



**BALTIMORE CITY COUNCIL
PUBLIC SAFETY AND GOVERNMENT OPERATIONS
COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the Public Safety and Government Operations Committee will be responsible for matters concerning public safety, including, but not limited to; emergency preparedness, police services, fire/EMS, and the executive, administrative, and operational functions of the city government and libraries.

**The Honorable Mark Conway
Chair**

PUBLIC HEARING

**Wednesday, February 28th, 2024
1:00 PM
CLARENCE "DU" BURNS COUNCIL CHAMBERS**

Ordinance 23-0419

Study and Report - North Franklinton Road

CITY COUNCIL COMMITTEES

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John Bullock – Vice Chair
Mark Conway
Ryan Dorsey
Antonio Glover
Odette Ramos
Robert Stokes

Staff: Anthony Leva (410-396-1091)

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Kristerfer Burnett
Ryan Dorsey
Danielle McCray
Sharon Green Middleton
Isaac “Yitzy” Schleifer
Robert Stokes

Staff: Marguerite Currin (443-984-3485)

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Phylicia Porter

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All City Council Members

Staff: Larry Greene (410-396-7215)

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Sharon Green Middleton
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James Torrence

Staff: Deontre Hayes (410-396-1260)

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Ryan Dorsey
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James Torrence

Isaac “Yitzy” Schleifer

Staff: Deontre Hayes (410-396-1260)

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Kristerfer Burnett
Mark Conway
Eric Costello
Sharon Green Middleton
Odette Ramos
James Torrence

Staff: Richard Krummerich (410-396-1266)

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Sharon Green Middleton, Vice Chair
Isaac “Yitzy” Schleifer
Robert Stokes
Danielle McCray

Staff: Marguerite Currin (443-984-3485)



SYNOPSIS

Committee: Public Safety and Government Operations

Bill: 23-0419

Study and Report North Franklin Road

Sponsor: Councilmember Burnett

Introduced: August 21st, 2023

Purpose:

FOR the purpose of requiring that the Department of Public Works submit a report to the Mayor and City Council evaluating the effectiveness of closing the portion of North Franklinton Road extending through Leakin Park to deter illegal dumping; specifying the contents of the report; and providing for a special effective date.

Effective: On the date enacted

AGENCY REPORTS

City Solicitor	Approve for form and legal sufficiency
Dept Finance	Opposes
Dept Transportation	No Opposition
Dept Rec & Parks	No Opposition
BPD	No Opposition
BCFD	No Opposition
Public Works	No Opposition

ANALYSIS

Bill Summary

This bill if enacted would require the Department of Public Works to produce a report within 120 days regarding the effectiveness of closing a portion of North Franklinton Road to deter illegal dumping.

The report must include the following

1. An analysis of how effective blocking the road would be to illegal dumping.
2. Other measures the City could take to abate the issue of illegal dumping in Leakin Park.
3. A proposal to block access while maintaining the aesthetic of the park.
4. An assessment of how closing this portion of the road would affect traffic.
5. An assessment of how closing this portion of the road would affect emergency services.
6. An assessment of how closing this portion of the road would affect recreational access.
7. Any input or concern City agencies may have about the potential closure of this portion of North Franklinton Road.

Background

Leakin Park is located in West Baltimore. According to the Park's advocacy group The Friends of Gwynns Falls Leakin Park it consist of 1,000 acres and is the biggest park in Baltimore.

Two roads run through the park North Franklinton in the longer road located in the southern half of the park (see attached map) several trails are connected to the road as is Winans Way a smaller road running south-west from the park. North Franklinton Road connects Security Boulevard in the west to Hilton Parkway and route 40 in the east.

Recent illegal dumping – notably of tires- has been the focus of clean up efforts from the City's Department of Public Works and Department of Housing and Community Development. The Friends of Gwynns Falls Leakin Park also conducted a recent cleanup along North Franklin Road working with the Department of Transportation to close the road between William Street and Winans Way.

