



Legislation Details (With Text)

File #: 08-0070 **Version:** 0 **Name:** "Padlock Law" - Scope
Type: Ordinance **Status:** Enacted
File created: 3/10/2008 **In control:** City Council
On agenda: **Final action:** 5/12/2008
Enactment date: **Enactment #:** 08-12
Title: "Padlock Law" - Scope

FOR the purpose of redefining "public nuisance" to require that there have been a certain number of offenses within a certain period; clarifying the effect of a conviction for an offense; and generally relating to laws governing public nuisances.

Sponsors: James B. Kraft, Robert Curran, Bill Henry, President Young, Nicholas C. D'Adamo, Edward Reisinger, Agnes Welch, Mary Pat Clarke, Sharon Green Middleton, William H. Cole, IV, Warren Branch

Indexes: Padlock Law, Scope

Code sections:

Attachments: 1. 08-0070 - 1st Reader.pdf, 2. HCD - 08-0070.pdf, 3. Police - 08-0070.pdf, 4. Law - 08-0070.pdf, 5. 08-0070 - 3rd Reader.pdf

Date	Ver.	Action By	Action	Result
5/12/2008	0	Mayor	Signed by Mayor	
5/5/2008	0	City Council	Approved and Sent to the Mayor	
4/28/2008	0	City Council	Amended	
4/28/2008	0	City Council	Advanced to 3rd Rdr., Adopted Comm. Report	
4/14/2008	0	Judiciary and Legislative Investigations	Recommended Favorably with Amendment	
4/14/2008	0	City Council		
3/17/2008	0	Judiciary and Legislative Investigations	Scheduled for a Public Hearing	
3/13/2008	0	The City Council	Referred for a Report	
3/13/2008	0	The City Council	Referred for a Report	
3/13/2008	0	The City Council	Referred for a Report	
3/10/2008	0	City Council	Assigned	
3/10/2008	0	City Council	Introduced	

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

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmember Kraft

A BILL ENTITLED

AN ORDINANCE concerning
"Padlock Law" - Scope

FOR the purpose of redefining "public nuisance" to require that there have been a certain number of offenses within a certain period; clarifying the effect of a conviction for an offense; and generally relating to laws governing public nuisances.

BY repealing and reordaining, with amendments

Article 19 - Police Ordinance

Section(s) 43-1(I)

Baltimore City Code

(Edition 2000)

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

Baltimore City Code

Article 19. Police Ordinances

Subtitle 43. Public Nuisances

§ 43-1. Definitions.

(I) Public nuisance.

(1) "Public nuisance" means any premises that, ON 2 OR MORE SEPARATE OCCASIONS WITHIN A 24-MONTH PERIOD, [is] WERE used:

(I) [(1)] for prostitution, lewdness, or assignation;

(II) [(2)] for illegal adult entertainment;

(III) [(3)] by persons who assemble for the specific purpose of illegally administering a controlled dangerous substance;

(IV) [(4)] for the illegal manufacture or distribution of:

(A) [(i)] a controlled dangerous substance; or

(B) [(ii)] controlled paraphernalia;

(V) [(5)] for the illegal storage or concealment of a controlled dangerous substance or controlled paraphernalia in sufficient quantity to reasonably indicate under all the circumstances an intent to manufacture, distribute, or dispense:

(A) [(i)] a controlled dangerous substance; or

(B) [(ii)] controlled paraphernalia;

(VI) [(6)] for gambling;

(VII) [(7)] for storage or possession of stolen property;

(VIII) [(8)] for storage or possession of unregistered firearms;

(IX) [(9)] for furtherance of a crime of violence;

(X) [(10)] by persons who engage in a crime of violence on or near the premises; or

(XI) [(11)] for criminal gang offenses prohibited under State Criminal Law Article 9, Subtitle 8 .

(2) A 2ND REPORT BY A POLICE OFFICER, WRITTEN IN THE REGULAR COURSE OF BUSINESS, OF A PREMISES' HAVING BEEN USED FOR ACTIVITIES DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION IS PRIMA FACIE EVIDENCE THAT THE PREMISES ARE A PUBLIC NUISANCE.

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

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

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