

**CITY OF BALTIMORE  
COUNCIL BILL 08-0252  
(First Reader)**

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Introduced by: Councilmembers Kraft, Henry  
Introduced and read first time: December 4, 2008  
Assigned to: Judiciary and Legislative Investigations Committee

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

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Snow and Ice Removal – Sidewalks**

3 FOR the purpose of transferring certain requirements for snow and ice removal to the Property  
4 Maintenance Code; specifying the scope of the required removal; and repealing certain  
5 obsolete, redundant, or now otherwise unnecessary provisions.

6 BY adding

7 Article - Building, Fire, and Related Codes  
8 Section(s) 7-102 (PMC § 305.8)  
9 Baltimore City Revised Code  
10 (Edition 2000)

11 BY repealing

12 Article 19 - Police Ordinances  
13 Subtitle 50, Part 7, in its entirety  
14 Baltimore City Code  
15 (Edition 2000)

16 BY repealing

17 Article 1 - Mayor, City Council, and Municipal Agencies  
18 Section(s) 40-14(e)(3)(§ 50-46 or § 50-47) and 41-14(2)(§ 50-46 or § 50-47)  
19 Baltimore City Code  
20 (Edition 2000)

21 BY repealing and reordaining, without amendments

22 Article 1 - Mayor, City Council, and Municipal Agencies  
23 Section(s) 40-14(e)(6a)  
24 Baltimore City Code  
25 (Edition 2000)

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

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1 BY adding  
2 Article 1 - Mayor, City Council, and Municipal Agencies  
3 Section(s) 41-14(5a)  
4 Baltimore City Code  
5 (Edition 2000)

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

8 **Baltimore City Revised Code**

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

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

11 **§ 7-102. City modifications.**

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

14 **Chapter 3. General Requirements**

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

16 **305.8 SNOW AND ICE ON SIDEWALKS.** AFTER ANY SNOWFALL THAT RESULTS IN AN  
17 ACCUMULATION OF SNOW OR ICE ON THE GROUND, THE SNOW AND ICE MUST BE REMOVED  
18 AND CLEARED AWAY FROM ALL SIDEWALKS THAT ABUT THE PREMISES.

19 **305.8.1 TIME FOR COMPLIANCE.** THE SNOW AND ICE MUST BE REMOVED AND CLEARED  
20 AWAY:

- 21 1. WITHIN 3 HOURS AFTER THE SNOW HAS STOPPED FALLING; OR  
22 2. IF THE SNOW STOPPED FALLING BETWEEN 3 P.M. AND 6 A.M., BEFORE 11 A.M.

23 **305.8.1 MANNER OF COMPLIANCE.** THE SNOW AND ICE MUST BE REMOVED AND  
24 CLEARED AWAY IN A MANNER THAT:

- 25 1. LEAVES A CLEAR PATH THAT IS AT LEAST 2 FEET WIDE; AND  
26 2. DOES NOT OBSTRUCT THE PASSAGE OF WATER IN THE GUTTERS.

27 **Baltimore City Code**

28 **Article 19. Police Ordinances**

29 **Subtitle 50. Street Regulations**

30 **[Part 7. Snow and Ice]**

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1 **[§ 50-46. Cleaning pavements required.**

2 (a) *In general.*

3 After any snowfall that results in an accumulation of snow on the ground:

- 4 (1) every person using or occupying in any manner, or for any purpose, any house,  
5 store, shop, stable, or tenement of any kind;
- 6 (2) every person having charge of any church or public building of any kind; and
- 7 (3) the owner of any unoccupied house or unimproved lot situated on any paved  
8 street, lane, or alley in the City,

9 must remove and clear away the snow or cause it to be removed and cleared away from  
10 the foot pavement fronting the house, store, shop, stable, church, building, or lot.

11 (b) *Time and manner.*

12 (1) The snow must be removed and cleared away:

- 13 (i) within 3 hours after the snow has stopped falling; or
- 14 (ii) if the snow stopped falling between 3 p.m. and 6 a.m., before 11 a.m.

15 (2) The snow must be removed and cleared away in such a way as not to obstruct the  
16 passage of water in the gutters.

17 (c) *Penalties.*

18 Any person who violates any provision of this section is guilty of a misdemeanor, and on  
19 conviction, is subject to a fine of not more than \$15 for each offense.]

20 **[§ 50-47. Keeping pavements and gutters clear.**

21 (a) *In general.*

22 Every person described in § 50-46 of this Part must keep the gutters leading to, and the  
23 pavements or sidewalks situated in the front, rear, or sides of the premises, free from ice  
24 and every obstruction of any kind.

25 (b) *Penalties.*

26 Any person who fails to comply with this section within 3 hours after being notified to do  
27 so by any police officer is guilty of a misdemeanor and, on conviction, is subject to a fine  
28 of not more than \$15 dollars for each offense, plus \$15 for each day the obstruction  
29 continues.]

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**[§ 50-48. Removal by City on noncompliance.**

It shall be the duty of the police officers to cause the snow and ice to be removed by those persons employed by the Department of Public Works engaged in snow removal from foot pavements fronting the houses, stores, stables, churches, public buildings, lots, or tenements of such persons as shall neglect or refuse to remove the same, at the expense of the City in the first instance, to be afterwards recovered from the person or persons so neglecting or refusing.]

**[§ 50-49. Enforcement by citation.**

(a) *In general.*

In addition to any other civil or criminal remedy or enforcement procedure, this Part may be enforced by issuance of:

- (i) an environmental citation under City Code Article 1, Subtitle 40 {"Environmental Control Board"}; or
- (ii) a civil citation under City Code Article 1, Subtitle 41 {"Civil Citations"}.

(b) *Method not exclusive.*

The issuance of a citation to enforce this Part does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.]

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

**Subtitle 40. Environmental Control Board**

**§ 40-14. Violations to which subtitle applies.**

(e) *Provisions and penalties enumerated.*

**(3) Article 19. Police Ordinances**

....

[§ 50-46 or § 50-47. Snow - cleaning required \$ 50]

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**(6a) Building, Fire, and Related Codes – Property Maintenance Code**

§§ 305 - 308. Sanitary maintenance

Residential properties \$ 50

Commercial properties \$100

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1 Subtitle 41. Civil Citations

2 § 41-14. Offenses to which subtitle applies – Listing.

3 (2) Article 19. Police Ordinances

4 . . . .

5 [§ 50-46 or § 50-47. Snow – cleaning required \$ 50]

6 . . . .

7 (5A) BUILDING, FIRE, AND RELATED CODES –  
8 PROPERTY MAINTENANCE CODE

9 § 305.8. SNOW AND ICE ON SIDEWALKS

10 RESIDENTIAL PROPERTIES \$ 50

11 COMMERCIAL PROPERTIES \$100

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

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