



## Legislation Details (With Text)

**File #:** 23-0425      **Version:** 0      **Name:** Improving Safety and Habitability in Supportive and Other Residential Housing

**Type:** Ordinance      **Status:** Enacted

**File created:** 9/18/2023      **In control:** Baltimore City Council

**On agenda:**      **Final action:** 1/17/2024

**Enactment date:**      **Enactment #:** 24-298

**Title:** Improving Safety and Habitability in Supportive and Other Residential Housing  
 For the purpose of defining the term “supportive housing facility” in the Baltimore City Building Code; requiring a permit before any person may transfer ownership or operation of certain property in certain circumstances; updating use and occupancy classifications; and categorizing congregate living facilities as rental dwellings and requiring their licensing.

**Sponsors:** Administration City Council, Odette Ramos

**Indexes:** Housing, Residential, Safety, Support

**Code sections:**

**Attachments:** 1. 23-0425~1st Reader, 2. Law 23-0425, 3. BDC 23-0425, 4. BMZA 23-0425, 5. #23-0425 - Planning Commission, 6. DHCD 23-0425, 7. DOT 23-0425, 8. #23-0425 - Planning Commission, 9. PABC 23-0425, 10. 23-0425 Supportive Housing Ramos Testimony 12.23, 11. 23-0425Hearing Packet, 12. Voting Record 23-0425, 13. EDC Hearing Notes 23-0425 12-25-23, 14. 2nd Reader Amendments 23-0425(1)~1st (ECD), 15. 23-0425~3rd Reader.pdf, 16. 23-0425 Signed, 17. 23-0425 Completed Ordinance 24-298

Date	Ver.	Action By	Action	Result
1/22/2024	0	Mayor	Signed by Mayor	
12/18/2023	0	Baltimore City Council	Approved and Sent to the Mayor	
12/7/2023	0	Baltimore City Council	3rd Reader, for final passage	
12/7/2023	0	Economic and Community Development	Recommended Favorably with Amendment	
12/5/2023	0	Economic and Community Development	Recommended Favorably	Pass
10/16/2023	0	Economic and Community Development	Scheduled for a Public Hearing	
9/21/2023	0	Baltimore City Council	Refer to Parking Authority	
9/21/2023	0	Baltimore City Council	Refer to Planning Commission	
9/21/2023	0	Baltimore City Council	Refer to Board of Municipal and Zoning Appeals	
9/21/2023	0	Baltimore City Council	Refer to Dept. of Housing and Community Development	
9/21/2023	0	Baltimore City Council	Refer to Baltimore Development Corporation	
9/21/2023	0	Baltimore City Council	Refer to Dept. of Transportation	
9/21/2023	0	Baltimore City Council	Refer to City Solicitor	
9/18/2023	0	Baltimore City Council	Assigned	
9/18/2023	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: The Council President  
At the request of: The Administration (Department of Housing and Community Development)

A Bill Entitled

An Ordinance concerning

**Improving Safety and Habitability in Supportive and Other Residential Housing**

For the purpose of defining the term “supportive housing facility” in the Baltimore City Building Code; requiring a permit before any person may transfer ownership or operation of certain property in certain circumstances; updating use and occupancy classifications; and categorizing congregate living facilities as rental dwellings and requiring their licensing.

By repealing, and reordaining, with amendments

Article - Building, Fire, and Related Codes  
Sections 2-103 (IBC §§ 105.1, and 202.2.54 through 202.2.58)  
Baltimore City Revised Code  
(2020 Edition)

By adding

Article - Building, Fire, and Related Codes  
Sections 2-103 (IBC §§ 202.2.56, 202.2.57, and 310.5)  
Baltimore City Revised Code  
(2020 Edition)

By repealing, and reordaining, with amendments

Article 13 - Housing and Urban Renewal  
Section 5-1(g)  
Baltimore City Code  
(Edition 2000)

By adding

Article 13 - Housing and Urban Renewal  
Section 5-1(j)  
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 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**  
**Scope and Administration**

**Section 105 Permits**

**105.1 Required.** A permit issued by the Building Official is required before any person may do any of the following work:

...

7. on transfer of ownership or operation of property, continue any of the following uses [, as defined in City Code Article 32 {"Zoning"}]:
  - a. banquet hall (as defined in Baltimore City Zoning Code § 1-303(c) {"Banquet hall. "}),
  - b. *body art establishment* (as defined in Baltimore City Zoning Code § 1-303(j) {"Body art establishment. "}),
  - c. *carry-out food shop* (as defined in Baltimore City Zoning Code § 1-303(t) {"Carry-out food shop. "}),
  - d. congregate living facilities (*as defined* in § 202.1 of the Baltimore City Building Code),
  - e. [d.] day-care center: adult or child (as defined in Baltimore City Zoning Code §§ 1-304(z) and 1-305(a) {"Day-care center: Child. " and "Day-care center: Adult"}),
  - f. [e.] drive-through facility (as defined in Baltimore City Zoning Code § 1-305(h) {"Drive-through facility. "}),
  - g. [f.] *entertainment: [live or ] indoor or live* (as defined in Baltimore City Zoning Code §§ 1-306(b) and 1-306(c) {"Entertainment: Indoor. " and "Entertainment: Live"}),
  - h. [g.] [*gas*] *fuel station* (as defined in Baltimore City Zoning Code § 1-306(t) {"Fuel station. "}),
  - i. [h.] health-care clinic (as defined in Baltimore City Zoning Code § 1-307(f) {"Health-care clinic. "}),,
  - j. [i.] lodge or social club (as defined in Baltimore City Zoning Code § 1-308(q) {"Lodge or

