

CITY OF BALTIMORE
ORDINANCE 22·131
Council Bill 21-0161

Introduced by: Councilmembers Conway, Dorsey, Porter, Bullock, Middleton, Burnett, Cohen, Ramos, Glover

Introduced and read first time: October 4, 2021

Assigned to: Health, Environment, and Technology Committee

Committee Report: Favorable, with amendments

Council action: Adopted

Read second time: March 16, 2022

AN ORDINANCE CONCERNING

City Operations – Net-Zero Emissions of Greenhouse Gases

1
2 FOR the purpose of making City operations achieve net-zero emissions of greenhouse gases by
3 2050; defining certain terms; authorizing rules and regulations; and generally related to the
4 City’s emission of greenhouse gasses.

5 BY repealing and reordaining, with amendments

6 Article 1 - Mayor, Council, and Agencies
7 Sections ~~34-1 and 34-9~~ 34-1, 34-9, and 34-12
8 Baltimore City Code
9 (Edition 2000)

10 BY repealing and reordaining, with amendments

11 Article 5 - Finance, Property, and Procurement
12 Section 34-5
13 Baltimore City Code
14 (Edition 2000)

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

Baltimore City Code

Article 1. Mayor, Council, and Agencies

Subtitle 34. Baltimore City Office of Sustainability

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 § 34-1. Definitions.

2 (a) *In general.*

3 In this subtitle, the following terms have the meanings indicated.

4 (B) CARBON OFFSET.

5 “CARBON OFFSET” MEANS ONE METRIC TON OF CARBON DIOXIDE EQUIVALENT (CO₂E)
6 THAT IS KEPT OUT OF THE ATMOSPHERE BY EITHER:

7 (1) PREVENTING THE CREATION OF THE EMISSIONS; OR

8 (2) SEQUESTERING CARBON IN:

9 (I) VEGETATION;

10 (II) SOILS;

11 (III) ROCK; OR

12 (IV) WATER.

13 (C) ~~(b)~~ *Director.*

14 “Director” means the Director of Planning or the Director’s designee.

15 (D) ENVIRONMENTAL JUSTICE.

16 “ENVIRONMENTAL JUSTICE” MEANS THE FAIR TREATMENT OF ALL INDIVIDUALS
17 REGARDLESS OF RACE, COLOR, NATIONAL ORIGIN, OR INCOME WITH RESPECT TO THE
18 DEVELOPMENT, IMPLEMENTATION, AND ENFORCEMENT OF ENVIRONMENTAL LAWS,
19 REGULATIONS, AND POLICIES.

20 (E) ~~(c)~~ GREENHOUSE GAS.

21 “GREENHOUSE GAS” INCLUDES CARBON DIOXIDE, METHANE, NITROUS OXIDE,
22 HYDROFLUOROCARBONS, PERFLUOROCARBONS, AND SULFUR HEXAFLUORIDE.

23 (F) ~~(d)~~ [(c)] *“Includes”; “Including”.*

24 “Includes” or “including” means by way of illustration and not by way of limitation.

25 (G) ~~(e)~~ NET-ZERO EMISSIONS.

26 “NET-ZERO EMISSIONS” MEANS THE BALANCING OF GREENHOUSE GAS EMISSIONS WITH
27 EMISSIONS OFF-SETS THAT CAUSE AN EQUIVALENT REDUCTION OF GREENHOUSE GAS
28 EMISSIONS.

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1 ~~(II) (F)~~ [(d)] *Office*.

2 “Office” means the Baltimore City Office of Sustainability.

3 **§ 34-9. Sustainability and Environmental Management Program.**

4 (a) *Office to develop*.

5 The Office shall develop a Sustainability and Environmental Management Program for
6 the City.

7 (b) *Components*.

8 (1) The Program shall incorporate the Sustainability Plan developed by the Commission
9 on Sustainability and any other recommendations made by the Commission.

10 (2) The Program shall include appropriate measures for:

11 (I) DEVELOPING, IMPLEMENTING, AND COORDINATING CITY POLICIES THAT
12 MAKE ALL CITY OPERATIONS ACHIEVE[.];

13 (A) BY JANUARY 1, 2025, A 30% REDUCTION IN GREENHOUSE GAS
14 EMISSIONS FROM 2007 LEVELS;

15 (B) BY JANUARY 1, 2030, A 60% REDUCTION IN GREENHOUSE GAS
16 EMISSIONS FROM 2007 LEVELS; AND

17 (C) BY JANUARY 1, ~~2050~~ 2045, NET-ZERO EMISSIONS, AS DEFINED IN
18 § 34-1(E) OF THIS SUBTITLE;

19 (II) [(i)] developing or coordinating City policies and programs that will improve
20 environmental performance in City operations;

21 (III) [(ii)] facilitating the City’s compliance with federal, state, and local
22 environmental regulations;

23 (IV) [(iii)] advancing the City’s environmental priorities;

24 (V) [(iv)] integrating sustainability and environmental values into City plans,
25 programs, and policies; and

26 (VI) [(v)] setting sustainability and environmental targets and objectives for the
27 City.

