

**CITY OF BALTIMORE
COUNCIL BILL 13-0293
(First Reader)**

Introduced by: Councilmembers Henry, Branch, Clarke, Reisinger, Cole, Scott, Curran,
President Young, Councilmembers Middleton, Kraft

Introduced and read first time: November 4, 2013

Assigned to: Housing and Community Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and Community
Development, Department of Finance, Department of Public Works

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Unsafe Vacant Structure**

3 FOR the purpose of modifying the criteria for determining that a structure is a “vacant structure”
4 or is in noncompliance with a notice or order issued by the Building Official; requiring that
5 all windows, doors, and other openings of a vacant structure, at any level, be boarded; and
6 generally relating to the definition and required safeguarding of vacant structures.

7 BY repealing and reordaining, with amendments

8 Article - Building, Fire, and Related Codes

9 Section(s) 2-103 (BC §§ 116.4.1 through 116.4.3)

10 Baltimore City Revised 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 – Building, Fire, and Related Codes**

16 **Part II. International Building Code**

17 **§ 2-103. City modifications.**

18 The additions, deletions, amendments, and other modifications adopted by the City are as
19 follows:

20 **Chapter 1. Scope and Administration**

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

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Section 116 Unsafe Structures

116.4 Unsafe vacant structures. Every vacant structure, as defined in this § 116.4, is declared to be a fire hazard and a nuisance per se, and must be safeguarded and otherwise maintained as required in this § 116.4.

116.4.1 Definition. “Vacant structure” means an unoccupied structure that is unsafe or unfit for human habitation or other authorized use.

116.4.2 Determinations. A determination of vacancy and a determination of noncompliance with a notice or order issued under this section may be based on observation that a structure:

1. [is open to casual entry] CONTAINS, AT ANY LEVEL, ANY OPEN WINDOW, OPEN DOOR, OR OTHER POINT OF UNPROTECTED ENTRY,
2. has boarded windows or doors, or
3. lacks intact window sashes, walls, or roof surfaces to repel weather entry.

116.4.3 Required safeguarding. Every vacant structure must be cleaned, closed, and safeguarded as follows:

1. Before the structure is closed and secured, all litter, trash, and other debris must be removed from the premises.
2. All windows, doors, and other openings must be closed, securely locked, and[, if within 24 feet of the ground or readily accessible, further protected by boarding] BOARDED up with substantial material, including masonry, approved by the Building Official. The Building Official may require windows facing streets to be boarded with lexan, vinyl, or similar material, protected by security grills, or both.
3. As long as the structure remains unrehabilitated:
 - a. it must be kept boarded,
 - b. the premises must be conspicuously posted against trespass, and
 - c. the premises must be kept free of occupants, litter, trash, debris, high grass, and weeds at all times.
4. Boarding, posting, and cleaning, however, do not relieve the owner of responsibility to demolish or to repair and maintain the property in conformity with this Code.
5. The structure may not be reoccupied until the Building Official has issued an occupancy permit.

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

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