

CITY OF BALTIMORE
COUNCIL BILL 09-0345
(First Reader)

Introduced by: Councilmembers Henry, Clarke, Cole, Kraft, President Rawlings-Blake

Introduced and read first time: June 1, 2009

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Mayor's Office of Criminal Justice, Planning Department, Department of Transportation, Department of Public Works, Department of Finance, Greater Baltimore Committee

A BILL ENTITLED

1 AN ORDINANCE concerning

2 style="text-align:center">**Public Safety Conservation Areas – Reconstitution**

3 FOR the purpose of merging the Public Safety Conservation Area Advisory Board and the
4 Baltimore Urban Lighting Board (BULB) into a new, reconstituted board; reviving the
5 Public Safety Conservation Area Program; correcting, clarifying, and conforming related
6 provisions; and generally relating to promoting a crime-free environment in neighborhoods.

7 BY repealing and reordaining, with amendments

8 Article 14 - Special Benefits Districts

9 Section(s) 16-1 through 16-8

10 Baltimore City Code

11 (Edition 2000)

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

14 style="text-align:center">**Baltimore City Code**

15 style="text-align:center">**Article 14. Special Benefits Districts**

16 style="text-align:center">**Subtitle 16. Public Safety Conservation Areas**

17 **§ 16-1. Definitions.**

18 (a) *In general.*

19 [For the purposes of] IN this subtitle, the following terms [shall] have the meanings
20 [listed below] INDICATED.

21 (b) *Area.*

22 “Area” means an area consisting of 2 or more block faces.

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

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1 (c) *Block face.*

2 “Block face” means all [the] properties, INCLUDING COMMERCIAL, RELIGIOUS, AND
3 RESIDENTIAL PROPERTIES, on 1 side of a street between 2 consecutive intersecting
4 streets[, including commercial, religious, and residential properties].

5 (D) *BOARD.*

6 “BOARD” MEANS THE BALTIMORE URBAN LIGHTING BOARD ESTABLISHED BY THIS
7 SUBTITLE.

8 (E) [(d)] *Public [safety conservation area] SAFETY CONSERVATION AREA.*

9 “Public [safety conservation area] SAFETY CONSERVATION AREA” means an area
10 designated [in an application filed pursuant to § 16-5 in which signs provided for in] AS A
11 PUBLIC SAFETY CONSERVATION AREA UNDER this subtitle [may be erected].

12 **§ 16-2. Program established.**

13 (a) *In general.*

14 [With the cooperation of neighborhoods and City officials, there] THERE is [established]
15 a Public Safety Conservation Area [Advisory Board and] Program to promote a
16 crime-free environment in neighborhoods, WITH PRIORITY ATTENTION FOR PUBLIC
17 UPGRADES GIVEN TO NEIGHBORHOODS THAT ORGANIZE THEMSELVES TO IMPROVE THEIR
18 OWN PRIVATE LIGHTING AND TRIMMING OF GREENERY.

19 (b) *Availability.*

20 The Program [shall be] IS available to all qualified [residential blocks and] areas of the
21 City.

22 (c) *Qualifications.*

23 [In order to] TO qualify for the Program, [such blocks and areas shall] AN AREA MUST
24 meet the criteria set forth in this subtitle and [any] IN THE rules and regulations
25 [established] ADOPTED by the Board [in consultation with the Director of Public Works
26 and other City agency heads] under [the requirements of] this subtitle.

27 **§ 16-3. [Advisory] Board ESTABLISHED.**

28 (a) [*Board established*] *IN GENERAL.*

29 There [will be] IS a [Public Safety Conservation Area Advisory] BALTIMORE URBAN
30 LIGHTING Board.

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1 (b) *Composition.*

2 [(1)] The Board [will be made up of] COMPRISES THE FOLLOWING 18 MEMBERS:

3 (1) 11 MEMBERS APPOINTED BY THE MAYOR IN ACCORDANCE WITH ARTICLE IV, § 6
4 OF THE CITY CHARTER, OF WHICH:

5 (i) 1 MUST BE A MEMBER OF THE PROPERTY OWNERS' ASSOCIATION OF
6 GREATER BALTIMORE, INC.; AND

7 (ii) 1 MUST BE A MEMBER OF THE GREATER BALTIMORE COMMITTEE.

8 (2) 1 COUNCILMEMBER APPOINTED BY THE CITY COUNCIL PRESIDENT.

9 (3) [(i)] the Police Commissioner OR THE COMMISSIONER'S DESIGNEE[;].

10 (4) [(ii)] the Director of Recreation and Parks OR THE DIRECTOR'S DESIGNEE[;].

11 (5) [(iii)] the Commissioner of [the Department of] Housing and Community
12 Development OR THE COMMISSIONER'S DESIGNEE[;].

13 (6) [(iv)] the Director of [Public Works] TRANSPORTATION OR THE DIRECTOR'S
14 DESIGNEE[;].

15 (7) THE DIRECTOR OF PLANNING OR THE DIRECTOR'S DESIGNEE;

16 (8) [(v)] the Director of the Mayor's [Coordinating Council] OFFICE on Criminal
17 Justice OR THE DIRECTOR'S DESIGNEE[; and].

18 [(vi) the Chair of the City Council's Policy and Planning Committee;]

19 [who shall serve ex officio; and]

20 [(vii) a member of the Property Owners' Association and 3 citizens appointed by
21 the Mayor.]

22 [(2) Any agency head may designate an agent to serve in his or her stead.]

