


FROM	NAME & TITLE	David E. Scott, Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	CITY COUNCIL BILL 08-0116		

DATE: May 23, 2008

TO

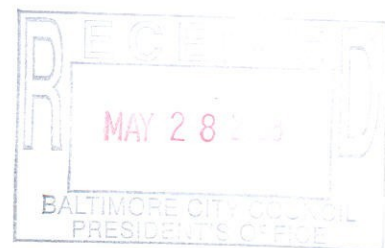
The Honorable President and Members
of the Baltimore City Council
c/o Karen Randle
Room 400 - City Hall

I am herein reporting on City Council Bill 08-0116 introduced by Council President Rawlings Blake on behalf of the Administration (Department of Public Works).

The purpose of the Bill is to reduce the prepayable citation penalties for certain violations of regulations adopted to protect the City's water supply and facilities.

Article VII § 33 of the Baltimore City Charter grants to the Department of Public Works the "...water supply of the City and of all the properties, reservoirs, streams, pumping and filtration stations, pipes, apparatus and equipment appurtenant thereto and shall exercise all the powers and perform all the duties connected with the operation thereof and the supplying of water to the City." Article 24 § 1-1(a)(2) of the Baltimore City Revised Code (Edition 2000) grants authority to the Director of Public Works to adopt and enforce rules and regulations governing the protection of the City's water supply and facilities. The § 21-1 of Article 24 states that no person may violate any rule or regulation adopted under § 1-1 of this Article that is for the protection of the City's water supply and facilities.

Baltimore City has an enviable system of three raw water impoundments and the Susquehanna River to supply potable water to the City and adjacent counties, a total of 1.8 million water users. Loch Raven, Prettyboy, and Liberty reservoirs are located outside of the limits of Baltimore City, but are surrounded by reservoir lands owned and managed by Baltimore. Totalling approximately 17,580 acres, these lands are primarily forested areas. Maintaining the integrity of the reservoir lands is one of the reasons the City's raw water supply is of such high quality. High quality raw water is recognized by the Environmental Protection Agency as one of the best means of protecting potable water, and helps in controlling the costs to treat the water to acceptable standards. Limited recreational use of the reservoir lands is permitted, including fishing and boating. These uses are governed by watershed regulations promulgated by the Director of Public Works and regularly updated. The last revisions to the regulations were made in 2002.



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The Department of Public Works is reinvigorating its watershed protection efforts through a watershed rangers program. Watershed rangers are the educational and enforcement personnel who will ensure appropriate and respectful use of the watershed lands. Cooperation with and support from Baltimore County police officers and Department of Natural Resources police will continue to extend the City's ability to protect these sensitive areas. When confronted with violations of the watershed regulations, the City's watershed rangers would like to issue prepayable citations that have fines at levels appropriate to the severity of the violations. Currently, the Baltimore City Code has one \$250 prepayable and civil citation fine for any violation of the rules and regulations in place for the protection of the water supply and facilities [Article 1 § 40-14(e)(4a); § 41-14(3)]. This fine amount was added to the Code during a particularly bad drought period to provide a sufficient incentive for users of the water system to obey water use restrictions imposed by the Director. However, issuing a \$250 prepayable or civil citation fine for all violations of the watershed regulations is not reasonable. City Council Bill 08-0116, if approved, will provide prepayable and civil citation fine amounts comparable to the offenses and will be a useful tool in the protection of the City's water supply.

Based on these findings, the Department of Public Works supports passage of City Council Bill 08-0116.


for DAVID E. SCOTT
DIRECTOR

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