

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 21-0101

Introduced by: The Council President
At the request of: The Administration (Department of Legislative Reference)
Introduced and read first time: July 19, 2021
Assigned to: Rules and Legislative Oversight Committee
Committee Report: Favorable, with Amendments
Council action: Adopted
Read second time: February 7, 2022

AN ORDINANCE CONCERNING

Corrective Bill 2021 – General

- 1
- 2 FOR the purpose of correcting various errors and omissions in the City Code; correcting,
3 clarifying, and conforming certain inconsistent, superfluous, vague, ungrammatical,
4 misnumbered, and other unclear language; and providing for a special effective date.
- 5 BY repealing and reordaining, with amendments
6 Article - General Provisions
7 Sections 4-302, 4-303(c), 4-305(b)(3), 4-404, and 4-405
8 Baltimore City Revised Code
9 (Edition 2000)
- 10 BY repealing and reordaining, with amendments
11 Article - Health
12 Section 6-603.1(b)(1)(Art. 19), 8-111(c), 8-120(a)(2), and 10-116(intro)
13 Baltimore City Revised Code
14 (Edition 2000)
- 15 BY repealing and reordaining, with amendments
16 Article 1 - Mayor, City Council, and Municipal Agencies
17 Sections 10-10(b), 29-10(b)(2), 40-14(e)(3), and 41-14(2)
18 Baltimore City Code
19 (Edition 2000)
- 20 BY repealing and reordaining, with amendments
21 Article 5 - Finance, Property, and Procurement
22 Sections 9-5(c)(2)(ii)(C) and (d)(1), 31-3(b), and 38-2(b)(9)
23 Baltimore City Code
24 (Edition 2000)

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

Council Bill 21-0101

- 1 By repealing and reordaining, with amendments
2 Article 8 - Ethics
3 Sections 7-2(a) and 7-13
4 Baltimore City Code
5 (Edition 2000)
- 6 BY adding
7 Article 8 - Ethics
8 Section 7-8(22)
9 Baltimore City Code
10 (Edition 2000)
- 11 BY repealing and reordaining, with amendments
12 Article 9 - Fire Suppression and Prevention
13 Sections 1-1(intro) and 9-2
14 Baltimore City Code
15 (Edition 2000)
- 16 BY repealing and reordaining, with amendments
17 Article 13 - Housing and Urban Renewal
18 Sections 2-1(c)(1)(i), 2-3(a)(7) and (11), 3-1(a)(4) and (b)(1), 4-1(e)(1)(iii), 6-1 to 6-3, 6-
19 4(a)(4), (b), and (d)(1), 6-6(a)(1), (c), (d)(2) and (3), 6-8(b), 6B-1(g), 6-9(a), (b), and
20 (c)(intro), 10-2(k)(2),
21 and 11-3(a)(2)
22 Baltimore City Code
23 (Edition 2000)
- 24 BY repealing and reordaining, with amendments
25 Article 14 - Special Benefits Districts
26 Sections 20-8(c) and 20-17(d)
27 Baltimore City Code
28 (Edition 2000)
- 29 BY repealing and reordaining, with amendments
30 Article 15 - Licensing and Regulation
31 Section 2-15(e)(3), 17-1(b), 17-4(a) and (b), 17-5(a)(1) and (c), 17-15, 17-17(1), 17-18(a) and
32 (b)(6), 17-19(b)(2), 17-20(a), 17-24(b), 17-25(c)(1), 17-34(b)(1), 17-36(b),
33 17-44(a)(intro), and 17-45(a)(2)
34 Baltimore City Code
35 (Edition 2000)
- 36 BY repealing and reordaining, with amendments
37 Article 19 - Police Ordinances
38 Sections 26-3(a), 27-12(a), and 48-4(a)
39 Baltimore City Code
40 (Edition 2000)

Council Bill 21-0101

1 By repealing and reordaining, with amendments
2 Article 28 - Taxes
3 Sections 8.1-3(b)(1), 8.1-7(c)(9), 8.1-8(c)(2)(i), 8.1-10(intro), 8.1-15(b), 9-5(a),
4 10-19(c)(1), and 10-21(d)(2)
5 Baltimore City Code
6 (Edition 2000)

7 By repealing and reordaining, with amendments
8 Article 31 - Transit and Traffic
9 Sections 2-6.1(c)(1)
10 Baltimore City Code
11 (Edition 2000)

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

14 **Baltimore City Revised Code**

15 **Article - General Provisions**

16 **Title 4. Administrative Procedure Act – Regulations**

17 **Subtitle 3. Notice and Comment Period; Adoption**

18 **§ 4-302. Effect of notice.**

19 Publication of the notice required **[under] BY** this subtitle:

- 20 (1) creates a rebuttable presumption that the proposed regulation was adopted properly;
21 and
22 (2) is deemed to give a person who is subject to or affected by the proposed regulation
23 notice of the contents of the proposed regulation.

