

CITY OF BALTIMORE
ORDINANCE **21.059**
Council Bill 21-0030

Councilmembers Burnett, Cohen, Dorsey, Porter, Middleton, Bullock, Ramos,
Torrence, Schleifer

Introduced and read first time: January 25, 2021

Assigned to: Public Safety and Government Operations Committee

Committee Report: Favorable, with amendments

Council action: Adopted

Read second time: September 20, 2021

AN ORDINANCE CONCERNING

1 **Coordinated Multi-Agency Code Inspections**

2 FOR the purpose of ~~requiring that~~ permitting the City Administrator to coordinate a multi-agency
3 code inspection after a commercial property has been issued certain environmental citations;
4 requiring that the City Administrator and the Department of Housing and Community
5 Development receive a copy of all environmental citations issued; specifying which agencies
6 must be included in the multi-agency inspection team; requiring that the City Administrator
7 provide certain information to councilmembers; requiring that the City Administrator submit
8 an annual report detailing the work of the multi-agency inspection team; and providing for a
9 special effective date.

10 ~~BY repealing and re-ordaining, with amendments-~~
11 ~~Article 1 - Mayor, City Council, and Municipal Agencies~~
12 ~~Section(s) 40-7~~
13 ~~Baltimore City Code-~~
14 ~~(Edition 2000)~~

15 ~~BY adding~~
16 ~~Article 1 - Mayor, City Council, and Municipal Agencies~~
17 ~~Section(s) 40-15~~
18 ~~Baltimore City Code-~~
19 ~~(Edition 2000)~~

20 By adding
21 Article 1 - Mayor, City Council, and Municipal Agencies
22 Section(s) 58-1 to 58-6, to be under the new subtitle designation,
23 "Subtitle 58. Coordinated Multi-Agency Code Inspections"
24 Baltimore City Code
25 (Edition 2000)

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

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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Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

~~Subtitle 40. Environmental Control Board~~

~~§ 40-7. Environmental Citations.~~

~~(a) Board to prescribe FORM AND WORDING.~~

~~The Board must prescribe the form and wording of environmental citations:~~

~~(b) Required contents.~~

~~In addition to any other matters that the Board prescribes, an environmental citation must include:~~

~~(1) the name, if known, of the person cited;~~

~~(2) the violation with which the person is cited, including a reference to the specific law in question;~~

~~(3) the manner and time in which the person must either:~~

~~(i) pay the prepayable fine prescribed for the violation; or~~

~~(ii) request a hearing on the violation;~~

~~(4) the time within which the violation, if ongoing, must be abated; and~~

~~(5) a notice that failure to act in the manner and time stated in the citation may result in a default decision and order entered against the person.~~

~~(c) Service of citations.~~

~~An environmental citation must be:~~

~~(1) issued by a Code Enforcement Officer; and~~

~~(2) served on the person cited by 1 of the following methods:~~

~~(i) in person;~~

~~(ii) certified mail, return receipt requested;~~

~~(iii) delivery to a person of suitable age and discretion who resides at the cited person's last known address; or~~

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1 ~~(iv) for service on an occupant of the premises at which the violation~~
2 ~~occurred:~~

3 ~~(A) posting on the main entrance of the premises; and~~

4 ~~(B) mailing by regular mail to the person cited, at that person's last~~
5 ~~known address.~~

6 ~~(d) Tenor of citation.~~

7 ~~When issued and served, the citation or a copy of it:~~

8 ~~(1) constitutes full and complete notice of the violation cited in it;~~

9 ~~(2) if abatement is ordered, constitutes a full and complete notice of the order of~~
10 ~~abatement; and~~

11 ~~(3) if sworn to or affirmed, is prima facie evidence of the facts contained in it.~~

12 ~~(e) Single document permissible.~~

13 ~~A single document may be used to issue two or more separately numbered citations.~~

14 ~~(f) Electronic signature.~~

15 ~~An electronic signature may be used to execute a citation and to serve as an affirmation,~~
16 ~~under penalties of perjury, that the facts stated in the citation are true.~~

17 ~~(g) Record of citation to be kept.~~

18 ~~The original or a copy of the citation must be filed and retained in the records of:~~

19 ~~(1) the Board;~~

20 ~~(2) THE CITY ADMINISTRATOR; AND~~

21 ~~(3) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR INCLUSION~~
22 ~~IN ITS OPEN DATA MAPPING APPLICATION.~~

23 ~~§ 40-15. COORDINATED AGENCY RESPONSE.~~

24 ~~(A) SCOPE OF SECTION.~~

25 ~~THIS SECTION ONLY APPLIES TO ENVIRONMENTAL CITATIONS ISSUED TO COMMERCIAL~~
26 ~~PROPERTIES FOR VIOLATIONS OF:~~

27 ~~(1) ARTICLE 19, SUBTITLE 32 {"MINORS SALES IN PROXIMITY TO LIQUOR STORE"};~~

28 ~~(2) ARTICLE 23 {"SANITATION"};~~

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1 ~~(3) TITLE 5, SUBTITLE 2 {"NUISANCE ABATEMENT"} OF THE HEALTH CODE;~~

