

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 16-0705

Introduced by: The Council President
At the request of: The Administration (Baltimore Housing)
Introduced and read first time: July 18, 2016
Assigned to: Judiciary and Legislative Investigations Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: August 8, 2016

AN ORDINANCE CONCERNING

Building, Fire, and Related Codes – Liability and Lien for Expenses

FOR the purpose of providing that the provisions governing liability and liens for and collection of expenditures incurred by the Building Official in connection with enforcement of the Building Code apply also to expenditures incurred by State departments, agencies, units, and entities in connection with that enforcement; and providing for a special effective date.

BY repealing and reordaining, with amendments

Article - Building, Fire, and Related Codes

Section 2-104 (BC § 118)

Baltimore City Revised Code

(2015 Edition)

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

Baltimore City Revised Code

Article – Building, Fire, and Related Codes

Part II. International Building Code

§ 2-103. City modifications.

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

Chapter 1. Scope and Administration

Section 118 Liability for Expenses and Collection of Debts and Liens

118.1 Scope. This § 118 applies to all cases where:

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 1. the Building Official enforces any provision of this Code, including but not limited to:
- 2 a. the elimination of any safety, health, or fire hazard,
- 3 b. the elimination of any nuisance, blight, or insanitary condition,
- 4 c. the removal of any abandoned or illegally constructed structure or other
- 5 object, or
- 6 d. the taking of any corrective action in emergencies or otherwise, and
- 7 2. in connection with those efforts, the Building Official OR ANY DEPARTMENT, AGENCY,
- 8 UNIT, OR BODY CORPORATE AND POLITIC OF THIS STATE, INCLUDING THE MARYLAND
- 9 STADIUM AUTHORITY:
- 10 a. furnishes or causes to be furnished any labor, supervision, equipment, or
- 11 materials, or
- 12 b. performs or causes to be performed any inspection, work, or operation to
- 13 eliminate the hazard or condition or to remove the structure or other object.

14 **118.2 Liability and lien for expenses.** In the cases described in § 118.1, the entire amount

15 of the Building Official’s expenditures AND OF THE EXPENDITURES INCURRED BY ANY

16 DEPARTMENT, AGENCY, UNIT, OR BODY CORPORATE AND POLITIC OF THIS STATE, INCLUDING

17 THE MARYLAND STADIUM AUTHORITY, together with all incidental costs and all accrued

18 penalties:

- 19 1. are a personal debt owed to the City jointly and severally by every person made liable
- 20 under this Code, and
- 21 2. are a lien in favor of the City on the land and improvements in respect to which the
- 22 expenditures were made.

23 **118.3 When debts and liens become effective.** All debts become due and owing to the City

24 immediately when the work is completed or the expenditure made. All liens become

25 effective immediately after the Building Official notifies the Bureau of Liens that appropriate

26 notice has been given or that a structure has been posted in accordance with this Code.

27 **118.4 Collection of debts and liens.** All debts due and liens incurred under this § 118:

- 28 1. are collectible from any assets of the persons made liable under this Code,
- 29 including a former owner, and
- 30 2. may be collected and enforced in the same way that the City collects and
- 31 enforces other debts due to it or liens in its favor.

32 **118.5 Priority over other liens and encumbrances.** All debts and liens incurred under this

33 § 118 have priority over all other liens and encumbrances, except taxes or other government

34 assessments.

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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~~ when it is enacted.

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City