24 **§ 4-303. Review by Committee.**

25 (c) *Scope of review.*

26 In its review under this section, the Committee shall consider whether the proposed
27 regulation:

- 28 (1) **[is in conformity] CONFORMS** with the statutory authority of the agency; and
29 (2) reasonably complies with the legislative intent of the statute under which
30 the regulation was proposed.

Council Bill 21-0101

§ 4-305. Emergency regulations.

(b) *Temporary regulations.*

(3) *Expiration.*

(i) Except as provided in subparagraph (ii) of this paragraph, any temporary regulation adopted under this section expires and no longer has legal effect on the 90th day after the state of emergency has been lifted.

(ii) If, within the 90 days after a state of emergency has been lifted, an agency submits a temporary regulation to the City Solicitor as set forth in § 4-204 {"Submission to Solicitor"} of this title and otherwise follows the notice and publication procedures set forth in this title to adopt that regulation as permanent, the regulation [may] DOES not expire as stated in subparagraph (i) of this paragraph.

Subtitle 4. Codification

§ 4-404. Removal of obsolete provisions.

(a) *In general.*

With the approval of the City Solicitor, an agency may request that the Director remove from the Code:

(1) a part of a regulation that has been held unconstitutional by a court of competent final jurisdiction; or

(2) a regulation whose specific enabling law has been repealed [by the Mayor and City Council].

(b) *Reason for removal.*

The requesting agency shall state with particularity [the reason for] why the regulation is obsolete and, if approved for removal by the City Solicitor, the Director shall include that reason as an annotation within the Code.

§ 4-405. Severability.

If a section, paragraph, sentence, clause, phrase, or word of a regulation is declared unconstitutional or invalid by a court of competent jurisdiction, the unconstitutionality or invalidity [may] DOES not affect [any of] any remaining sections, paragraphs, sentences, clauses, phrases, or words unless:

(1) the regulation is subject to a provision that prohibits severability; or

(2) the court finds that the remaining valid provisions alone are incomplete and incapable of being carried out in accordance with the regulation's purpose.

Council Bill 21-0101

Article - Health

Title 6. Food Service Facilities

§ 6-603.1. Suspension or nonrenewal for multiple or unpaid citations.

(b) *Covered offenses.*

(1) For purposes of this section, citations issued for violations of the following provisions of the City Code are presumed to be issued for reasons related to public health or to the prevention of disease, epidemics, or nuisances affecting public health:

Article 19. Police Ordinances

§ 1-2. Placement *{of advertising circulars}* without permission

...

§ 45-2. Signs on public property: Posting prohibited

[Subtitle 46. Signs – Campaign Signs in Residential Areas]

§ 47-5. Nighttime soliciting

....

COMMENT: Deletes obsolete reference. Article 19, Subtitle 46 {"Signs- Campaign Signs in Residential Areas"}, was repealed by Ordinance 19-324.

Title 8. Air Pollution

§ 8-111. Definitions.

(c) *Commercial solid waste incinerator; Facility.*

“Commercial solid waste incinerator” or “facility” means any facility in Baltimore City that produces energy or disposes of waste by combusting a solid fuel or waste, or gases produced on-site from the gasification or pyrolysis of a solid fuel or waste, and **[which]** **[THAT]** is capable of processing at least 25 tons of solid fuel or waste per day.

§ 8-120. Required CEMS reports.

(a) *Reports required.*

(2) All data supplied as part of the reports required by this section **[is]** **[ARE]** property of the City of Baltimore.

Council Bill 21-0101

Title 10. Animal Control and Protection

§ 10-116. Finding animal to be dangerous or vicious.

If, on investigation of a complaint, the Office believes that the animal is **A** dangerous or vicious animal, the Office must:

. . . .

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 10. Records Management

§ 10-10. Disposal of records.

(b) *In general.*

Except as provided in this section or in an approved Record Retention and Disposition Schedule, records created or received by an agency in the course of official City business are the property of the Mayor and City Council of Baltimore and may not be destroyed, sold, transferred, or otherwise **disposed OF.**

Subtitle 29. Violence Protection

§ 29-10. Biennial violence prevention strategy plan.

(b) *Development and coordination.*

(2) *Qualification.*

Only the entities listed in paragraph (1) of this subsection that are municipal agencies as defined in **CITY CHARTER** Article I, § 2(j) {"Definitions: Municipal agency"} are required to assist and participate with the Baltimore City Department of Health in this endeavor.

Subtitle 40. Environmental Control Board

§ 40-14. Violations to which subtitle applies.

(e) *Provisions and penalties enumerated.*

(3) **Article 19. Police Ordinances**

§ 1-2. Placement {of advertising circulars} without permission	
1 st offense	\$ 50
2 nd offense	\$100
3 rd or subsequent offense	\$500
. . .	

Council Bill 21-0101

1	§ 45-2. Signs on or affecting public property: Posting prohibited	\$500
2	[Subtitle 46. Signs – Campaign Signs in Residential Areas	\$100]
3	§ 50-2. Obstructing street, etc., or gutter	\$ 50
4	

5 **COMMENT:** Deletes obsolete reference. Article 19, Subtitle 46 {"Signs- Campaign Signs in
6 Residential Areas"}, was repealed by Ordinance 19-324.

