

**CITY OF BALTIMORE
COUNCIL BILL 21-0036
(First Reader)**

Introduced by: Councilmembers Dorsey, Burnett, Cohen, Porter, Torrence, Schleifer, Ramos

Introduced and read first time: February 8, 2021

Assigned to: Rules and Legislative Oversight Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of Legislative Reference

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Code – Definitions and Rules of Interpretation**

3 FOR the purpose of establishing a common set of definitions, rules of interpretation, and methods
4 for time computation for the Baltimore City Code.

5 BY adding

6 Article - General Provisions

7 Section(s) 1-101 through 1-303, to be under the new title

8 “Title 1. Definitions and Rules of Interpretation.”

9 Baltimore City Revised Code

10 (Edition 2000)

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

13 **Baltimore City Code**

14 **Article - General Provisions**

15 **TITLE 1. DEFINITIONS AND RULES OF INTERPRETATION**

16 ***SUBTITLE 1. DEFINITIONS***

17 **§ 1-101. IN GENERAL.**

18 THROUGHOUT THE BALTIMORE CITY CODE, THE FOLLOWING TERMS HAVE THE MEANINGS
19 INDICATED, EXCEPT AS OTHERWISE EXPRESSLY PROVIDED.

20 **§ 1-102. ADULT.**

21 “ADULT” MEANS AN INDIVIDUAL WHO IS 18 YEARS OR OLDER.

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

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1 **§ 1-103. CITY.**

2 “CITY” MEANS THE CITY OF BALTIMORE.

3 **§ 1-104. CITY CODE; CODE.**

4 “CITY CODE” OR “CODE” MEANS:

5 (1) THE NUMBERED ARTICLES OF THE BALTIMORE CITY CODE; AND

6 (2) THE UNNUMBERED ARTICLES OF THE REVISED CODE OF BALTIMORE CITY.

7 **§ 1-105. INCLUDES; INCLUDING.**

8 “INCLUDES” OR “INCLUDING” MEANS BY WAY OF ILLUSTRATION AND NOT BY WAY OF
9 LIMITATION.

10 **§ 1-106. MINOR.**

11 “MINOR” MEANS AN INDIVIDUAL UNDER THE AGE OF 18.

12 **§ 1-107. PERSON.**

13 (A) *IN GENERAL.*

14 “PERSON” MEANS:

15 (1) AN INDIVIDUAL;

16 (2) A RECEIVER, TRUSTEE, GUARDIAN, PERSONAL REPRESENTATIVE, FIDUCIARY, OR
17 REPRESENTATIVE OF ANY KIND; OR

18 (3) A PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, OR OTHER ENTITY OF ANY
19 KIND.

20 (B) *EXCLUSION.*

21 “PERSON” DOES NOT INCLUDE, EXCEPT AS OTHERWISE EXPRESSLY PROVIDED, A
22 GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

23 **§ 1-108. STATE.**

24 (A) *LOWER CASE.*

25 EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, “STATE” MEANS:

26 (1) A STATE, POSSESSION, TERRITORY, OR COMMONWEALTH OF THE UNITED STATES;
27 OR

28 (2) THE DISTRICT OF COLUMBIA.

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1 (B) *CAPITALIZED*.

2 WHEN CAPITALIZED, “STATE” MEANS MARYLAND.

3 **§ 1-109. STREET.**

4 “STREET” MEANS ANY STREET, BOULEVARD, ROAD, HIGHWAY, ALLEY, LANE, SIDEWALK,
5 FOOTWAY, OR OTHER WAY THAT IS OWNED BY THE CITY OR HABITUALLY USED BY THE
6 PUBLIC.

7 ***SUBTITLE 2. RULES OF INTERPRETATION***

8 **§ 1-201. IN GENERAL.**

9 THROUGHOUT THE BALTIMORE CITY CODE, THE FOLLOWING RULES OF INTERPRETATION
10 APPLY, EXCEPT AS OTHERWISE EXPRESSLY PROVIDED.

