Maryland  
driver's license or other Maryland identification.

~~**105.11 POST-WORK PROOF OF DISPOSAL.** NO LATER THAN 30 DAYS FROM THE COMPLETION  
OF THE WORK FOR WHICH THE PERMIT WAS GRANTED, THE PERMIT HOLDER SHALL SUBMIT  
PROOF OF WASTE AND REFUSE DISPOSAL TO THE BUILDING OFFICIAL.~~

**105.11 POST -WORK PROOF OF DISPOSAL.** IF A PERMIT HOLDER WAS REQUIRED TO SUBMIT A  
DETAILED DISPOSAL PLAN AS DESCRIBED IN § 105.3.10 OF THIS CHAPTER, AND THE PERMIT  
HOLDER FAILS TO SUBMIT PROOF OF WASTE AND REFUSE DISPOSAL TO THE BUILDING OFFICIAL  
UPON COMPLETION OF THE WORK FOR WHICH THE PERMIT WAS GRANTED:

1. THE BUILDING OFFICIAL MAY NOT FINALIZE THE PERMIT,

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1           2. THE BUILDING OFFICIAL MAY NOT ISSUE AN OCCUPANCY PERMIT FOR THE STRUCTURE  
2           ON WHICH THE WORK WAS PERFORMED, AND

3           3. THE PERMIT HOLDER IS SUBJECT TO A PENALTY ESTABLISHED UNDER CITY CODE  
4           ARTICLE 1, § 40-14(E)(5C) {"VIOLATIONS TO WHICH SUBTITLE APPLIES"}.

5           [105.11 to] 105.12 *{Reserved}*

6   **Baltimore City Code**

7   **Article 1. Mayor, City Council, and Municipal Agencies**

8   **Subtitle 40. Environmental Control Board**

9           **§ 40-14. Violations to which subtitle applies.**

10           (e) *Provisions and penalties enumerated.*

11           (5c) *Building, Fire, and Related Codes Article – Building Code*

12                           § 105.11 POST-WORK PROOF OF DISPOSAL   ~~\$250~~ \$1,000

13                           . . . .

14           **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> 90<sup>th</sup>  
15           day after the date it is enacted.

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Certified as duly passed this 4 day of April, 2022



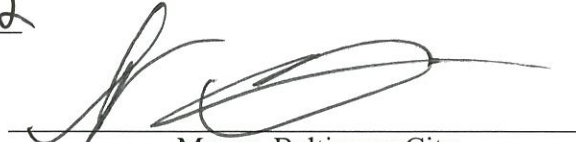
\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 4 day of April, 2022

*Katarina B. Austin*  
\_\_\_\_\_  
Chief Clerk

Approved this 19 day of May, 2022



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Mayor, Baltimore City

Approved for Form and Legal Sufficiency  
This 19th Day of April, 2022.

*Elena R DiPietro*

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Chief Solicitor