

**CITY OF BALTIMORE
COUNCIL BILL 16-0758
(First Reader)**

Introduced by: Councilmembers Curran, Stokes, Holton, Henry, Middleton, Clarke, Spector,
Kraft

Introduced and read first time: September 19, 2016

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Health Department, Department of
Public Works

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Health – Hydraulic Fracturing Ban**

3 FOR the purpose of prohibiting hydraulic fracturing in Baltimore City; setting certain penalties;
4 and generally relating to the regulation of hydraulic fracturing and its byproducts.

5 BY renaming

6 Article - Health

7 Title 7, Subtitle 5. Wastewater from Hydraulic Fracturing

8 to be

9 Title 7, Subtitle 5. Hydraulic Fracturing

10 Baltimore City Revised Code

11 (Edition 2000)

12 BY adding

13 Article - Health

14 Section(s) 7-502

15 Baltimore City Revised Code

16 (Edition 2000)

17 BY renumbering

18 Article - Health

19 Section(s) 7-502 and 7-503

20 to be

21 Article - Health

22 Section(s) 7-503 and 7-504

23 Baltimore City Revised Code

24 (Edition 2000)

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

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

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Baltimore City Revised Code

Article – Health

Title 7. Waste Control

Subtitle 5. [Wastewater from] Hydraulic Fracturing

§ 7-502. HYDRAULIC FRACTURING PROHIBITED

NO PERSON MAY MAKE USE OF HYDRAULIC FRACTURING TO EXTRACT OIL, GAS, OR OTHER HYDROCARBONS WITHIN THE CITY OF BALTIMORE.

§ 7-503. [§ 7-502.] Storing, treating, disposing, etc., wastewater prohibited.

No person may store, treat, discharge, or dispose of in the City or in or on any City-owned facility or property, wherever situated, any flow back or other wastewater resulting from hydraulic fracturing.

§ 7-504. [§ 7-503.] Penalties: \$1,000 and 90 days.

(a) *In general.*

Any person who violates any provision of this subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$1,000, imprisonment for not more than 90 days, or both fine and imprisonment for each offense.

(b) *Each day a separate offense.*

Each day that a violation continues is a separate offense.

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

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