According to news reports there are over 13,000 311 reports of illegal dumping each year. The City has recently increased its use of camera's to capture illegal dumping and hold offenders accountable.

Agency Reports

The Department of Finance has noted that while any agency with citation authority has the power to issue citations for illegal dumping the primary agency engaging in that work is the Department of Housing and Community Development & their Housing Code Enforcement Division with a budget of 14 million in 2024. These citations for illegal dumping are heard by the Environmental Control Board with a budget of 1.81 million.

The Department of Finance believes that a study of traffic patterns would cost between \$25,000 and \$75,000. A traffic study is recommended by the Department of Recreation and Parks.

The Department of Public Works in their report notes that their agency while it does have a leading role in cleanup of illegal dumping does not have authority over the closing of streets or roads and does not believe it should be the lead agency in this legislation.

ADDITIONAL INFORMATION

Fiscal Note: None

Information Source(s): 23-0419 1st reader, Agency Reports, Friends of Gwynns Fall Leakin Park, WBAL TV report on Illegal Dumping (<https://www.wbaltv.com/article/baltimore-illegal-dumping-littering-cameras-convictions/46270384>) Baltimore Banner report on illegal dumping (<https://www.thebaltimorebanner.com/politics-power/local-government/baltimore-illegal-dumping-cameras-QLLQOORT6FH5VITMO66E3L6QII/>)

Analysis by: Anthony Leva
Analysis Date: February 22, 2024

Direct Inquiries to: 410-396-1091

**CITY OF BALTIMORE
COUNCIL BILL 23-0419
(First Reader)**

Introduced by: Councilmember Burnett and President Mosby

Introduced and read first time: August 21, 2023

Assigned to: Public Safety and Government Operations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of Recreation and Parks, Baltimore Police Department, Department of Transportation, Fire Department, Department of Public Works

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Study and Report – North Franklinton Road**

3 FOR the purpose of requiring that the Department of Public Works submit a report to the Mayor
4 and City Council evaluating the effectiveness of closing the portion of North Franklinton
5 Road extending through Leakin Park to deter illegal dumping; specifying the contents of the
6 report; and providing for a special effective date.

7 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That:**

8 (a) No later than 120 days from the enactment of this Ordinance, the Baltimore City
9 Department of Public Works, in consultation with the Department of Transportation,
10 Department of Recreation and Parks, Baltimore Police Department, and Fire
11 Department, shall submit a report to the Mayor and City Council evaluating the
12 effectiveness of closing the portion of North Franklinton Road (“the road”)
13 extending through Leakin Park to deter illegal dumping, as specified in subsection (b)
14 of this section.

15 (b) The report required by this section shall include:

16 (1) an analysis of the effectiveness of blocking the road as a solution to illegal
17 dumping;

18 (2) other measures the City could take to abate the illegal dumping of refuse in
19 Leakin park;

20 (3) a proposed method to restrict vehicle access to the closed portion of road
21 while maintaining the aesthetic value of the park;

22 (4) an assessment of how closing the portion of the road may affect traffic
23 patterns;

24 (5) an assessment of how closing the portion of the road may affect emergency
25 services in the area;

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

Council Bill 23-0419

1 (6) an assessment of how closing the portion of the road may restrict recreational
2 access to the park; and

3 (7) any other input or concerns City agencies may have regarding the potential
4 closure of the portion of North Franklinton road.

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

**PUBLIC SAFETY AND
GOVERNMENT OPERATIONS
COMMITTEE**

**23-0419
AGENCY REPORTS
Study and Report – North
Franklinton Road**

CITY OF BALTIMORE

BRANDON M. SCOTT,
Mayor



DEPARTMENT OF LAW
EBONY M. THOMPSON,
CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

February 13, 2024

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 23-0419– Study and Report – North Franklinton Road

Dear President and City Council Members:

The Law Department reviewed City Council Bill 23-0419 for form and legal sufficiency. The bill requires the Baltimore City Department of Public Works, in consultation with the Department of Transportation, Department of Recreation and Parks, Baltimore Police Department, and Baltimore Fire Department to submit a report evaluating the effectiveness of closing the portion of North Franklinton Road extending through Leakin Park to deter illegal dumping. The bill also describes the topics to be addressed in the report, establishes a final submission deadline of 120 days after enactment, and provides that the bill takes effect on the date of enactment.

