

**CITY OF BALTIMORE  
COUNCIL BILL 19-0429  
(First Reader)**

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Introduced by: Councilmember Burnett, President Scott, Councilmembers Cohen, Dorsey,  
Henry, Middleton, Pinkett, Bullock, Costello, Clarke, Reisinger, Sneed, Stokes

Introduced and read first time: August 19, 2019

Assigned to: Housing and Urban Affairs Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and Community  
Development, Department of Planning, Board of Municipal and Zoning Appeals, Environmental  
Control Board, Baltimore Development Corporation, Department of Finance

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Vacant Structures – Posting Owner Information**

3 FOR the purpose of requiring that owners of certain vacant structures to conspicuously post on  
4 the exterior of the structure certain information regarding the ownership of the structure;  
5 requiring that the sign meet certain specifications; specifying when signs must be posted;  
6 dedicating a certain portion of the fine proceeds to the Affordable Housing Trust Fund;  
7 conforming related provisions; and providing for a special effective date.

8 BY repealing and re-ordaining, without amendments

9 Article 13 - Housing and Urban Renewal  
10 Section(s) 4-1(i), 4-6  
11 Baltimore City Code  
12 (Edition 2000)

13 BY repealing and re-ordaining, with amendments

14 Article 13 - Housing and Urban Renewal  
15 Section(s) 4-1(f), 4-7, 4-14  
16 Baltimore City Code  
17 (Edition 2000)

18 BY adding

19 Article 13 - Housing and Urban Renewal  
20 Section(s) 4-12  
21 Baltimore City Code  
22 (Edition 2000)

23 BY renumbering current

24 Article 13 - Housing and Urban Renewal  
25 Section(s) 4-13 and 4-14 to 4-14 to 4-15 respectively  
26 Baltimore City Code  
27 (Edition 2000)

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

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

3                               **Baltimore City Code**

4                               **Article 13. Housing and Urban Renewal**

5                               ***DIVISION II: DWELLINGS AND VACANT STRUCTURES***

6                               **Subtitle 4. Registration of Non-Owner-Occupied Dwellings,**  
7                               **Rooming Houses, and Vacant Structures**

8       **§ 4-1. Definitions.**

9               (f) *Person.*

10              (1) *In general.*

11              “Person” means:

12                   (i) an individual;

13                   (ii) a partnership, firm, association, corporation, or other entity of any kind; [and]  
14                   OR

15                   (iii) a receiver, trustee, guardian, personal representative, fiduciary, or  
16                   representative of any kind.

17              (2) *Inclusions.*

18              “Person” includes, except as used in [§ 4-13] § 4-15 {“Penalties”} of this subtitle, a  
19              governmental entity or an instrumentality or unit of a governmental entity.

20              (i) *Vacant structure.*

21              (1) *In general.*

22              “Vacant structure” means any structure that is subject to an unabated violation notice  
23              issued under § 116 {“Unsafe Structures”} of the Baltimore City Building Code.

24              (2) *Exclusions.*

25              “Vacant structure” does not include an accessory structure that is not intended for  
26              occupancy, such as a garage, shed, or storage building.

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### § 4-6. Registration statement – Contents.

#### (a) *In general.*

Each registration statement must be in the form that the Commissioner requires and contain the following information:

- (1) a description of the premises by street number or by block-and-lot;
- (2) the name, street address, telephone number, and email address of the premises' owner of record;
- (3) the name, street address, telephone number, and email address of the premises' managing operator, if other than the owner; and
- (4) if the owner is a corporation, partnership, limited partnership, limited liability company, or similar entity, the name, street address, telephone number, and email address of a natural person who serves as the owner's chief executive officer, managing partner, or managing member, or in a similarly authoritative position.

#### (b) *Change of listed information.*

The Commissioner must be notified within 10 days of any change in the identity of or contact information for the owner of record or any other person listed in the registration statement.

### § 4-7. Registration statement – Confidentiality.

#### (a) *In general.*

Except as otherwise specified in this [section] SUBTITLE, the registration statements required by this section are confidential records and are not open to public inspection.

#### (b) *Exception – Neighboring property owners, residents, etc.*

For a specified property, the Commissioner must furnish the name, address, telephone number, and email address of the owner or operator of that property on the written request of:

- (1) the owner or resident of property within a 1 block radius of the specified property;
- (2) the neighborhood association for the area in which the specified property is located; or
- (3) the City Councilmember representing the District in which the specified property is located.

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1 (c) *Exception – Department of Environment.*

2 The Commissioner may share the registration statements filed under this subtitle with the  
3 State Department of the Environment for integration with the registration information  
4 maintained by the State under State Environment Article § 6-811.

