



Legislation Details (With Text)

File #: 22-0205 **Version:** 0 **Name:** Vacant Structures - Emergency Response Fee
Type: Ordinance **Status:** In Committee
File created: 3/21/2022 **In control:** Economic and Community Development
On agenda: **Final action:**
Enactment date: **Enactment #:**

Title: Vacant Structures - Emergency Response Fee
For the purpose of establishing a fee structure for City emergency response services provided or rendered at vacant structures; defining certain terms; providing for a special effective date; and generally relating to emergency response fees for vacant structures.

Sponsors: President Nicholas J. Mosby, Sharon Green Middleton

Indexes: Emergency, Vacant Structures

Code sections:

Attachments: 1. 22-0205~1st Reader, 2. LAW 22-0205, 3. BCIT 22-0205, 4. Finance 22-0205, 5. BCFD 22-0205, 6. HCD Amendments 1 22-0205, 7. 22-0205 Hearing Packet, 8. HCD Amendments 2 22-0205, 9. Law Amendments 22-0205, 10. DHCD 22-0205, 11. cc22-0205(1)~1st (DHCD), 12. 22-0205 Hearing Packet, 13. ECD Notes - Vacant Structures - 22-0225, 22-0206, 22-0205

| Date | Ver. | Action By | Action | Result |
|-----------|------|------------------------------------|---|--------|
| 2/26/2024 | 0 | Economic and Community Development | Scheduled for a Public Hearing | |
| 12/7/2023 | 0 | Economic and Community Development | Scheduled for a Public Hearing | |
| 3/24/2022 | 0 | Baltimore City Council | Refer to City Solicitor | |
| 3/24/2022 | 0 | Baltimore City Council | Refer to Fire Department | |
| 3/24/2022 | 0 | Baltimore City Council | Refer to Dept. of Finance | |
| 3/24/2022 | 0 | Baltimore City Council | Refer to Dept. of Housing and Community Development | |
| 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 - Emergency Response Fee

For the purpose of establishing a fee structure for City emergency response services provided or rendered at vacant structures; defining certain terms; providing for a special effective date; and generally relating to emergency response fees for vacant structures.

By adding

Article 9 - Fire Suppression and Prevention

Section(s) 7-1 through 7-2 to be under the new subtitle designation,

“Subtitle 7. Vacant Structures”

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 9. Fire Suppression and Prevention

Subtitle 7. Vacant Structures

§ 7-1. Definitions.

(a) *In general.*

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

(b) *Department.*

“Department” means the Baltimore City Fire Department.

(c) *Collateral services.*

“Collateral services” means follow-up services delivered by the Department after the initial response to an incident.

(d) *Fire investigation.*

(1) *In general.*

“Fire investigation” means the services rendered when a fire investigator or investigation team responds to an incident.

(2) *Inclusions.*

“Fire investigation” includes:

- (i) measures taken to secure the scene of the incident;
- (ii) actions taken to investigate the circumstances of the incident;
- (iii) identification of the source of the incident;

- (iv) use of a K-9 or arson dog unit;
- (v) use of equipment to identify the source of the incident;
- (vi) use of mobile detection equipment; and
- (vii) generating a fire report.

(e) *Hazardous materials incident levels.*

(1) *Level 1 hazardous materials incident response.*

“Level 1 hazardous materials incident response” means the Department’s provision of basic hazardous materials incident response services, including:

- (i) engine response;
- (ii) first responder assignment;
- (iii) perimeter establishment;
- (iv) evacuations;
- (v) set-up of service delivery; and
- (vi) command of the scene.

(2) *Level 2 hazardous materials incident response.*

“Level 2 hazardous materials incident response” means the Department’s provision of intermediate hazardous materials incident response services, including:

- (i) the services named in paragraph (1) of this subsection;
- (ii) deployment of hazardous material- (HAZMAT) certified personnel and appropriate equipment;
- (iii) the use of:
 - (A) level A or level B protective suits;
 - (B) breathing equipment; or
 - (C) detection equipment; and
- (iv) set-up and removal of a decontamination center, if necessary.

