

**CITY OF BALTIMORE  
COUNCIL BILL 26-0202  
(First Reader)**

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Introduced by: The Council President

Cosponsored by: Councilmembers Dorsey, Middleton, Gray, Bullock, Porter, Blanchard, Jones,  
and Ramos

At the request of: The Administration

Introduced and read first time: June 8, 2026

Assigned to: Charter Review Special Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of  
Public Works, Office of the Comptroller, Department of Planning

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A RESOLUTION ENTITLED

1 A RESOLUTION OF THE MAYOR AND CITY COUNCIL concerning

2 **Charter Amendment – Department of Water and Wastewater**

3 FOR the purpose establishing a Department of Water and Wastewater among the Executive  
4 Departments; providing for the powers and duties of the Department of Water and  
5 Wastewater; transferring certain powers and duties from the Department of Public Works to  
6 the Department of Water and Wastewater; repealing certain obsolete provisions; conforming,  
7 correcting, and clarifying related provisions; and submitting this amendment to the qualified  
8 voters of the City for adoption or rejection.

9 BY proposing to amend

10 Article VII – Executive Departments  
11 Section 3  
12 Baltimore City Charter  
13 (1996 Edition)

14 BY proposing to repeal

15 Article VII – Executive Departments  
16 Sections 33 and 34  
17 Baltimore City Charter  
18 (1996 Edition)

19 BY restating, without amendment

20 Article VII – Executive Departments  
21 Sections 27 through 31  
22 Baltimore City Charter  
23 (1996 Edition)

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

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1 BY proposing to renumber  
2 Article VII – Executive Departments  
3 Sections 35, 37, 41, and 42, respectively  
4 to be  
5 Sections 32, 33, 34, and 35, respectively  
6 Baltimore City Charter  
7 (1996 Edition)

8 BY proposing to add  
9 Article VII – Executive Departments  
10 Sections 148 through 152  
11 Baltimore City Charter  
12 (1996 Edition)

13 **SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
14 City Charter is proposed to be amended to read as follows:

15 **Baltimore City Charter**

16 **Article VII. Executive Departments**

17 **§ 3. General provisions: Bureaus and divisions.**

18 (a) *Establishment or abolishment.*

19 [(1)] With the approval of the Board of Estimates, the City Administrator may establish  
20 and abolish bureaus and divisions within [that department, commission, or board.]  
21 ANY MUNICIPAL AGENCY.

22 [(2) Bureaus in the Department of Public Works shall be established or abolished from  
23 time to time by an ordinance which shall have been recommended to the City  
24 Council by the Board of Estimates and shall have been duly passed by the City  
25 Council by a majority vote of its members and shall have been approved by the  
26 Mayor.]

27 (b) *Allocation of powers and duties.*

28 Subject to the authority of the Board of Estimates, the City Administrator or the head of  
29 any [department, commission, or board] MUNICIPAL AGENCY may assign among the  
30 bureaus or divisions in that [department, commission, or board,] MUNICIPAL AGENCY,  
31 duties and powers of that [department, commission, or board.] MUNICIPAL AGENCY.  
32 A board or commission may act under this subsection only by the majority vote of its  
33 membership.

34 **§ 27. Department of Public Works: Established.**

35 There is a Department of Public Works, the head of which shall be the Director of Public  
36 Works.

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1 **§ 28. Department of Public Works: Director.**

2 (a) *Head of Department; Qualifications.*

3 The Director of Public Works shall supervise and direct the Department.

4 The Director shall have had substantial administrative experience in the construction and  
5 maintenance of public works, public improvements and the delivery of related public  
6 services or ten years experience as an engineer.

7 (b) *Appointment; Term.*

8 The Director shall be appointed, must be confirmed, and shall serve, pursuant to  
9 Article IV, Section 6.

10 (c) *Salary.*

11 The Director's salary shall be set in the Ordinance of Estimates.

12 **§ 29. Department of Public Works: Staff.**

13 (a) *Deputy; Other employees.*

14 The Director shall appoint a Deputy Director pursuant to this section and such employees  
15 as provided in the Ordinance of [Estimates, provided, however, that bureau heads in the  
16 Department of Public Works shall be appointed by the Mayor in the manner prescribed in  
17 Section 6 of Article IV and shall hold their offices as therein provided.] ESTIMATES.

18 (b) *Deputy as Acting Director.*

19 Whenever a vacancy shall occur in the office of Director or whenever the Director shall  
20 be incapacitated or otherwise unavailable for duty for any cause, the Deputy Director  
21 shall be the Acting Director, until the Director is again available for duty or the vacancy is  
22 filled.

23 **§ 30. Department of Public Works: Supervision of public works.**

24 The Director shall supervise all public works in Baltimore City or elsewhere, made by or for  
25 the City or any municipal agency, that relate to the Department's powers under this Charter.  
26 All plans and specifications for these public works, including those involving engineering  
27 questions, shall be submitted to the Director for approval.

