

**CITY OF BALTIMORE**  
**COUNCIL BILL 23-0425**  
**(First Reader)**

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Introduced by: The Council President and Councilmember Ramos  
At the request of: The Administration (Department of Housing and Community Development)  
Introduced and read first time: September 18, 2023  
Assigned to: Economic and Community Development Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and Community Development, Planning Commission, Board of Municipal and Zoning Appeals, Baltimore Development Corporation, Department of Transportation, Parking Authority of Baltimore City

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Improving Safety and Habitability in Supportive and Other Residential Housing**

3 FOR the purpose of defining the term “supportive housing facility” in the Baltimore City Building  
4 Code; requiring a permit before any person may transfer ownership or operation of certain  
5 property in certain circumstances; updating use and occupancy classifications; and  
6 categorizing congregate living facilities as rental dwellings and requiring their licensing.

7 BY repealing, and reordaining, with amendments

8 Article - Building, Fire, and Related Codes  
9 Sections 2-103 (IBC §§ 105.1, and 202.2.54 through 202.2.58)  
10 Baltimore City Revised Code  
11 (2020 Edition)

12 BY adding

13 Article - Building, Fire, and Related Codes  
14 Sections 2-103 (IBC §§ 202.2.56, 202.2.57, and 310.5)  
15 Baltimore City Revised Code  
16 (2020 Edition)

17 BY repealing, and reordaining, with amendments

18 Article 13 - Housing and Urban Renewal  
19 Section 5-1(g)  
20 Baltimore City Code  
21 (Edition 2000)

22 BY adding

23 Article 13 - Housing and Urban Renewal  
24 Section 5-1(j)  
25 Baltimore City Code  
26 (Edition 2000)

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

**Council Bill 23-0425**

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

3                               **Baltimore City Revised Code**  
4                               **Article – Building, Fire, and Related Codes**

5                               **Part II. International Building Code**

6       **§ 2-103. City modifications.**

7               The additions, deletions, amendments, and other modifications adopted by the City are as  
8 follows:

9                                               **Chapter 1**  
10                                              **Scope and Administration**

11       **Section 105 Permits**

12               **105.1 Required.** A permit issued by the Building Official is required before any person may  
13 do any of the following work:

14               . . .

15               7. on transfer of ownership or operation of property, continue any of the following uses  
16 [ , as defined in City Code Article 32 {"Zoning"}]:

17                               a. banquet hall (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-303(C)  
18                                       {"BANQUET HALL. "}),

19                               b. body art establishment (AS DEFINED IN BALTIMORE CITY ZONING CODE  
20 § 1-303(J) {"BODY ART ESTABLISHMENT. "}),

21                               c. carry-out food shop (AS DEFINED IN BALTIMORE CITY ZONING CODE  
22 § 1-303(T) {"CARRY-OUT FOOD SHOP. "}),

23                               d. CONGREGATE LIVING FACILITIES (AS DEFINED IN § 202.1 OF THE BALTIMORE  
24 CITY BUILDING CODE),

25                               E. [d.] day-care center: adult or child (AS DEFINED IN BALTIMORE CITY ZONING  
26 CODE §§ 1-304(Z) AND 1-305(A) {"DAY-CARE CENTER: CHILD. " AND  
27 {"DAY-CARE CENTER: ADULT"}),

28                               F. [e.] drive-through facility (AS DEFINED IN BALTIMORE CITY ZONING CODE  
29 § 1-305(H) {"DRIVE-THROUGH FACILITY. "}),

30                               G. [f.] entertainment: [live or ] indoor OR LIVE (AS DEFINED IN BALTIMORE CITY  
31 ZONING CODE §§ 1-306(B) AND 1-306(C) {"ENTERTAINMENT: INDOOR. "  
32 AND {"ENTERTAINMENT: LIVE"}),

