



Legislation Details (With Text)

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On agenda: **Final action:** 7/15/2013

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Title: Investigative Hearing - Baltimore City Environmental Control Board

FOR the purpose of requesting the Executive Director of the Environmental Control Board, the Housing Commissioner, the Director of Public Works, the Health Commissioner, the Police Commissioner, the Fire Chief, and appropriate personnel to report to the City Council on the workings of the Board; to clarify the purpose and process of issuing fines and citations; to address issues of due process, and; to identify measures that can be implemented to make the entire process more transparent and equitable for the residents of Baltimore City.

Sponsors: Warren Branch, Bill Henry, Carl Stokes, Brandon M. Scott, Mary Pat Clarke, William "Pete" Welch

Indexes: Environmental Control, Resolution

Code sections:

Attachments: 1. 12-0012R - 1st Reader.pdf, 2. Fire - 12-0012R.pdf, 3. Health - 12-0012R.pdf, 4. Environmental Control Bd. - 12-0012R.pdf, 5. HCD - 12-0012.pdf, 6. DPW - 12-0012R.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|------------------|-----------------------|--------|
| 7/15/2013 | 0 | City Council | Failed | |
| 2/2/2012 | 0 | The City Council | Referred for a Report | |
| 2/2/2012 | 0 | The City Council | Referred for a Report | |
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| 2/2/2012 | 0 | The City Council | Referred for a Report | |
| 2/2/2012 | 0 | The City Council | Referred for a Report | |
| 1/30/2012 | 0 | City Council | Assigned | |
| 1/30/2012 | 0 | City Council | Introduced | |

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL R
(Resolution)

Introduced by: Councilmember Branch

A RESOLUTION ENTITLED

A COUNCIL RESOLUTION concerning
Investigative Hearing - Baltimore City Environmental Control Board

FOR the purpose of requesting the Executive Director of the Environmental Control Board, the Housing Commissioner, the Director of Public Works, the Health Commissioner, the Police Commissioner, the Fire Chief, and appropriate personnel to report to the City Council on the workings of the Board; to clarify the purpose and process of issuing fines and citations; to address issues of due process, and; to identify measures that can be implemented to make the entire process more transparent and equitable for the residents of Baltimore City.

Recitals

The mission statement of the Baltimore City Environmental Control Board (ECB) states that the Board is a regulatory agency with an administrative court charged with the responsibility of adjudicating civil citations, dedicated to identifying and working toward controlling harmful environmental factors to promote environmental awareness and enforcement through behavior modification, education, and training.

The ECB is responsible for the enforcement of provisions of the Baltimore City Code that specifically affect the sanitation, environmental, health, safety, and other quality-of-life issues. Specifically, the Board establishes procedures for the issuance of citations; trains code enforcement personnel; provides officers to conduct hearings on contested environmental citations; reviews appeals of decisions, and; adopts rules and regulations necessary to carry out its duties.

The Board was created in 1998 to relieve overburdened criminal courts where “nuisance” crimes related to trash, pets, and other minor offenses tended to sit unresolved. The ECB was expected to be a revenue-neutral entity to adjudicate such offenses, aid the City in keeping the streets and alleys clean and, generally improve the quality of life for all Baltimore City residents and visitors. It was expected that the approximately 72,000 citations issued each year would be ample to make the Board fiscally self-sufficient.

Since its inception, the ECB reportedly has done much better than break even - according to local media accounts, in 2010, 78,192 citations were issued, of which only a little over 2,000 were dismissed. The number of citations issued have climbed fairly steadily since the ECB was established. In 2003, the earliest year for which statistics are available, 35,852 citations were given out. The Board is projected to generate \$6million for fiscal 2011 at a cost to the city of merely \$600,000.

Since its inception as well, the ECB has generated citizen complaints. City officials have been inundated with complaints that include the lack of due process in appealing citations; failure of code enforcement officers to identify the proper violators; an excessive wait for appeal hearings; insufficient amount of time to correct violations, and; excessive fines that residents are not able to pay in these hard economic times.

While we all share the goal of a clean and healthy Baltimore, we have to make certain that the measures in place to attain that goal are fairly applied and do not impose an undue financial burden on those least able to pay.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the Executive Director of the Environmental Control Board, the Housing Commissioner, the Director of Public Works, the Health Commissioner, the Police Commissioner, the Fire Chief, and appropriate personnel are requested to report to the City Council on the workings of the Board; to clarify the purpose and process of issuing fines and citations; to address issues of due process, and; to identify measures that can be implemented to make the entire process more transparent and equitable for the residents of Baltimore City.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the Executive Director of the Environmental Control Board, the Housing Commissioner, the Director of Public Works, the Health Commissioner, the Police Commissioner, the Fire Chief, and the Mayor's Legislative Liaison to the City Council.

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ccres/ECB/nf