28 **§ 31. Department of Public Works: Construction, maintenance, and repair.**

29 Unless otherwise provided by this Charter, the Department has charge of the construction,  
30 demolition, alteration, operation and maintenance of all public works that relate to the  
31 Department's powers under this Charter.

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1 **[§ 33. Department of Public Works: Water supply.]**

2 [The Department shall have charge of the water supply of the City and of all the properties,  
3 reservoirs, streams, pumping and filtration stations, pipes, apparatus and equipment  
4 appurtenant thereto and shall exercise all the powers and perform all the duties connected  
5 with the operation thereof and the supplying of water to the City.]

6 **[§ 34. Department of Public Works: Sewage.]**

7 [The Department shall have charge of the construction, operation and maintenance of all  
8 drains, sewers, and sewage disposal facilities, of the inspection or supervision of sewer or  
9 drain construction and repair work, and of waste disposal.]

10 **§ 32. [35.] Department of Public Works: [Street cleaning.] RESOURCE MANAGEMENT.**

11 The Department shall be responsible for cleaning the streets and for the collection, disposal  
12 and recycling of garbage, ashes, refuse, trash, and other waste matter, except as otherwise  
13 provided by law.

14 **§ 33. [37.] Department of Public Works: Testing.**

15 At the request of a municipal agency, the Department shall test materials and supplies  
16 purchased or used by the agency.

17 **§ 34. [41.] Department of Public Works: Correcting physical obstruction.**

18 (a) *Correction required.*

19 Any person who has, in, over, or under a public street in Baltimore City, any building,  
20 structure, conduit, drain, main, pipe, track, work, or other physical obstruction that blocks  
21 or impedes the work of the Department shall, on reasonable notice from the Department,  
22 promptly shift, adjust, or remove it, at that person's expense, to fully meet the exigencies  
23 described in the notice.

24 (b) *Condemnation.*

25 The City is empowered, when the exigencies of the Department's work require, to secure  
26 the condemnation of the physical obstruction as provided in Article II of this Charter.

27 **§ 35. [42.] Department of Public Works: Assistance to other agencies.**

28 On the request of the head of a municipal agency, the Director shall:

29 (1) supply estimates of the cost of work proposed to be done for that agency during the  
30 next fiscal year; and

31 (2) perform services for the municipal agency of the same general character as those  
32 carried on by the Department, the cost of which shall be charged to the agency  
33 requesting the services and shall be paid out of the funds appropriated to it.

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1    **§ 36. to 46. {Reserved}**

2    **§ 148. DEPARTMENT OF WATER AND WASTEWATER: ESTABLISHED.**

3           THERE IS A DEPARTMENT OF WATER AND WASTEWATER, THE HEAD OF WHICH SHALL BE THE  
4           DIRECTOR OF WATER AND WASTEWATER.

5    **§ 149. DIRECTOR OF WATER AND WASTEWATER.**

6           (A) *DUTIES; QUALIFICATIONS.*

7                   (1) THE DIRECTOR SHALL SUPERVISE AND DIRECT THE DEPARTMENT.

8                   (2) THE DIRECTOR SHALL HAVE SUBSTANTIAL ADMINISTRATIVE EXPERIENCE IN THE  
9                   CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND IN THE DELIVERY OF  
10                  RELATED PUBLIC SERVICES.

11          (B) *APPOINTMENT; TERM.*

12                  THE DIRECTOR SHALL BE APPOINTED, MUST BE CONFIRMED, AND SHALL SERVE, PURSUANT  
13                  TO ARTICLE IV, SECTION 6.

14          (C) *SALARY.*

15                  THE DIRECTOR’S SALARY SHALL BE SET IN THE ORDINANCE OF ESTIMATES.

16          (D) *EMPLOYEES.*

17                  THE DIRECTOR MAY APPOINT THE EMPLOYEES PROVIDED FOR IN THE ORDINANCE OF  
18                  ESTIMATES.

19    **§ 150. POWERS AND DUTIES OF DEPARTMENT.**

20          (A) *IN GENERAL.*

21                  NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THIS CHARTER, THE DEPARTMENT  
22                  HAS THE POWERS AND DUTIES CONTAINED IN THIS SUBSECTION.

23          (B) *WATER SUPPLY.*

24                  THE DEPARTMENT SHALL HAVE CHARGE OF THE WATER SUPPLY OF THE CITY AND OF ALL  
25                  THE PROPERTIES, RESERVOIRS, STREAMS, PUMPING AND FILTRATION STATIONS, PIPES,  
26                  APPARATUS AND EQUIPMENT APPURTENANT THERETO AND PERFORM ALL THE DUTIES  
27                  CONNECTED WITH THE CONSTRUCTION, OPERATION, AND MAINTENANCE THEREOF AND  
28                  THE SUPPLYING OF WATER TO THE CITY.

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1 (C) *WASTEWATER.*

2 THE DEPARTMENT SHALL HAVE CHARGE OF THE CONSTRUCTION, OPERATION AND  
3 MAINTENANCE OF ALL SEWERS, AND SEWAGE DISPOSAL FACILITIES, OF THE INSPECTION OR  
4 SUPERVISION OF SEWER CONSTRUCTION AND REPAIR WORK, AND OF WASTE DISPOSAL.