(3) *Level 3 hazardous materials incident response.*

“Level 3 hazardous materials incident response” means the Department’s provision of advanced hazardous materials response services, including:

- (i) the services named in paragraphs (1) and (2) of this subsection;

- (ii) robot deployment;
- (iii) detection, recovery, and identification of materials;
- (iv) disposal of materials;
- (v) environmental clean-up; and
- (vi) disposal of contaminated equipment and contaminated materials used at the scene of the incident.

(f) *Special rescue response.*

“Special rescue response” means an incident requires the Department to deliver services that are not considered:

- (1) a fire response;
- (2) a fire investigation;
- (3) a hazardous materials incident;
- (4) a water incident; or
- (5) collateral services.

(g) *Water incidents.*

(1) *Level 1 water incident response.*

“Level 1 water incident response” means the Department’s provision of basic water incident response services, including:

- (i) engine response;
- (ii) first responder assignment;
- (iii) perimeter establishment;
- (iv) evacuations;
- (v) first responder set-up and command;
- (vi) actions taken to ensure scene safety;
- (vii) investigation;
- (viii) patient contact; and
- (ix) hazard control

(2) *Level 2 water incident response.*

“Level 2 water incident response” means the Department’s provision of intermediate water incident

response services, including:

- (i) the services named in paragraph (1) of this subsection;
- (ii) clean-up of the scene;
- (iii) use of materials to clean up the scene;
- (iv) minor hazardous clean-up and disposal; and
- (v) clean-up of small amounts of gasoline or other fluids spilled as a result of the incident.

(3) *Level 3 water incident response.*

“Level 3 water incident response” means the Department’s provision of advanced water incident response services, including:

- (i) the services named in paragraphs (1) and (2) of this subsection;
- (ii) Mutual Aid Box Alarm System activation;
- (iii) use of a breathing apparatus;
- (iv) use of detection equipment;
- (v) set up and removal of a decontamination center;
- (vi) recovery and identification of material;
- (vii) disposal of material;
- (viii) environmental cleanup; and
- (ix) disposal of contaminated equipment and contaminated materials used at the scene.

(h) *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 garage, shed, or storage building.

§ 7-2. Fees.

(a) Amount of fees.

An owner of a vacant structure who utilizes the emergency services of the Baltimore City Fire Department shall be charged a fee for emergency services in the following amounts:

- (1) for fire response services:
 - (i) \$400 per hour per fire engine; and
 - (ii) \$500 per hour per truck;
- (2) for fire investigation services, \$500 an hour;
- (3) for hazardous materials incident services:
 - (i) \$700 an hour for a level 1 response;
 - (ii) \$750 an hour for a level 2 response;
 - (iii) \$2,780 plus disposal fees for a level 3 response; and
 - (iv) an additional \$750 an hour after 3 hours of response service delivery at all levels;
- (4) for a hazmat technician, \$50 an hour;
- (5) for a special rescue, technician fees in an amount to be decided on a case-by-case basis and to be provided in an itemized list;
- (6) for water incident services:
 - (i) \$400 an hour for a level 1 response;
 - (ii) \$800 an hour for a level 2 response;
 - (iii) \$2,000 an hour for a level 3 response; and
 - (iv) \$50 an hour for a technician.

(b) *Special rescue fees.*

(1) *In general.*

The Department may charge the owner of a vacant structure fees for special rescue services delivered.

(2) *Procedure.*

The Department must charge fees for special rescue services at a market rate and provide an itemized bill to the owner of the vacant structure.

(c) *Collateral services fees.*

(1) *In general.*

The Department may charge the owner of a vacant structure fees for collateral services delivered.

(2) *Procedure.*

The Department must charge fees for collateral services at a market rate and provide an itemized bill to the owner of the vacant structure.

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