

**CITY OF BALTIMORE
COUNCIL BILL 13-0237
(First Reader)**

Introduced by: Councilmembers Henry, Kraft, Mosby, Spector, Holton, Branch, Middleton,
Scott, Welch, Reisinger, President Young, Councilmembers Cole, Clarke

Introduced and read first time: June 3, 2013

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Police Commissioner, Commission on
Sustainability, Department of Finance, Baltimore Development Corporation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Automated Purchasing Machines**

3 FOR the purpose of prohibiting the use of automated purchasing machines for the purchase of
4 personal property; defining certain terms; establishing certain exceptions; imposing certain
5 penalties; and generally relating to purchasing or offering to purchase personal property by
6 means of an automated purchasing machine.

7 BY adding

8 Article 2 - Consumer Protections

9 Section(s) 12A-1 through 12A-5, to be under the new subtitle designation,

10 "Subtitle 12A. Automated Purchasing Machines"

11 Baltimore City Code

12 (Edition 2000)

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

15 **Baltimore City Code**

16 **Article 2. Consumer Protections**

17 **SUBTITLE 12A. AUTOMATED PURCHASING MACHINES**

18 **§ 12A-1. DEFINITIONS.**

19 (A) *IN GENERAL.*

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

21 (B) *AUTOMATED PURCHASING MACHINE.*

22 "AUTOMATED PURCHASING MACHINE" (ALSO KNOWN AS A "REVERSE VENDING MACHINE")
23 MEANS A SELF-SERVICE AUTOMATED DEVICE THAT, WITHOUT THE PHYSICAL PRESENCE OF

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

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1 A HUMAN AGENT, IS CAPABLE OF TAKING POSSESSION OF AND DISPENSING PAYMENT FOR
2 ANY 1 OR MORE TYPES OF PERSONAL PROPERTY.

3 (C) *PERSON*.

4 (1) "PERSON" MEANS:

5 (I) AN INDIVIDUAL; OR

6 (II) A PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, OR OTHER ENTITY OF ANY
7 KIND.

8 (2) "PERSON" DOES NOT INCLUDE A GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR
9 UNIT OF A GOVERNMENTAL ENTITY.

10 **§ 12A-2. GENERAL PROHIBITION.**

11
12 EXCEPT AS OTHERWISE EXPRESSLY PROVIDED IN THIS SUBTITLE, NO PERSON MAY PURCHASE
13 OR OFFER TO PURCHASE ANY PERSONAL PROPERTY BY MEANS OF AN AUTOMATED
14 PURCHASING MACHINE.

15 **§ 12A-3. EXCEPTION FOR RECYCLING MATERIALS.**

16 (A) *IN GENERAL*.

17 THIS SUBTITLE DOES NOT PROHIBIT THE USE OF AN AUTOMATED PURCHASING MACHINE
18 EXCLUSIVELY FOR COLLECTING RECYCLABLE MATERIALS PURSUANT TO A RECYCLING
19 PROGRAM APPROVED JOINTLY BY THE POLICE COMMISSIONER AND THE COMMISSION ON
20 SUSTAINABILITY.

21 (B) *RULES AND REGULATIONS*.

22 (1) THE POLICE COMMISSIONER AND THE COMMISSION ON SUSTAINABILITY MAY JOINTLY
23 ADOPT RULES, REGULATIONS, AND STANDARDS GOVERNING THE RECYCLABLE
24 MATERIALS AND RECYCLING PROGRAMS THAT MAY BE APPROVED FOR PURPOSES OF
25 THIS EXCEPTION.

26 (2) A COPY OF ALL RULES, REGULATIONS, AND STANDARDS ADOPTED UNDER THIS SECTION
27 MUST BE FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY
28 TAKE EFFECT.

29 **§ 12A-4. {RESERVED}**

30 **§ 12A-5. PENALTIES.**

31 (A) *IN GENERAL*.

32 A PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A
33 MISDEMEANOR AND, ON CONVICTION, SUBJECT TO A FINE OF NOT MORE THAN \$500 OR

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1 IMPRISONMENT FOR NOT MORE THAN 6 MONTHS OR BOTH FINE AND IMPRISONMENT FOR
2 EACH OFFENSE.

3 (B) *EACH TRANSACTION A SEPARATE OFFENSE.*

4 EACH TRANSACTION IN VIOLATION OF THIS SUBTITLE IS A SEPARATE OFFENSE.

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

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