The City Council has an inherent power to investigate “in furtherance of its legislative function.” 4 McQuillin Mun. Corp. § 13:7. The City Council may “exercise within the limits of Baltimore City all the power commonly known as the Police Power to the same extent as the State has or could exercise that power within the limits of Baltimore City,” and may “pass any ordinance, not inconsistent with the provisions of this Charter or the laws of the State, which it may deem proper in the exercise of any of the powers, either express or implied, enumerated in this Charter, as well as any ordinance as it may deem proper in maintaining the peace, good government, health and welfare of Baltimore City.” City Charter, Art. II, §§ (27), (47). The Charter allows for ordinances to give additional duties to “a department, officer, commission, board or other municipal agency” so long as those duties are “consistent with the Charter and subject to the supervision of a superior municipal officer or agency.” Charter, Art. VII, § 2(a).


Accordingly, the Law Department approves the bill for form and legal sufficiency.

Sincerely,

Michele M. Toth
Assistant Solicitor

cc: Ebony Thompson
Nina Themelis
Tiffany Maclin
Elena DiPietro
Hilary Ruley
Ashlea Brown
Jeffrey Hochstetler
Teresa Cummings

**F
R
O
M**

Name & Title	James W. Wallace, Fire Chief 
Agency Name & Address	Baltimore City Fire Department 401 E. Fayette Street, Mezzanine
Subject	City Council Bill #23-0419 – Study and Report – North Franklinton Road

CITY OF
BALTIMORE
MEMO




TO: The Honorable Nick J. Mosby, President
And All Members of the Baltimore City Council
City Hall, Room 408

DATE: February 26, 2024

The Baltimore City Fire Department (BCFD) has no opposition to Council Bill 23-0419 and will assist in the assessment of any impact the closure of the road will have to emergency response services.

JW/kw

F R O M	Name & Title	Reginald Moore Executive Director <i>Reginald Moore</i>	CITY OF BALTIMORE MEM O	
	Agency Name & Addresses	Baltimore City Department of Recreation & Parks 3001 East Drive, Baltimore, Maryland (MD) 21217		
	Subject :	City Council Bill 23-0419 Study and Report - North Franklinton Road		

DATE: February 26, 2024

TO: The Honorable City Council President Nick Mosby
Members of the City Council
712352407196592045.doc City Hall, Room 400
100 North Holliday Street
Baltimore, MD 21202

I am reporting on City Council Bill 23-0419 which requests that the Department of Public Works submit a report to the Mayor and City Council evaluating the effectiveness of closing the portion of North Franklinton Road extending through Leakin Park to deter illegal dumping.

BCRP has no objections to this study but recommends that a traffic study conducted by the Department of Transportation be included.

If you have any questions, please contact Jenny Morgan at jmorgan@baltimorecity.gov.



BALTIMORE POLICE DEPARTMENT



Brandon M. Scott
Mayor

Richard Worley
Police Commissioner

February 28, 2024

Honorable President and Members of the Baltimore City Council
Room 400, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

RE: City Council Bill #23-0419
Study and Report- North Franklinton Road

Dear Council President Mosby and Members of the City Council:

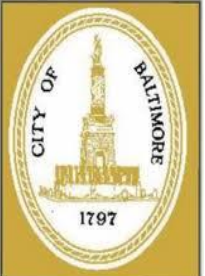
The Baltimore Police Department (BPD) has reviewed Council Bill 21-0044 for the purpose of requiring the Department of Public Works (DPW) and relevant city agencies including BPD to submit a report to the Mayor and City Council evaluating the effectiveness of closing the portion of North Franklinton Road extending through Leakin Park. The purpose of the referenced partial closure is to deter illegal dumping. A report produced by relevant agencies would be due no later than 120 days after enactment of this ordinance.