7 **Subtitle 41. Civil Citations**

8 **§ 41-14. Offenses to which subtitle applies – Listing.**

9 **(2) Article 19. Police Ordinances**

10	§ 1-2. Placement <i>{of advertising circulars}</i> without permission	
11	1 st offense	\$ 50
12	2 nd offense	\$100
13	3 rd or subsequent offense	\$500
14	...	

15	§ 45-2. Signs on or affecting public property: Posting prohibited	\$500
16	[Subtitle 46. Signs – Campaign Signs in Residential Areas	\$100]

17	§ 47-5. Nighttime soliciting	\$100
18	

19 **COMMENT:** Deletes obsolete reference. Article 19, Subtitle 46 {"Signs- Campaign Signs in
20 Residential Areas"}, was repealed by Ordinance 19-324.

21 **Article 5. Finance, Property, and Procurement**

22 **Subtitle 9. Children and Youth Fund**

23 **§ 9-5. Board of Directors.**

24 (c) *Composition.*

25 (2) *Diversity.*

26 (ii) *Youth participation.*

27 (C) The Board of Estimates may waive the requirement in sub-subparagraph (B)
28 if the Board of Estimates finds that the Fund’s Board **HAS** taken reasonable
29 and diligent efforts to comply with that requirement and that those efforts
30 have failed.

Council Bill 21-0101

1 (d) *Bylaws.*

2 (1) The Board must adopt bylaws for the administration of the fiscal agent[;]. [however]
3 **HOWEVER,** those bylaws may not be inconsistent with the terms of this subtitle or of
4 the City Charter Article I, § 13 {"Children and Youth Fund"}.

5 **Subtitle 31. Health Care Advisory Panel**

6 **§ 31-3. Annual review of providers, etc.**

7 (b) *Scope of review.*

8 The annual review shall cover the evaluation criteria adopted by the Board of Estimates,
9 including, but not limited to, the following evaluation criteria:

- 10 (1) that each entity seeking to provide health care services under this subtitle consider
11 all qualified applicants for its provider panel without regard to race, color,
12 religion, sex, disability, sexual orientation, or national origin;
- 13 (2) that all solicitations or advertisements for applicants for membership on provider
14 panels state that all qualified applicants will be considered without regard to race,
15 color, religion, sex, disability, sexual orientation, or national origin; **AND**
- 16 (3) that all participants in the prequalification process maintain a provider panel that
17 meets certain criteria with respect to ethnic diversity as determined by the Board
18 of Estimates.

19 **Subtitle 38. Vendors' Hot Line**

20 **§ 38-2. Purpose.**

21 (b) *Information to be provided.*

22 The Vendors' Hot Line shall provide by prerecorded message to callers the following
23 information:

24 . . .

25 (9) any other information the Director **OF PURCHASING** considers appropriate and
26 practicable.

Council Bill 21-0101

Article 8. Ethics

Subtitle 7. Financial Disclosure

Part I. General Provisions

§ 7-2. General filing requirements.

(a) *Annual filing required.*

(1) *In general.*

Except as otherwise specified in this subtitle, each statement must be filed with the Ethics Board on or before April 30 of each year.

(2) *Elected officials.*

Elected officials must file the statement required by this subtitle on or before **January [30] 31** of each year.

COMMENT: Corrects date for intended end of the month.

Part II. Who Must File

§ 7-8. Persons required to file – Agency officials and staff.

The following officials and employees must file the financial disclosure statements required by this subtitle:

(22) INSPECTOR GENERAL, OFFICE OF.

(i) INSPECTOR GENERAL.

(ii) ASSISTANT INSPECTORS GENERAL.

(iii) ALL NON-CLERICAL EMPLOYEES OF OFFICE.

§ 7-13. Candidates for office.

(a) *In general.*

Except as provided in subsection (b) of this section, a candidate for an elected office for which an annual statement is required must file a statement annually:

(1) beginning with the year in which the candidate files a certificate of candidacy; and

(2) continuing through the year of the election.

Council Bill 21-0101

1 (b) *Exception.*

2 This section does not require the filing of a statement for any full year that is already
3 covered by a statement the individual has otherwise filed under this subtitle.

4 (c) *Filing requirements – Place.*

5 The statement required by this section must be filed with the Baltimore City Board of
6 Elections.

7 (d) *Filing requirements – Time.*

8 (1) The initial statement required by this section must be filed no later than with the filing
9 of the certificate of candidacy.

10 (2) In each subsequent year, through and including the year of the election, the statement
11 must be filed on or before the earlier of:

12 (i) April 30; or

13 (ii) the last day for the withdrawal of a candidacy under State Election Law
14 Article, § 5-502.

15 **(E) FILING REQUIREMENTS – CONTENTS.**

16 **THE DISCLOSURE REQUIREMENTS APPLICABLE TO A CANDIDATE FILING UNDER THIS**
17 **SECTION ARE THE SAME AS THOSE APPLICABLE TO AN INCUMBENT HOLDING THE OFFICE**
18 **INVOLVED.**

19 **COMMENT:** Added to expressly reflect the requirement imposed by the State General Provisions
20 Article, § 5-809.

