

**CITY OF BALTIMORE  
COUNCIL BILL 09-0309  
(First Reader)**

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Introduced by: The Council President  
At the request of: The Administration (Department of Housing and Community Development)  
Introduced and read first time: March 23, 2009  
Assigned to: Judiciary and Legislative Investigations Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Planning Commission, Department of Housing and Community Development, Department of Finance, Baltimore Development Corporation, Environmental Control Board

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Building, Fire, and Related Codes – Enforcement**

3 FOR the purpose of authorizing the issuance of prepayable environmental citations to enforce  
4 certain violations of the Building, Fire, and Related Codes Article; revising the manner in  
5 which a stop-work order is to be issued; requiring the removal from construction sites and  
6 from abutting sidewalks, gutters, and alleys, of accumulated trash, garbage, waste, and debris  
7 and of nuisances; making the registered owner of a vehicle responsible for certain parking,  
8 keeping, and storing violations; and generally relating to the enforcement of the Building,  
9 Fire, and Related Codes Article.

10 BY repealing and reordaining, with amendments  
11 Article 1 - Mayor, City Council, and Municipal Agencies  
12 Section(s) 40-14(e)(5a) and (6a)  
13 Baltimore City Code  
14 (Edition 2000)

15 BY repealing and reordaining, with amendments  
16 Article - Building, Fire, and Related Codes  
17 Section(s) 2-103 (BC §§ 114.2, 123.8, and 3302, and PMC § 305.5)  
18 Baltimore City Revised Code  
19 (Edition 2000)

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

22 **Baltimore City Code**

23 **Article 1. Mayor, City Council, and Municipal Agencies**

24 **Subtitle 40. Environmental Control Board**

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

**Council Bill 09-0309**

**§ 40-14. Violations to which subtitle applies.**

(e) *Provisions and penalties enumerated.*

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

§ 113.14. Work without permit	\$500
§ 114.3. STOP-WORK ORDER: UNLAWFUL CONTINUANCE	\$500
§ 123.8. FAILURE TO COMPLY WITH NOTICE	
CONDEMNATION PROCEEDINGS {§ 120}	\$500
UNSAFE STRUCTURES {§ 115}	\$500
ALL OTHER NOTICES (EXCLUDING CITATIONS)	\$250
§ 3302.3 CONSTRUCTION SAFEGUARDS: WASTE AND DEBRIS	\$250

(6a) ***Building, Fire, and Related Codes –  
Property Maintenance Code***

[§§ 305 - 308. Sanitary maintenance]

CHAPTER 3. GENERAL REQUIREMENTS

§ 305.5.1. MOTOR VEHICLES AND TRAILERS: REGISTERED OWNER RESPONSIBLE	\$150
ALL OTHER PROVISIONS	
Residential properties	\$ 50
Commercial properties	\$100

**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:

**Council Bill 09-0309**

1 **Chapter 1. Administration**

2 **Section 114 Stop-Work Order**

3 **114.2 Issuance.** The stop-work order must be in writing AND STATE THE REASON FOR THE  
4 ORDER. It must be [sent by first class and certified mail to the owner of the property involved,  
5 and hand delivered to the owner’s agent or to the person doing the work. A copy of the stop-  
6 work order must be] posted on the property. On posting [of the stop-work order], the cited work  
7 must immediately cease. [The stop-work order must state the reason for the order.] WRITTEN  
8 NOTICE OF THE STOP-WORK ORDER MUST BE SENT BY FIRST CLASS AND CERTIFIED MAIL TO THE  
9 OWNER OF THE PROPERTY INVOLVED.