The BPD has no objections to City Council Bill #23-0419. We look forward to working with partner agencies on the betterment of this important roadway. Thank you for allowing us to comment on this important piece of legislation.

Sincerely,

Erin Murphy, Esq.
Director of Government Affairs

cc: Natwana Austin, Executive Secretary of the Baltimore City Council
Nina Themelis, Director of Mayor's Office of Government Relations
Andrew Smullian, BPD Deputy Chief of Staff

FROM	NAME & TITLE	Richard J. Luna, Interim Director	CITY of BALTIMORE <i>MEMO</i>	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	City Council Bill 23-0419		

February 26, 2024

TO:

Public safety and Government Operations Committee

I am herein reporting on City Council Bill 23-0419 introduced by Council Member Burnett and President Mosby.

The purpose of the Bill is to require the Department of Public Works to submit a report to the Mayor and City Council no later than 120 days after the enactment of this ordinance, that evaluates the effectiveness of closing a portion of North Franklinton Road extending through Leakin Park to deter illegal dumping. Public Works is to confer with the Departments of Transportation, Recreation and Parks, and Fire and Police in the writing of the report.

The Department of Public Works wishes to state that it does not have control over or involvement in the closure of streets to vehicular traffic. While this ordinance speaks to researching whether closing a portion of N. Franklinton Road would resolve an illegal dumping issue, it would first have to be determined whether closing this portion of roadway is even feasible.

In past discussions about illegal dumping, the Department has noted the following:

- Residents have access to dispose of a variety of materials and bulky items at any of the five (5) free drop-off locations.
- The Community Pitch-In program allows for up to four (4) roll-offs/year to help with neighborhood cleanups.
- The Mayor’s Spring and Summer cleanups incentivize volunteers to host cleanup events.
- Bulky items can be scheduled for pickup by Public Works crews once/month.
- The Environmental Control Board’s B’More Beautiful program and Public Work’s B’More LOVE volunteer network and Eco-Warriors of the Future Campaign and competition are educating and galvanizing residents and youth to drive cleanup efforts and neighborhood pride.
- People need to assist by reporting what they see happening in their neighborhoods.

The Honorable President and Members
of the Baltimore City Council
February 26, 2024
Page 2

It is challenging to find sufficient evidence at dumping sites to pursue enforcement. Even with these challenges, the Department of Housing and Community Development managed to successfully issue 293 citations for illegal dumping in FY2023.¹

This Department believes that one of the most promising ways to discourage illegal dumping is to establish waste diversion programs that get materials out of the waste stream (e.g. traditional recyclables, food recovery programs and food waste repurposing, composting, textile recycling) and to teach the value of repurposing and reusing what we routinely discard (fix-it clinics for small appliances and electronics, furniture repair and renewal, reclamation of usable construction and demolition debris).

The Department of Public Works has no objection to participating in a report examining whether the closing of N. Franklinton Road would have a discouraging effect on illegal dumping as outlined in City Council Bill 23-0419. However, as noted in this report, the Department of Public Works is not the appropriate agency to lead this initiative. Any report that includes closure of a right-of-way should begin with the Department of Transportation.



Richard J. Luna
Interim Director

RJL:MMC

¹ Department of Public Works Illegal Dumping Report for FY2023
<https://publicworks.baltimorecity.gov/sites/default/files/Baltimore%20City%20FY23%20Illegal%20Dumping%20Re%20mediation%20Report.pdf>

FROM	NAME & TITLE	Robert Cename, Deputy Finance Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Bureau of the Budget and Management Research Room 432, City Hall		
	SUBJECT	City Council Bill 23-0419 ("Study and Report – North Franklinton Road")		

DATE:

TO

The Honorable President and
Members of the City Council
City Hall, Room 400

February 26, 2024

Position: Opposes

The Department of Finance is herein reporting on City Council Bill 24-0419, Study and Report – North Franklinton Road, the purpose of requiring that the Department of Public Works submit a report to the Mayor and City Council evaluating the effectiveness of closing the portion of North Franklinton Road extending through Leakin Park to deter illegal dumping; specifying the contents of the report; and providing for a special effective date.