11 **§ 1-202. {RESERVED}**

12 **§ 1-203. GENDER.**

13 A REFERENCE TO ONE GENDER INCLUDES AND APPLIES TO THE OTHER GENDERS.

14 **§ 1-204. MANDATORY, PROHIBITORY, AND PERMISSIVE TERMS.**

15 (A) *MANDATORY TERMS*.

16 “MUST” AND “SHALL” ARE EACH MANDATORY TERMS USED TO EXPRESS A REQUIREMENT
17 OR TO IMPOSE A DUTY.

18 (B) *PROHIBITORY TERMS*.

19 “MUST NOT”, “MAY NOT”, AND “NO ... MAY” ARE EACH MANDATORY NEGATIVE TERMS
20 USED TO ESTABLISH A PROHIBITION.

21 (C) *PERMISSIVE TERMS*.

22 “MAY” IS PERMISSIVE.

23 **§ 1-206. SINGULAR AND PLURAL.**

24 THE SINGULAR INCLUDES THE PLURAL AND THE PLURAL INCLUDES THE SINGULAR.

25 **§ 1-207. {RESERVED}**

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§ 1-208. CAPTIONS OR HEADINGS.

THE CAPTIONS OR HEADINGS OF VARIOUS STATUTORY UNITS:

(1) ARE FOR CONVENIENCE OF REFERENCE ONLY, INTENDED TO SUMMARIZE THE STATUTORY PROVISIONS THAT FOLLOW; AND

(2) ARE NOT LAW AND ARE NOT TO BE TAKEN AS AFFECTING THE MEANING OR EFFECT OF THE LAW.

§ 1-209. EDITOR’S OR REVISOR’S NOTES.

EDITOR’S OR REVISOR’S NOTES ACCOMPANYING VARIOUS STATUTORY UNITS, INCLUDING ANY ACCOMPANYING LIST OF DEFINED TERMS:

(1) ARE FOR CONVENIENCE OF REFERENCE ONLY, INTENDED TO IDENTIFY THE SOURCES OF THESE PROVISIONS AND HIGHLIGHT CHANGES MADE TO THOSE SOURCES; AND

(2) ARE NOT LAW AND ARE NOT TO BE TAKEN AS AFFECTING THE MEANING OR EFFECT OF THE LAW.

§ 1-210. {RESERVED}

§ 1-211. EFFECT OF REPEAL OR AMENDMENT OF STATUTE.

(A) *IN GENERAL.*

THE REPEAL, REPEAL AND REENACTMENT, OR AMENDMENT OF A STATUTE DOES NOT RELEASE, EXTINGUISH, OR ALTER A CRIMINAL OR CIVIL PENALTY, FORFEITURE, OR LIABILITY IMPOSED OR INCURRED UNDER THE STATUTE.

(B) *PURPOSES FOR WHICH STATUTE REMAINS IN EFFECT*

A REPEALED, REPEALED AND REENACTED, OR AMENDED STATUTE REMAINS IN EFFECT FOR THE PURPOSE OF SUSTAINING ANY:

(1) CRIMINAL OR CIVIL ACTION, SUIT, PROCEEDING, OR PROSECUTION FOR THE ENFORCEMENT OF A PENALTY, FORFEITURE, OR LIABILITY; AND

(2) JUDGMENT, DECREE, OR ORDER THAT IMPOSES, INFLICTS, OR DECLARES THE PENALTY, FORFEITURE, OR LIABILITY.

§ 1-212. REFERENCES TO OTHER LAWS.

WHENEVER A PROVISION OF THIS CITY CODE REFERS TO ANY OTHER PART OF THE CODE OR TO ANY OTHER LAW, THE REFERENCE APPLIES TO ANY SUBSEQUENT AMENDMENT OF THE LAW REFERRED TO, UNLESS THE REFERRING PROVISION EXPRESSLY PROVIDES OTHERWISE.

