

**CITY OF BALTIMORE
COUNCIL BILL 09-0352
(First Reader)**

Introduced by: Councilmembers Young, Branch, Henry, Clarke

Introduced and read first time: June 15, 2009

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and
Community Development, Environmental Control Board

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Environmental Citations – Penalties**

3 FOR the purpose of precluding the penalties for certain environmental offenses from creating
4 liens on residential property; and generally relating to the enforcement of environmental
5 citations.

6 BY repealing and reordaining, with amendments

7 Article 1 - Mayor, City Council, and Municipal Agencies

8 Section(s) 40-11(a)

9 Baltimore City Code

10 (Edition 2000)

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

13 **Baltimore City Code**

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

15 **Subtitle 40. Environmental Control Board**

16 **§ 40-11. Enforcement of Board orders.**

17 (a) *Penalty as debt and lien.*

18 (1) Any civil penalty imposed on a person by the Board, whether on hearing, on default,
19 or otherwise:

20 (i) [(1)] is a personal debt owed by that person to the City; and

21 (ii) [(2)] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, if the
22 offense involves real property owned by that person, creates a lien on that
23 property in favor of the City.

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

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1 (2) PARAGRAPH (1)(II) OF THIS SUBSECTION DOES NOT APPLY TO RESIDENTIAL REAL
2 PROPERTY IF THE PENALTY IMPOSED IS FOR AN OFFENSE LISTED IN § 40-14(E)(4)
3 {"ARTICLE 23. SANITATION"} OR § 40-14(E)(6A) {"PROPERTY MAINTENANCE
4 CODE"} OF THIS SUBTITLE.

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.