Background

The disposal of any waste in an area not designated for such disposal is considered “illegal dumping.” This includes dumping at corner cans, in parks, in alleys, in yards of homes, and in lots of buildings. Illegal dumping is considered the dumping of large quantities of material ranging from large bags to building materials and bulky items. Currently, the fine for an illegal dumping citation is \$1000.

The Department of Public Works estimates that approximately 10,000 tons of waste are illegally dumped annually. Illegal dumping is a persistent issue in Baltimore City and leads to many negative impacts on the environment and the health of communities. In addition to its potential to contaminate the soil, surface water, and groundwater, illegal dumping creates various health hazards for residents living in close proximity to dump sites.

It is difficult to profile a typical illegal dumper; however, offenders can include construction companies, landscapers, scrap collectors, unpermitted small haulers, and local residents. Illegal dumping generally takes place in more secluded locations, on vacant lots or homes, back alleys, and wooded areas. It is more common in areas with a high number of vacant homes or areas with transient populations that may not be familiar with trash collection schedules or other services.

The City dedicates extensive resources to prevent and respond to all types of illegal dumping, such as proactive cleaning, community education, and outreach communications. These measures are all key to working with residents to maintain public spaces and reduce incidents of illegal dumping. In addition, the City invests in enforcement of illegal dumping laws. While any agency with citation authority is able to issue a citation for illegal dumping, the Department of Housing and Community Development (DHCD) is the main agency that issues citations for illegal dumping through their Housing Code Enforcement Division, with a total budget in Fiscal 2024 of approximately \$14 million. The Environmental Control Board (ECB) holds hearings on citations issued for illegal dumping and other environmental citations. These hearings can result in citations being upheld or fully or partially abated. ECB’s Fiscal 2024 budget is approximately \$1.81 million.

Fiscal Impact

The Department of Finance believes this legislation will have a significant expense for the City. The Department of Transportation estimates that studying traffic flows along the road would need to be outsourced and which would cost between \$25,000 and \$75,000. In addition, further study either by the Department of Transportation or another Department may be necessary depending upon the findings of the first study.

Other Considerations


The proposed legislation would require the City to study blocking off a road that may inhibit Baltimore City residents' ability to access the park. Furthermore, privately owned land (4601 North Franklinton Road) abuts the portion of the road in question.

Conclusion

While illegal dumping is a serious issue for Baltimore City, this legislation would be an expensive legislative mandate. The Department of Finance recommends another avenue for policy action, one that does not proscribe costs.

For the reasons stated above, the Department of Finance opposes City Council Bill 23-0419.

cc: Michael Mocksten
Nina Themelis

F R O M	NAME & TITLE	Corren Johnson, Director	CITY of BALTIMORE M E M O	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	Council Bill 23-0419		

DATE: 2/8/2024

TO: Mayor Brandon Scott
TO: Economic and Community Development Committee
FROM: Department of Transportation
POSITION: No Objection
SUBJECT: Council Bill 23-0419

INTRODUCTION – Study and Report - North Franklinton Road

PURPOSE/PLANS – For the purpose of requiring that the Department of Public Works submit a report to the Mayor and City Council evaluating the effectiveness of closing the portion of North Franklinton Road extending through Leakin Park to deter illegal dumping; specifying the contents of the report; and providing for a special effective date.

COMMENTS – Council Bill 23-0419 requires a study to be done and by the Department of Public Works (DPW) to lead a study of the closing of North Franklinton Road to help mitigate illegal dumping and other illicit activities. Assuming the legislation is adopted, Baltimore City DOT will work closely with DPW and partner agencies to develop a comprehensive report, outlining the pros and cons of potentially closing North Franklinton Road.