- social club.* ”}),
- k. [j.] lounge (as defined in Baltimore City Zoning Code § 1-309(h-1) {“*Lounge.* ”}),
- l. [k.] pawn shop (as defined in Baltimore City Zoning Code § 1-311(l) {“*Pawn shop.* ”}),
- m. [l.] *personal services establishment* (as defined in Baltimore City Zoning Code § 1-311(o) {“*Personal services establishment.* ”}),
- n. *residential-care facility* (as defined in Baltimore City Zoning Code § 1-312(p) {“*Residential-care facility*”})
- o. [m.] *restaurant* (as defined in Baltimore City Zoning Code § 1-312(s) {“*Restaurant.* ”}),
- p. [n.] *retail goods establishment – with or without alcoholic beverage sales* (as defined in Baltimore City Zoning Code § 1-312(u) {“*Retail goods establishment.*”}), [or]
- q. *rooming house* (as defined in Baltimore City Zoning Code § 1-313(b) {“*Rooming house.* ”}),
- r. *supportive housing facility* (as defined in § 202.2.56 of this Code), or
- s. [o.] tavern (as defined in Baltimore City Zoning Code § 1-314(a) {“*Tavern.* ”}).

## Chapter 2 Definitions; Rules of Construction

### Section 202 Definitions

**202.2 Supplemental definitions.** Notwithstanding any different definition in the International Building Code, the following terms have the meanings given in this § 202.2.

...

[202.2.54 **Transfer.** “Transfer”, when used with respect to property subject to this Code, has the meaning stated in § 114.23 {“Responsibility of transferee”}.]

202.2.54 [202.2.55] **Substantial damage.** “Substantial damage” has the meaning stated in City Code Article 7 {“Natural Resources”}, § 1-3 {“Definitions - “

Floodproofing” to “Wet floodproofing”}.

**202.2.55 [202.2.56] Substantial improvement .** “Substantial improvement” has the meaning stated in City Code Article 7 {“Natural Resources”}, § 1-3 {“Definitions - “Floodproofing” to “Wet floodproofing”}.

**202.2.56 Supportive housing facility.** “Supportive housing facility” means a non-institutional, shared living environment which integrates shelter, service, and support needs of socially isolated persons who are otherwise in good health, can maintain a semi-independent lifestyle, and do not require constant supervision or intensive health care as provided by an institution.

**202.2.57 Transfer.** “Transfer”, when used with respect to property subject to this Code, has the meaning stated in § 114.23 {“Responsibility of transferee”}.

**202.2.58 [202.2.57] Use.** “Use” means, unless the context indicates otherwise:

1. the purpose for which a building, structure, or land is used, occupied, or intended to be used or occupied, and
2. any activity, occupation, business, or operation carried out on land or in a building or structure.

**202.2.59 [202.2.58] Zoning Code.** “Zoning Code” means the Baltimore City Zoning Code, including the accompanying Zoning District Maps.

### **Chapter 3 Use and Occupancy Classification**

#### **Sections 301 to 309 {As in IBC}**

#### **Section 310 Residential Group R**

...

**310.5 Residential Group R-4.** Residential Group R-4 occupancy shall include buildings, structures, or portions thereof for more than 5 but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive custodial care. Residential Group R-4 shall also include all supportive housing facilities. Buildings of Residential Group R-4 shall be classified as one of the occupancy conditions specified in § 310.5.1 or § 310.5.2 of this subsection. This group shall include, but not be limited to, the following:

1. alcohol and drug centers,
2. assisted living facilities,
3. congregate care facilities,
4. group homes,
5. halfway houses,

6. residential board and care facilities,
7. social rehabilitation facilities, and
8. supportive housing facilities.

**310.5.1 Condition 1.** This occupancy condition shall include buildings in which all persons receiving custodial care, without any assistance, are capable of completing building evacuation in response to an emergency situation.

**310.5.2 Condition 2.** This occupancy condition shall include buildings in which there are any persons receiving custodial care who require limited verbal or physical assistance to complete building evacuation in response to an emergency situation.

## Baltimore City Code

### Article 13. Housing and Urban Renewal

#### Subtitle 5. Licensing of Rental Dwellings

#### § 5-1. Definitions.

...

(g) *Rental dwelling.*

“Rental dwelling” means:

- (1) any multiple-family dwelling;
- (2) any rooming house; [and]
- (3) any supportive housing facility; and
- (4) any non-owner-occupied dwelling unit in a 1- or 2-family dwelling that is leased or rented or offered or available for lease or rental in exchange for any form of consideration.

...

(j) *Supportive housing facility.*

“Supportive housing facility” has the meaning stated in § 202.2.56 of the Baltimore City Building Code.

**Section 2. And be it further ordained,** That this Ordinance takes effect on the 30<sup>th</sup> day after the date it is enacted.