

**CITY OF BALTIMORE
COUNCIL BILL 08-0181
(First Reader)**

Introduced by: President Rawlings-Blake, Councilmembers Clarke, Young, Middleton, Henry,
Branch, Reisinger, Cole, Conaway, D'Adamo, Welch

Introduced and read first time: August 11, 2008

Assigned to: Judiciary and Legislative Investigations Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Environmental and Civil Citations – Building Code Notices –**
3 **Service**

4 FOR the purpose of requiring that service by mail of environmental citations, civil citations, and
5 building code notices be both by certified mail and by regular mail; conforming and
6 clarifying certain language; and generally relating to the service of environmental citations,
7 civil citations, and building code notices .

8 BY repealing and reordaining, with amendments
9 Article 1 - Mayor, City Council, and Municipal Agencies
10 Section(s) 40-7(c) and 41-6(a)
11 Baltimore City Code
12 (Edition 2000)

13 BY repealing and reordaining, with amendments
14 Article - Building, Fire, and Related Codes
15 Section(s) 2-103 (IBC § 123.6.2)
16 Baltimore City Revised Code
17 (Edition 2000)

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

20 **Baltimore City Code**

21 **Article 1. Mayor, City Council, and Municipal Agencies**

22 **Subtitle 40. Environmental Control Board**

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

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§ 40-7. Environmental Citations.

(c) *Service of citations.*

(1) An environmental citation must be[: (1)] issued by a Sanitary Enforcement Officer or other City employee who has been authorized to act as a Special Enforcement Officer under Article 19, § 71-1 of the City Code[: and].

(2) AN ENVIRONMENTAL CITATION MUST BE served on the person cited by 1 of the following methods:

(i) in person;

(ii) BY MAILING, BOTH BY certified mail[, return receipt requested] AND BY REGULAR MAIL;

(iii) BY delivery to a person of suitable age and discretion who resides at the [cited person's] last-known address OF THE PERSON CITED; or

(iv) for service on an occupant of the premises at which the violation occurred, BY:

(A) posting on the main entrance of the premises; and

(B) mailing by regular mail to the person cited, at that person's last known address.

Subtitle 41. Civil Citations

§ 41-6. Service; copies.

(a) *In general.*

The citation may be served on the person charged by 1 of the following methods:

(1) in person;

(2) by MAILING, BOTH BY certified mail[, return receipt requested] AND BY REGULAR MAIL;

(3) by delivery to a person of suitable age and discretion who resides at the last-known address of the person charged; or

(4) for service on an occupant of the premises at which the violation occurred, by:

(i) posting on the main entrance of the premises; and

(ii) mailing by regular mail to the person charged, at that person's last-known address.

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Baltimore City Revised Code

Article – Building, Fire, and Related Codes

Part II. International Building Code

§ 2-103. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

**CHAPTER 1
ADMINISTRATION**

Section 123 Notices

123.6.2 Method of service. A notice is properly served if:

1. served personally on the owner, agent, person in control, former owner, or other person responsible for the property,
2. hand delivered to that person’s home, business, or tax record address, or
3. [sent] MAILING, BOTH by certified [or registered] mail AND BY REGULAR MAIL, to that person’s home, business, or [tax record] TAX-RECORD address.

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

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