

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 12-0154**

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Introduced by: Councilmembers Middleton, Henry, Reisinger, Stokes, President Young,  
Councilmembers Holton, Scott, Welch, Clarke, Kraft, Curran, Mosby, Cole, Spector, Branch  
Introduced and read first time: October 22, 2012  
Assigned to: Housing and Community Development Committee  
Committee Report: Favorable with amendments  
Council action: Adopted  
Read second time: November 19, 2012

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**AN ORDINANCE CONCERNING**

**Code Enforcement Officers**

1  
2 FOR the purpose of redefining the persons authorized to issue environmental citations; correcting,  
3 clarifying, and conforming related provisions; and generally relating to the designation of  
4 environmental control officers.

5 BY repealing and reordaining, with amendments  
6 Article 1 - Mayor, City Council, and Municipal Agencies  
7 Section(s) 40-1 and 40-7(c)  
8 Baltimore City Code  
9 (Edition 2000)

10 BY repealing and reordaining without amendment  
11 Article 19 - Police Ordinances  
12 Section(s) 71-1(f)  
13 Baltimore City Code  
14 (Edition 2000)

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

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

18 style="text-align:center">**Article 1. Mayor, City Council, and Municipal Agencies**

19 style="text-align:center">**Subtitle 40. Environmental Control Board**

20 **§ 40-1. Definitions.**

21 (a) *In General.*

22 In this subtitle, the following words have the meanings indicated.

**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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1 (b) *Board.*

2 “Board” means the Environmental Control Board of Baltimore City.

3 (c) *CODE ENFORCEMENT OFFICER.*

4 “CODE ENFORCEMENT OFFICER” MEANS A CITY EMPLOYEE WHO:

5 (1) IS IN A POSITION OF TRUST, AS DEFINED BY THE ADMINISTRATIVE MANUAL AM-237-  
6 1; AND

7 (2) HAS BEEN AUTHORIZED BY HIS OR HER AGENCY HEAD TO ISSUE ENVIRONMENTAL  
8 CITATIONS UNDER THIS SUBTITLE.

9 (D) [(c)] *Director.*

10 “Director” means the Executive Director of the Environmental Control Board of Baltimore  
11 City.

12 (E) [(d)] *Environmental citation.*

13 “Environmental citation” means a prepayable citation for violation of any provision of law  
14 or regulation under the jurisdiction of the Board.

15 (F) [(e)] *Person.*

16 “Person” means:

17 (1) an individual;

18 [(2) a receiver, trustee, guardian, personal representative, fiduciary, or  
19 representative of any kind; and]

20 (2) [(3)] a partnership, firm, association, corporation, governmental agency, or other  
21 entity of any kind; AND

22 (3) A RECEIVER, TRUSTEE, GUARDIAN, PERSONAL REPRESENTATIVE, FIDUCIARY, OR  
23 REPRESENTATIVE OF ANY KIND.

24 **§ 40-7. Environmental citations.**

25 (c) *Service of citations.*

26 An environmental citation must be:

27 (1) issued by ~~fa~~ Sanitary Enforcement Officer or other City employee who has been  
28 authorized to act as a Special Enforcement Officer under Article 19, § 71-1 of the  
29 City Code], BY A CODE ENFORCEMENT OFFICER, OR BY A BALTIMORE CITY POLICE  
30 OFFICER; and  
31 . . . .

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**Article 19. Police Ordinances**

**Subtitle 71. Special Enforcement Officers**

**§ 71-1. Appointment; duties.**

{(f) *Additional authority.*}

{In addition to issuing prepayable criminal citations under § 71-2 of this subtitle, Special Enforcement Officers may issue and serve civil administrative citations to appear before the Environmental Control Board under Article 1, Subtitle 40 {"Environmental Control Board"} of the City Code.}

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

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

Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

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

Certified as duly delivered to Her Honor, the Mayor,

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Mayor, Baltimore City