

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 23-0425

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
Committee Report: Favorable, with amendments
Council action: Adopted
Read second time: December 7, 2023

AN ORDINANCE CONCERNING

- 1 **Improving Safety and Habitability in Supportive and Other Residential Housing**
- 2 FOR the purpose of defining the term “supportive housing facility” in the Baltimore City Building
3 Code; requiring a permit before any person may transfer ownership or operation of certain
4 property in certain circumstances; updating use and occupancy classifications; and
5 categorizing congregate living facilities as rental dwellings and requiring their licensing.
- 6 BY repealing, and reordaining, with amendments
- 7 Article - Building, Fire, and Related Codes
- 8 Sections 2-103 (IBC §§ 105.1, and 202.2.54 through 202.2.58)
- 9 Baltimore City Revised Code
- 10 (2020 Edition)
- 11 BY adding
- 12 Article - Building, Fire, and Related Codes
- 13 Sections 2-103 (IBC §§ 202.2.56, 202.2.57, and 310.5)
- 14 Baltimore City Revised Code
- 15 (2020 Edition)
- 16 BY repealing, and reordaining, with amendments
- 17 Article 13 - Housing and Urban Renewal
- 18 Section 5-1(g)
- 19 Baltimore City Code
- 20 (Edition 2000)
- 21 BY adding
- 22 Article 13 - Housing and Urban Renewal
- 23 Section 5-1(j)
- 24 Baltimore City Code
- 25 (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.

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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"}),

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- 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] OR without alcoholic
18 beverage sales (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-312(U)
19 {"*RETAIL GOODS 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"}.]

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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,

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- 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.

Baltimore City Code

Article 13. Housing and Urban Renewal

Subtitle 5. Licensing of Rental Dwellings

§ 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 . . .

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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 30th day
5 after the date it is enacted.

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Certified as duly passed this 18 day of December, 2023



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 18 day of December, 2023

Natawna B. Austin

Chief Clerk

Approved this _____ day of _____, 20____

Mayor, Baltimore City