AGENCY/DEPARTMENT POSTION – The Baltimore City Department of Transportation foresees no fiscal impact resulting from the advancement of the legislation and has **no objection** towards the advancement of Council Bill 23-0419.

If you have any questions, please do not hesitate to contact Liam Davis at Liam.Davis@baltimorecity.gov or at 410-545-3207

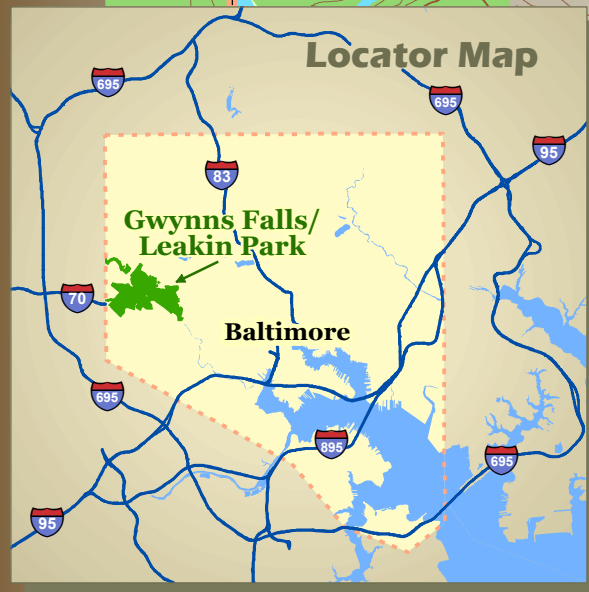
Sincerely,

Corren Johnson,
Director

**PUBLIC SAFETY AND
GOVERNMENT OPERATIONS
COMMITTEE**

**23-0419
AGENCY REPORTS
Additional Documents**

GWYNNS FALLS / LEAKIN PARK TRAIL MAP

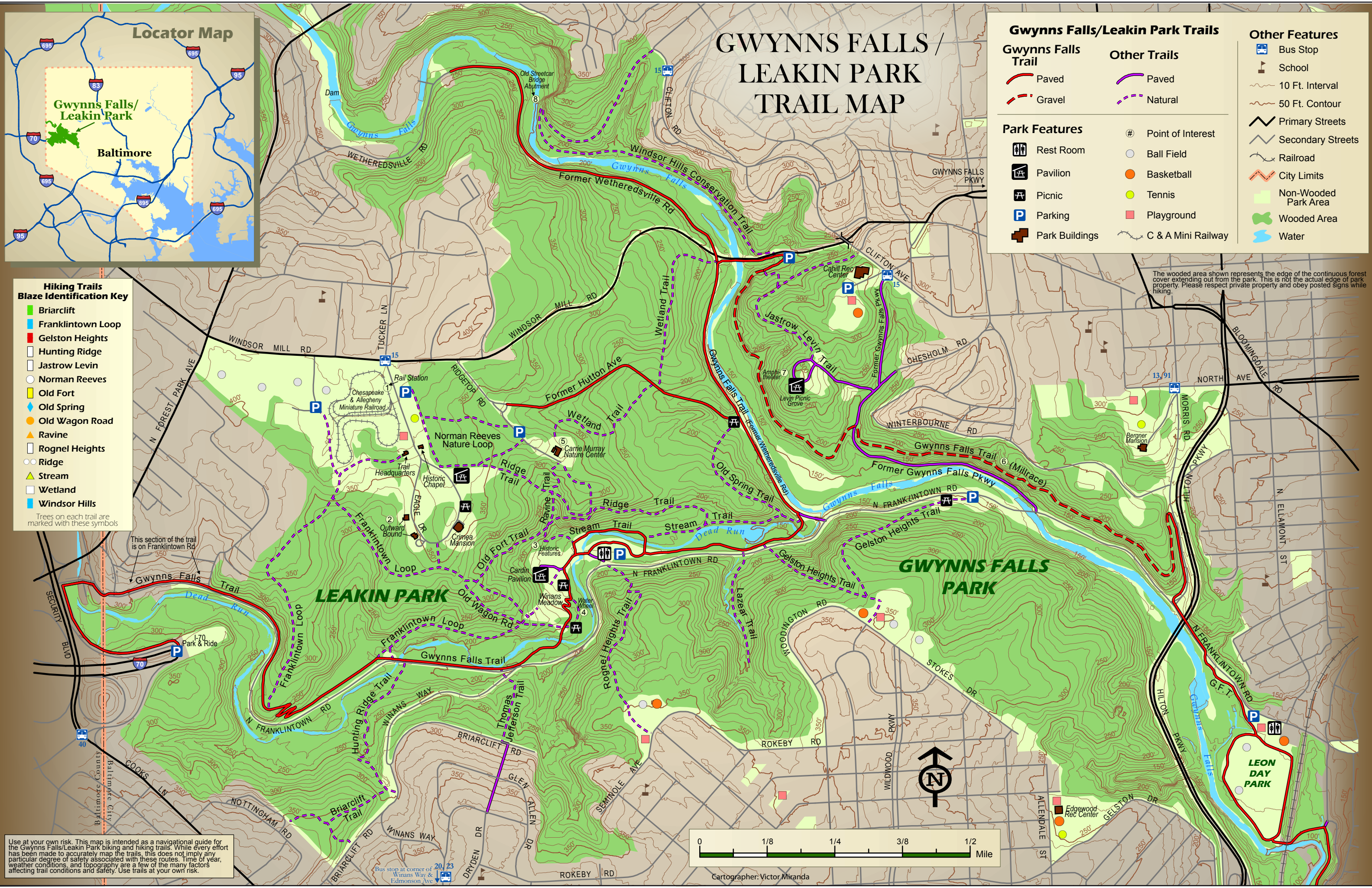


Gwynns Falls/Leakin Park Trails		Other Trails		Other Features	
	Paved		Paved		Bus Stop
	Gravel		Natural		School
	Gravel		Natural		10 Ft. Interval
	Gravel		Natural		50 Ft. Contour
	Gravel		Natural		Primary Streets
	Gravel		Natural		Secondary Streets
	Gravel		Natural		Railroad
	Gravel		Natural		City Limits
	Gravel		Natural		Non-Wooded Park Area
	Gravel		Natural		Wooded Area
	Gravel		Natural		Water
	Gravel		Natural		Rest Room
	Gravel		Natural		Picnic
	Gravel		Natural		Pavilion
	Gravel		Natural		Parking
	Gravel		Natural		Park Buildings
	Gravel		Natural		Point of Interest