§ 1-213. {RESERVED}

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1 **§ 1-214. SEVERABILITY.**

2 (A) *IN GENERAL.*

3 EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION:

4 (1) ALL PROVISIONS OF THIS CODE ARE SEVERABLE; AND

5 (2) IF A COURT DETERMINES THAT A WORD, PHRASE, CLAUSE, SENTENCE, PARAGRAPH,
6 SUBSECTION, SECTION, OR OTHER PROVISION IS INVALID OR THAT THE APPLICATION
7 OF ANY PART OF THE PROVISION TO ANY PERSON OR CIRCUMSTANCES IS INVALID,
8 THE REMAINING PROVISIONS AND THE APPLICATION OF THOSE PROVISIONS TO
9 OTHER PERSONS OR CIRCUMSTANCES ARE NOT AFFECTED BY THAT DECISION.

10 (B) *EXCEPTIONS.*

11 SUBSECTION (A) OF THIS SECTION DOES NOT APPLY:

12 (1) TO THE EXTENT THAT A STATUTE SPECIFICALLY PROVIDES OTHERWISE; OR

13 (2) IF THE COURT FINDS THAT THE REMAINING PROVISIONS ALONE ARE INCOMPLETE
14 AND INCAPABLE OF BEING EXECUTED IN ACCORDANCE WITH THE LEGISLATIVE
15 INTENT.

16 ***SUBTITLE 3. TIME***

17 **§ 1-301. IN GENERAL.**

18 THROUGHOUT THE BALTIMORE CITY CODE, THE TIME SHALL BE CALCULATED IN THE MANNER
19 PROVIDED BY THIS SUBTITLE, EXCEPT AS OTHERWISE EXPRESSLY PROVIDED.

20 **§ 1-302. COMPUTATION OF TIME AFTER AN ACT, EVENT, OR DEFAULT.**

21
22 (1) IN COMPUTING ANY PERIOD OF TIME PRESCRIBED BY THIS CODE, THE DAY OF THE ACT,
23 EVENT, OR DEFAULT AFTER WHICH THE DESIGNATED PERIOD OF TIME BEGINS TO RUN IS
24 NOT INCLUDED.

25 (2) IF THE PERIOD OF TIME ALLOWED IS MORE THAN 7 DAYS, INTERMEDIATE SATURDAYS,
26 SUNDAYS, AND LEGAL HOLIDAYS ARE COUNTED.

27 (3) IF THE PERIOD OF TIME ALLOWED IS 7 DAYS OR LESS, INTERMEDIATE SATURDAYS,
28 SUNDAYS, AND LEGAL HOLIDAYS ARE NOT COUNTED.

29 (4) THE LAST DAY OF THE PERIOD SO COMPUTED IS INCLUDED UNLESS IT IS A SATURDAY,
30 SUNDAY, OR LEGAL HOLIDAY, IN WHICH EVENT THE PERIOD RUNS UNTIL THE END OF THE
31 NEXT DAY THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL HOLIDAY.

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1 **§ 1-303. COMPUTATION OF TIME BEFORE AN ACT, EVENT, OR DEFAULT.**

2 (1) IN DETERMINING THE LATEST DAY FOR PERFORMING AN ACT THAT IS REQUIRED BY THIS
3 CODE TO BE PERFORMED A PRESCRIBED NUMBER OF DAYS BEFORE A CERTAIN DAY, ACT,
4 OR EVENT, ALL DAYS PRECEDING THAT DAY, INCLUDING INTERVENING SATURDAYS,
5 SUNDAYS, AND LEGAL HOLIDAYS, ARE COUNTED IN THE NUMBER OF DAYS SO PRESCRIBED.

6 (2) THE LATEST DAY IS INCLUDED IN THE DETERMINATION UNLESS IT IS A SATURDAY,
7 SUNDAY, OR LEGAL HOLIDAY, IN WHICH EVENT THE LATEST DAY IS THE FIRST PRECEDING
8 DAY THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL HOLIDAY.

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

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