

**CITY OF BALTIMORE  
COUNCIL BILL 07-0648  
(First Reader)**

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Introduced by: Councilmembers Spector, Curran, President Rawlings-Blake, Councilmembers Kraft, Middleton, Holton, Welch, Reisinger, Mitchell, Young, Crider, Clarke

Introduced and read first time: April 16, 2007

Assigned to: Judiciary and Legislative Investigations Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and Community Development, Planning Commission, Department of Finance

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Multiple-Family Dwellings – First Amendment Accommodations**

3 FOR the purpose of preserving the constitutional rights of occupants of multiple-family  
4 dwellings; prohibiting bylaws, rules, regulations, or actions that impair certain constitutional  
5 rights or that prohibit or deny reasonable accommodation for religious practices; imposing  
6 certain penalties; providing for a special effective date; and generally relating to the  
7 regulation of apartment houses, condominiums, and other multiple-family dwellings.

8 BY repealing and reordaining, without amendments

9 Article 13 - Housing and Urban Renewal

10 Section(s) 5-1(d)

11 Baltimore City Code

12 (Edition 2000)

13 BY adding

14 Article 13 - Housing and Urban Renewal

15 Section(s) 5-22, under the amended subtitle designation,

16 “Subtitle 5. Multiple-Family Dwellings and Rooming Houses”

17 Baltimore City Code

18 (Edition 2000)

19 BY repealing and reordaining, with amendments

20 Article 13 - Housing and Urban Renewal

21 Section(s) 5-21

22 Baltimore City Code

23 (Edition 2000)

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

26 **Baltimore City Code**

27 **Article 13. Housing and Urban Renewal**

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

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**Subtitle 5. [Licensing of] Multiple-Family Dwellings and Rooming Houses**

**§ 5-1. Definitions.**

(d) *Multiple-family dwelling.*

“Multiple-family dwelling” has the meaning stated in § 202.2 of the Property Maintenance Code of Baltimore City.

**§ 5-22. CONSTITUTIONAL RIGHTS.**

NO BYLAW, RULE, OF REGULATION GOVERNING A MULTIPLE-FAMILY DWELLING, NOR ANY ACTION OR INACTION OF THE GOVERNING BODY OR MANAGEMENT OF A MULTIPLE-FAMILY DWELLING, MAY:

(1) IMPAIR ANY RIGHTS GUARANTEED BY THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION OR BY ARTICLES 36 AND 40 OF THE MARYLAND DECLARATION OF RIGHTS; OR

(2) PROHIBIT OR DENY ANY REASONABLE ACCOMMODATION FOR RELIGIOUS PRACTICES, INCLUDING (BY WAY OF ILLUSTRATION AND NOT BY WAY OF LIMITATION):

(I) THE ATTACHMENT OF A RELIGIOUSLY MANDATED OBJECT TO THE FRONT-DOOR AREA OF A DWELLING UNIT; OR

(II) IN HIGH RISES, THE ADJUSTMENT OF ELEVATORS TO ALLOW FOR AUTOMATIC-STOPPING OPERATIONS.

**§ 5-24. [§ 5-21.] Penalties.**

(a) *In general.*

Any person who violates a provision of this subtitle or of a rule, regulation, or order adopted or issued under this subtitle is guilty of a misdemeanor and, on conviction, is subject to THE FOLLOWING PENALTIES:

(1) FOR A VIOLATION OF § 5-22 {“CONSTITUTIONAL RIGHTS”} OF THIS SUBTITLE, A FINE OF NOT MORE THAN \$1,000 FOR EACH OFFENSE; AND

(2) FOR ANY OTHER VIOLATION, a fine of not more than \$500 for each offense.

(b) *Each day a separate offense.*

Each day that a violation continues is a separate offense.

**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.

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1       **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it  
2       is enacted.