2 ~~(4) TITLE 7 {"WASTE CONTROL"} OF THE HEALTH CODE;~~

3 ~~(5) TITLE 12 {"TOBACCO PRODUCTS AND SMOKING DEVICES"} OF THE HEALTH CODE;~~

4 ~~OR~~

5 ~~(6) TITLE 15 {"EPHEDRINE PRODUCTS"} OF THE HEALTH CODE.~~

6 ~~(B) IN GENERAL.~~

7 ~~WITHIN 30 DAYS OF RECEIPT OF AN ENVIRONMENTAL CITATION DESCRIBED IN SUBSECTION~~
8 ~~(A) OF THIS SECTION, THE CITY ADMINISTRATOR SHALL COORDINATE A MULTI-AGENCY,~~
9 ~~COMPREHENSIVE CODE INSPECTION OF THE CITED PREMISES, AS SPECIFIED IN SUBSECTION~~
10 ~~(C) OF THIS SECTION.~~

11 ~~(C) MULTI-AGENCY INSPECTION TEAM.~~

12 ~~(1) THE MULTI-AGENCY INSPECTION TEAM COORDINATED BY THE CITY ADMINISTRATOR~~
13 ~~UNDER THIS SECTION SHALL INCLUDE REPRESENTATIVES FROM:~~

14 ~~(i) THE FIRE DEPARTMENT;~~

15 ~~(ii) THE DEPARTMENT OF HEALTH;~~

16 ~~(iii) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT; AND~~

17 ~~(iv) THE DEPARTMENT OF PUBLIC WORKS.~~

18 ~~(2) EACH AGENCY SPECIFIED IN THIS SUBSECTION SHALL INSPECT THE PREMISES TO~~
19 ~~ENSURE COMPLIANCE WITH LAWS, RULES, AND REGULATIONS ADMINISTERED BY THAT~~
20 ~~AGENCY.~~

21 ~~(D) MONTHLY NOTICE TO COUNCILMEMBERS.~~

22 ~~NO LATER THAN THE 1ST OF EACH MONTH, THE CITY ADMINISTRATOR SHALL INFORM EACH~~
23 ~~COUNCILMEMBER OF THE NUMBER AND SPECIFIC LOCATIONS OF ANY MULTI-AGENCY~~
24 ~~INSPECTIONS CONDUCTED, IF ANY, PURSUANT TO THIS SECTION IN THE PREVIOUS MONTH~~
25 ~~WITHIN THE RESPECTIVE COUNCILMEMBER'S DISTRICT.~~

26 ~~(E) ANNUAL REPORT.~~

27 ~~ON OR BEFORE JUNE 30 OF EACH YEAR, THE CITY ADMINISTRATOR SHALL SUBMIT A~~
28 ~~REPORT TO THE MAYOR AND CITY COUNCIL DETAILING:~~

29 ~~(1) THE NUMBER OF MULTI-AGENCY COORDINATED INSPECTIONS CONDUCTED UNDER~~
30 ~~THIS SECTION OCCURRING IN THE PREVIOUS CALENDAR YEAR;~~

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1 (2) THE NUMBER AND TYPES OF VIOLATIONS DISCOVERED AS THE RESULT OF MULTI-
2 AGENCY COORDINATED INSPECTIONS UNDER THIS SECTION IN THE PREVIOUS
3 CALENDAR YEAR; AND

4 (3) ANY RECOMMENDATIONS FOR LEGISLATIVE OR ADMINISTRATIVE ENHANCEMENTS
5 TO IMPROVE COMMUNITY QUALITY OF LIFE ISSUES AND MULTI-AGENCY
6 COOPERATION.

7 SUBTITLE 58. COORDINATED MULTI-AGENCY CODE INSPECTIONS

8 §58-1. SCOPE OF SUBTITLE.

9 THIS SUBTITLE ONLY APPLIES TO ENVIRONMENTAL CITATIONS ISSUED TO
10 COMMERCIAL PROPERTIES FOR VIOLATIONS OF:

11 (1) ARTICLE 19, SUBTITLE 32 {"MINORS – SALES IN PROXIMITY TO LIQUOR STORE"};

12 (2) ARTICLE 23 {"SANITATION"};

13 (3) TITLE 5, SUBTITLE 2 {"NUISANCE ABATEMENT"} OF THE HEALTH CODE;

14 (4) TITLE 7 {"WASTE CONTROL"} OF THE HEALTH CODE;

15 (5) TITLE 12 {"TOBACCO PRODUCTS AND SMOKING DEVICES"} OF THE HEALTH CODE; OR

16 (6) TITLE 15 {"EPHEDRINE PRODUCTS"} OF THE HEALTH CODE.

17 §58-2. RETENTION OF RECORDS.

18 THE ORIGINAL OR A COPY OF A CITATION LISTED IN §58-1 OF THIS SUBTITLE MUST
19 BE FILED AND RETAINED IN THE RECORDS OF:

20 (1) THE CITY ADMINISTRATOR; AND

21 (2) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR INCLUSION IN
22 ITS OPEN DATA MAPPING APPLICATION."

