

**CITY OF BALTIMORE
COUNCIL BILL 09-0418
(First Reader)**

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

Introduced and read first time: November 2, 2009

Assigned to: Taxation, Finance and Economic Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of General Services, Police
Department, Department of Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Vehicle Forfeiture Sales**

3 FOR the purpose of providing for certain notices and procedures by which vehicles scheduled for
4 foreclosure sale may be removed from the sale and repurposed for City use; defining certain
5 terms; and generally relating to vehicle procurement and forfeiture sales.

6 BY renumbering

7 Article 5 - Finance, Property, and Procurement

8 Section(s) 35-1 to 35-6

9 to be

10 Section(s) 35A-1 to 35A-6, under the renumbered and renamed subtitle,

11 “Subtitle 35A. Vehicle Procurement – American Preference”

12 Baltimore City Code

13 (Edition 2000)

14 BY adding

15 Article 5 - Finance, Property, and Procurement

16 Section(s) 35B-1 to 35B-4, to be under the new subtitle,

17 “Subtitle 35B. Vehicle Procurement – Forfeiture Sales”

18 Baltimore City Code

19 (Edition 2000)

20 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
21 City Code Article 5, §§ 35-1 through 35-6, are renumbered to be Article 5, §§ 35A-1 through
22 35A-6, under the renumbered and renamed subtitle “Subtitle 35A. Vehicle Procurement –
23 American Preference”.

24 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Laws of Baltimore City read as
25 follows:

26 **Baltimore City Code**

27 **Article 5. Finance, Property, and Procurement**

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

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SUBTITLE 35B. VEHICLE PROCUREMENT – FORFEITURE SALES

§ 35B-1. DEFINITIONS.

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANING INDICATED.

(B) *FORFEITURE SALE.*

“FORFEITURE SALE” MEANS ANY AUCTION SALE OF A VEHICLE THAT HAS BEEN ABANDONED OR FORFEITED TO THE CITY UNDER ANY FEDERAL, STATE, OR LOCAL LAW.

§ 35B-2. NOTICE OF SALES.

(A) *REQUIRED.*

AT LEAST 15 DAYS BEFORE EACH FORFEITURE SALE, THE FINANCE DIRECTOR OR OTHER OFFICIAL IN CHARGE OF THE FORFEITURE SALE SHALL PROVIDE THE DIRECTOR OF GENERAL SERVICES WITH A LIST OF THE VEHICLES TO BE INCLUDED IN THE SALE.

(B) *CONTENTS.*

THE NOTICE SHALL SPECIFY, AT A MINIMUM, THE MAKE, MODEL, AND YEAR OF EACH VEHICLE.

§ 35B-3. REMOVAL OF VEHICLE FROM SALE.

(A) *NOTICE OF INTEREST.*

THE DIRECTOR OF GENERAL SERVICES SHALL:

(1) REVIEW THE LIST; AND

(2) IF ANY VEHICLE ON THE LIST IS OF INTEREST TO THE DEPARTMENT OF GENERAL SERVICES, PROMPTLY NOTIFY THE FINANCE DIRECTOR OF THAT INTEREST AND ARRANGE FOR AN EVALUATION OF THE VEHICLE.

(B) *REMOVAL FROM SALE.*

(1) AFTER EVALUATION, THE DIRECTOR OF GENERAL SERVICES SHALL NOTIFY THE FINANCE DIRECTOR OF ANY VEHICLE SELECTED TO BE REPURPOSED FOR CITY USE.

(2) ON RECEIPT OF THIS NOTICE, THE FINANCE DIRECTOR SHALL REMOVE THE VEHICLE FROM THE SALE.

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1 **§ 35B-4. RULES AND REGULATIONS.**

2 (A) *DIRECTORS TO ADOPT.*

3 THE DIRECTORS OF GENERAL SERVICES AND FINANCE SHALL JOINTLY ADOPT RULES AND
4 REGULATIONS TO CARRY OUT THIS SUBTITLE.

5 (B) *FILING WITH LEGISLATIVE REFERENCE.*

6 A COPY OF ALL RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE SHALL BE FILED
7 WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY TAKE EFFECT.

8 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
9 are not law and may not be considered to have been enacted as a part of this or any prior
10 Ordinance.

11 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
12 after the date it is enacted.