

**CITY OF BALTIMORE
COUNCIL BILL 08-0250
(First Reader)**

Introduced by: Councilmembers Kraft, Henry, Curran
Introduced and read first time: December 4, 2008
Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Police Department, Department of Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Street Regulations – Obstructions**

3 FOR the purpose of consolidating certain provisions governing the obstruction of streets, lanes,
4 sidewalks, footways, or alleys; repealing certain obsolete or otherwise unnecessary
5 provisions; and correcting, clarifying, and conforming related language.

6 BY repealing

7 Article 19 - Police Ordinance
8 Section(s) 50-1
9 Baltimore City Code
10 (Edition 2000)

11 BY repealing and reordaining, with amendments

12 Article 19 - Police Ordinances
13 Section(s) 50-2
14 Baltimore City Code
15 (Edition 2000)

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

18 **Baltimore City Code**

19 **Article 19. Police Ordinances**

20 ***Part 1. Obstructions***

21 **[§ 50-1. Boxes, etc. on street.**

22 (a) *Times prohibited.*

23 If any person or persons shall place or cause to be placed, in any street, lane, or alley in
24 the City, any barrel, hogshead, box, crate, or other package, and shall suffer the same to
25 remain for a longer time than 12 hours or, in any instance, after 9 p.m., every person so

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

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1 offending shall forfeit and pay \$1, and the further sum of \$1 for every day the same shall
2 be suffered to remain.

3 (b) *Places prohibited.*

4 And in no case shall any person be permitted to use more space than ½ of the foot
5 pavement by placing the above named articles thereupon, under a penalty of \$1 for each
6 and every offense.]

7 **§ 50-2. Obstructing street, etc., or gutter.**

8 (a) *Prohibited conduct.*

9 Except as specifically provided in this section, no person may, in any manner, obstruct
10 any street, lane, SIDEWALK, FOOTWAY, or alley [of] IN the City or any of their gutters.

11 (b) *Exception [- Deliveries] FOR DELIVERIES, etc.*

12 This section does not apply to someone [while] in the immediate act of delivering ITEMS
13 TO or removing [some article to or] ITEMS from a place of business or A dwelling AS
14 LONG AS THE ITEMS DO NOT USE MORE SPACE THAN ½ OF THE PAVEMENT.

15 [(c) *Exception – Items requiring inspection, etc.*

16 Articles that are to be inspected or guarded under law may be placed on the sidewalk, but
17 only if they are arranged so as not to obstruct the passage through the streets or sidewalks
18 between the pavement and any house, store, cellar, or backyard, without the consent of
19 the owner or occupant.]

20 (c) [(d)] *Enforcement by citation.*

21 (1) In addition to any other civil or criminal remedy or enforcement procedure, this
22 section may be enforced by issuance of:

23 (i) an environmental citation under City Code Article 1, Subtitle 40
24 {"Environmental Control Board"}; or

25 (ii) a civil citation under City Code Article 1, Subtitle 41 {"Civil Citations"}.

26 (2) The issuance of a citation to enforce this section does not preclude pursuing any other
27 civil or criminal remedy or enforcement action authorized by law.

28 (D) [(e)] *Penalties.*

29 (1) Any person who violates any provision of this section is guilty of a misdemeanor, and
30 on conviction, is subject to the penalties specified in this subsection.

31 (2) On a 1st conviction, the penalty for a violation of this section is a fine of not more
32 than \$50 for each offense.

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1 (3) On a 2nd or subsequent conviction, the penalty for a violation of this section is a fine
2 of not more than \$100 for each offense.

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

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