

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 15-0527

Introduced by: Councilmembers Scott, Henry, Holton, Middleton, Clarke, Curran

Introduced and read first time: April 20, 2015

Assigned to: Committee of the Whole

Committee Report: Favorable

Council action: Adopted

Read second time: July 20, 2015

AN ORDINANCE CONCERNING

1 **Food Service Facilities – Public Notice of Suspensions, Revocations, and Nonrenewals**

2 FOR the purpose of expanding the type and scope of public notices required of food service
3 facilities that have had their licenses suspended, revoked, or denied renewal; clarifying,
4 correcting, and conforming related provisions; and generally relating to the regulation of food
5 service facilities.

6 BY repealing and reordaining, with amendments

7 Article - Health

8 Section(s) 6-606

9 Baltimore City Revised Code

10 (Edition 2000)

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

13 **Baltimore City Revised Code**

14 **Article – Health**

15 **Title 6. Food Service Facilities**

16 ***Subtitle 6. Suspensions and Revocations***

17

18 **§ 6-606. [Notice of suspensions] PUBLIC NOTICES.**

19 (a) *SUSPENSIONS – Posting of premises.*

20 (1) A food SERVICE facility [or other establishment] that has had its license suspended
21 [for longer than 24 hours] must post a public notice OF THE SUSPENSION throughout
22 the suspension period [stating the reason for the suspension].

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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1 (2) The notice must:

2 (I) STATE THE TERM OF AND REASONS FOR THE SUSPENSION;

3 (II) be in the form and tenor that the Commissioner specifies; AND

4 (III) BE CONSPICUOUSLY PLACED, AS DIRECTED BY THE COMMISSIONER, SO THAT IT
5 IS VISIBLE TO AND CAN BE READ BY PASSING PEDESTRIANS.

6 (B) *SUSPENSIONS, REVOCATIONS, AND NONRENEWALS – TIMELY NOTICE THROUGH SOCIAL MEDIA.*

7 (1) PROMPTLY AFTER A FOOD SERVICE FACILITY HAS HAD ITS LICENSE SUSPENDED,
8 REVOKED, OR DENIED RENEWAL, THE COMMISSIONER MUST PROVIDE, THROUGH 2 OR
9 MORE SOCIAL MEDIA OUTLETS, PUBLIC NOTICE OF THE SUSPENSION, REVOCATION, OR
10 NONRENEWAL.

11 (2) THE NOTICE MUST INCLUDE THE SAME INFORMATION AS THAT REQUIRED BY
12 SUBSECTION (C)(2) OF THIS SECTION FOR A WEBSITE LISTING.

13 (C) [(b)] *SUSPENSIONS, REVOCATIONS, AND NONRENEWALS – [Published] WEBSITE listings.*

14 (1) [At least monthly, the] THE Commissioner must MAINTAIN, UPDATE AT LEAST
15 WEEKLY, AND publish ON THE DEPARTMENT’S WEBSITE a list of ALL food SERVICE
16 facilities [and other establishments] that, AT ANY TIME during the preceding calendar
17 month OR DURING THE CURRENT CALENDAR MONTH TO THE LATEST UPDATE, have had
18 their licenses suspended, [or] revoked, or [that have been closed for health code
19 violations] DENIED RENEWAL.

20 (2) The listing must [specify] INCLUDE:

21 (i) the name (including trade name) and address of the [establishment] FACILITY;

22 (ii) the effective date and term of the SUSPENSION, revocation, [suspension,] or
23 [closing] NONRENEWAL; and

24 (iii) the reasons for the SUSPENSION, revocation, [suspension,] or [closing]
25 NONRENEWAL.

26 [(3) The listing must be published by:

27 (i) posting on the Department’s website; and

28 (ii) distribution to the neighborhood association(s) listed with the Department of
29 Planning for the area(s) served by the establishment.]

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

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

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City