21 **(F) [(e)]** *Filing prerequisite to candidacy.*

22 The Board of Elections may not accept a certificate of candidacy of a candidate covered
23 by this section unless the candidate has filed the initial statement required by subsection
24 (d)(1) of this section.

25 **(G) [(f)]** *Subsequent failure to file.*

26 If a later statement required by this section is overdue and is not filed within 20 days after
27 the candidate receives from the Board of Elections written notice of the failure to file, the
28 candidate is considered to have withdrawn his or her candidacy.

29 **(H) [(g)]** *Forwarding to Ethics Board.*

30 Within 30 days after receiving a statement, the Board of Supervisors of Elections must
31 forward the statement to the Ethics Board.

Council Bill 21-0101

Article 9. Fire Suppression and Prevention

Subtitle 1. Fire Department

§ 1-1. Fire Chief in general command.

The Chief of **THE** Fire Department:

....

Subtitle 9. Hazardous Materials

§ 9-2. Security and safeguarding required.

All facilities on or in which any hazardous material is stored, dispensed, used, or handled must be secured against unauthorized entry and safeguarded with protective measures and facilities in accordance with the rules, regulations, and standards adopted under this **[section]** **SUBTITLE.**

COMMENT: See § 9-3 {"Rules, regulations and standards"}.

Article 13. Housing and Urban Renewal

Subtitle 2. Department of Housing and Community Development

§ 2-1. Determinations, declarations, and definitions.

(c) *Definitions.*

(1) *Slum, blighted, or deteriorated area.*

As used herein, a slum, blighted, or deteriorated area is an area in which:

- (i) a preponderance of the structures or the dwelling units therein is detrimental to the public health, safety, or general welfare by reason of age, dilapidation, depreciation, overcrowding, excessive land coverage, faulty arrangement, lack of ventilation or sanitary facilities, failure to conform with the provisions of the ordinances or regulatory codes of the City of Baltimore relating to buildings, housing, or sanitation, neighborhood obsolescence or deterioration, **OR** inadequate open space, parking, or access to transportation; or

....

Council Bill 21-0101

1 **§ 2-3. General powers.**

2 (a) *Enumerated.*

3 The Department of Housing and Community Development is authorized to:

4 . . .

5 (7) engage in studies, experimentation, and research pertaining to housing,
6 community development, AND the existence of and the problems of correcting,
7 eliminating, and preventing slums, blight, and urban deterioration; disseminate
8 public information with respect thereto, and cooperate with other agencies of the
9 City, the State, the Federal Government, or any agency thereof, in activities
10 undertaken in connection therewith;

11 . . .

12 (11) assist the several City departments involved in activities related to housing and
13 community development for the purpose of coordinating such activities and
14 establishing consistent policies and procedures with respect thereto; AND

15

16 **Subtitle 3. Human Services Division**

17 **§ 3-1. Declaration of policy and findings of fact.**

18 (a) *In general.*

19 The City Council finds that:

20 . . .

21 (4) many of said impoverished persons and families are dependent upon public
22 subsidy for their subsistence; AND

23

24 (b) *Program of concerted action needed.*

25 The City Council further finds that:

26 (1) to eliminate the causes of poverty and the problems attendant upon it, it is
27 imperative for the City of Baltimore to engage in a total program of concerted
28 community action which will harness and synchronize its resources for remedial
29 education, job training, health care, environmental improvement, social and
30 physical rehabilitation, and training in home management and healthy family
31 living; AND

32

Council Bill 21-0101

Subtitle 4. Registration of Non-Owner-Occupied Dwellings, . . .

§ 4-1. Definitions.

(e) Non-owner-occupied dwelling unit.

(1) In general.

“Non-owner-occupied dwelling unit” means any:

. . .

(iii) dwelling unit that, even if occupied, is not designated by the State Department of Assessments and Taxation as the owner’s [principle] PRINCIPAL residence in accordance with the criteria governing the State Homestead Tax Credit.

Subtitle 6B. Security Deposit Grants

§ 6B-1. Definitions.

(g) Security deposit grant; Grant.

“Security deposit grant” or “grant”:

(1) means a one-time payment by the Program of up to \$2,000 toward a security deposit; and

(2) [shall] IS not [be] considered income [for] TO the tenant IN DETERMINING THE TENANT’S INCOME ELIGIBILITY, [subject to] UNLESS OTHERWISE REQUIRED BY any state or federal law [governing] THAT GOVERNS the source of funds for this [voucher] GRANT.

COMMENT: Clarifies the *qualified* scope of the clause that excludes the “grant” from being considered “income” in determining a tenant’s income eligibility for this Program. Also, conforms terminology (“grant” in place of “voucher”), as otherwise uniformly used throughout this subtitle.

Subtitle 6. Tenant’s Right of First Refusal

§ 6-1. Statement of public policy and purpose.

