

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 26-0202

Introduced by: The Council President

Cosponsored by: Councilmembers Dorsey, Middleton, Gray, Bullock, Porter, Blanchard, Jones,
and Ramos

At the request of: The Administration

Introduced and read first time: June 8, 2026

Assigned to: Charter Review Special Committee

Committee Report: Favorable, with Amendments

Council action: Adopted

Read second time: June 22, 2026

A RESOLUTION OF THE MAYOR AND CITY COUNCIL CONCERNING

Charter Amendment – Department of Water and Wastewater

FOR the purpose establishing a Department of Water and Wastewater among the Executive Departments; providing for the powers and duties of the Department of Water and Wastewater; transferring certain powers and duties from the Department of Public Works to the Department of Water and Wastewater; repealing certain obsolete provisions; conforming, correcting, and clarifying related provisions; and submitting this amendment to the qualified voters of the City for adoption or rejection.

BY proposing to amend
Article VII – Executive Departments
Section 3
Baltimore City Charter
(1996 Edition)

BY proposing to repeal
Article VII – Executive Departments
Sections 33 and 34
Baltimore City Charter
(1996 Edition)

BY restating, without amendment
Article VII – Executive Departments
Sections 27 through 31
Baltimore City Charter
(1996 Edition)

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.

RULE 12-2 ** THIRD READER PREPARED AND REVIEWED DEPARTMENT OF LEGISLATIVE REFERENCE
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BY proposing to renumber
Article VII – Executive Departments
Sections 35, 37, 41, and 42, respectively
to be
Sections 32, 33, 34, and 35, respectively
Baltimore City Charter
(1996 Edition)

BY proposing to add
Article VII – Executive Departments
Sections 148 through 152
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the
City Charter is proposed to be amended to read as follows:

Baltimore City Charter

Article VII. Executive Departments

§ 3. General provisions: Bureaus and divisions.

(a) Establishment or abolishment.

[(1)] With the approval of the Board of Estimates, the City Administrator may establish
and abolish bureaus and divisions within [that department, commission, or board.]
ANY MUNICIPAL AGENCY.

[(2) Bureaus in the Department of Public Works shall be established or abolished from
time to time by an ordinance which shall have been recommended to the City
Council by the Board of Estimates and shall have been duly passed by the City
Council by a majority vote of its members and shall have been approved by the
Mayor.]

(b) Allocation of powers and duties.

Subject to the authority of the Board of Estimates, the City Administrator or the head of
any [department, commission, or board] MUNICIPAL AGENCY may assign among the
bureaus or divisions in that [department, commission, or board,] MUNICIPAL AGENCY,
duties and powers of that [department, commission, or board.] MUNICIPAL AGENCY.
A board or commission may act under this subsection only by the majority vote of its
membership.

§ 27. Department of Public Works: Established.

There is a Department of Public Works, the head of which shall be the Director of Public
Works.

1 **§ 28. Department of Public Works: Director.**

2 (a) *Head of Department; Qualifications.*

3 The Director of Public Works shall supervise and direct the Department.

4 The Director shall have had substantial administrative experience in the construction and
5 maintenance of public works, public improvements and the delivery of related public
6 services or ten years experience as an engineer.

7 (b) *Appointment; Term.*

8 The Director shall be appointed, must be confirmed, and shall serve, pursuant to
9 Article IV, Section 6.

10 (c) *Salary.*

11 The Director's salary shall be set in the Ordinance of Estimates.

12 **§ 29. Department of Public Works: Staff.**

13 (a) *Deputy; Other employees.*

14 The Director shall appoint a Deputy Director pursuant to this section and such employees
15 as provided in the Ordinance of [Estimates, provided, however, that bureau heads in the
16 Department of Public Works shall be appointed by the Mayor in the manner prescribed in
17 Section 6 of Article IV and shall hold their offices as therein provided.] ESTIMATES.

18 (b) *Deputy as Acting Director.*

19 Whenever a vacancy shall occur in the office of Director or whenever the Director shall
20 be incapacitated or otherwise unavailable for duty for any cause, the Deputy Director
21 shall be the Acting Director, until the Director is again available for duty or the vacancy is
22 filled.

23 **§ 30. Department of Public Works: Supervision of public works.**

24 The Director shall supervise all public works in Baltimore City or elsewhere, made by or for
25 the City or any municipal agency, that relate to the Department's powers under this Charter.
26 All plans and specifications for these public works, including those involving engineering
27 questions, shall be submitted to the Director for approval.

28 **§ 31. Department of Public Works: Construction, maintenance, and repair.**

29 Unless otherwise provided by this Charter, the Department has charge of the construction,
30 demolition, alteration, operation and maintenance of all public works that relate to the
31 Department's powers under this Charter.

