

CITY OF BALTIMORE
ORDINANCE **21.034**
Council Bill 21-0049

Introduced by: Councilmembers Cohen, Burnett, Dorsey, Middleton, Bullock, Ramos, Torrence
Introduced and read first time: March 8, 2021
Assigned to: Health, Education, and Technology Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: May 3, 2021

AN ORDINANCE CONCERNING

1 **Prohibited Disposals – Fines and Reporting**
2 **(The Neighbors Against Predatory Dumping Act)**

3 FOR the purpose of modifying the applicable environmental control citation and civil citation
4 fines for violating Title 7, Subtitle 6 of the Baltimore City Health Code; ~~and requiring that~~
5 ~~the Health Commissioner submit an annual report detailing certain information regarding the~~
6 ~~City's prohibited disposal laws.~~

7 BY repealing and re-ordaining, with amendments
8 Article 1 - Mayor, City Council, and Municipal Agencies
9 Section(s) 40-14(e)(7) and 41-14(6)
10 Baltimore City Code
11 (Edition 2000)

12 BY repealing and re-ordaining, without amendments
13 Article - Health
14 Section(s) 7-632
15 Baltimore City Revised Code
16 (Edition 2000)

17 ~~BY adding~~
18 ~~— Article - Health~~
19 ~~— Section(s) 7-635~~
20 ~~— Baltimore City Revised Code~~
21 ~~— (Edition 2000)~~

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

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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Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 40-14. Violations to which subtitle applies.

(e) *Provisions and penalties enumerated.*

(7) *Health Code*

...

Title 7: Waste Control

Subtitle 2: Solid Waste Collection \$100

Subtitle 4: Landfills \$200

Subtitle 6: Prohibited Disposal
[Less than 25 lbs and less than 10 cu. ft. in 24-hour period] \$500]
[25 lbs or more or 10 cu. ft. or more in 24-hour period] \$1,000

...

Subtitle 41. Civil Citations

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

(6) *Health Code*

...

Title 7: Waste Control

Subtitle 2: Solid Waste Collection \$100

Subtitle 4: Landfills \$200

Subtitle 6: Prohibited Disposal
[Less than 25 lbs. and less than 10 cu. ft. in 24-hour period] \$500]
[25 lbs or more or 10 cu. ft. or more in 24-hour period] \$1,000

...

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Baltimore City Revised Code

Article – Health

Title 7. Waste Control

Subtitle 6. Prohibited Disposal

Part IV. Enforcement; Penalties

§ 7-632. Criminal penalties.

(a) *Basic penalty: \$1,000 and 90 days.*

Except as specified in subsection (b) of this section, any person who violates any provision of this subtitle or who authorizes any employee or agent to violate any provision of this subtitle is guilty of a misdemeanor and, on conviction, is subject to any one or more of the following for each offense:

(1) a fine of not more than \$1,000; and

(2) imprisonment for not more than 90 days.

(b) *Enhanced penalty: \$1,000 and 12 months.*

If the violation entails the disposal, in any 24-hour period, of material that weighs 25 or more pounds or material that comprises 10 or more cubic feet, the penalty for a violation of this subtitle is any one or more of the following for each offense:

(1) a fine of not more than \$1,000;

(2) imprisonment for not more than 12 months; and

(3) revocation of the privilege of seeking a building permit in the City.

§§ 7-633 TO 7-634. {RESERVED}

PART V. REPORTING

~~§ 7-635. ANNUAL REPORT.~~

~~(A) IN GENERAL.~~

~~ON OR BEFORE JUNE 30 OF EACH YEAR, THE COMMISSIONER SHALL SUBMIT A REPORT TO THE MAYOR AND CITY COUNCIL DETAILING:~~

~~(1) COMPLIANCE WITH THIS SUBTITLE;~~

~~(2) THE NUMBER OF VEHICLES SEIZED AND FORFEITED IN THE PREVIOUS CALENDAR YEAR UNDER PART III OF THIS SUBTITLE;~~

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1 ~~(3) ANY GRANT AWARDS MADE IN THE PREVIOUS CALENDAR YEAR UNDER § 7-627~~
2 ~~{“GRANTS FOR REPORTS OF VIOLATIONS”} OF THIS SUBTITLE;~~

3 ~~(4) THE NUMBER OF VIOLATIONS ISSUED IN THE PREVIOUS CALENDAR YEAR,~~
4 ~~DISAGGREGATED BY ZIP CODE; AND~~

5 ~~(5) ANY LEGISLATIVE OR ADMINISTRATIVE RECOMMENDATIONS FOR BETTER~~
6 ~~COMPLIANCE AND ENFORCEMENT WITH THIS SUBTITLE.~~

7 ~~(B) AGENCY COOPERATION.~~

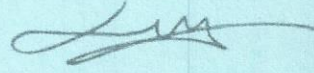
8 ~~AT THE REQUEST OF THE COMMISSIONER, ALL CITY OFFICIALS AND AGENCIES SHALL~~
9 ~~COOPERATE WITH THE COMMISSIONER IN COMPILING THE DATA REQUIRED BY THIS~~
10 ~~SECTION.~~

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

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

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Certified as duly passed this 17 day of May, 2021



President, Baltimore City Council

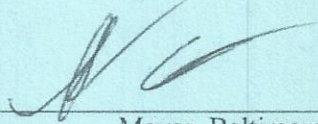
Certified as duly delivered to His Honor, the Mayor,

this 17 day of May, 2021



Chief Clerk

Approved this 14 day of July, 2021



Mayor, Baltimore City

Approved for Form and Legal Sufficiency
This 11th Day of June, 2021.

Elena R DiPietro

Chief Solicitor