It is the intent and purpose of this [law] **SUBTITLE** that before title to any single-family residential rental property is voluntarily transferred, the tenant of that property shall have the opportunity to purchase the property on terms accepted as reasonable in the residential real estate market; and that residential property owners shall not be unreasonably impeded in selling their properties nor required to accept unreasonable terms of sale.

Council Bill 21-0101

1 § 6-2. Definitions.

2 (a) *Landlord.*

3 As used in this [law] **SUBTITLE**, “landlord” means an owner, lessor, sublessor, assignee,
4 any agent thereof, or any other person receiving or entitled to receive rents or benefits for
5 the use or occupancy of any residential rental unit within the City of Baltimore.

6 (b) *Tenant.*

7 (1) As used in this [law] **SUBTITLE**, “tenant” means a tenant, subtenant, lessee, sublessee,
8 or other person entitled to the possession, occupancy, or **[the]** benefits thereof, of any
9 rental unit owned by another person, and who has resided therein for not less than
10 6 months.

11 (2) Where a rental unit had been occupied by a tenant at any time during the preceding
12 6 months, the last such tenant to occupy the unit shall be considered a present tenant
13 for purposes of this [law] **SUBTITLE**.

14 (3) Provided however that no tenant who has been summarily ejected for non-payment
15 of rent pursuant to Subtitle 9 of the Public Local Laws of Baltimore City from a
16 single-family rental property shall be entitled by this subtitle to a right of first refusal
17 for that property.

18 § 6-3. Tenant’s right of first refusal.

19 Before a voluntary transfer of title to a single-family rental residential property may occur,
20 the tenant of that property shall have the right of first refusal to purchase the property. Such
21 right shall be exercised in accordance with the provisions of this [law] **SUBTITLE**.

22 § 6-4. Exercise of right of first refusal.

23 (a) *In general.*

24 . . .

25 (4) Following notification by the tenant, as above, of the intent to exercise that right of
26 first refusal, the landlord must tender to the tenant within 10 days an executed
27 contract of sale for said property on the same terms and conditions as indicated in the
28 offer of sale or the third-party contract, with the exception of any term or condition
29 which is inconsistent with the provisions of this subtitle, in which instance the
30 contract shall specify terms consistent with those provisions, and provided further that
31 the contract shall be consistent with an indication made by the tenant pursuant to
32 **PARAGRAPH** (3) above, as to the use of a particular government program of mortgage
33 insurance, guarantee, or financing.

Council Bill 21-0101

1 (b) *Sale to other for less than offer.*

2 (1) If the landlord enters into a sale contract with a third party after the expiration of the
3 30-day period in **SUBSECTION** (a) above and if the net proceeds of that sales contract
4 are less in amount than the amount in the offer of sale to the tenant, or if the terms and
5 conditions of that sales contract are materially more favorable to the buyer than those
6 contained in the offer of sale to the tenant, as provided in **SUBSECTION** (a) above, then
7 the tenant shall be notified of such contract in the manner provided for in **SUBSECTION**
8 (a) above.

9 (2) The tenant shall then have the right to contract with the landlord in lieu of the third
10 party, provided the proceeds of the tenant’s offer to purchase are not less in amount
11 than the offer of the third party. Said right shall be in effect for 15 days from the
12 mailing of notification of the sales contract, unless the net proceeds of the third-party
13 sales contract are less than 80% of the amount in the offer of sale to the tenant in
14 **SUBSECTION** (a) above, or more than 6 months has elapsed since the offer to the tenant
15 in **SUBSECTION** (a) above, in which **CASE** the tenant shall have the right for 30 days
16 from the mailing of notification.

17 (3) A tenant shall exercise the right to contract in lieu of a third party pursuant to this
18 **[paragraph] SUBSECTION** in the manner provided by **[Paragraph] SUBSECTION** (a)(3)
19 of this section and where a tenant does so the provisions of **[Paragraphs]**
20 **SUBSECTIONS** (a)(4) and (a)(5) shall apply.

21 (d) *Contract without sale price in dollars.*

22 (1) Where a landlord’s contract with a third party, which is required by **[Paragraph]**
23 **SUBSECTION** (a) or (b) above to be submitted to the tenant, fails to set forth the sale
24 price in dollars of the individual property for which the tenant has the right of first
25 refusal pursuant to this subtitle, then in the notice to the tenant of said contract the
26 landlord shall set forth a dollar amount which as a cash price is equivalent to the
27 consideration attributable to that property under the terms of the third-party contract.

28 **§ 6-6. Miscellaneous.**

29 (a) *Any tenant will do.*

30 (1) If a landlord enters into a sales contract with the tenant, as defined by this **[law]**
31 **SUBTITLE**, pursuant to the intent and requirements of this **[law] SUBTITLE**, the landlord
32 shall be deemed to be in compliance with this **[law] SUBTITLE**, and to have met the
33 requirements of this **[law] SUBTITLE** even though such person is not the person with
34 whom the landlord entered into a written or oral lease on the dwelling unit nor the
35 sale occupant of the dwelling.

