



Legislation Details (With Text)

File #: 09-0352 **Version:** 0 **Name:** Environmental Citations - Penalties
Type: Ordinance **Status:** Failed - End of Term
File created: 6/15/2009 **In control:** City Council
On agenda: **Final action:**
Enactment date: **Enactment #:**
Title: Environmental Citations - Penalties

FOR the purpose of precluding the penalties for certain environmental offenses from creating liens on residential property; and generally relating to the enforcement of environmental citations.

Sponsors: President Young, Warren Branch, Bill Henry, Mary Pat Clarke, Stephanie President Rawlings-Blake, Belinda Conaway, Agnes Welch, Sharon Green Middleton

Indexes: Citations, Environmental Citations, Penalties

Code sections:

Attachments: 1. 09-0352 - 1st Reader.pdf, 2. Environmental Control - 09-0352.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|------------------|-----------------------|--------|
| 6/18/2009 | 0 | The City Council | Referred for a Report | |
| 6/18/2009 | 0 | The City Council | Referred for a Report | |
| 6/18/2009 | 0 | The City Council | Referred for a Report | |
| 6/15/2009 | 0 | City Council | Assigned | |
| 6/15/2009 | 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 Young

A BILL ENTITLED

AN ORDINANCE concerning
Environmental Citations - Penalties

FOR the purpose of precluding the penalties for certain environmental offenses from creating liens on residential property; and generally relating to the enforcement of environmental citations.
BY repealing and reordaining, with amendments
Article 1 - Mayor, City Council, and Municipal Agencies

Section(s) 40-11(a)
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 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 4011. Enforcement of Board orders.

(a) Penalty as debt and lien.

(1) Any civil penalty imposed on a person by the Board, whether on hearing, on default, or otherwise:

(I) [(1)] is a personal debt owed by that person to the City; and

(II) [(2)] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, if the offense involves real property owned by that person, creates a lien on that property in favor of the City.

(2) PARAGRAPH (1)(II) OF THIS SUBSECTION DOES NOT APPLY TO RESIDENTIAL REAL PROPERTY IF THE PENALTY IMPOSED IS FOR AN OFFENSE LISTED IN § 40-14(E)(4) {"ARTICLE 23. SANITATION"} OR § 40-14(E)(6A) {"PROPERTY MAINTENANCE CODE"} OF THIS SUBTITLE.

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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