

**CITY OF BALTIMORE
COUNCIL BILL 22-0204
(First Reader)**

Introduced by: President Mosby and Councilmember Middleton

Introduced and read first time: March 21, 2022

Assigned to: Economic and Community Development Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Vacant Structures – 3-1-1 Complaint Fines**

3 FOR the purpose of establishing a fee structure for repeated substantiated 3-1-1 service requests;
4 providing for a special effective date; and generally relating to fining the owner of a vacant
5 structure for repeated service requests.

6 BY adding

7 Article 13 - Housing and Urban Development

8 Section(s) 4A-1 through 4A-4 to be under the new subtitle designation,

9 “Subtitle 4A. Service Request Fines”

10 Baltimore City Code

11 (Edition 2000)

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

14 **Baltimore City Code**

15 **Article 13. Housings and Urban Development**

16 **SUBTITLE 4A. SERVICE REQUEST FINES**

17 **§ 4A-1. Definitions.**

18 (A) *IN GENERAL.*

19 IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

20 (B) *CODE ENFORCEMENT OFFICER.*

21 “CODE ENFORCEMENT OFFICER” MEANS:

22 (1) A BALTIMORE CITY POLICE OFFICER;

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

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1 (2) A SPECIAL ENFORCEMENT OFFICER APPOINTED UNDER CITY CODE ARTICLE 19,
2 SUBTITLE 17 {"SPECIAL ENFORCEMENT OFFICERS"}; OR

3 (3) ANY CITY EMPLOYEE WHO:

4 (I) IS IN A POSITION OF TRUST, AS DEFINED BY THE BALTIMORE CITY
5 ADMINISTRATIVE MANUAL AM-20-4 {"POSITIONS OF TRUST"}; AND

6 (II) HAS BEEN AUTHORIZED BY THE HEAD OF THE EMPLOYEE'S AGENCY TO
7 ISSUE ENVIRONMENTAL CITATIONS.

8 (C) *DIRECTOR*.

9 "DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE ENVIRONMENTAL CONTROL
10 BOARD OF BALTIMORE CITY.

11 (D) *SERVICE REQUEST*.

12 "SERVICE REQUEST" MEANS A COMPLAINT SUBMITTED TO BALTIMORE CITY'S 3-1-1
13 SYSTEM ABOUT THE CONDITION OR STATE OF A PROPERTY.

14 (E) *SUBSTANTIATED SERVICE REQUEST*.

15 "SUBSTANTIATED SERVICE REQUEST" MEANS A SERVICE REQUEST THAT A CITY AGENCY
16 HAS INVESTIGATED AND DETERMINED TO BE A VALID COMPLAINT.

17 (F) *VACANT STRUCTURE*.

18 (1) *IN GENERAL*.

19 "VACANT STRUCTURE" MEANS ANY STRUCTURE THAT IS SUBJECT TO AN UNABATED
20 VIOLATION NOTICE ISSUED UNDER § 116 {"UNSAFE STRUCTURES"} OF THE
21 BALTIMORE CITY BUILDING CODE.

22 (2) *EXCLUSIONS*.

23 "VACANT STRUCTURE" DOES NOT INCLUDE AN ACCESSORY STRUCTURE THAT IS NOT
24 INTENDED FOR OCCUPANCY, SUCH AS A:

25 (I) GARAGE;

26 (II) SHED; OR

27 (III) STORAGE BUILDING.

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§ 4A-2. FEE SCHEDULE.

AFTER A CITY AGENCY RESPONDS TO A SUBSTANTIATED SERVICE REQUEST AT A VACANT STRUCTURE FOR THE 2ND TIME IN A 12-MONTH PERIOD, A FEE SHALL BE IMPOSED AND AN INVOICE SHALL BE SENT TO THE OWNER OF THE STRUCTURE FOR EACH SERVICE REQUEST RESPONSE, BASED UPON THE FOLLOWING FEE SCHEDULE:

SERVICE REQUEST RESPONSE	FEES
1 ST	-
2 ND	\$100
3 RD	\$200
4 TH	\$300
5 TH	\$500
6 TH	\$750
7 TH	\$1,000
8 TH	\$1,500
9 TH	\$2000
10 TH	\$2,500

§ 4A-3. LATE FEE.

THE DIRECTOR MAY ASSESS A LATE FEE OF UP TO \$50 FOR ANY UNPAID FEE CHARGED UNDER THIS SUBTITLE AND SEND AN INVOICE TO THE OWNER OF THE STRUCTURE:

- (1) 30 DAYS OR MORE AFTER THE ISSUANCE OF THE INVOICE DESCRIBED IN § 4A-2 OF THIS SUBTITLE THAT THE FEE HAS BEEN IMPOSED; OR
- (2) IF A TIMELY APPEAL HAS BEEN MADE, 30 DAYS OR MORE AFTER THE FINAL DECISION IN THAT APPEAL.

§4A-4. PENALTY.

IF THE FEE OR LATE FEE ASSESSED UNDER THIS SUBTITLE IS NOT PAID WITHIN 10 BUSINESS DAYS OF THE ISSUANCE OF THE INVOICE DESCRIBED IN § 4A-3 OF THIS SUBTITLE, THE DIRECTOR MAY REVOKE THE VACANT STRUCTURE’S REGISTRATION UNDER SUBTITLE 4 {“REGISTRATION OF NON-OWNER-OCCUPIED DWELLINGS, ROOMING HOUSES, AND VACANT STRUCTURES”}.

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1 **§ 4A-4. EXEMPTIONS.**

2 A VACANT STRUCTURE IS EXEMPT FROM THE FEES ESTABLISHED UNDER THIS SUBTITLE IF THE
3 VACANT STRUCTURE IS OWNED BY A GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR
4 UNIT OF A GOVERNMENTAL ENTITY.

5 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 90th day
6 after the date it is enacted.