Council Bill 21-0101

1 (c) *Waivers — right to receive offer.*

2 No tenant may waive his right to receive an offer of sale or notification as required by this
3 [law] SUBTITLE.

4 (d) *Waivers — time periods.*

5 (2) Any such waiver shall:

6 (i) be in writing and signed by the tenant; AND

7 (ii) contain a statement, at the top of the waiver, that the tenant is under no
8 obligation to sign such a waiver and cannot be evicted for refusal to sign the
9 waiver.

10 (3) No landlord may evict a tenant for refusing to sign a waiver of the tenant’s right under
11 this [law] SUBTITLE. Any waiver not in accordance with this [paragraph] SUBSECTION
12 shall be null and void and of no effect.

13 **§ 6-8. Penalties.**

14 (b) *Injunctive relief.*

15 A tenant may seek relief from an appropriate court to restrain or enjoin any violation of
16 the provisions of this [law] SUBTITLE.

17 **§ 6-9. Affidavit on transfers to third parties.**

18 (a) *Affidavit of compliance required.*

19 In any transfer of real property subject to this [law] SUBTITLE to a party other than a
20 tenant, the owner shall file in the land records of Baltimore City an affidavit in the form
21 set forth in [Paragraph] SUBSECTION (c) below, certifying that the requirements of this
22 subtitle have been met, as a part of the deed conveyance.

23 (b) *Transferee’s rights protected.*

24 Where an affidavit has been filed as provided by [paragraph] SUBSECTION (a) above, the
25 rights and title of a third party transferee, his heirs, successors or assigns shall be free of
26 any restriction or claim arising in favor of a tenant of said property under or through any
27 provision of this subtitle.

28 (c) *Statements required.*

29 An affidavit affirming compliance with the requirements of this subtitle shall be filed as
30 provided by [paragraph] SUBSECTION (a) above and shall incorporate one of the following
31 statements as appropriate:
32

Council Bill 21-0101

Subtitle 10. Condominiums

§ 10-2. Definitions.

(k) *Rental facility.*

“Rental facility”:

...

(2) [shall not] **MAY NOT** be construed to mean:

(i) any transient facility such as boarding houses, tourist homes, inns, motels, hotels, **[school dormitory,]** hospitals, medical facilities, **OR SCHOOL DORMITORIES;** or

(ii) any facilities operated for religious or eleemosynary purposes.

Subtitle 11. Registration of Vacant Lots

§ 11-3. Information required with registration.

(a) *In general.*

The registration statement shall contain the following information:

...

(2) the name and address of the owner of record, and in addition, if the owner is a corporation, the name and address of the resident agent thereof; **AND**

....

Article 14. Special Benefits Districts

Subtitle 20. Baltimore Tourism Improvement District

§ 20-8. Annual financial plan.

(c) *Board of Estimates approval required.*

The District Management Committee may not approve a financial plan that includes District special **[assessment] ASSESSMENTS** in excess of those approved by the Board of Estimates.

Council Bill 21-0101

§ 20-17. Dissolution of District.

(d) *Limited continuation.*

In the event of District dissolution described in [paragraphs] SUBSECTIONS (a) or (b) of this section, the District Management Committee shall continue its existence only as long as necessary to:

- (1) terminate operations related to the District in a reasonable fashion; and
- (2) arrange for the refunding of all funds not needed to satisfy outstanding obligations and reserves for uncertain obligations and liabilities.

Article 15. Licensing and Regulation

Subtitle 2. Amusements

§ 2-15. Fees and taxes.

(e) *Quarterly payments for simulated slot machines.*

(3) The rules and regulations adopted under § 2-17 of this subtitle must establish:

- (i) the amount of the service charge to be paid with each quarterly installment;
AND
- (ii) a schedule indicating when quarterly payments are due each year.

Subtitle 17. Street Vendors

§ 17-1. Definitions.

(b) *Department.*

“Department” means the **BALTIMORE CITY** Department of **[General Services]** **TRANSPORTATION.**

§ 17-4. Rules and regulations.

(a) *Department may adopt.*

Subject to Title 4 {“Administrative Procedure Act – Regulations”} of the City General Provisions Article, the Department **OF TRANSPORTATION** may adopt rules and regulations to carry out this subtitle.

Council Bill 21-0101

1 (b) Public hearing and comment.

2 In accordance with General Provisions Article § 4-301, the [Board]
3 DEPARTMENT OF TRANSPORTATION must publish, for public hearing and
4 comment, notice of all rules and regulations proposed for adoption under this
5 subtitle.

6 **§ 17-5. Mobile vending zones.**

7 (a) Designation.

8 (1) In general.

9 [At the request of the Department of General Services, and after] AFTER
10 public notice has been provided to area business and neighborhood
11 organizations, the Director of Transportation may designate spaces on City
12 streets or other public property as “mobile vending zones” for the
13 exclusive use of mobile vendors during designated hours.

14 (c) Temporary relocation or suspension.

15 The [Department of General Services or] Department of Transportation may
16 temporarily relocate or suspend mobile vending zones at any time due to
17 emergencies or to further public safety, public health interests, or City
18 operations.