23 §58-3. COORDINATION OF RESPONSE.

24 WITHIN 30 DAYS OF RECEIPT OF AN ENVIRONMENTAL CITATION DESCRIBED IN §58-1 OF THIS
25 SUBTITLE, THE CITY ADMINISTRATOR MAY COORDINATE A MULTI-AGENCY, COMPREHENSIVE
26 CODE INSPECTION OF THE CITED PREMISES, AS SPECIFIED IN SUBSECTION §58-4 OF THIS
27 SUBTITLE.

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1 §58-4. MULTI-AGENCY INSPECTION TEAM.

2 (A) COMPOSITION.

3 THE MULTI-AGENCY INSPECTION TEAM COORDINATED BY THE CITY
4 ADMINISTRATOR UNDER THIS SUBTITLE SHALL INCLUDE REPRESENTATIVES FROM:

5 (1) THE FIRE DEPARTMENT;

6 (2) THE DEPARTMENT OF HEALTH; AND

7 (3) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.

8 (B) DUTIES.

9 EACH AGENCY SPECIFIED IN THIS SECTION SHALL INSPECT THE PREMISES TO
10 ENSURE COMPLIANCE WITH LAWS, RULES, AND REGULATIONS ADMINISTERED BY
11 THAT AGENCY.

12 §58-5. MONTHLY NOTICE TO COUNCILMEMBERS.

13 NO LATER THAN THE 1ST OF EACH MONTH, THE CITY ADMINISTRATOR SHALL INFORM
14 EACH COUNCILMEMBER OF THE NUMBER AND SPECIFIC LOCATIONS OF ANY MULTI-
15 AGENCY INSPECTIONS CONDUCTED, IF ANY, PURSUANT TO THIS SUBTITLE IN THE
16 PREVIOUS MONTH WITHIN THE RESPECTIVE COUNCILMEMBER'S DISTRICT.

17 §58-6. QUARTERLY REPORT.

18 THE CITY ADMINISTRATOR SHALL SUBMIT A QUARTERLY REPORT TO THE MAYOR AND CITY
19 COUNCIL DETAILING:

20 (1) THE NUMBER OF MULTI-AGENCY COORDINATED INSPECTIONS CONDUCTED UNDER THIS
21 SUBTITLE OCCURRING IN THE PREVIOUS QUARTER;

22 (2) THE NUMBER AND TYPES OF VIOLATIONS DISCOVERED AS THE RESULT OF MULTI-
23 AGENCY COORDINATED INSPECTIONS UNDER THIS SUBTITLE IN THE PREVIOUS
24 QUARTER;

25 (3) ANY RECOMMENDATIONS FOR LEGISLATIVE OR ADMINISTRATIVE ENHANCEMENTS TO
26 IMPROVE COMMUNITY QUALITY-OF-LIFE ISSUES AND MULTI-AGENCY COOPERATION;

27 (4) A BREAKDOWN OF THE NUMBER OF INSPECTIONS CONDUCTED BY CITY COUNCIL
28 DISTRICT;

29 (5) A MAP DISPLAYING THE LOCATION OF THE CITATIONS; AND

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1 (6) AN AGENCY-LEVEL BREAKDOWN OF:

2 (I) THE AMOUNT OF TIME BETWEEN THE INITIAL COMPLAINT AND THE FIRST
3 INSPECTION;

4 (II) THE TYPES OF CITATIONS ISSUED;

5 (III) THE NUMBER OF REINSPECTIONS CONDUCTED WITHIN THE TIME
6 ALLOTTED; AND

7 (IV) THE OUTCOME OF INSPECTIONS, INCLUDING:

8 (A) HOW MANY RESULTED IN A CITATION BEING ISSUED;

9 (B) HOW MANY VIOLATION NOTICES WERE ISSUED;

10 (C) HOW MANY VIOLATIONS WERE ABATED WITHIN THE TIME
11 ALLOTTED; AND

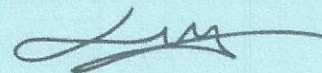
12 (D) THE NUMBER OF OUTSTANDING CITATIONS AND VIOLATIONS.

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

16 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on ~~July 1,~~
17 ~~2021;~~ the date that it is enacted. It shall remain effective until a year after the date that it is
18 enacted; and, immediately after that date, with no further action by the Mayor and City Council,
19 this Ordinance will be abrogated and of no further effect.

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Certified as duly passed this 20 day of September, 2021



President, Baltimore City Council

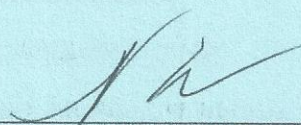
Certified as duly delivered to His Honor, the Mayor,

this 20 day of September, 2021



Chief Clerk

Approved this 1 day of November, 2021



Mayor, Baltimore City

Approved for Form and Legal Sufficiency
This 21st Day of September, 2021.

Elena R DiPietro

Chief Solicitor