

**CITY OF BALTIMORE
COUNCIL BILL 07-0701
(First Reader)**

Introduced by: Councilmembers Conaway, Young, D'Adamo, Curran, Holton, Clarke,
Reisinger, Mitchell, Middleton, Kraft, Welch, Crider

Introduced and read first time: June 4, 2007

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and
Community Development, Fire Department

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Dwelling Units – Utility Cut-Offs**

3 FOR the purpose of requiring gas and electric utilities to provide certain notices before
4 terminating service to a dwelling; requiring the Fire Department to inspect for and, if needed,
5 install smoke detectors in dwellings to which the electricity has been cut off; requiring the
6 Housing Commissioner to revoke the occupancy permit of a dwelling to which the gas or
7 electricity has been cut off; and generally relating to the termination of gas or electric
8 service.

9 By adding

10 Article 13 - Housing and Urban Renewal
11 Section(s) 10A-1 to 10A-7, to be under the new subtitle,
12 “Subtitle 10A. Utility Cut-Offs”
13 Baltimore City Code
14 (Edition 2000)

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

17 **Baltimore City Code**

18 **Article 13. Housing and Urban Renewal**

19 **SUBTITLE 10A. UTILITY CUT-OFFS**

20 **§ 10A-1. DEFINITIONS.**

21 (A) *IN GENERAL.*

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

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

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1 (B) *COMMISSIONER*.

2 "COMMISSIONER" MEANS THE COMMISSIONER OF HOUSING AND COMMUNITY
3 DEVELOPMENT OR THE COMMISSIONER'S DESIGNEE.

4 (C) *DWELLING UNIT*.

5 "DWELLING UNIT" HAS THE MEANING STATED IN § 202.2 OF THE PROPERTY
6 MAINTENANCE CODE OF BALTIMORE CITY.

7 **§ 10A-2. IN GENERAL.**

8 BEFORE IT TERMINATES SERVICE TO A DWELLING UNIT IN THE CITY, A GAS OR ELECTRIC
9 UTILITY MUST PROVIDE THE NOTICES REQUIRED BY THIS SUBTITLE, IN ADDITION TO ANY
10 OTHER NOTICES REQUIRED BY LAW.

11 **§ 10A-3. NOTICE OF INTENT.**

12 AT LEAST 7 DAYS BEFORE TERMINATION OF SERVICE, THE UTILITY MUST:

13 (1) NOTIFY THE COMMISSIONER IN WRITING OF THE PENDING TERMINATION; AND

14 (2) PROVIDE, BY FIRST CLASS MAIL, TO THE OWNER OF THE DWELLING, AS LISTED IN THE
15 RECORDS OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION:

16 (I) A COPY OF THE NOTICE TO THE COMMISSIONER; AND

17 (II) A WARNING THAT THE TERMINATION OF GAS OR ELECTRIC SERVICE MAY
18 RESULT IN REVOCATION OF THE OCCUPANCY PERMIT ISSUED UNDER THE
19 BUILDING CODE.

20 **§ 10A-4. NOTICE OF TERMINATION.**

21 AT THE TIME OF TERMINATION OF SERVICE, THE UTILITY MUST NOTIFY THE COMMISSIONER
22 AND THE FIRE DEPARTMENT OF THE TERMINATION. THIS NOTICE MAY BE GIVEN BY FACSIMILE
23 OR ELECTRONIC MAIL.

24 **§ 10A-5. INSPECTION FOR SMOKE DETECTORS.**

25 (A) *FIRE DEPARTMENT TO INSPECT*.

26 ON NOTICE THAT ELECTRIC SERVICE TO A DWELLING UNIT HAS BEEN TERMINATED, THE
27 FIRE DEPARTMENT SHALL UNDERTAKE AN ON-SITE INSPECTION OF DWELLING UNIT TO
28 DETERMINE WHETHER THE UNIT IS EQUIPPED WITH BATTERY-OPERATED SMOKE
29 DETECTORS.

30 (B) *INSTALLATION REQUIRED*.

31 IF THE DWELLING UNIT DOES NOT HAVE THE REQUISITE NUMBER OF BATTERY-OPERATED
32 SMOKE DETECTORS, THE FIRE DEPARTMENT SHALL INSTALL THEM.

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1 **§ 10A-6. REVOCATION OF OCCUPANCY PERMIT.**

2 ON NOTICE THAT GAS OR ELECTRIC SERVICE TO A DWELLING UNIT HAS BEEN TERMINATED,
3 THE COMMISSIONER SHALL REVOKE THE OCCUPANCY PERMIT FOR THAT DWELLING UNIT AND
4 MAY NOT REINSTATE THE PERMIT UNTIL THE SERVICE HAS BEEN REINSTATED.

5 **§ 10A-7. RULES AND REGULATIONS.**

6 (A) *COMMISSIONER MAY ADOPT.*

7 THE COMMISSIONER MAY ADOPT RULES AND REGULATIONS TO CARRY OUT THIS SUBTITLE.

8 (B) *FILING WITH LEGISLATIVE REFERENCE.*

9 A COPY OF ALL RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE MUST BE FILED
10 WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE.

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

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