



Legislation Details (With Text)

**File #:** 09-0309      **Version:** 0      **Name:** Building, Fire, and Related Codes - Enforcement  
**Type:** Ordinance      **Status:** Enacted  
**File created:** 3/23/2009      **In control:** City Council  
**On agenda:**      **Final action:** 5/7/2009  
**Enactment date:**      **Enactment #:** 09-171  
**Title:** Building, Fire, and Related Codes - Enforcement

FOR the purpose of authorizing the issuance of prepayable environmental citations to enforce certain violations of the Building, Fire, and Related Codes Article; revising the manner in which a stop-work order is to be issued; requiring the removal from construction sites and from abutting sidewalks, gutters, and alleys, of accumulated trash, garbage, waste, and debris and of nuisances; making the registered owner of a vehicle responsible for certain parking, keeping, and storing violations; and generally relating to the enforcement of the Building, Fire, and Related Codes Article.

**Sponsors:** City Council President (Administration)  
**Indexes:** Building, Fire and Related Codes, Enforcement

**Code sections:**

**Attachments:** 1. 09-0309 - 1st Reader.pdf, 2. Law - 09-0309.pdf, 3. HCD - 09-0309.pdf, 4. Planning - 09-0309.pdf, 5. Environmental Control - 09-0309.pdf, 6. BDC - 09-0309.pdf, 7. Finance - 09-0309.pdf, 8. 09-0309 - 3rd Reader.pdf

Date	Ver.	Action By	Action	Result
5/7/2009	0	Mayor	Signed by Mayor	
4/27/2009	0	City Council	Approved and Sent to the Mayor	
4/20/2009	0	Judiciary and Legislative Investigations	Recommended Favorably	
4/20/2009	0	City Council	Advanced to 3rd Rdr., Adopted Comm. Report	
3/30/2009	0	Judiciary and Legislative Investigations	Scheduled for a Public Hearing	
3/26/2009	0	The City Council	Referred for a Report	
3/26/2009	0	The City Council	Referred for a Report	
3/26/2009	0	The City Council	Referred for a Report	
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3/26/2009	0	The City Council	Referred for a Report	
3/26/2009	0	The City Council	Referred for a Report	
3/23/2009	0	City Council	Assigned	
3/23/2009	0	City Council	Introduced	

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

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THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

INTRODUCTORY\*

CITY OF BALTIMORE  
COUNCIL BILL

Introduced by: The Council President

At the request of: The Administration (Department of Housing and Community Development)

A BILL ENTITLED

AN ORDINANCE concerning

**Building, Fire, and Related Codes - Enforcement**

FOR the purpose of authorizing the issuance of prepayable environmental citations to enforce certain violations of the Building, Fire, and Related Codes Article; revising the manner in which a stop-work order is to be issued; requiring the removal from construction sites and from abutting sidewalks, gutters, and alleys, of accumulated trash, garbage, waste, and debris and of nuisances; making the registered owner of a vehicle responsible for certain parking, keeping, and storing violations; and generally relating to the enforcement of the Building, Fire, and Related Codes Article.

BY repealing and reordaining, with amendments

Article 1 - Mayor, City Council, and Municipal Agencies

Section(s) 40-14(e)(5a) and (6a)

Baltimore City Code

(Edition 2000)

BY repealing and reordaining, with amendments

Article - Building, Fire, and Related Codes

Section(s) 2-103 (BC §§ 114.2, 123.8, and 3302, and PMC § 305.5)

Baltimore City Revised 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 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 40I4. Violations to which subtitle applies.

(e) Provisions and penalties enumerated.

(5a) Building, Fire, and Related Codes -  
Building Code

§ 113.14. Work without permit

\$500

§ 114.3. STOP-WORK ORDER: UNLAWFUL CONTINUANCE	\$500
§ 123.8. FAILURE TO COMPLY WITH NOTICE	
CONDEMNATION PROCEEDINGS {§ 120}	\$500
UNSAFE STRUCTURES {§ 115}	\$500
ALL OTHER NOTICES (EXCLUDING CITATIONS)	\$250
§ 3302.3 CONSTRUCTION SAFEGUARDS: WASTE AND DEBRIS	\$250
(6a) Building, Fire, and Related Codes - Property Maintenance Code	
[§§ 305 - 308. Sanitary maintenance]	

CHAPTER 3. GENERAL REQUIREMENTS

§ 305.5.1. MOTOR VEHICLES AND TRAILERS: REGISTERED OWNER  
RESPONSIBLE  
\$150

ALL OTHER PROVISIONS

Residential properties	\$ 50
Commercial properties	\$100

Baltimore City Revised Code

Article - Building, Fire, and Related Codes

Part II. International Building Code

§ 2-103. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 1. Administration

Section 114 StopWork Order

114.2 Issuance. The stop-work order must be in writing AND STATE THE REASON FOR THE ORDER. It must be [sent by first class and certified mail to the owner of the property involved, and hand delivered to the owner's agent or to the person doing the work. A copy of the stop-work order must be] posted on the property. On posting [of the stop-work order], the cited work must immediately cease. [The stop-work order must state the reason for the order.] WRITTEN NOTICE OF THE STOP-WORK ORDER MUST BE SENT BY FIRST CLASS AND

CERTIFIED MAIL TO THE OWNER OF THE PROPERTY INVOLVED.