## Council Bill 23-0425

- 1 H. [g.] [gas] FUEL station (AS DEFINED IN BALTIMORE CITY ZONING CODE  
2 § 1-306(T) {"*FUEL STATION.*"}),
- 3 I. [h.] health-care clinic (AS DEFINED IN BALTIMORE CITY ZONING CODE  
4 § 1-307(F) {"*HEALTH-CARE CLINIC.*"}),,
- 5 J. [i.] lodge or social club (AS DEFINED IN BALTIMORE CITY ZONING CODE  
6 § 1-308(Q) {"*LODGE OR SOCIAL CLUB.*"}),
- 7 K. [j.] lounge (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-309(H-1)  
8 {"*LOUNGE.*"}),
- 9 L. [k.] pawn shop (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-311(L)  
10 {"*PAWN SHOP.*"}),
- 11 M. [l.] personal services establishment (AS DEFINED IN BALTIMORE CITY ZONING  
12 CODE § 1-311(O) {"*PERSONAL SERVICES ESTABLISHMENT.*"}),
- 13 N. RESIDENTIAL-CARE FACILITY (AS DEFINED IN BALTIMORE CITY ZONING CODE  
14 § 1-312(P) {"*RESIDENTIAL-CARE FACILITY*"})
- 15 O. [m.] restaurant (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-312(S)  
16 {"*RESTAURANT.*"}),
- 17 P. [n.] retail goods establishment – with our without alcoholic beverage sales (AS  
18 DEFINED IN BALTIMORE CITY ZONING CODE § 1-312(U) {"*RETAIL GOODS*  
19 *ESTABLISHMENT.*"}), [or]
- 20 Q. ROOMING HOUSE (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-313(B)  
21 {"*ROOMING HOUSE.*"}),
- 22 R. SUPPORTIVE HOUSING FACILITY (AS DEFINED IN § 202.2.56 OF THIS CODE), OR
- 23 S. [o.] tavern (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-314(A)  
24 {"*TAVERN.*"}).

## Chapter 2 Definitions; Rules of Construction

### Section 202 Definitions

28 **202.2 Supplemental definitions.** Notwithstanding any different definition in the  
29 International Building Code, the following terms have the meanings given in this § 202.2.

30 . . .

31 **[202.2.54 Transfer.** "Transfer", when used with respect to property subject to this  
32 Code, has the meaning stated in § 114.23 {"*Responsibility of transferee*"}.]

**Council Bill 23-0425**

1 **202.2.54 [202.2.55] Substantial damage.** “Substantial damage” has the meaning stated  
2 in City Code Article 7 {“Natural Resources”}, § 1-3 {“Definitions – “Floodproofing” to  
3 “Wet floodproofing”}.

4 **202.2.55 [202.2.56] Substantial improvement.** “Substantial improvement” has the  
5 meaning stated in City Code Article 7 {“Natural Resources”}, § 1-3 {“Definitions –  
6 “Floodproofing” to “Wet floodproofing”}.

7 **202.2.56 SUPPORTIVE HOUSING FACILITY.** “SUPPORTIVE HOUSING FACILITY” MEANS A  
8 NON-INSTITUTIONAL, SHARED LIVING ENVIRONMENT WHICH INTEGRATES SHELTER,  
9 SERVICE, AND SUPPORT NEEDS OF SOCIALLY ISOLATED PERSONS WHO ARE OTHERWISE IN  
10 GOOD HEALTH, CAN MAINTAIN A SEMI-INDEPENDENT LIFESTYLE, AND DO NOT REQUIRE  
11 CONSTANT SUPERVISION OR INTENSIVE HEALTH CARE AS PROVIDED BY AN INSTITUTION.

12 **202.2.57 TRANSFER.** “TRANSFER”, WHEN USED WITH RESPECT TO PROPERTY SUBJECT TO  
13 THIS CODE, HAS THE MEANING STATED IN § 114.23 {“RESPONSIBILITY OF TRANSFEREE”}.

14 **202.2.58 [202.2.57] Use.** “Use” means, unless the context indicates otherwise:

- 15 1. the purpose for which a building, structure, or land is used, occupied, or intended  
16 to be used or occupied, and
- 17 2. any activity, occupation, business, or operation carried out on land or in a building  
18 or structure.