19 **§ 17-15. License required.**

20 No street vendor may operate in Baltimore City without first having obtained a
21 license to do so from the Department of [General Services] TRANSPORTATION.

22 **§ 17-17. Limitations and conditions.**

23 (a) In general.

24 The Department of [General Services] TRANSPORTATION may impose
25 reasonable limitations and conditions on any license issued under this subtitle,
26 as necessary or proper to carry out the purpose and intent of this subtitle.
27

28 **§ 17-18. Applications.**

29 (a) Form.

30 An application for a license must be made in the form the Department of
31 [General Service] TRANSPORTATION requires.

Council Bill 21-0101

1 (b) *Contents.*

2 The application must contain:

3 ...

4 (6) any other information the Department of [General Services]
5 TRANSPORTATION requires.

6 **§ 17-19. Term and renewal.**

7 (b) *Renewal.*

8 (2) A renewal application must be:

9 (i) in the form the Department of [General Services]
10 TRANSPORTATION requires; and

11 (ii) submitted to the Department, with the applicable annual fee,
12 at least 30 days before the current license expires.

13 **§ 17-20. Temporary licenses.**

14 (a) *In general.*

15 The Department of [General Services] TRANSPORTATION may issue a
16 temporary license to be used in connection with a charitable, educational,
17 artistic, civic, or other public function or activity.

18 **§ 17-24. Vendor identification – In general.**

19 (b) *Department to issue.*

20 The Department of [General Services] TRANSPORTATION must issue an
21 identification badge for each license issued.

22 **§ 17-25. Vendor identification – Country growers.**

23 (c) *Sign.*

24 (1) Instead of the badge provided for in § 17-24 {“Vendor identification – In general”} of
25 this subtitle, the Department of [General Services] TRANSPORTATION must provide the
26 producer or grower with a sign to be displayed on his or her vehicle.

Council Bill 21-0101

1 **§ 17-34. Mobile food vendors – Operating without logbook.**

2 (b) *Form of logbook.*

3 The logbook must:

- 4 (1) be in the form the Department of [General Services] TRANSPORTATION
- 5 requires; and
- 6

7 **§ 17-36. All vendors – Between midnight and 6 a.m.**

8 (b) *Exception.*

9 Subsection (a) of this section does not apply to a street vendor operating
10 between the hours of midnight and 6 a.m. in accordance with the terms and
11 conditions of a special event permit from the Department of [General Services]
12 TRANSPORTATION that explicitly grants permission to operate during
13 those hours.

14 **§ 17-44. Revocations and suspensions.**

15 (a) *Authorized suspension or revocation.*

16 The Department of [General Services] TRANSPORTATION may suspend or
17 revoke a license if the licensee violates any provision of:
18

19 **§ 17-45. Administrative appeals.**

20 (a) *Right of appeal.*

21 An aggrieved party may appeal to the Board of Municipal and Zoning
22 Appeals:
23 ...

- 24 (2) any other decision or ruling by [the] the Department of [General Services]
- 25 TRANSPORTATION relating to the administration of this subtitle.

26 **Article 19. Police Ordinances**

27 **Subtitle 26. Loitering – Drug-Free Zones**

28 **§ 26-3. Commissioner to certify zones; term.**

29 (a) *In general.*

30 The **POLICE** Commissioner may establish, alter, recertify, or terminate [such] **THE**
31 certification **OF DRUG-FREE ZONES** from time to time.

Council Bill 21-0101

Subtitle 27. Loitering – Prostitution

§ 27-12. Commissioner to certify zones; term.

(a) *In general.*

The Police Commissioner may establish, alter, recertify, or terminate [such] THE certification OF PROSTITUTION-FREE ZONES from time to time.

Subtitle 48. Sporting Events

§ 48-4. Flying over stadium.

(a) *Prohibited conduct.*

It is unlawful for any person TO operate an aircraft over or around the outer limits of M&T Bank Stadium or Oriole Park at Camden Yards for any advertising or commercial purposes.

Article 28. Taxes

Subtitle 8.1. In Rem Foreclosure – Vacant and Abandoned Property

§ 8.1-3. HCD may initiate action; Applicable properties.

(b) *Applicable properties.*

Except as provided in subsection (c) of this section, in order to be subject to an action for foreclosure under this subtitle:

(1) the real property must be:

(i) a vacant lot; or

(ii) an improved property cited as vacant and unsafe or unfit for habitation or other authorized use on a housing or building violation notice, provided that:

(A) the time for appeal of the violation notice has expired without an appeal having been filed; or

(B) an administrative review of a filed appeal has been decided in favor of the Building Official, as defined in the City Building, Fire, and Related Codes ARTICLE;

....

Council Bill 21-0101

1 **§ 8.1-7. Complaint.**

2 (c) *Contents.*

3 A complaint filed under this section shall include:

4 . . .

5 (9) a request that the Circuit Court enter a judgment that:

6 (I) forecloses the existing interests of all interested parties to the property: and

7 (II) orders ownership of the property to BE transferred to the City.