	Gravel		Natural		Ball Field
	Gravel		Natural		Basketball
	Gravel		Natural		Tennis
	Gravel		Natural		Playground
	Gravel		Natural		C & A Mini Railway

**Hiking Trails
Blaze Identification Key**

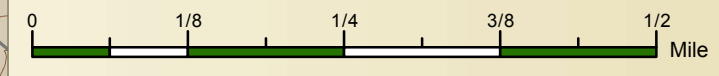
- Briarcliff
- Franklinton Loop
- Gelston Heights
- Hunting Ridge
- Jastrow Levin
- Norman Reeves
- Old Fort
- Old Spring
- Old Wagon Road
- Ravine
- Rognel Heights
- Ridge
- Stream
- Wetland
- Windsor Hills

Trees on each trail are marked with these symbols



The wooded area shown represents the edge of the continuous forest cover extending out from the park. This is not the actual edge of park property. Please respect private property and obey posted signs while hiking.

Use at your own risk. This map is intended as a navigational guide for the Gwynns Falls/Leakin Park biking and hiking trails. While every effort has been made to accurately map the trails, this does not imply any particular degree of safety associated with these routes. Time of year, weather conditions, and topography are a few of the many factors affecting trail conditions and safety. Use trails at your own risk.



Cartographer: Victor Miranda