5 (D) *CONSUMPTION AND USE CHARGES.*

6 THE DEPARTMENT SHALL OPERATE, MAINTAIN, AND CONTROL A SYSTEM TO MAKE  
7 CHARGES FOR:

- 8 (1) THE CONSUMPTION OR USE OF THE CITY'S WATER SUPPLY;
- 9 (2) THE USE OF THE CITY'S SEWERS AND WASTEWATER TREATMENT FACILITIES; AND
- 10 (3) THE REGULATION, MAKING, OR REPAIRING OF PRIVATE WATER OR WASTEWATER  
11 WORKS.

12 (E) *ENFORCEMENT.*

13 (1) *PROTECTION OF THE CITY'S WATER SUPPLY.*

14 THE POLICE COMMISSIONER MAY APPOINT POLICE OFFICERS FOR THE PROTECTION OF  
15 THE CITY'S WATER SUPPLY WITHIN OR WITHOUT THE CITY LIMITS.

16 (2) *NON-PAYMENT.*

17 THE DIRECTOR MAY TAKE CERTAIN ACTIONS BECAUSE OF THE NONPAYMENT OF ANY  
18 FEE OR CHARGE FOR WATER SUPPLIED OR FOR WORK DONE IN CONNECTION WITH THE  
19 FURNISHING OF SUCH WATER OR THE DISPOSAL OF WASTEWATER UNTIL SUCH UNPAID  
20 FEE OR CHARGE IS FULLY PAID, INCLUDING:

- 21 (I) TURNING OFF AND DISCONTINUING THE SUPPLY OF WATER FURNISHED BY THE  
22 MAYOR AND CITY COUNCIL OF BALTIMORE TO ANY PERSON OR PROPERTY  
23 LOCATED IN OR OUTSIDE THE CITY OF BALTIMORE; AND
- 24 (II) ESTABLISHING MEANS AND METHODS FOR ALTERNATIVE PAYMENTS.

25 (F) *ADDITIONAL POWERS AND DUTIES.*

26 THE DEPARTMENT HAS THE ADDITIONAL POWERS AND DUTIES AS ARE PRESCRIBED BY  
27 LAW.

28 **§ 151. CONSTRUCTION, MAINTENANCE, AND REPAIR.**

- 29 (1) THE DIRECTOR SHALL SUPERVISE ALL PUBLIC WORKS IN BALTIMORE CITY OR ELSEWHERE,  
30 MADE BY OR FOR THE CITY OR ANY MUNICIPAL AGENCY, THAT RELATE TO THE  
31 DEPARTMENT'S POWERS AND DUTIES UNDER THIS CHARTER.

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1 (2) UNLESS OTHERWISE PROVIDED BY THIS CHARTER, THE DEPARTMENT HAS CHARGE OF THE  
2 CONSTRUCTION, DEMOLITION, ALTERATION, OPERATION AND MAINTENANCE OF ALL  
3 PUBLIC WORKS THAT RELATE TO THE DEPARTMENT’S POWERS UNDER THIS CHARTER.

4 (3) ALL PLANS AND SPECIFICATIONS FOR THESE PUBLIC WORKS, INCLUDING THOSE INVOLVING  
5 ENGINEERING QUESTIONS, SHALL BE SUBMITTED TO THE DIRECTOR FOR APPROVAL

6 **§ 152. CORRECTING PHYSICAL OBSTRUCTION.**

7 (A) *CORRECTION REQUIRED.*

8 ANY PERSON WHO HAS IN, OVER, OR UNDER A PUBLIC STREET IN BALTIMORE CITY, ANY  
9 BUILDING, STRUCTURE, CONDUIT, DRAIN, MAIN, PIPE, TRACK, WORK, OR OTHER PHYSICAL  
10 OBSTRUCTION THAT BLOCKS OR IMPEDES THE WORK OF THE DEPARTMENT SHALL, ON  
11 REASONABLE NOTICE FROM THE DEPARTMENT, PROMPTLY SHIFT, ADJUST, OR REMOVE IT,  
12 AT THAT PERSON’S EXPENSE, TO FULLY MEET THE EXIGENCIES DESCRIBED IN THE NOTICE.

13 (B) *CONDEMNATION.*

14 THE CITY IS EMPOWERED, WHEN THE EXIGENCIES OF THE DEPARTMENT'S WORK REQUIRE,  
15 TO SECURE THE CONDEMNATION OF THE PHYSICAL OBSTRUCTION AS PROVIDED IN ARTICLE  
16 II OF THIS CHARTER.

17 **SECTION 3. AND BE IT FURTHER RESOLVED,** That, if adopted by the voters, this proposed  
18 amendment to the City Charter shall become effective January 1, 2029.

19 **SECTION 4. AND BE IT FURTHER RESOLVED,** That this proposed amendment to the City  
20 Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection,  
21 in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the  
22 City Solicitor.