

**CITY OF BALTIMORE
COUNCIL BILL 09-0373
(First Reader)**

Introduced by: President Rawlings-Blake, Councilmembers Clarke, Middleton, Henry, Curran,
Young, Kraft, Reisinger, Branch, Welch, Cole, Holton, Spector, Conaway

Introduced and read first time: July 13, 2009

Assigned to: Public Safety and Health Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Food Service Facilities – Suspension or Nonrenewal of Licenses –**
3 **Multiple or Unpaid Citations**

4 FOR the purpose of authorizing the suspension or nonrenewal of a license for a food service
5 facility that has received multiple environmental or civil citations or is in default of an
6 environmental or civil citation; requiring notice and an opportunity to be heard; and
7 generally relating to the licensing and regulation of food service facilities.

8 BY adding

9 Article - Health
10 Section(s) 6-603.1
11 Baltimore City Revised Code
12 (Edition 2000)

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

15 **Baltimore City Revised Code**

16 **Article – Health**

17 **Title 6. Food Service Facilities**

18
19 **§ 6-603.1. SUSPENSION OR NONRENEWAL FOR MULTIPLE OR UNPAID CITATIONS.**

20 (A) *IN GENERAL.*

21 THE COMMISSIONER MAY SUSPEND OR REFUSE TO RENEW THE LICENSE OF A FOOD SERVICE
22 FACILITY IF:

23 (1) AT ANY TIME WITHIN THE PRECEDING 6 MONTHS, THE FACILITY HAS BEEN SERVED
24 WITH 3 OR MORE CITATIONS UNDER EITHER OR BOTH OF:

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

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1 (i) CITY CODE ARTICLE 1, SUBTITLE 40 {"ENVIRONMENTAL CONTROL
2 BOARD"}; OR

3 (ii) CITY CODE ARTICLE 1, SUBTITLE 41 {"CIVIL CITATIONS"}; OR

4 (2) AT ANY TIME WITHIN THE PRECEDING 12 MONTHS, THE FACILITY BEEN DECLARED
5 TO BE IN DEFAULT OF 1 OR MORE CITATIONS UNDER EITHER OF:

6 (i) CITY CODE ARTICLE 1, § 40-8 {"ENVIRONMENTAL CITATIONS: DEFAULT
7 BY PERSON CITED"}; OR

8 (ii) CITY CODE ARTICLE 1, § 41-10 {"CIVIL CITATIONS: DEFAULT"}.

9 (B) *NOTICE AND OPPORTUNITY FOR HEARING.*

10 BEFORE SUSPENDING A LICENSE UNDER THIS SECTION, THE COMMISSIONER MUST PROVIDE
11 THE FACILITY WITH NOTICE AND AN OPPORTUNITY FOR HEARING, AS PROVIDED IN TITLE 2,
12 SUBTITLE 3 {"ADMINISTRATIVE HEARINGS"} OF THIS ARTICLE.

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

16 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
17 after the date it is enacted.