23 **§ 16-4. QUORUM.**

24 (A) *QUORUM.*

25 A MAJORITY OF THE MEMBERS OF THE BOARD CONSTITUTES A QUORUM FOR THE
26 TRANSACTION OF BUSINESS..

27 (B) *VOTING.*

28 AN AFFIRMATIVE VOTE BY THE MAJORITY OF A QUORUM IS SUFFICIENT FOR ANY OFFICIAL
29 ACTION.

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1 **§ 16-5. OFFICERS.**

2 (A) *CHAIR.*

3 THE CHAIR OF THE BOARD IS DESIGNATED BY THE MAYOR FROM AMONG THE APPOINTED
4 MEMBERS.

5 (B) *OTHERS.*

6 THE BOARD MAY ELECT, FROM AMONG ITS MEMBERS, ANY OTHER OFFICERS NEEDED FROM
7 TIME TO TIME.

8 **§ 16-6. GENERAL DUTIES.** [(c) *General duties.*]

9 [This Advisory] THE Board [will] SHALL:

10 (1) PUBLICIZE AND PROMOTE THE PUBLIC SAFETY CONSERVATION AREA PROGRAM
11 ESTABLISHED BY THIS SUBTITLE; AND

12 (2) consider [petitions received from any community group] APPLICATIONS requesting
13 designation OF AREAS as [a] Public Safety Conservation [Area] AREAS.

14 **§ 16-7. MEETINGS.**

15 THE BOARD SHALL MEET ON THE CALL OF THE ITS CHAIR OR THE MAYOR AS FREQUENTLY AS
16 REQUIRED TO PERFORM ITS DUTIES, BUT NOT LESS THAN ONCE EVERY 6 MONTHS.

17 **§ 16-8. [§ 16-4.] Rules and regulations.**

18 The Board shall [promulgate] ADOPT rules AND REGULATIONS [necessary] to:

19 (1) GOVERN ITS PROCEDURES;

20 (2) IMPLEMENT THE PUBLIC SAFETY CONSERVATION AREA PROGRAM; AND

21 (3) OTHERWISE carry out [the provisions of] this subtitle.

22 **§ 16-9. [§ 16-5.] Applications for [participation] DESIGNATION.**

23 [(a) *In general.*

24 The procedure shall be as follows.]

25 (A) [(b)] *Applications by residents.*

26 (1) To be considered for the Public Safety Conservation Area Program, a neighborhood
27 group, group of residents, or community association shall submit an application to the
28 Board indicating that at least 60% of the residents of the [block or blocks] AREA wish
29 to [form such an Area] BE DESIGNATED A PUBLIC SAFETY CONSERVATION AREA.

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1 (2) The boundary of the PROPOSED Public Safety Conservation Area [shall] MUST be
2 clearly identified IN THE APPLICATION.

3 (3) In addition, [on the application] the residents applying must certify IN THE
4 APPLICATION that they have or will have and will use front and rear outdoor lights.

5 (c) *Applications by Police Commissioner.*

6 [For good cause shown and when] IF the Police Commissioner determines that a delay
7 would be harmful to the public safety and welfare, the Commissioner may apply directly
8 to the Board to have an area designated a Public Safety Conservation Area.

9 **§ 16-10. [§ 16-6.] Referral to police district.**

10 (A) *REQUIRED REFERRAL.*

11 [Upon referral of the] THE BOARD SHALL REFER EACH application to the local police
12 district[.].

13 (B) *CONFIRMATION OF NEED.*

14 [the] THE Major of that district must confirm that calls for service and incident reports
15 from the area [requesting designation as a Public Safety Conservation Area] demonstrate
16 a need for increased public-safety measures.

17 **§ 16-11. [§ 16-7.] Action by Board.**

18 (a) *In general.*

19 The Board [shall] MAY approve or deny [the] AN application.

20 (b) *Reasons to be given for denial.*

21 [When] IF an application is denied, the Board [shall] MUST state the reasons for the
22 denial.

23 **§ 16-12. [§ 16-8.] Operation of Program.**

24 (a) *In general.*

25 [Upon approval] ON DESIGNATION of a Public Safety Conservation Area, the CITY WILL
26 TAKE THE following steps [shall be taken by the City] IN THE AREA.

27 (b) *Private lighting confirmed.*

28 Private lighting will be confirmed.

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1 (c) *[Inspection of privately] PRIVATELY owned trees.*

2 The CITY FORESTER WILL INSPECT trees [owned by the] ON PRIVATE property [owners in
3 the Area will be inspected by the City Forester] and MAKE recommendations [made] to
4 the owners for trimming [them].

5 (d) *[Trimming of publicly] PUBLICLY owned trees.*

6 The City Forester will trim all trees on public property [which] THAT interfere WITH [to]
7 OR decrease the [intensity] EFFECTIVENESS of the street lighting.

8 (e) *Upgraded street lighting.*

9 [The street] STREET lighting will be upgraded on a priority basis, USING STATE-OF-THE-
10 ART TECHNOLOGY TO ACHIEVE THE MOST ACCEPTABLE LEVEL OF LIGHTING AT THE MOST
11 REASONABLE COST.

12 **SECTION 2. AND BE IT FURTHER ORDAINED,** That Mayor and City Council Resolution
13 01-017 {"Baltimore Urban Lighting Board - BULB"} is repealed, and the Board established
14 under it is abolished.

15 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
16 are not law and may not be considered to have been enacted as a part of this or any prior
17 Ordinance.

18 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
19 after the date it is enacted.