8 **§ 8.1-8. Defendants; Service of process.**

9 (c) *Unknown owners.*

10 (2) *In general.*

11 When the owner of a real property cannot be reasonably ascertained:

12 (i) the unknown owner to the property may be included as a defendant by the
13 following designation:

14 “Unknown owner of (identify the nature of the interest: fee simple,
15 leasehold, or reversionary) interest in the property (giving a
16 description of the property in substantially the same form as the
17 description that appears on the pre-complaint notice), the unknown
18 owner’s heirs, devisees, and personal representatives and their or any of
19 their heirs, devisees, executors, administrators, grantees, assigns, or
20 successors in right, title, and interest[.]”; and

21

22 **§ 8.1-10. Sufficiency of notice.**

23 The provisions of this subtitle as to notice and service of process to persons who may have an
24 interest in a property, in conjunction with the order of publication, routine tax notices, and the
25 pre-filing and post-filing notices required [under] BY this subtitle, as well as the knowledge of
26 the taxes and the consequences for nonpayment of the taxes is declared:

27

Council Bill 21-0101

§ 8.1-15. Post-judgment sale.

(b) *Land bank.*

[In the event the Mayor and City Council establish] IF BALTIMORE CITY ESTABLISHES a [land bank authorized under] LAND BANK AUTHORITY [under] IN ACCORDANCE WITH City Charter, Article II, § 65 {"Land Bank Authority"}, the City may convey the property to [the] THAT Authority [described in the implementing ordinance] to be used for the City's or the Authority's blight elimination and revitalization goals.

Subtitle 9. Exemptions

§ 9-5. New and expanded manufacturers, milk processors, laundries.

(a) *Tools and implements.*

In order to encourage and promote the location of new manufacturing industries, and the expansion, growth and development of established manufacturing industries, in Baltimore City, beginning on July 1, 1958, and continuing thereafter, all mechanical tools or implements regardless of the kind of motive power needed or used to operate them, machinery, motors, engines, apparatus, or equipment used entirely or chiefly in connection with manufacturing, and all machinery and equipment used in the pasteurization and processing of milk, and all laundry machinery when employed or used in the business of laundering, shall be exempt from taxation for all ordinary municipal purposes of the Mayor and City Council of Baltimore:

(1) if and when such personal property is used by any new manufacturing, milk processing, or laundering industry, as the case may be, located wholly within Baltimore City and if and when the plant or factory of such new manufacturing, milk processing, or laundering industry, as the case may be, is completed and placed in operation after July 1, 1958; or

(2) if and when such personal property is acquired and used after July 1, 1958, by an established manufacturing, milk processing, or laundering industry, as the case may be, located wholly within Baltimore City for or in connection with the expansion, growth or development of such established manufacturing, milk processing, or laundering industry, as the case may be, AND the total assessed valuation of such personal property is in excess of \$10,000 in each and every instance or particular case which is covered by the provisions of this subsection.

Subtitle 10. Credits

§ 10-19. Urban agricultural property.

(c) *Qualifications for credit.*

(1) *In general.*

[(i)] To qualify for the credit granted by this section, a parcel of land:

Council Bill 21-0101

1 (i) [(A)] must be an urban agricultural property that is being used for
2 urban agricultural purposes;

3 (ii) [(B)] may not be used for any other purpose that would subject the parcel
4 to property tax liability;

5 (iii) [(C)] must be maintained in full compliance with the City Building, Fire,
6 and Related Codes Article; and

7 (iv) [(D)] unless a waiver is granted under paragraph (3) of this subsection, must
8 produce and either sell or otherwise distribute each tax year plants, plant
9 products, animals, or animal products with an aggregate value of \$5,000 or
10 more.

11 **§ 10-21. Public safety officers.**

12 (d) *Limitation on other credits.*

13 In any taxable year for which a property receives a credit granted under this section, the
14 property may not receive any other property tax credit provided by Baltimore City except:

15 (1) the local portion of the credit authorized by State Tax-Property Article § 9-105
16 {"Homestead tax credit"}; and

17 (2) the credit authorized by STATE TAX-PROPERTY ARTICLE § 9-221 {"Offsetting
18 income tax rates"}.

19 **Article 31. Transit and Traffic**

20 **Subtitle 2. General Administration**

21 **§ 2-6.1. Temporary parking restrictions.**

22 (c) *Prior notice – Delivery.*

23 (1) If a violation of the temporary parking restrictions will authorize impoundment, the
24 City agency or other person responsible for THE work to be done shall also give
25 written notice to the occupants of the properties abutting the affected area at least 3
26 calendar days before the restrictions become effective.

27 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
28 enacted.

Council Bill 21-0101

Certified as duly passed this 22 day of February, 2022



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 22 day of February, 2022



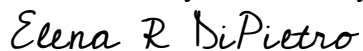
Chief Clerk

Approved this 30th day of March, 2022



Mayor, Baltimore City

Approved for Form and Legal Sufficiency
This 28th Day of February, 2022.



Chief Solicitor