10 **Section 123 Notices**

11 **123.8 Failure to comply with notice or citation.** If any person fails to comply with a violation  
12 notice, condemnation notice, or citation, the Building Official:

- 13 1. MAY ENFORCE THE VIOLATION NOTICE OR CONDEMNATION NOTICE BY ISSUANCE OF AN  
14 ENVIRONMENTAL CITATION AS AUTHORIZED BY CITY CODE ARTICLE 1, SUBTITLE 40  
15 {“ENVIRONMENTAL CONTROL BOARD”},
- 16 2. [1.] may take whatever OTHER action is necessary and proper, including the institution of  
17 legal proceedings, to compel compliance with the VIOLATION notice, CONDEMNATION  
18 NOTICE, or citation or to enforce the penalty provisions of this Code, and
- 19 3. [2.] subject to the notice requirements of § 123.8.1, may proceed to repair, rebuild,  
20 demolish, or take any other action necessary to eliminate, in whole or in part, or make  
21 safe any nuisance, blight, health hazard, or dangerous, insanitary, or unsafe condition  
22 that is the subject of the violation notice, condemnation notice, or citation.

23 **Chapter 33. Safeguards During Construction**

24 **Section 3302 Construction Safeguards [As in IBC]**

25 **3302.1 Remodeling and additions.** Required exits, existing structural elements, fire  
26 protection devices, and sanitary safeguards [shall] MUST be maintained at all times during  
27 remodeling, alterations, repairs, or additions to any building or structure.

28 **Exceptions:**

- 29 1. When [such] THESE required elements or devices are THEMSELVES being  
30 remodeled, altered, or repaired, adequate substitute provisions [shall] MUST be  
31 made.
- 32 2. [When] THESE REQUIREMENTS DO NOT APPLY IF the existing building is not  
33 occupied.

34 **3302.2 [Manner of removal.] WASTE AND DEBRIS.** ALL SITES FOR NEW CONSTRUCTION OR  
35 FOR REMODELING, ALTERATIONS, REPAIRS, OR ADDITIONS, AND ALL ABUTTING SIDEWALKS,

**Council Bill 09-0309**

1 GUTTERS, AND ALLEYS, MUST BE PROPERLY MAINTAINED AND KEPT FREE OF ACCUMULATED  
2 TRASH, GARBAGE, WASTE, OR DEBRIS, INCLUDING CONSTRUCTION WASTE OR DEBRIS, AND OF  
3 ANY OBJECT OR CONDITION THAT CONSTITUTES A NUISANCE. [Waste materials shall be  
4 removed] REMOVAL OF ALL TRASH, GARBAGE, WASTE, AND DEBRIS MUST BE DONE in a  
5 manner [which] THAT prevents injury or damage to persons, adjoining properties, and public  
6 rights-of-way.

7 **Part VII. International Property Maintenance Code**

8 **§ 7-102. City modifications.**

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

11 **Chapter 3. General Requirements**

12 **Section 305 Exterior Sanitary Maintenance – General**

13 **305.5 Motor vehicles and trailers.** Except only as otherwise expressly authorized by law, the  
14 following rules apply to all motor vehicles and trailers.

- 15 1. No motor vehicle or trailer may be parked, kept, or stored, whether or not covered, on  
16 any exterior premises if:
  - 17 a. it is inoperative, unregistered, or fails to display current registration tags, or
  - 18 b. it is in a state of disassembly or disrepair or in the process of being stripped or  
19 dismantled.
- 20 2. A motor vehicle or trailer may be parked, kept, or stored only on a dustless all-weather  
21 surface constructed and maintained in accordance with the Building Code and Zoning  
22 Code of Baltimore City.
- 23 3. Painting a motor vehicle or trailer is prohibited unless conducted inside an approved  
24 spray booth.

25 **Exception:** On premises with a proper use permit, a vehicle may undergo overhaul,  
26 including body work, if that work is performed inside a structure or similarly enclosed area  
27 designed and approved for that purpose.

28 **305.5.1 REGISTERED OWNER RESPONSIBLE.** FOR A MOTOR VEHICLE OR TRAILER PARKED,  
29 KEPT, OR STORED IN VIOLATION OF § 305.5(1) OR (2), THE REGISTERED OWNER OF THE MOTOR  
30 VEHICLE OR TRAILER IS RESPONSIBLE FOR THE VIOLATION, JOINTLY AND SEVERALLY WITH THE  
31 PROPERTY OWNER.

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

**Council Bill 09-0309**

1       **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
2 after the date it is enacted.