



F R O M	Name & Title	Oxiris Barbot, MD Commissioner 	Health Department MEMO	
	Agency Name & Address	Health Department 1001 E. Fayette Street Baltimore, Maryland 21201		
	Subject	Council Resolution 11-0294R – Informational Hearing – Nuisance Abatement Tools		

To: President and Members
of the City Council
c/o 409 City Hall

July 5, 2011

The Baltimore City Health Department (BCHD) is pleased to have the opportunity to respond to Council Resolution 11-0294R. The purpose of the resolution is to call on representatives from City agencies involved with criminal nuisance abatement to appear before the City Council.

The Health Department regularly investigates nuisance complaints. Nuisances include:

- Animal-related: no license, no proof of rabies vaccination, improper restraints, animal waste, etc.
- Food facility-related: improper trash disposal, failure to maintain property in a sanitary manner, indoor smoking, etc.
- Environmental-related: excessive noise generated from an A/C or HVAC system, odor, improper pick up times for waste haulers, selling or distributing children's product with excessive lead levels, etc.

The three main abatement mechanisms for the Food Control Section and the Ecology and Institutional Section are:

- Issuance of a violation notice with a specified date or time for abatement;
- Issuance of a violation notice with a specified date or time for abatement and an attached environmental citation, which includes a fine; or
- Temporary suspension of BCHD-licensed operation until all violations are abated (generally a 24-hour closure).

Should there be a repeat violation within a 12 month period, the fine can be increased as specified under Article I, Subtitle 40, Section 14. In addition, specific to food facilities, Health Code, Title 6, Subtitle 6, allows for the Health Commissioner to suspend or revoke a food service facility license for repeat violators or for violators who fail to pay their fines.

Comments



The main abatement mechanisms for the Bureau of Animal Control are:

- Issuance of a violation notice with an attached environmental citation;
- Impoundment of an animal; or
- Revocation of an animal license

BCHD only issues civil fines. It does not issue or pursue criminal charges. BCHD, however, will forward potential criminal cases regarding animal cruelty and neglect to the Police Department.

BCHD looks forward to working with the City Council to ensure that our enforcement measures meet the City's needs and welcome the opportunity to provide more information.

cc: Angela Gibson, Office of the Mayor
Michelle Spencer, Chief of Staff, Department of Health
Olivia Farrow, Deputy Commissioner, Department of Health