

**CITY OF BALTIMORE  
COUNCIL BILL 08-0094  
(First Reader)**

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Introduced by: Councilmembers Young, Branch, Henry, Kraft, D’Adamo, Clarke, Middleton,  
Reisinger, Conaway

Introduced and read first time: April 7, 2008

Assigned to: Judiciary and Legislative Investigations Committee

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

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Construction Debris – Proof of Proper Disposal**

3 FOR the purpose of prohibiting the issuance of an occupancy permit or a certificate of  
4 completion for certain work without evidence of the lawful disposal of the debris or other  
5 waste produced by that work; requiring that notice of this requirement be stamped on certain  
6 buildings permits; conforming certain language; and generally relating to the proper disposal  
7 of construction debris and other waste.

8 BY repealing and reordaining, with amendments

9 Article - Building, Fire, and Related Codes

10 Section(s) 2-103 (IBC § 105.3)

11 Baltimore City Revised Code

12 (Edition 2000)

13 BY adding

14 Article - Building, Fire, and Related Codes

15 Section(s) 2-103 (IBC § 105.3.5)

16 Baltimore City Revised Code

17 (Edition 2000)

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

20 **Baltimore City Revised Code**

21 **Article – Building, Fire, and Related Codes**

22 **Part II. International Building Code**

23 **§ 2-103. City modifications.**

24 The additions, deletions, amendments, and other modifications adopted by the City are as  
25 follows:

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

# Council Bill 08-0094

## Chapter 1. Administration

### Section 105 Permits

**105.3 Application for permit.** To obtain a permit, the applicant must first file an application on the form provided by the Building Official for that purpose. The application must:

1. identify and describe the work to be covered under the permit,
2. describe the land on which the proposed work is to be done by legal description, street address, or similar description that will readily identify and definitely locate the proposed building or work,
3. indicate the use and occupancy for which the proposed work is intended,
4. specify the gross floor area, as defined in § 105.3.2.1, involved in the proposed work,
5. specify the number of dwelling units, if any, involved in the proposed work,
6. be accompanied by the construction documents and other information required by § 106 of this Code,
7. if the property is in an Historical and Architectural Preservation District or on the Historical and Architectural Preservation Landmark List or Special List, be accompanied by a Notice to Proceed or a Certificate of Appropriateness from the Commission for Historical and Architectural Preservation,
8. state the valuation of the proposed work,
9. if the proposed work will replace any existing structure, be accompanied by photographs that depict the existing conditions and existing structures on the site,
10. STATE THE AGGREGATE WEIGHT OF ALL DEBRIS OR OTHER WASTE ESTIMATED TO BE PRODUCED BY THE PROPOSED WORK,
11. [10.] identify the parties by providing:
  - a. the full names and addresses of the owner, lessee, and applicant,
  - b. the name and phone number of a person to be contacted in case of an emergency, and
  - c. if the owner, lessee, or applicant is a corporation, partnership, limited liability company, or other entity, the full names and addresses of its responsible officers, partners, or members,
12. [11.] provide any other data and information that the Building Official requires,
13. [12.] be signed by the applicant, or the applicant's authorized agent, and

**Council Bill 08-0094**

1           14. [13.] if signed by an agent, be accompanied by:

2                   a. proof of agency, and

3                   b. proof of the agent's identity, by copy or presentation of a valid Maryland  
4                   driver's license or other Maryland identification.

5           **105.3.5 PROOF OF PROPER WASTE DISPOSAL REQUIRED.** WHENEVER THE PROPOSED WORK  
6           WILL PRODUCE, IN THE ESTIMATION OF THE BUILDING OFFICIAL, AN AGGREGATE OF 200  
7           POUNDS OR MORE OF DEBRIS OR OTHER WASTE:

8                   1. THE BUILDING PERMITS ISSUED FOR OR IN CONNECTION WITH THAT WORK MUST BE  
9                   STAMPED "PROOF OF PROPER WASTE DISPOSAL REQUIRED"; AND

10                  2. NO OCCUPANCY PERMIT OR CERTIFICATE OF COMPLETION MAY BE ISSUED FOR OR IN  
11                  CONNECTION WITH THAT WORK WITHOUT SUBMISSION OF RECEIPTS OR OTHER  
12                  EVIDENCE SATISFACTORY TO THE BUILDING OFFICIAL TO DEMONSTRATE THAT ALL  
13                  DEBRIS OR OTHER WASTE PRODUCED DURING THE COURSE OF THE WORK WAS  
14                  DISPOSED OF LAWFULLY.

15           **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance  
16           are not law and may not be considered to have been enacted as a part of this or any prior  
17           Ordinance.

18           **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
19           after the date it is enacted.