


<b>FROM</b>	NAME & TITLE	Sandra E. Baker, Esq., Executive Director	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	ENVIRONMENTAL CONTROL BOARD 417 East Fayette Street, Room 634		
	SUBJECT	City Council Bill 10-0489 Miscellaneous Offenses – Citation and Penalty Amounts		

**TO**

DATE:

The Honorable Stephanie Rawlings-Blake  
 President,  
 City Council of Baltimore  
 400 City Hall

May 7, 2010

The Environmental Control Board (ECB) supports the above Bill to increase the environmental, civil, and criminal penalties applicable to certain health and police ordinance offenses. This bill authorizes an increase in fines based on the issuance of environmental, civil or criminal citations to enforce certain violations that impede the public welfare and health of the citizens of Baltimore. Non-compliance of this bill would result in an infringement against public health. This bill provides uniformity and consistency in the interpretation and enforcement of those violations.

ECB's reference the increased penalties associated with the violation as a powerful incentive for the constituents to take the law seriously or suffer consequences based on their own inaction to abate and/or pay a fine for behavior that is causing blight to the City. Unfortunately it appears that the increase in too great of an increase at one increment.

For example line 17 Art. 19, section 14-2 Open containers going from \$50 to \$500  
 Line 30, Health code, section 5-503 Urinating \$150 - \$750

Most of the persons who violate these codes may not be in a position to pay, and we will end up with a lot of resources used to accomplish little or no result. Ultimately the only thing that will be accomplished is the City will have to use the criminal code, and this bill establishes longer jail sentences for minor offenses. In that case the city will pay for warehousing certain groups of citizens. While we support the premise of the bill, it needs fine tuning with respect to the new fine amounts and incarceration terms.

ECB defers to the Law Department for matters of legal sufficiency

*F Comments*

