



HEARING NOTES

Bill: 21-0102

Building Permits - Disposal Plan Requirement (The John F. Chalmers Sr. Act)

Committee: Economic and Community Development

Chaired By: Councilwoman Sharon Green Middleton

Hearing Date: December 14, 2021

Time (Beginning): 2:00 PM

Time (Ending): 2:58 PM

Location: Virtual WEBEX

Total Attendance: Approximately 41

Committee Members in Attendance:

John Bullock Mark Conway Ryan Dorsey Antonio Glover Robert Stokes Odette Ramos

Bill Synopsis in the file? yes no n/a

Attendance sheet in the file? yes no n/a

Agency reports read? yes no n/a

Video or audio-digitally recorded? yes no n/a

Certification of advertising/posting notices in the file? yes no n/a

Evidence of notification to property owners? yes no n/a

Final vote taken at this hearing? yes no n/a

Motioned by:.....Councilmember

Seconded by:.....Councilmember

Final Vote:.....

Major Speakers

(This is not an attendance record.)

- Hilary Ruley, Department of Law
- Mara James, Department of Finance
- Stephanie Murdock, Department of Housing and Community Development

- Jason Hessler, Department of Housing and Community Development
 - Nina Themelis, Office of the Mayor
 - Crystal Hypolite, Housing Authority of Baltimore City
 - Derrick Ready, Fire Department
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Major Issues Discussed

1. Chairwoman Middleton opened the meeting, introduced committee members and City representatives and read the bill into the record.
2. Councilmember Torrence commented about the bill. He explained that the bill would address the issues of illegal dumping and removal of items from construction projects.
3. Agency representatives testified on behalf of their respective agencies.
4. Mara James testified on behalf of the Department of Finance emphasizing that the current budget cannot support the bill's initiatives due to COVID and increased educational spending. The Department of Finance defers to the Department of Housing and Community Development to determine whether the bill would have a significant impact on illegal dumping.
5. Stephanie Murdock testified on behalf of the Department of Housing and Community Development (DHCD). She presented key points from DHCD's bill report and proposed amendments which would:
 - i. change the effective date from 30 days to 90 days after enactment;
 - ii. limit the types of permits that would require a disposal plan;
 - iii. remove the 30-day requirement for proof of disposal after the completion of work and instead add language to require the permit-holder to submit proof prior to finalizing the permit and before issuance of the occupancy and use certificate for the structure on which the work was performed, as well as subject the permit holder to a penalty;
 - iv. increase the Environmental Control Board fine for non-compliance from \$250 to \$1000.
6. Jason Hessler testified and answered questions on behalf of DHCD.
7. Councilmember Stokes asked whether DHCD knows where permit-holders are now dumping refuse. He also wanted to know if permit-holders would be required to have a dumpster on site? Jason Hessler indicated that data would be collected using a forthcoming form to be created for the new disposal (waste management) plans. A new form would be generated to collect data.
8. Councilmember Dorsey asked DHCD whether the amendment would reduce the type and number of permits that the bill would actually apply to. Jason Hessler estimated that 600 demolition permits would be impacted by the bill. There are different types of demolition permits. The bill would apply to permit-holders for razing, demolition and construction. Councilmember Dorsey requested data by type of permit using percentages of the total number of permits (estimated at 39,000) versus 600 demolition permits, versus other types of permits, as the number of permits may have been factored into the Department of

Finance’s fiscal report. He would like to know if the Department of Finance’s analysis would change based on DHCD amendments.

9. Councilmember Ramos asked DHCD about proof of disposal at the end of the permitting process. Jason Hessler testified that the current building code requires permit-holders to perform certain actions to clean a site or suffer a violation. Inspectors monitor throughout the construction process. Some permits are extended. Each demolition has a finalization process. She also asked about obtaining and tracking recycling data. Recycling information is required when there is a full demolition.
10. Councilmember Conway asked about illegal dumpers who do not get permits. He wanted to know if illegal dumpers are regularly cited. According to the Baltimore City Code there are penalties for illegal dumpers. There is no data to show who is committing the dumping. Efforts are being made to improve the permitting process.
11. Councilmember Stokes asked whether signs and/or notifications are posted to let community associations and residents know what is going on at a construction site. There is no requirement to post a permit on a construction site. According to DHCD, a sign must be posted 10 days before a demolition. Councilmember Stokes wanted to know whether notification would be sent to community associations to inform residents about permit issuance and construction projects in their area. Information is posted on DHCD website. According to Jason, posting of a permit is not required.
12. Councilmember Torrence requested additional information from the Department of Public Works. He has been in discussions with the Department of Public Works – Bureau of Solid Waste. He also requested a work session.
13. The hearing was recessed.

Further Study

Was further study requested?

Yes No

If yes, describe. The bill should be referred to the Department of Public Works for a report. Committee to hold a work session.

Committee Vote:

Sharon Green Middleton, Chair

John Bullock:

Mark Conway:

Ryan Dorsey:

Antonio Glover:

Robert Stokes:

Odetta Ramos:

cc: Bill File
OCS Chrono File