

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 06-0506

Introduced by: Councilmembers Kraft, Curran, Clarke, Mitchell, Harris

Introduced and read first time: August 14, 2006

Assigned to: Committee of the Whole

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: July 16, 2007

AN ORDINANCE CONCERNING

Baltimore City Office of Sustainability

FOR the purpose of establishing the Baltimore City Office of Sustainability; ~~providing for the appointment of an Executive Director and staff for the Office;~~ providing for the establishment and implementation of an Environmental Management Program a sustainability and environmental management program; specifying the powers and duties of the Office ~~and the Executive Director;~~ providing for a special effective date; and generally relating to an Office of Sustainability.

By adding

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 34-1 through 34-12, to be under the new subtitle,
“Subtitle 34. Office of Sustainability”
Baltimore City Code
(Edition 2000)

~~By adding~~

~~Article 8 - Ethics
Section(s) 7-8(39)
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:

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

SUBTITLE 34. BALTIMORE CITY OFFICE OF SUSTAINABILITY

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.

Council Bill 06-0506

1 **§ 34-1. DEFINITIONS.**

2 (A) *IN GENERAL.*

3 IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

4 (B) *DIRECTOR.*

5 “DIRECTOR” MEANS THE ~~EXECUTIVE DIRECTOR OF THE OFFICE OR THE EXECUTIVE~~
6 DIRECTOR OF PLANNING OR THE DIRECTOR’S DESIGNEE.

7 (C) “INCLUDES”; “INCLUDING”.

8 “INCLUDES” OR “INCLUDING” MEANS BY WAY OF ILLUSTRATION AND NOT BY WAY OF
9 LIMITATION.

10 (D) *OFFICE.*

11 “OFFICE” MEANS THE BALTIMORE CITY OFFICE OF SUSTAINABILITY.

12 **§ 34-2. {RESERVED}**

13 **§ 34-3. OFFICE ESTABLISHED.**

14 (A) *IN GENERAL.*

15 THERE IS A BALTIMORE CITY OFFICE OF SUSTAINABILITY.

16 (B) *DIVISION OF PLANNING.*

17 THE OFFICE IS A DIVISION IN THE DEPARTMENT OF PLANNING.

18 ~~**§ 34-4. APPOINTMENT OF DIRECTOR.**~~

19 ~~THE EXECUTIVE DIRECTOR OF THE OFFICE IS APPOINTED BY THE MAYOR IN ACCORDANCE~~
20 ~~WITH ARTICLE IV, § 6 OF THE CITY CHARTER.~~

21 **§ 34-4. SUSTAINABILITY MANAGER.**

22 THE DIRECTOR OF PLANNING SHALL EMPLOY A SUSTAINABILITY MANAGER.

23 **§ 34-5. STAFF AND CONSULTANTS.**

24 THE DIRECTOR MAY EMPLOY A STAFF AND MAY CONTRACT FOR CONSULTANTS AND OTHER
25 EXPERTS AS PROVIDED IN THE ORDINANCE OF ESTIMATES.

26 **§ 34-6. {RESERVED}**

Council Bill 06-0506

1 **§ 34-7. MISSION OF OFFICE.**

2 (A) *“SUSTAINABLE COMMUNITY” DEFINED.*

3 A SUSTAINABLE COMMUNITY IS ONE IN WHICH ECONOMIC, ECOLOGICAL, AND SOCIAL
4 WELL-BEING ARE INTEGRATED TO ENSURE ALL LIVE WELL, WITHIN NATURE’S MEANS.

5 (B) *PROGRAMS, POLICIES, AND ACTIONS.*

6 (1) THE MISSION OF THE OFFICE IS TO DEVELOP AND ADVOCATE FOR PROGRAMS, POLICIES,
7 AND ACTIONS BY GOVERNMENT, CITIZENS, AND BUSINESSES THAT LEAD TO
8 SUSTAINABLE COMMUNITIES IN THE CITY.

9 (2) THESE PROGRAMS, POLICIES, AND ACTIONS INCLUDE THOSE THAT:

10 (I) SUPPORT A DIVERSE AND VIBRANT ECONOMY;

11 (II) PROMOTE AN EQUITABLE DISTRIBUTION OF RESOURCES;

12 (III) PROTECT AND RESTORE THE INTEGRITY OF THE NATURAL SYSTEMS THAT
13 SUPPORT LIFE, INCLUDING AIR, WATER, AND LAND;

14 (IV) PRESERVE THE DIVERSITY OF PLANT AND ANIMAL LIFE; AND

15 (V) REDUCE HUMAN IMPACTS ON LOCAL AND WORLDWIDE ECOSYSTEMS.

16 **§ 34-8. {RESERVED}**

17 **§ 34-9. SUSTAINABILITY AND ENVIRONMENTAL MANAGEMENT PROGRAM.**

18 (A) *OFFICE TO DEVELOP.*

19 THE OFFICE SHALL DEVELOP ~~AN~~ A SUSTAINABILITY AND ENVIRONMENTAL MANAGEMENT
20 PROGRAM FOR THE CITY.

21 (B) *COMPONENTS.*

22 (1) THE PROGRAM SHALL INCORPORATE THE SUSTAINABILITY PLAN DEVELOPED BY THE
23 COMMISSION ON SUSTAINABILITY AND ANY OTHER RECOMMENDATIONS MADE BY THE
24 COMMISSION.

