

Council Bill 12-0119

Title 7. Waste Control

Subtitle 6. Prohibited Disposal

§ 7-601. “Litter” excluded.

This subtitle does not apply to the disposal of “litter”, as defined in Subtitle 7 of this title.

§ 7-608. Dumping on public property.

No person may dump or dispose of any GARBAGE, WASTE, wire, glass, nails, [garbage, waste,] or any other matter:

(1) in or on any gutter, sidewalk, street, open space, wharf, or other public place; OR

(2) EXCEPT FOR LITTER, AS DEFINED IN SUBTITLE 7 OF THIS TITLE, INTO ANY PUBLIC TRASH RECEPTACLE LOCATED ON OR ALONG ANY SIDEWALK, STREET, OPEN SPACE, WHARF, OR OTHER PUBLIC PLACE.

§ 7-628. Liability for costs and expenses.

Any person who, in violation of § 7-608 {“Dumping on public property”} of this subtitle or in violation of any other provision of law, dumps or otherwise disposes of matter IN OR on property owned, leased, or controlled by the City is liable to the City for the costs of:

(1) removing the matter dumped or disposed of; and

(2) repairing any damage caused by the dumping or disposal.

§ 7-631. Enforcement by Environmental or Civil Citation.

(a) *In general.*

In addition to any other civil or criminal remedy or enforcement procedure, this subtitle may be enforced by issuance of:

(1) an environmental citation under City Code Article 1, Subtitle 40 {“Environmental Control Board”}; or

(2) a civil citation under City Code Article 1, Subtitle 41 {“Civil Citations”}.

(b) *Process not exclusive.*

The issuance of a citation to enforce this subtitle does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

§ 7-632. Criminal penalties.

(a) *Basic penalty: \$1,000 and 90 days.*

Council Bill 12-0119

1 Except as specified in subsection (b) of this section, any person who violates any
2 provision of this subtitle or who authorizes any employee or agent to violate any
3 provision of this subtitle is guilty of a misdemeanor and, on conviction, is subject to any
4 one or more of the following for each offense:

5 (1) a fine of not more than \$1,000; and

6 (2) imprisonment for not more than 90 days.

7 (b) *Enhanced penalty: \$1,000 and 12 months.*

8 If the violation entails the disposal, in any 24-hour period, of material that weighs 25 or
9 more pounds or material that comprises 10 or more cubic feet, the penalty for a violation
10 of this subtitle is any one or more of the following for each offense:

11 (1) a fine of not more than \$1,000;

12 (2) imprisonment for not more than 12 months; and

13 (3) revocation of the privilege of seeking a building permit in the City.

14 *Subtitle 7. Littering*

15 **§ 7-701. “Litter” defined.**

16 “Litter” means to discard or otherwise dispose of, in any way other than as authorized by
17 § 7-601 of this title, of small amounts of paper, beverage containers, glass, garbage, or other
18 waste that:

19 (1) weigh less than 1 pound;

20 (2) comprise less than 1 cubic foot; and

21 (3) are not toxic, noxious, or otherwise a threat to the public health or safety.

22 **Baltimore City Code**

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

24 **Subtitle 40. Environmental Control Board**

25 **§ 40-14. Violations to which subtitle applies.**

26 (e) *Provisions and penalties enumerated.*

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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