

CITY OF BALTIMORE
ORDINANCE 21.017
Council Bill 21-0036

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

Committee Report: Favorable
Council action: Adopted
Read second time: March 22, 2021

AN ORDINANCE CONCERNING

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

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

4 BY adding

5 Article - General Provisions

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

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

8 Baltimore City Revised Code

9 (Edition 2000)

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

12 **Baltimore City Code**

13 **Article - General Provisions**

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

15 ***SUBTITLE 1. DEFINITIONS***

16 **§ 1-101. IN GENERAL.**

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

19 **§ 1-102. ADULT.**

20 “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.
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 § 1-103. 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.

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1 **§ 1-108. STATE.**

2 (A) *LOWER CASE.*

3 EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, "STATE" MEANS:

4 (1) A STATE, POSSESSION, TERRITORY, OR COMMONWEALTH OF THE UNITED STATES;
5 OR

6 (2) THE DISTRICT OF COLUMBIA.

7 (B) *CAPITALIZED.*

8 WHEN CAPITALIZED, "STATE" MEANS MARYLAND.

9 **§ 1-109. STREET.**

10 "STREET" MEANS ANY STREET, BOULEVARD, ROAD, HIGHWAY, ALLEY, LANE, SIDEWALK,
11 FOOTWAY, OR OTHER WAY THAT IS OWNED BY THE CITY OR HABITUALLY USED BY THE
12 PUBLIC.

13 *SUBTITLE 2. RULES OF INTERPRETATION*

14 **§ 1-201. IN GENERAL.**

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

17 **§ 1-202. {RESERVED}**

18 **§ 1-203. GENDER.**

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

20 **§ 1-204. MANDATORY, PROHIBITORY, AND PERMISSIVE TERMS.**

21 (A) *MANDATORY TERMS.*

22 " MUST " AND " SHALL " ARE EACH MANDATORY TERMS USED TO EXPRESS A REQUIREMENT
23 OR TO IMPOSE A DUTY.

24 (B) *PROHIBITORY TERMS.*

25 " MUST NOT ", " MAY NOT ", AND " NO ... MAY " ARE EACH MANDATORY NEGATIVE TERMS
26 USED TO ESTABLISH A PROHIBITION.

27 (C) *PERMISSIVE TERMS.*

28 " MAY " IS PERMISSIVE.

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1 § 1-206. SINGULAR AND PLURAL.

2 THE SINGULAR INCLUDES THE PLURAL AND THE PLURAL INCLUDES THE SINGULAR.

3 § 1-207. {RESERVED}

4 § 1-208. CAPTIONS OR HEADINGS.

5 THE CAPTIONS OR HEADINGS OF VARIOUS STATUTORY UNITS:

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

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

10 § 1-209. EDITOR'S OR REVISOR'S NOTES.

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

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

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

17 § 1-210. {RESERVED}

18 § 1-211. EFFECT OF REPEAL OR AMENDMENT OF STATUTE.

19 (A) *IN GENERAL.*

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

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

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

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

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

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1 § 1-212. REFERENCES TO OTHER LAWS.

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

5 § 1-213. {RESERVED}

6 § 1-214. SEVERABILITY.

7 (A) *IN GENERAL.*

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

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

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

15 (B) *EXCEPTIONS.*

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

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

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

21 *SUBTITLE 3. TIME*

22 § 1-301. IN GENERAL.

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

25 § 1-302. COMPUTATION OF TIME AFTER AN ACT, EVENT, OR DEFAULT.

26
27 (1) IN COMPUTING ANY PERIOD OF TIME PRESCRIBED BY THIS CODE, THE DAY OF THE ACT,
28 EVENT, OR DEFAULT AFTER WHICH THE DESIGNATED PERIOD OF TIME BEGINS TO RUN IS
29 NOT INCLUDED.

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

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

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

4 **§ 1-303. COMPUTATION OF TIME BEFORE AN ACT, EVENT, OR DEFAULT.**

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

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

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

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

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Certified as duly passed this 5 day of April, 2021



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 5 day of April, 2021




Chief Clerk

Approved this 12 day of May, 2021



Mayor, Baltimore City

Approved for form and legal sufficiency
This 6th day of April, 2021.



Chief Solicitor

ATRUE COPY
Henry Raymond
Director of Finance