

**CITY OF BALTIMORE
ORDINANCE
Council Bill 08-0140**

Introduced by: Councilmembers Conaway, Clarke, D'Adamo, Curran, Cole, Holton, Spector, Henry

Introduced and read first time: June 9, 2008

Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: September 22, 2008

AN ORDINANCE CONCERNING

Solid Waste, Garbage, and Mixed Refuse — Hours of Collection

FOR the purpose of setting and conforming the hours during which certain collection activities may not be conducted near residential structures modifying the collection point distance from a residential structure where a licensed hauler may collect solid waste at any time in nonresidential areas; and generally relating to the collection of solid waste, garbage, and mixed refuse.

By repealing and reordaining, without amendments

Article - Building, Fire, and Related Codes

Section(s) 2-103 (IBC § 3301.3)

Baltimore City Revised Code

(Edition 2000)

By repealing and reordaining, with amendments

Article - Health

Section(s) 7-221

Baltimore City Revised Code

(Edition 2000)

~~By adding~~

~~Article 23 - Sanitation~~

~~Section(s) 2-4(e)~~

Baltimore City Code

(Edition 2000)

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

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

Baltimore City Revised Code

Article – Building, Fire, and Related Codes

Part II. International Building Code

§ 2-103. City modifications.

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

Chapter 33. Safeguards During Construction

Section 3301 General

3301.3 Prohibited hours. No site work, demolition work, pile driving work, or construction work is permitted between 7:00 p.m. and 7:00 a.m., if that work or any part of a premises in or on which the work is to be done is within 300 feet (91.44 m) of any dwelling.

12 **3301.3.1 Exception.** This § 3301.3 does not apply to an emergency operation that has been
13 specifically approved by the Building Official.

Article – Health

Title 7. Waste Control

§ 7-221. Hours of collection.

(a) *In general.*

18 Except as specified in subsection (b) of this section, no hauler OR ANY OTHER PERSON
19 may collect solid waste in the City AT ANY TIME before 7 a.m. or after {11 p.m.} 7 p.m. on
20 any day, weekends and legal holidays included.

(b) *Nonresidential areas.*

22 A [licensee] LICENSED HAULER may collect solid waste at any time from a business,
23 commercial, industrial, institutional, or other nonresidential use structure as long as no
24 residential structure is within [100] 300 feet of any collection point.

(c) *Emergency waivers.*

26 The Commissioner may waive the requirements of this section in the event of a civil
27 emergency.

Baltimore City Code

Article 31. Sanitation

Subtitle 2. Garbage and Mixed Refuse

§ 2-4. Collections.

(E) ~~Hours of Collection.~~

~~NO GARBAGE OR MIXED REFUSE MAY BE COLLECTED BY OR UNDER CONTRACT WITH THE DIRECTOR OF PUBLIC WORKS AT ANY TIME BEFORE 7 A.M. OR AFTER 7 P.M. ON ANY DAY, WEEKENDS AND LEGAL HOLIDAYS INCLUDED, FROM ANY LOCATION THAT IS WITHIN 300 FEET OF A RESIDENTIAL STRUCTURE.~~

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.

Certified as duly passed this _____ day of _____, 20____

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of _____, 20____

Chief Clerk

Approved this ____ day of _____, 20____

Mayor, Baltimore City