

**CITY OF BALTIMORE  
COUNCIL BILL 10-0574  
(First Reader)**

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Introduced by: The Council President  
At the request of: The Administration (Baltimore Police Department)  
Introduced and read first time: July 12, 2010  
Assigned to: Judiciary and Legislative Investigations Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Police Department, Department of Finance, Mayor's Office of Criminal Justice

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Scrap Metal Processors – Conformance to State Law**

3 FOR the purpose of formally designating, as required by State law, the City's "primary  
4 enforcement unit" to receive certain records; conforming a definition to its State law  
5 counterpart; clarifying the need of scrap metal processors to comply with State licensing and  
6 regulatory provisions; authorizing the denial, suspension, or refusal to renew certain licenses  
7 for violation of certain State laws, rules, or regulations; providing for a special effective date;  
8 and generally relating to the licensing and regulation of scrap metal processors.

9 By repealing and reordaining, with amendments

10 Article 2 - Consumer Protections  
11 Section(s) 8-1(e)(1), 8-3(a), and 8-13.1  
12 Baltimore City Code  
13 (Edition 2000)

14 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That,  
15 pursuant to the direction of State Business Regulation Article § 17-1003(a), the Mayor and City  
16 Council designates the Baltimore Police Department as the "primary law enforcement unit" to  
17 receive records under State Business Regulation Article § 17-1011(b).

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

20 **Baltimore City Code**

21 **Article 2. Consumer Protections**

22 **Subtitle 8. Scrap Metal Processors**

23 **§ 8-1. Definitions.**

24 (e) *Scrap metal processor.*

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

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1 (1) “Scrap metal processor” means any person who, whether as a dealer, a broker, or  
2 otherwise, buys, processes, sells, or transports scrap metal [for use as raw material by  
3 a foundry, smelter, refiner, mill, or other user].

4 **§ 8-3. License required; Application and fee.**

5 (a) *In general.*

6 No person may do business as a scrap metal processor [without having] UNLESS THAT  
7 PERSON:

8 (1) HAS first obtained a STATE license [to do so] UNDER STATE BUSINESS  
9 REGULATION ARTICLE TITLE 17, SUBTITLE 10 {“JUNK DEALERS AND SCRAP  
10 METAL PROCESSORS”}; AND

11 (2) HAS THEN OBTAINED from the Police Commissioner A CITY LICENSE UNDER THIS  
12 SUBTITLE 8 {“SCRAP METAL PROCESSORS”}.

13 **§ 8-13.1. Denial, suspension, etc., of license.**

14 The Police Commissioner may deny, suspend, revoke, or refuse to renew a license if, after  
15 giving the applicant or licensee notice and an opportunity to be heard, the Police  
16 Commissioner finds that the applicant or licensee:

17 (1) has made a material misstatement or omission in any application for an initial or  
18 renewal license;

19 (2) HAS FAILED TO MAINTAIN IN GOOD STANDING ITS STATE LICENSE UNDER STATE  
20 BUSINESS REGULATION ARTICLE TITLE 17, SUBTITLE 10 {“JUNK DEALERS AND SCRAP  
21 METAL PROCESSORS”}

22 (3) [(2)] has violated a provision of:

23 (i) this [subtitle] SUBTITLE 8 {“SCRAP METAL PROCESSORS”};

24 (ii) STATE BUSINESS REGULATION ARTICLE TITLE 17, SUBTITLE 10 {“JUNK  
25 DEALERS AND SCRAP METAL PROCESSORS”}; or

26 (iii) [of] a rule or regulation adopted under [this subtitle] EITHER OF THESE LAWS;  
27 or

28 (4) [(3)] has engaged in a pattern and practice of receiving stolen goods.

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

32 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it  
33 is enacted.