


<b>FROM</b>	<b>NAME &amp; TITLE</b>	Rebecca Woods, Esq., Executive Director	CITY of BALTIMORE  <i>MEMO</i>	
	<b>AGENCY NAME &amp; ADDRESS</b>	Environmental Control Board 1 North Charles Street, 13th Floor, Baltimore, Maryland 21201		
	<b>SUBJECT</b>	City Council Bill # 22-0204 Vacant Structure—3-1-1 Complaint Fines		

April 25, 2022

**TO:** The Honorable President and Members  
Of the Baltimore City Council

Dear Mr. President and Members:

The Baltimore City Environmental Control Board (ECB) has been requested to review City Council Bill # 22-0204, 3-1-1 Complaint Fines. The purpose of the bill is to establish a fee structure for repeated substantiated 3-1-1 service requests; provide for a special effective date; and generally address fining the owner of a vacant structure for repeated service requests.

The ECB is an administrative hearing board that employs administrative hearing officers to adjudicate contested environmental citations, per Article 1, § 40. The ECB also hears water bill appeals, per Article 24, § 2.

Under § 4A-3 of the proposed bill, the Director of the ECB would assess a late fee 30 days after the invoice is issued or, if a timely appeal has been made, 30 days after that decision. Although it is not explicitly stated, it is presumed that the ECB will also offer an appeal process for customers who wish to contest the invoice. If the ECB is to offer an appeal process, this agency is already equipped to take on that task.

However, despite the Agency's ability to take on this task and our general familiarity with 3-1-1, there are still some concerns. The ECB is uncertain whether the 3-1-1 system is capable of supporting the application of this new fee process. Additionally, the ECB relies on the mainframe for system based responses for missed due dates. For this function to exist, a system would have to be created or modified to allow for the application of late fees and any notices sent to the customer to advise of a late fee. The agency defers to Baltimore City Information & Technology to address these concerns in their response.

Secondly, the ECB would likely need its budget to be expanded in order to handle the additional volume (more administrative work, more office supplies, more hearing officer hours, etc.). Unfortunately, without any way of gauging the workload and its volume, the ECB could not estimate the cost of this new function.

Lastly, the ECB would also like to acknowledge that there are other systems in place that address the identified issue, such as miscellaneous bills, violation notices, and environmental citations.

It may be helpful to discuss the interplay of those enforcement mechanisms and how they would function with this new 3-1-1 fine/fee.

Notwithstanding the above recommendations, the ECB does not oppose City Council Bill # 22-0204.

*Rebecca A. Woods*

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Executive Director  
Environmental Control Board