19 **202.2.59 [202.2.58] Zoning Code.** “Zoning Code” means the Baltimore City Zoning  
20 Code, including the accompanying Zoning District Maps.

21 **Chapter 3**  
22 **Use and Occupancy Classification**

23 **Sections 301 to 309 {As in IBC}**

24 **Section 310 Residential Group R**

25 . . .

26 **310.5 RESIDENTIAL GROUP R-4.** RESIDENTIAL GROUP R-4 OCCUPANCY SHALL INCLUDE  
27 BUILDINGS, STRUCTURES, OR PORTIONS THEREOF FOR MORE THAN 5 BUT NOT MORE THAN  
28 16 PERSONS, EXCLUDING STAFF, WHO RESIDE ON A 24-HOUR BASIS IN A SUPERVISED  
29 RESIDENTIAL ENVIRONMENT AND RECEIVE CUSTODIAL CARE. RESIDENTIAL GROUP R-4  
30 SHALL ALSO INCLUDE ALL SUPPORTIVE HOUSING FACILITIES. BUILDINGS OF RESIDENTIAL  
31 GROUP R-4 SHALL BE CLASSIFIED AS ONE OF THE OCCUPANCY CONDITIONS SPECIFIED IN  
32 § 310.5.1 OR § 310.5.2 OF THIS SUBSECTION. THIS GROUP SHALL INCLUDE, BUT NOT BE  
33 LIMITED TO, THE FOLLOWING:

- 34 1. ALCOHOL AND DRUG CENTERS,
- 35 2. ASSISTED LIVING FACILITIES,

**Council Bill 23-0425**

- 1                   3. CONGREGATE CARE FACILITIES,
- 2                   4. GROUP HOMES,
- 3                   5. HALFWAY HOUSES,
- 4                   6. RESIDENTIAL BOARD AND CARE FACILITIES,
- 5                   7. SOCIAL REHABILITATION FACILITIES, AND
- 6                   8. SUPPORTIVE HOUSING FACILITIES.

7                   **310.5.1 CONDITION 1.** THIS OCCUPANCY CONDITION SHALL INCLUDE BUILDINGS IN  
8                   WHICH ALL PERSONS RECEIVING CUSTODIAL CARE, WITHOUT ANY ASSISTANCE, ARE  
9                   CAPABLE OF COMPLETING BUILDING EVACUATION IN RESPONSE TO AN EMERGENCY  
10                  SITUATION.

11                  **310.5.2 CONDITION 2.** THIS OCCUPANCY CONDITION SHALL INCLUDE BUILDINGS IN  
12                  WHICH THERE ARE ANY PERSONS RECEIVING CUSTODIAL CARE WHO REQUIRE LIMITED  
13                  VERBAL OR PHYSICAL ASSISTANCE TO COMPLETE BUILDING EVACUATION IN RESPONSE  
14                  TO AN EMERGENCY SITUATION.

15                                                           **Baltimore City Code**

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

17                                                                                                           **Subtitle 5. Licensing of Rental Dwellings**

18                   **§ 5-1. Definitions.**

19                   . . .

20                   (g) *Rental dwelling.*

21                   “Rental dwelling” means:

- 22                   (1) any multiple-family dwelling;
- 23                   (2) any rooming house; [and]
- 24                   (3) ANY SUPPORTIVE HOUSING FACILITY; AND
- 25                   (4) any non-owner-occupied dwelling unit in a 1- or 2-family dwelling that is leased  
26                   or rented or offered or available for lease or rental in exchange for any form of  
27                   consideration.

28                   . . .

**Council Bill 23-0425**

1           (J) *SUPPORTIVE HOUSING FACILITY*.

2                   “SUPPORTIVE HOUSING FACILITY” HAS THE MEANING STATED IN § 202.2.56 OF THE  
3                   BALTIMORE CITY BUILDING CODE.

4           **SECTION 2. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30<sup>th</sup> day  
5           after the date it is enacted.