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[§ 33. Department of Public Works: Water supply.]

[The Department shall have charge of the water supply of the City and of all the properties, reservoirs, streams, pumping and filtration stations, pipes, apparatus and equipment appurtenant thereto and shall exercise all the powers and perform all the duties connected with the operation thereof and the supplying of water to the City.]

[§ 34. Department of Public Works: Sewage.]

[The Department shall have charge of the construction, operation and maintenance of all drains, sewers, and sewage disposal facilities, of the inspection or supervision of sewer or drain construction and repair work, and of waste disposal.]

§ 32. [35.] Department of Public Works: [Street cleaning.] RESOURCE MANAGEMENT.

The Department shall be responsible for cleaning the streets and for the collection, disposal and recycling of garbage, ashes, refuse, trash, and other waste matter, except as otherwise provided by law.

§ 33. [37.] Department of Public Works: Testing.

At the request of a municipal agency, the Department shall test materials and supplies purchased or used by the agency.

§ 34. [41.] Department of Public Works: Correcting physical obstruction.

(a) Correction required.

Any person who has, in, over, or under a public street in Baltimore City, any building, structure, conduit, drain, main, pipe, track, work, or other physical obstruction that blocks or impedes the work of the Department shall, on reasonable notice from the Department, promptly shift, adjust, or remove it, at that person's expense, to fully meet the exigencies described in the notice.

(b) Condemnation.

The City is empowered, when the exigencies of the Department's work require, to secure the condemnation of the physical obstruction as provided in Article II of this Charter.

§ 35. [42.] Department of Public Works: Assistance to other agencies.

On the request of the head of a municipal agency, the Director shall:

(1) supply estimates of the cost of work proposed to be done for that agency during the next fiscal year; and

(2) perform services for the municipal agency of the same general character as those carried on by the Department, the cost of which shall be charged to the agency requesting the services and shall be paid out of the funds appropriated to it.

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1 **§ 36. to 46. {Reserved}**

2 **§ 148. DEPARTMENT OF WATER AND WASTEWATER: ESTABLISHED.**

3 THERE IS A DEPARTMENT OF WATER AND WASTEWATER, THE HEAD OF WHICH SHALL BE THE
4 DIRECTOR OF WATER AND WASTEWATER.

5 **§ 149. DIRECTOR OF WATER AND WASTEWATER.**

6 (A) *DUTIES; QUALIFICATIONS.*

7 (1) THE DIRECTOR SHALL SUPERVISE AND DIRECT THE DEPARTMENT.

8 (2) THE DIRECTOR SHALL HAVE SUBSTANTIAL ADMINISTRATIVE EXPERIENCE IN THE
9 CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND IN THE DELIVERY OF
10 RELATED PUBLIC SERVICES.

11 (B) *APPOINTMENT; TERM.*

12 THE DIRECTOR SHALL BE APPOINTED, MUST BE CONFIRMED, AND SHALL SERVE, PURSUANT
13 TO ARTICLE IV, SECTION 6.

14 (C) *SALARY.*

15 THE DIRECTOR'S SALARY SHALL BE SET IN THE ORDINANCE OF ESTIMATES.

16 (D) *EMPLOYEES.*

17 THE DIRECTOR MAY APPOINT THE EMPLOYEES PROVIDED FOR IN THE ORDINANCE OF
18 ESTIMATES.

19 **§ 150. POWERS AND DUTIES OF DEPARTMENT.**

20 (A) *IN GENERAL.*

21 NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THIS CHARTER, THE DEPARTMENT
22 HAS THE POWERS AND DUTIES CONTAINED IN THIS SUBSECTION.

23 (B) *WATER SUPPLY.*

24 THE DEPARTMENT SHALL HAVE CHARGE OF THE WATER SUPPLY OF THE CITY AND OF ALL
25 THE PROPERTIES, RESERVOIRS, STREAMS, PUMPING AND FILTRATION STATIONS, PIPES,
26 APPARATUS AND EQUIPMENT APPURTENANT THERETO AND PERFORM ALL THE DUTIES
27 CONNECTED WITH THE CONSTRUCTION, OPERATION, AND MAINTENANCE THEREOF AND
28 THE SUPPLYING OF WATER TO THE CITY.

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1 (C) *WASTEWATER.*

2 THE DEPARTMENT SHALL HAVE CHARGE OF THE CONSTRUCTION, OPERATION AND
3 MAINTENANCE OF ALL SEWERS, AND SEWAGE DISPOSAL FACILITIES, OF THE INSPECTION OR
4 SUPERVISION OF SEWER CONSTRUCTION AND REPAIR WORK, AND OF WASTE DISPOSAL.

