

**CITY OF BALTIMORE
COUNCIL BILL 24-0506
(First Reader)**

Introduced by: Councilmembers Conway, Burnett, Middleton, Dorsey, and Torrence

Introduced and read first time: April 8, 2024

Assigned to: Economic and Community Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of Housing and Community Development, Housing Authority of Baltimore City, Health Department

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Managed Natural Landscapes**

3 FOR the purpose of permitting certain plants and grasses to exceed 8 inches in height under
4 certain circumstances; requiring the promulgation of certain regulations; defining certain
5 terms; and generally relating to managed natural landscapes.

6 BY repealing and re-ordaining, with amendments,

7 Article - Building, Fire, and Related Codes

8 Section 2-103 (IPMC § 305.2.1)

9 Baltimore City Revised Code

10 (Edition 2000)

11 BY repealing and re-ordaining, with amendments,

12 Article - Health

13 Section 5-702

14 Baltimore City Revised Code

15 (Edition 2000)

16 BY renumbering

17 Article - Health

18 Sections 5-703 to 5-705

19 to be

20 New sections 5-704 to 5-706

21 Baltimore City Revised Code

22 (Edition 2000)

23 By adding

24 Article - Health

25 New section 5-703

26 Baltimore City Revised 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 Revised Code**

4 **Article – Health**

5 **Title 5. Nuisance Control**

6 **Subtitle 7. Weeds**

7 **§ 5-702. Cutting grass, weeds, etc., required.**

8 [No] EXCEPT AS PROVIDED FOR IN § 5-703 {“MANAGED NATURAL LANDSCAPES”} OF THIS
9 SUBTITLE, NO person in charge of any land may allow:

10 (1) any grass, weeds, or other rank vegetation on that land to reach a height of
11 8 inches or more; or

12 (2) any grass, weeds, or other rank vegetation on an abutting sidewalk, gutter,
13 or alley to reach a height of 4 inches or more.

14 **§ 5-703. MANAGED NATURAL LANDSCAPES.**

15 (A) *DEFINITIONS.*

16 (1) *IN GENERAL.*

17 IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

18 (2) *MANAGED NATURAL LANDSCAPE.*

19 “MANAGED NATURAL LANDSCAPE” MEANS A PLANNED, INTENTIONAL, AND
20 MAINTAINED PLANTING OF NATIVE OR NON-NATIVE GRASSES, WILDFLOWERS, FORBS,
21 FERNS, SHRUBS, OR TREES, INCLUDING RAIN GARDENS, MEADOW VEGETATION, AND
22 ORNAMENTAL PLANTS.

23 (3) *MEADOW VEGETATION.*

24 (I) *IN GENERAL.*

25 “MEADOW VEGETATION” MEANS GRASSES AND FLOWERING BROADLEAF PLANTS:

26 (A) THAT ARE NATIVE TO OR ADAPTED TO THE STATE OF MARYLAND; AND

27 (B) THAT ARE COMMONLY FOUND IN MEADOW PLANT COMMUNITIES.

28 (II) *EXCLUSION.*

29 “MEADOW VEGETATION” DOES NOT INCLUDE NOXIOUS WEEDS.

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1 (4) *NOXIOUS WEED.*

2 (I) *IN GENERAL.*

3 “NOXIOUS WEED” MEANS AN ANNUAL, BIENNIAL, OR PERENNIAL PLANT THAT THE
4 HEALTH COMMISSIONER DESIGNATES TO BE INJURIOUS TO PUBLIC HEALTH, THE
5 ENVIRONMENT, PUBLIC ROADS, CROPS, LIVESTOCK, OR OTHER PROPERTY.

6 (II) *INCLUSIONS.*

7 “NOXIOUS WEED” INCLUDES:

- 8 (A) RAGWEED;
- 9 (B) WILD MUSTARD;
- 10 (C) WILD LETTUCE;
- 11 (D) WILD PARSLEY;
- 12 (E) COMMON THISTLE; AND
- 13 (F) POISON IVY.