Section 123 Notices

123.8 Failure to comply with notice or citation. If any person fails to comply with a violation notice, condemnation notice, or citation, the Building Official:

1. MAY ENFORCE THE VIOLATION NOTICE OR CONDEMNATION NOTICE BY ISSUANCE OF AN ENVIRONMENTAL CITATION AS AUTHORIZED BY CITY CODE ARTICLE 1, SUBTITLE 40 {"ENVIRONMENTAL CONTROL BOARD"},
2. [1.] may take whatever OTHER action is necessary and proper, including the institution of legal proceedings, to compel compliance with the VIOLATION notice, CONDEMNATION NOTICE, or citation or to enforce the penalty provisions of this Code, and
3. [2.] subject to the notice requirements of § 123.8.1, may proceed to repair, rebuild, demolish, or take any other action necessary to eliminate, in whole or in part, or make safe any nuisance, blight, health hazard, or dangerous, insanitary, or unsafe condition that is the subject of the violation notice, condemnation notice, or citation.

Chapter 33. Safeguards During Construction

Section 3302 Construction Safeguards [{As in IBC}]

3302.1 Remodeling and additions. Required exits, existing structural elements, fire protection devices, and sanitary safeguards [shall] MUST be maintained at all times during remodeling, alterations, repairs, or additions to any building or structure.

Exceptions:

1. When [such] THESE required elements or devices are THEMSELVES being remodeled, altered, or repaired, adequate substitute provisions [shall] MUST be made.
2. [When] THESE REQUIREMENTS DO NOT APPLY IF the existing building is not occupied.

3302.2 [Manner of removal.] WASTE AND DEBRIS. ALL SITES FOR NEW CONSTRUCTION OR FOR REMODELING, ALTERATIONS, REPAIRS, OR ADDITIONS, AND ALL ABUTTING SIDEWALKS, GUTTERS, AND ALLEYS, MUST BE PROPERLY MAINTAINED AND KEPT FREE OF ACCUMULATED TRASH, GARBAGE, WASTE, OR DEBRIS, INCLUDING CONSTRUCTION WASTE OR DEBRIS, AND OF ANY OBJECT OR CONDITION THAT CONSTITUTES A NUISANCE. [Waste materials shall be removed] REMOVAL OF ALL TRASH, GARBAGE, WASTE, AND DEBRIS MUST BE DONE in a manner [which] THAT prevents injury or damage to persons, adjoining properties, and public rights-of-way.

Part VII. International Property Maintenance Code

§ 7-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are

as follows:

Chapter 3. General Requirements

Section 305 Exterior Sanitary Maintenance - General

305.5 Motor vehicles and trailers. Except only as otherwise expressly authorized by law, the following rules apply to all motor vehicles and trailers.

1. No motor vehicle or trailer may be parked, kept, or stored, whether or not covered, on any exterior premises if:
  - a. it is inoperative, unregistered, or fails to display current registration tags, or
  - b. it is in a state of disassembly or disrepair or in the process of being stripped or dismantled.
2. A motor vehicle or trailer may be parked, kept, or stored only on a dustless all-weather surface constructed and maintained in accordance with the Building Code and Zoning Code of Baltimore City.
3. Painting a motor vehicle or trailer is prohibited unless conducted inside an approved spray booth.

Exception: On premises with a proper use permit, a vehicle may undergo overhaul, including body work, if that work is performed inside a structure or similarly enclosed area designed and approved for that purpose.

305.5.1 REGISTERED OWNER RESPONSIBLE. FOR A MOTOR VEHICLE OR TRAILER PARKED, KEPT, OR STORED IN VIOLATION OF § 305.5(1) OR (2), THE REGISTERED OWNER OF THE MOTOR VEHICLE OR TRAILER IS RESPONSIBLE FOR THE VIOLATION, JOINTLY AND SEVERALLY WITH THE PROPERTY OWNER.

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.

dlr09-641(2)~intro/18Mar09  
BFR/Enforcement/aa:me

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