



# MEMORANDUM

STEPHANIE  
RAWLINGS-BLAKE,  
Mayor

PAUL T. GRAZIANO,  
Executive Director, HAHC  
Commissioner, HC D

To: The Honorable President and Members of the Baltimore City Council  
c/o Karen Randle, *Executive Secretary*

From: Paul T. Graziano, *Commissioner*

Date: November 18, 2010

Re: **City Council Bill 10-0618 - Neighborhood Nuisances - Enforcement by Citation**

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 10-0618, which was introduced at the request of our department for the purpose of authorizing the issuance of citations for neighborhood nuisances that are disorderly in manner or disturb the peace of neighboring residents. In addition to any other potential civil or criminal citation, both the owner and/or occupant of a property that violates the proposed ordinance would be subject to an environmental citation of \$500 penalty for the first offense and \$1000 for a subsequent offense that occurs within 12 month of any previous violation.

City Council Bill 10-0618 defines a "Neighborhood Nuisance" as "any premises on or in which an owner, operator, tenant, or occupant of the premises:

- (1) acts in a disorderly manner that disturbs the public, as these terms are used in State Criminal Law Article, § 10-201(c)(2); or
- (2) creates or maintains conditions that lets others to act in a disorderly manner that disturbs the public, as these terms are used in State Criminal Law Article, § 10-201(c)(2)."

By citing directly to the terminology employed by the state criminal code, DHCD believes that law and code enforcement officials are provided a clear guideline to justify the filing of a police report that then can serve as prima facie evidence for the issuance of an Environmental Control Board citation.

DHCD, in conjunction with Council members, sister agencies, and local communities, believes that this legislation would provide a useful tool to both law and code enforcement officials to discourage residents from hosting raucous parties or playing music at an unreasonably loud volume that could disturb the immediate neighbors. By providing the ability to cite the property owner, in addition to the occupants, we further believe that this will compel owners of rental properties to select responsible tenants that will respect fellow neighbors' right to enjoy their homes and community in peace.

The Department of Housing and Community Development supports the adoption of City Council Bill 10-0618.

cc: Ms. Angela Gibson, *Mayor's Office of Government Relations*  
Ms. Diane Hutchins, *Mayor's Office of Government Relations*  
Ms. Kaliop Parthemous, *Deputy Mayor*