5 (D) *CONSUMPTION AND USE CHARGES.*

6 THE DEPARTMENT SHALL OPERATE, MAINTAIN, AND CONTROL A SYSTEM TO MAKE
7 CHARGES FOR:

8 (1) THE CONSUMPTION OR USE OF THE CITY'S WATER SUPPLY; AND

9 (2) THE USE OF THE CITY'S SEWERS AND WASTEWATER TREATMENT ~~FACILITIES; AND~~
10 FACILITIES.

11 ~~(3) THE REGULATION, MAKING, OR REPAIRING OF PRIVATE WATER OR WASTEWATER~~
12 ~~WORKS.~~

13 (E) *ENFORCEMENT.*

14 (1) *PROTECTION OF THE CITY'S WATER SUPPLY.*

15 THE POLICE COMMISSIONER MAY APPOINT POLICE OFFICERS FOR THE PROTECTION OF
16 THE CITY'S WATER SUPPLY WITHIN OR WITHOUT THE CITY LIMITS.

17 (2) *NON-PAYMENT.*

18 THE DIRECTOR MAY TAKE CERTAIN ACTIONS BECAUSE OF THE NONPAYMENT OF ANY
19 FEE OR CHARGE FOR WATER SUPPLIED OR FOR WORK DONE IN CONNECTION WITH THE
20 FURNISHING OF SUCH WATER OR THE DISPOSAL OF WASTEWATER UNTIL SUCH UNPAID
21 FEE OR CHARGE IS FULLY PAID, INCLUDING:

22 (I) TURNING OFF AND DISCONTINUING THE SUPPLY OF WATER FURNISHED BY THE
23 MAYOR AND CITY COUNCIL OF BALTIMORE TO ANY PERSON OR PROPERTY
24 LOCATED IN OR OUTSIDE THE CITY OF BALTIMORE; AND

25 (II) ESTABLISHING MEANS AND METHODS FOR ALTERNATIVE PAYMENTS.

26 (F) *ADDITIONAL POWERS AND DUTIES.*

27 THE DEPARTMENT HAS THE ADDITIONAL POWERS AND DUTIES AS ARE PRESCRIBED BY
28 LAW.

29 **§ 151. CONSTRUCTION, MAINTENANCE, AND REPAIR.**

30 (1) THE DIRECTOR SHALL SUPERVISE ALL PUBLIC WORKS IN BALTIMORE CITY OR ELSEWHERE,
31 MADE BY OR FOR THE CITY OR ANY MUNICIPAL AGENCY, THAT RELATE TO THE
32 DEPARTMENT'S POWERS AND DUTIES UNDER THIS CHARTER.

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(2) UNLESS OTHERWISE PROVIDED BY THIS CHARTER, THE DEPARTMENT HAS CHARGE OF THE CONSTRUCTION, DEMOLITION, ALTERATION, OPERATION AND MAINTENANCE OF ALL PUBLIC WORKS THAT RELATE TO THE DEPARTMENT'S POWERS UNDER THIS CHARTER.

(3) ALL PLANS AND SPECIFICATIONS FOR THESE PUBLIC WORKS, INCLUDING THOSE INVOLVING ENGINEERING QUESTIONS, SHALL BE SUBMITTED TO THE DIRECTOR FOR APPROVAL

§ 152. CORRECTING PHYSICAL OBSTRUCTION.

(A) *CORRECTION REQUIRED.*

ANY PERSON WHO HAS IN, OVER, OR UNDER A PUBLIC STREET IN BALTIMORE CITY, ANY BUILDING, STRUCTURE, CONDUIT, DRAIN, MAIN, PIPE, TRACK, WORK, OR OTHER PHYSICAL OBSTRUCTION THAT BLOCKS OR IMPEDES THE WORK OF THE DEPARTMENT SHALL, ON REASONABLE NOTICE FROM THE DEPARTMENT, PROMPTLY SHIFT, ADJUST, OR REMOVE IT, AT THAT PERSON'S EXPENSE, TO FULLY MEET THE EXIGENCIES DESCRIBED IN THE NOTICE.

(B) *CONDEMNATION.*

THE CITY IS EMPOWERED, WHEN THE EXIGENCIES OF THE DEPARTMENT'S WORK REQUIRE, TO SECURE THE CONDEMNATION OF THE PHYSICAL OBSTRUCTION AS PROVIDED IN ARTICLE II OF THIS CHARTER.

SECTION 3. AND BE IT FURTHER RESOLVED, That, if adopted by the voters, this proposed amendment to the City Charter shall become effective January 1, 2029.

SECTION 4. AND BE IT FURTHER RESOLVED, That this proposed amendment to the City Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection, in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the City Solicitor.

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Certified as duly passed this _____ day of _____, 20____

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this _____ day of _____, 20____

Chief Clerk

Approved this _____ day of _____, 20____

Mayor, Baltimore City