



AVERY AISENSTARK, Director
626 City Hall
Baltimore, Maryland 21202

May 10, 2011

The Honorable President and Members
of the Baltimore City Council
Fourth Floor, City Hall
Baltimore, Maryland 21202
c/o: Karen Randle, Executive Secretary

Re: Bill; 11-657 {"Corrective Bill 2011 – General"}

Bill 11-657, as its title indicates, is a periodic corrective bill intended to “correc[t] ... technical errors and omissions in the City Code; repea[l] ... obsolete or otherwise unnecessary provisions;[and] correc[t], clarif[y], and confor[m related] language”.

For each correction made, a “Comment” is appended to explain the reason for that correction. In all cases, care has been taken to assure that the change is technical in nature only and does not implicate policy decisions of the Mayor and City Council.

Since the Bill’s introduction, a few additional provisions in need of correction have come to light. Attached to this letter, therefore, are proposed amendments to Bill 11-657 that would include these additional corrections. Again, “Comments” are appended to explain each amendment.

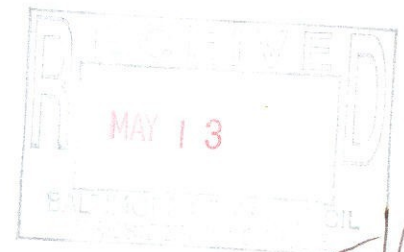
The Department of Legislative Reference recommends the passage of Bill 11-657, with the attached proposed amendments.

Very truly yours,

Avery Aisenstark

xc: The Honorable James B. Kraft
Ms. Angela Gibson
Enclosure

Tel: (410) 396-4730 ☎ Fax: (410) 396-8483
✉ E-mail: averya@baltimorecity.gov ✉



DRAFTED BY DLR 08MAY11

DRAFTED BY DLR 08MAY11

AMENDMENTS TO COUNCIL BILL 11-657
(First Reader Copy)

By: Department of Legislative Reference
{To be offered to the Judiciary and Legislative Investigations Committee}

Amendment No. 1

On page 1, in lines 10 and 15, on page 2, in line 33, on page 3, in lines 8 and 20, in each instance, strike "Ord. 11-xxx" and substitute "Ord. 11-419".

Amendment No. 2

On page 1, in line 8, after "IBC", insert "§ 117.5."; and, on page 2, after line 30, insert:

"Chapter 1. Administration

Section 117 Emergency and Corrective Measures

117.5 Liability for costs of emergency work. Liability for expenses incurred in the course of performing emergency work and the procedure for collecting resultant debts and liens are as provided in [§ 117] § 118 of this Code.

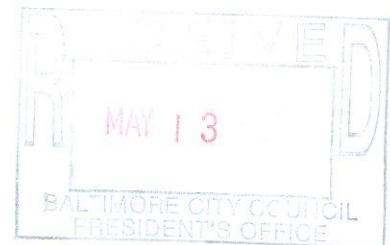
COMMENT: Corrects obsolete cross-reference."

Amendment No. 3

On page 1, after line 25, insert:

"By repealing and reordaining, with amendments
Article 1 - Mayor, City Council, and Municipal Agencies
Sections § 40-14(e)(5a)
Baltimore City Code
(Edition 2000)";

and, on page 5, after line 14, insert:



“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.

(5a) Building, Fire, and Related Codes –
Building Code

§ 113.14 {§ 114.14}. Work without permit	\$500
§ 114.3 {§ 115.3}. Stop-work order: Unlawful continuance	\$500
§ 123.8. Failure to comply with notice	
Unsafe structures {§ 115 {§ 116}}	\$900
Condemnation proceedings {§ 120}	\$500
All other notices (excluding citations)	\$250
§ 3302.3 {§ 3302.2}. Construction Safeguards: Waste and debris	\$250

COMMENT: Conforms to recently renumbered Building Code provisions.”.

Amendment No. 4

On page 2, in line 18, after the last comma, insert “and”; and, on the same page, in line 19, strike “and (o-2)(3)(ii),”; and, in the same line, after “7(a)(2nd par),”, insert “9(o-2)(3)(ii),”; and, on page 8, strike lines 30 through 38, in their entireties; and, on page 9, after line 14, insert:

“§ 9. Class C membership.

(o-2) Line-of-duty death benefit.

(3) Death without beneficiaries or estate.

The amounts that would have been paid under this subsection (o-2),
excluding membership contribution accounts, with interest, forever remain
assets of the System if:

.....

(ii) that member has no heirs, as enumerated in PARAGRAPHS 2(i)(A) and 2(i)(B) of this subsection (o-2); and

....

COMMENT: Corrects nomenclature error."