25 (2) THE PROGRAM SHALL INCLUDE APPROPRIATE MEASURES FOR:

26 (i) ~~(1)~~ DEVELOPING OR COORDINATING CITY POLICIES AND PROGRAMS THAT WILL
27 IMPROVE ENVIRONMENTAL PERFORMANCE IN CITY OPERATIONS;

28 (ii) ~~(2)~~ FACILITATING THE CITY’S COMPLIANCE WITH FEDERAL, STATE, AND LOCAL
29 ENVIRONMENTAL REGULATIONS;

30 (iii) ~~(3)~~ ADVANCING THE CITY’S ENVIRONMENTAL PRIORITIES;

Council Bill 06-0506

1 ~~(IV) (4)~~ INTEGRATING SUSTAINABILITY AND ENVIRONMENTAL VALUES INTO CITY
2 PLANS, PROGRAMS, AND POLICIES; AND

3 ~~(V) (5)~~ SETTING SUSTAINABILITY AND ENVIRONMENTAL TARGETS AND OBJECTIVES
4 FOR THE CITY.

5 (C) *IMPLEMENTATION.*

6 THE OFFICE SHALL OVERSEE IMPLEMENTATION OF THE PROGRAM.

7 **§ 34-10. SUPPORT FOR OTHER PROGRAMS AND POLICIES.**

8 (A) *IN GENERAL.*

9 THE OFFICE SHALL SEEK TO ASSURE PROPER CITY SUPPORT FOR THE CITY'S GREEN
10 BUILDING, ENERGY POLICY, AND SOLID WASTE AND RECYCLING PROGRAMS.

11 (B) *SPECIFIC DUTIES.*

12 TO THIS END, THE OFFICE SHALL:

13 (1) DIRECT AND EVALUATE ENERGY POLICY AND GLOBAL WARMING ACTION PLAN
14 IMPLEMENTATION;

15 (2) ADMINISTER AND MONITOR DIRECT CITY GOVERNMENT ENERGY EFFICIENCY
16 ACTIVITIES;

17 (3) REVIEW CITY POLICIES AND PROGRAMS FOR CONSISTENCY WITH THE POLICY;

18 (4) MAKE RECOMMENDATIONS TO THE CITY COUNCIL ON THE POLICIES AND
19 PROGRAMS; AND

20 (5) ADMINISTER AND MONITOR PROGRAMS IN SUPPORT OF GREEN BUILDING AND
21 SUSTAINABLE DEVELOPMENT PRINCIPLES; ~~AND~~

22 ~~(6) ADMINISTER THE CITY'S SOLID WASTE AND RECYCLING PROGRAMS.~~

23 **§ 34-11. DIRECTOR'S POWERS AND DUTIES – IN GENERAL.**

24 THE DIRECTOR SHALL:

25 (1) PREPARE AND UPDATE ANNUALLY A SUSTAINABILITY AND ENVIRONMENTAL
26 MANAGEMENT PLANNING AGENDA FOR THE CITY;

27 (2) REPORT TO THE MAYOR AND CITY COUNCIL ON THE PERFORMANCE IN MEETING
28 SUSTAINABILITY AND ENVIRONMENTAL TARGETS AND OBJECTIVES OF:

29 (I) EACH CITY AGENCY; AND

30 (II) THE CITY OVERALL;

Council Bill 06-0506

1 ~~(3) NEGOTIATE AND ADMINISTER CONTRACTS WITH AND CITY FUNDING OF~~
2 ~~ORGANIZATIONS ASSOCIATED WITH SUSTAINABILITY AND ENVIRONMENTAL PLANNING,~~
3 ~~PROGRAMS, COMPLIANCE, PERFORMANCE, AND ADVOCACY;~~

4 ~~(3)~~ (4) SERVE, IN CONJUNCTION WITH OTHER AFFECTED AGENCY HEADS, AS THE CITY'S
5 REPRESENTATIVE TO BOARDS, COMMISSIONS, AND ORGANIZATIONS ENGAGED IN
6 ISSUES RELATING TO SUSTAINABILITY AND ENVIRONMENTAL MANAGEMENT;

7 ~~(4)~~ (5) MANAGE THE ACTIVITIES, AS DESCRIBED IN CITY CODE ARTICLE 5, SUBTITLE 34,
8 OF THE COMMISSION ON ~~RESOURCE CONSERVATION AND RECYCLING~~
9 SUSTAINABILITY;

10 ~~(5)~~ (6) REGULARLY REVIEW AND PROPOSE APPROPRIATE CHANGES TO THE
11 ENVIRONMENTAL MANAGEMENT PROGRAM; AND

12 ~~(6)~~ (7) PERFORM ANY OTHER DUTIES PRESCRIBED BY LAW.

13 **§ 34-12. DIRECTOR'S POWERS AND DUTIES – RULES AND REGULATIONS.**

14 (A) *DIRECTOR MAY ADOPT.*

15 THE DIRECTOR MAY ADOPT RULES AND REGULATIONS TO CARRY OUT THIS SUBTITLE.

16 (B) *FILING WITH LEGISLATIVE REFERENCE.*

17 A COPY OF ALL RULES AND REGULATIONS MUST BE FILED WITH THE DEPARTMENT OF
18 LEGISLATIVE REFERENCE BEFORE THEY TAKE EFFECT.

19 ~~**Article 8. Ethics**~~

20 ~~**§ 7-8. Persons required to file – Agency officials and staff.**~~

21 ~~Except as provided in § 7-10 {"Person filing with State"} of this subtitle, the following~~
22 ~~officials and employees must file the financial disclosure statements required by this subtitle:~~

23 ~~(39) SUSTAINABILITY, OFFICE OF.~~

24 ~~(i) EXECUTIVE DIRECTOR.~~

25 ~~(ii) ALL NON-CLERICAL EMPLOYEES OF OFFICE.~~

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

29 **SECTION 3. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on ~~the 30th day~~
30 ~~after~~ the date it is enacted.

Council Bill 06-0506

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