



## Legislation Details (With Text)

**File #:** 22-0204      **Version:** 0      **Name:** Vacant Structures - 3-1-1 Complaint Fines  
**Type:** Ordinance      **Status:** Enacted  
**File created:** 3/21/2022      **In control:** Baltimore City Council  
**On agenda:**      **Final action:** 4/6/2023  
**Enactment date:**      **Enactment #:** 23-218

**Title:** Vacant Structures - 3-1-1 Complaint Fines  
 For the purpose of establishing a fee structure for repeated substantiated 3-1-1 service requests; providing for a special effective date; and generally relating to fining the owner of a vacant structure for repeated service requests.

**Sponsors:** President Nicholas J. Mosby, Sharon Green Middleton

**Indexes:** 311 Services, Vacant Structures

**Code sections:**

**Attachments:** 1. 22-0204~1st Reader, 2. 22-0204 ECB, 3. Law 22-0204, 4. DHCD 22-0204, 5. Finance 22-0204, 6. 22-0204 BCIT, 7. 22-0204 Agenda, 8. 22-0204 Bill Synopsis, 9. 22-0204 Minutes, 10. 22-0204 Testimony - B Nelson, 11. 22-0204 Hearing Notes, 12. 22-0204 Attendance Form 10-11-22, 13. 22-0204 Agenda 02-07-23, 14. 22-0204 Attendance Form 02-07-23, 15. 22-0204 02-07-23 Voting Session Notes, 16. 22-0204 Minutes 02-07-23, 17. 22-0204 Agenda 03-07-23, 18. 22-0204 Voting Session Notes 03-07-23, 19. 22-0204 Attendance Form 03-07-22, 20. 22-0204 Minutes 03-07-23, 21. 22-0204 - Voting Form 03-07-23, 22. 2nd Reader Amendments 22-0204(1)~1st (Comm - ECD), 23. 22-0204~3rd Reader, 24. 22-0204 Signed, 25. Completed Ordinance 22-0204

Date	Ver.	Action By	Action	Result
5/1/2023	0	Mayor	Signed by Mayor	
3/27/2023	0	Baltimore City Council	Approved and Sent to the Mayor	
3/13/2023	0	Baltimore City Council	3rd Reader, for final passage	
3/13/2023	0	Economic and Community Development	Recommended Favorably with Amendment	
3/7/2023	0	Economic and Community Development	Recommended Favorably with Amendment	Pass
2/24/2023	0	Economic and Community Development	Scheduled for Voting Session	
2/23/2023	0	Economic and Community Development	Scheduled for Voting Session	
2/6/2023	0	Economic and Community Development	Scheduled for Voting Session	
12/5/2022	0	Economic and Community Development	Scheduled for a Public Hearing	
9/12/2022	0	Economic and Community Development	Scheduled for a Public Hearing	
3/24/2022	0	Baltimore City Council	Refer to Dept. of Finance	
3/24/2022	0	Baltimore City Council	Refer to City Solicitor	
3/24/2022	0	Baltimore City Council	Refer to Dept. of Housing and Community Development	
3/24/2022	0	Baltimore City Council	Refer to Environmental Control Board	

3/24/2022	0	Baltimore City Council	Refer to Mayor's Office of Information Technology
3/21/2022	0	Baltimore City Council	Assigned
3/21/2022	0	Baltimore City Council	Introduced

**Explanation:** Capitals indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

\* **Warning:** This is an unofficial, introductory copy of the bill.  
The official copy considered by the City Council is the first reader copy.

## **Introductory\***

# **City of Baltimore Council Bill**

Introduced by: President Mosby

## **A Bill Entitled**

An Ordinance concerning

### **Vacant Structures - 3-1-1 Complaint Fines**

For the purpose of establishing a fee structure for repeated substantiated 3-1-1 service requests; providing for a special effective date; and generally relating to fining the owner of a vacant structure for repeated service requests.

By adding

Article 13 - Housing and Urban Development

Section(s) 4A-1 through 4A-4 to be under the new subtitle designation,

“Subtitle 4A. Service Request Fines”

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 13. Housings and Urban Development**

#### **Subtitle 4A. Service Request Fines**

#### **§ 4A-1. Definitions.**

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.

(b) *Code enforcement officer.*

“Code enforcement officer” means:

(1) a Baltimore City police officer;

(2) a Special Enforcement Officer appointed under City Code Article 19, Subtitle 17 {“Special Enforcement Officers”}; or

(3) any City employee who:

- (i) is in a position of trust, as defined by the Baltimore City Administrative Manual AM-20-4 {“Positions of Trust”}; and
- (ii) has been authorized by the head of the employee’s agency to issue environmental citations.

(c) *Director.*

“Director” means the Executive Director of the Environmental Control Board of Baltimore City.

(d) *Service request.*

“Service request” means a complaint submitted to Baltimore City’s 3-1-1 system about the condition or state of a property.

(e) *Substantiated service request.*

“Substantiated service request” means a service request that a City agency has investigated and determined to be a valid complaint.

(f) *Vacant structure.*

(1) *In general.*

“Vacant structure” means any structure that is subject to an unabated violation notice issued under § 116 {“Unsafe Structures”} of the Baltimore City Building Code.

(2) *Exclusions.*

“Vacant structure” does not include an accessory structure that is not intended for occupancy, such as a:

- (i) garage;
- (ii) shed; or
- (iii) storage building.

**§ 4A-2. Fee Schedule.**

After a City agency responds to a substantiated service request at a vacant structure for the 2<sup>nd</sup> time in a 12-month period, a fee shall be imposed and an invoice shall be sent to the owner of the structure for each service request response, based upon the following fee schedule:

Service Request Response	Fees
1 <sup>st</sup>	-
2 <sup>nd</sup>	\$100
3 <sup>rd</sup>	\$200

4 <sup>th</sup>	\$300
5 <sup>th</sup>	\$500
6 <sup>th</sup>	\$750
7 <sup>th</sup>	\$1,000
8 <sup>th</sup>	\$1,500
9 <sup>th</sup>	\$2000
10 <sup>th</sup>	\$2,500

**§ 4A-3. Late fee.**

The Director may assess a late fee of up to \$50 for any unpaid fee charged under this subtitle and send an invoice to the owner of the structure:

- (1) 30 days or more after the issuance of the invoice described in § 4A-2 of this subtitle that the fee has been imposed; or
- (2) if a timely appeal has been made, 30 days or more after the final decision in that appeal.

**§4A-4. Penalty.**

If the fee or late fee assessed under this subtitle is not paid within 10 business days of the issuance of the invoice described in § 4A-3 of this subtitle, the Director may revoke the vacant structure’s registration under Subtitle 4 {“Registration of Non-Owner-Occupied Dwellings, Rooming Houses, and Vacant Structures”}.

**§ 4A-4. Exemptions.**

A vacant structure is exempt from the fees established under this subtitle if the vacant structure is owned by a governmental entity or an instrumentality or unit of a governmental entity.

**Section 2. And be it further ordained,** That this Ordinance takes effect on the 90<sup>th</sup> day after the date it is enacted.