14 (5) *ORNAMENTAL PLANTS.*

15 “ORNAMENTAL PLANTS” MEANS GRASSES, PERENNIALS, ANNUALS, AND GROUND
16 COVERS PURPOSEFULLY PLANTED FOR AESTHETIC REASONS.

17 (6) *RAIN GARDEN.*

18 “RAIN GARDEN” MEANS A NATIVE PLANT GARDEN THAT IS DESIGNED:

- 19 (I) TO REDUCE THE AMOUNT OF STORMWATER AND ACCOMPANYING POLLUTANTS
20 FROM ENTERING ANY LOCAL WATERSHED OR OUTFLOW POINT, INCLUDING:
 - 21 (A) A RESERVOIR;
 - 22 (B) A BOG; AND
 - 23 (C) THE OCEAN; AND
- 24 (II) TO AESTHETICALLY IMPROVE REAL PROPERTY.

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1 (7) *TURF GRASS LAWN.*

2 (1) *IN GENERAL.*

3 “TURF GRASS LAWN” MEANS A PLANTED AREA COMPRISED MOSTLY OF
4 GRASSES COMMONLY USED IN REGULARLY CUT LAWNS OR PLAY AREAS,
5 INTENDED TO BE MAINTAINED AT A HEIGHT OF NO MORE THAN 8 INCHES.

6 (II) *INCLUSIONS.*

7 “TURF GRASS LAWN” INCLUDES A PLANTED AREA DESCRIBED IN
8 SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT IS COMPRISED MOSTLY OF:

9 (A) BLUEGRASS BLENDS;

10 (B) FESCUE BLENDS; AND

11 (C) RYEGRASS BLENDS.

12 (B) *REQUIREMENTS.*

13 (1) *IN GENERAL.*

14 A MANAGED NATURAL LANDSCAPE MAY INCLUDE PLANTS AND GRASSES IN EXCESS OF
15 8 INCHES IN HEIGHT.

16 (2) *EXCLUSIONS.*

17 A MANAGED NATURAL LANDSCAPE:

18 (I) MAY NOT INCLUDE NOXIOUS WEEDS;

19 (II) MUST BE MAINTAINED TO EXCLUDE UNINTENDED VEGETATION;

20 (III) MAY NOT INCLUDE ANY PLANTINGS WHICH, DUE TO LOCATION AND MANNER
21 OF GROWTH:

22 (A) CONSTITUTE A HAZARD TO THE PUBLIC; OR

23 (B) MAY CAUSE INJURY OR DAMAGE TO PERSONS OR PROPERTY WHERE
24 SUCH GROWTH IS IN VIOLATION OF THE CITY BUILDING, FIRE, AND
25 RELATED CODES ARTICLE; AND

26 (IV) MAY NOT INCLUDE A TURF GRASS LAWN LEFT UNATTENDED FOR THE PURPOSE
27 OF RETURNING TO A NATURAL STATE.

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1 (C) *RULES AND REGULATIONS.*

2 SUBJECT TO TITLE 4 {“ADMINISTRATIVE PROCEDURE ACT – REGULATIONS”} OF THE CITY
3 GENERAL PROVISIONS ARTICLE, THE HEALTH COMMISSIONER, IN COLLABORATION WITH
4 THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, SHALL ADOPT AND
5 ENFORCE RULES AND REGULATIONS TO CARRY OUT THIS SECTION.

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

7 **Part VII. International Property Maintenance Code**

8 **Section 305 Exterior Sanitary Maintenance – General**

9 **305.2 Grass and Weeds**

10 **305.2.1 “Weeds” defined.** In this section, “weeds” includes all plants and vegetation
11 other than:

- 12 1. trees or shrubs, [or]
- 13 2. cultivated flowers and [gardens.] GARDENS, OR
- 14 3. A MANAGED NATURAL LANDSCAPE, AS DESCRIBED IN CITY HEALTH ARTICLE
15 § 5-703 {“MANAGED NATURAL LANDSCAPES”}.

16 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
17 after the date it is enacted.