28 (c) *Implementation*.

29 The Office shall oversee implementation of the Program.

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1 **§ 34-12. Director's Powers and duties - Rules and regulations.**

2 (A) IN GENERAL.

3 Subject to Title 4 {"Administrative Procedure Act – Regulations"} of th City General
4 Provisions Article, the Director may adopt rules and regulations to carry out this subtitle.

5 (B) SCOPE.

6 THESE RULES AND REGULATIONS SHALL REQUIRE TRANSPARENCY AND COMMUNITY-
7 BASED PUBLIC PARTICIPATION MECHANISMS TO PROVIDE INPUT TO AND TRACK THE
8 PROGRESS OF THE CITY'S DEVELOPMENT AND IMPLEMENTATION OF CITY POLICIES THAT
9 MAKE ALL CITY OPERATIONS ACHIEVE:

10 (1) BY JANUARY 1, 2025, A 30% REDUCTION IN GREENHOUSE GAS EMISSIONS FROM
11 2007 LEVELS;

12 (2) BY JANUARY 1, 2030, A 60% REDUCTION IN GREENHOUSE GAS EMISSIONS FROM
13 2007 LEVELS; AND

14 (3) BY JANUARY 1, 2045, NET-ZERO EMISSIONS, AS DEFINED IN § 34-1(E) OF THIS
15 SUBTITLE.

16 **Baltimore City Code**

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

18 **Subtitle 34. Commission on Sustainability**

19 **§ 34-5. Comprehensive Sustainability Plan.**

20 The Commission's Comprehensive Sustainability Plan shall:

21 (1) discuss all elements of sustainability, including air quality, water quality, resource
22 conservation and recycling, energy, public health, environmental justice, reduction
23 of greenhouse emissions, and increasing use of alternative means of transportation;

24 (2) establish 3-, 5-, and 10-year sustainability targets, INCLUDING MAKING CITY
25 GOVERNMENT OPERATIONS ACHIEVE, BY JANUARY 1, ~~2050~~ 2045, NET-ZERO
26 EMISSIONS, AS DEFINED IN CITY CODE ARTICLE 1, § 34-1(E), WHILE ENSURING THAT
27 CAPITAL INVESTMENTS ASSOCIATED WITH ACHIEVING NET-ZERO EMISSIONS ARE
28 PRIORITIZED TO THE EXTENT POSSIBLE IN THE COMMUNITIES MOST IMPACTED BY
29 CLIMATE CHANGE AND POLLUTION, AS DETERMINED BY THE DIRECTOR;

30 (3) create public and private sustainability initiatives, to include but not limited to
31 standards for city purchasing, incentives for citizens and businesses to recycle and
32 purchase recycled goods, incentives for energy conservation, and water quality
33 improvements;

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1 (4) describe the resources and responsible agencies and others needed to implement the
2 Plan;

3 (5) include a public information component;

4 (6) establish key sustainability indicators to track progress of Plan implementation; and

5 (7) ESTABLISH KEY ENVIRONMENTAL JUSTICE INDICATORS TO TRACK COMMUNITY
6 IMPACTS OF PLAN; AND

7 (8) [(7)] set criteria and recommend mandatory measures for annual reporting to the City
8 Council on:

9 (i) Energy Consumption Reports, as required in City Code Article 5, § 45-2;

10 (ii) Comprehensive Recycling and Composting Plan, as prescribed in City Code
11 Article 23, § 16-2; and

12 (iii) COMMUNITY ENVIRONMENTAL HEALTH METRICS, INCLUDING THE PARITY OR
13 DISPARITY OF BENEFITS AND BURDENS ACROSS DIFFERENT POPULATION
14 GROUPS, AND INCLUDING THE DECREASE IN METRIC TONS OF CRITERIA
15 POLLUTANTS, WHICH INCLUDE:

16 (A) CARBON MONOXIDE;

17 (B) GROUND-LEVEL OZONE;

18 (C) LEAD;

19 (D) NITROGEN DIOXIDE;

20 (E) PARTICULATE MATTER; AND

21 (F) SULFUR DIOXIDE; AND

22 (iv) [(iii)] greenhouse gas emissions reduction reports.

23 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
24 after the date it is enacted.

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Certified as duly passed this 4 day of April, 2022



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 4 day of April, 2022

Natasha B. Austin

Chief Clerk

Approved this 22 day of April, 2022



Mayor, Baltimore City

Approved for Form and Legal Sufficiency
This 19th Day of April, 2022,

Elena R DiPietro

Chief Solicitor