5 **§ 4-12. VACANT STRUCTURES: POSTING REQUIREMENT**

6 (A) *IN GENERAL.*

7 THE OWNER OF A VACANT STRUCTURE MUST AFFIX, IN A POSITION THAT IS CONSPICUOUS  
8 AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY, A SIGN CONTAINING  
9 THE INFORMATION SET FORTH IN § 4-6(A){“REGISTRATION STATEMENT – CONTENTS: IN  
10 GENERAL”} OF THIS SUBTITLE.

11 (B) *TIME.*

12 (1) *IN GENERAL.*

13 THE SIGN REQUIRED BY SUBSECTION (A) OF THIS SECTION MUST BE POSTED WITHIN 10  
14 DAYS OF REGISTERING THE VACANT STRUCTURE WITH THE COMMISSIONER UNDER  
15 § 4-5 {“REGISTRATION REQUIRED”} OF THIS SUBTITLE.

16 (2) *REGISTRATION AMENDMENTS.*

17 IF THE OWNER OF A VACANT STRUCTURE AMENDS A REGISTRATION UNDER § 4-6(B)  
18 {“REGISTRATION STATEMENT – CONTENTS: CHANGE OF LISTED INFORMATION”} OF  
19 THIS SUBTITLE, THE OWNER MUST MAKE ANY COMMENSURATE SIGN CHANGES WITHIN  
20 10 DAYS OF FILING THE AMENDMENT WITH THE COMMISSIONER.

21 (C) *VACANT STRUCTURES IN DEFAULT OR FORECLOSURE.*

22 IN ADDITION TO THE REQUIREMENTS SET FORTH IN SUBSECTION (A) OF THIS SECTION, IF  
23 THE PROPERTY IS IN DEFAULT OR IN FORECLOSURE, THE SIGN REQUIRED BY THIS SECTION  
24 MUST ALSO INCLUDE THE NAME, ADDRESS, AND TELEPHONE NUMBER OF ANY CREDITORS  
25 OR LIEN HOLDERS.

26 (D) *SIGN SPECIFICATIONS.*

27 A SIGN REQUIRED BY THIS SECTION MUST BE:

28 (1) IMPERVIOUS TO WEATHER CONDITIONS;

29 (2) LEGIBLY WRITTEN IN A FONT SIZE OF NOT LESS THAN 18 POINTS; AND

30 (3) NO SMALLER THAN 8 ½ INCHES BY 11 INCHES IN SIZE.

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1 (E) *FINE PROCEEDS.*

2 50% OF THE FINES COLLECTED BY THE CITY FOR VIOLATIONS OF SECTION MUST BE  
3 DEPOSITED IN THE CONTINUING, NONLAPSING FUND CREATED BY CITY CHARTER, ARTICLE  
4 I, § 14 {"AFFORDABLE HOUSING TRUST FUND"}, TO BE USED EXCLUSIVELY FOR THE  
5 PURPOSES SPECIFIED IN THAT SECTION, SUBJECT TO APPROPRIATION PURSUANT TO THE  
6 ANNUAL ORDINANCE OF ESTIMATES.

7 **§ 4-13. {RESERVED}**

8 **§ 4-14. [§ 4-13.] Enforcement by citation.**

9 (a) *In general.*

10 In addition to any other civil or criminal remedy or enforcement procedure, this subtitle  
11 may be enforced by issuance of an environmental citation as authorized by City Code  
12 Article 1, Subtitle 40 {"Environmental Control Board"}.

13 (b) *Process not exclusive.*

14 The issuance of an environmental citation to enforce this subtitle does not preclude  
15 pursuing any other civil or criminal remedy or enforcement action authorized by law.

16 **§ 4-15. [§ 4-14.] Penalties.**

17 (a) *In general.*

18 Any person who violates a provision of this subtitle or of a rule, regulation, or order  
19 adopted or issued under this subtitle is guilty of a misdemeanor and, on conviction, is  
20 subject to a fine of not more than \$500 for each offense.

21 (b) [*Each day a separate offense*] *CALCULATING OFFENSES.*

22 (1) *IN GENERAL.*

23 EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, EACH [Each] day that a  
24 violation continues is a separate offense.

25 (2) *POSTING REQUIREMENT.*

26 EACH WEEK THAT A VIOLATION OF § 4-12 {"VACANT STRUCTURE: POSTING  
27 REQUIREMENT"} OF THIS SUBTITLE CONTINUES IS A SEPARATE OFFENSE.

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

31 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 180<sup>th</sup>  
32 day after the date it is enacted.