


<b>FROM</b>	NAME & TITLE	Alfred H. Foxx, Director	<b>CITY of</b> <b>BALTIMORE</b> <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	<b>CITY COUNCIL BILL 13-0293</b>		

**TO**

The Honorable President and Members  
of the Baltimore City Council  
c/o Karen Randle  
Room 400 – City Hall



I am herein reporting on City Council Bill 13-0293 introduced by Council Members Henry, Branch, Clarke, Reisinger, Cole, Scott, Curran, President Young, and Council Members Middleton and Kraft.

The purpose of the Bill is to modify the criteria for determining that a structure is a “vacant structure” or is in noncompliance with a notice or order issued by the Building Official; require that all windows, doors, and other openings of a vacant structure, at any level, be boarded; and generally relating to the definition and required safeguarding of vacant structures.

This legislation, if approved, would change the determinations for vacancy and of noncompliance with a notice or order under the International Building Code for properties deemed as unsafe vacant structures. The determination for “open to casual entry” would be deleted and replaced with “any window, door, or other point of unprotected entry”. In addition, the boarding requirements for these unprotected entry points currently limited by Code to “within 24 feet of the ground or readily accessible” would be deleted, making any potential entry point, no matter at what level or whether accessible or not, subject to boarding.

The Department of Public Works, Bureau of Solid Waste, currently boards all vacant abandoned properties via requests from the Code Enforcement Bureau, Housing Inspection Division, of the Department of Housing and Community Development (DHCD). On average, Solid Waste responds to approximately 8,000 boarding requests annually, at an estimated cost of just under \$1 million. The Bureau has three two-person crews to respond to these service requests. Each crew has a truck, commercial generator, ladders, and appropriate materials and tools. The current response time to the DHCD boarding requests is seven days. The intent of a boarding request is to safeguard the structures by closing all casual access points, discouraging illegal activities, and limiting the impact on adjacent properties and the surrounding community. Crews performing these services for vacant abandoned private properties are not equipped to board beyond the current 24 foot boarding requirement. Since the proposed legislation does not limit the height at which boarding is not necessary, it is conceivable that high rise structures could be added to the cleaning and boarding requests.

Handling boarding materials above the current 24-foot limit will require a significant investment in equipment and materials as well as increased personnel, safety equipment and training. The Department of Public Works is concerned that the Code amendments

*unfor comment*

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proposed under this legislation place considerable responsibility and cost on local government to secure any and all openings in a private structure. Individual boarding requests will take longer to abate, as would repeat requests for boarding. Entering and attempting to secure structures at multiple levels from within or from the exterior pose safety hazards for our personnel as well. It is for these reasons that the Department of Public Works cannot support City Council Bill 13-0293 as currently written, but would be willing to discuss options that could address the legislative intent for securing vacant abandoned structures beyond the current limits, but which provide a measure of discretion to supervisors regarding the safety of our personnel.

Respectfully,



ALFRED H. FOXX  
DIRECTOR

AHF/MMC:ela