



Legislation Text

File #: 21-0030, Version: 0

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: Councilmembers Burnett, Cohen, Dorsey

A Bill Entitled

An Ordinance concerning

Coordinated Multi-Agency Code Inspections

For the purpose of requiring that the City Administrator coordinate a multi-agency code inspection after a commercial property has been issued certain environmental citations; requiring that the City Administrator and the Department of Housing and Community Development receive a copy of all environmental citations issued; specifying which agencies must be included in the multi-agency inspection team; requiring that the City Administrator provide certain information to councilmembers; requiring that the City Administrator submit an annual report detailing the work of the multi-agency inspection team; and providing for a special effective date.

By repealing and re-ordaining, with amendments

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 40-7
Baltimore City Code
(Edition 2000)

By adding

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 40-15
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

§ 40-7. Environmental Citations.

(a) *Board to prescribe form and wording.*

The Board must prescribe the form and wording of environmental citations.

(b) *Required contents.*

In addition to any other matters that the Board prescribes, an environmental citation must include:

- a. the name, if known, of the person cited;
- b. the violation with which the person is cited, including a reference to the specific law in question;
- c. the manner and time in which the person must either:
 - (i) pay the prepayable fine prescribed for the violation; or
 - (ii) request a hearing on the violation;
- (4) the time within which the violation, if ongoing, must be abated; and
- (5) a notice that failure to act in the manner and time stated in the citation may result in a default decision and order entered against the person.

(c) *Service of citations.*

An environmental citation must be:

- (1) issued by a Code Enforcement Officer; and
- (2) served on the person cited by 1 of the following methods:
 - (i) in person;
 - (ii) certified mail, return receipt requested;
 - (iii) delivery to a person of suitable age and discretion who resides at the cited person's last known address; or
 - (iv) for service on an occupant of the premises at which the violation occurred:
 - (A) posting on the main entrance of the premises; and
 - (B) mailing by regular mail to the person cited, at that person's last known address.

(d) *Tenor of citation.*

When issued and served, the citation or a copy of it:

- (1) constitutes full and complete notice of the violation cited in it;
- (2) if abatement is ordered, constitutes a full and complete notice of the order of abatement; and
- (3) if sworn to or affirmed, is prima facie evidence of the facts contained in it.

(e) *Single document permissible.*

A single document may be used to issue two or more separately numbered citations.

(f) *Electronic signature.*

An electronic signature may be used to execute a citation and to serve as an affirmation, under penalties of perjury, that the facts stated in the citation are true.

(g) *Record of citation to be kept.*

The original or a copy of the citation must be filed and retained in the records of:

- (1) the Board;
- (2) the City Administrator; and
- (3) the Department of Housing and Community Development for inclusion in its open data mapping application.

§ 40-15. Coordinated agency response.

(a) *Scope of section.*

This section only applies to environmental citations issued to commercial properties for violations of:

- (1) Article 19, Subtitle 32 {"Minors - Sales in Proximity to Liquor Store"};
- (2) Article 23 {"Sanitation"};
- (3) Title 5, Subtitle 2 {"Nuisance Abatement"} of the Health Code;
- (4) Title 7 {"Waste Control"} of the Health Code;
- (5) Title 12 {"Tobacco Products and Smoking Devices"} of the Health Code; or
- (6) Title 15 {"Ephedrine Products"} of the Health Code.

(b) *In general.*

Within 30 days of receipt of an environmental citation described in subsection (a) of this section, the City Administrator shall coordinate a multi-agency, comprehensive code inspection of the cited premises, as specified in subsection (c) of this section.

(c) *Multi-agency inspection team.*

(1) The multi-agency inspection team coordinated by the City Administrator under this section shall include representatives from:

- (i) the Fire Department;
- (ii) the Department of Health;

(iii) the Department of Housing and Community Development; and

(iv) the Department of Public Works.

(2) Each agency specified in this subsection shall inspect the premises to ensure compliance with laws, rules, and regulations administered by that agency.

(d) *Monthly notice to Councilmembers.*

No later than the 1st of each month, the City Administrator shall inform each councilmember of the number and specific locations of any multi-agency inspections conducted, if any, pursuant to this section in the previous month within the respective councilmember's district.

(e) *Annual report.*

On or before June 30 of each year, the City Administrator shall submit a report to the Mayor and City Council detailing:

- (1) the number of multi-agency coordinated inspections conducted under this section occurring in the previous calendar year;
- (2) the number and types of violations discovered as the result of multi-agency coordinated inspections under this section in the previous calendar year; and
- (3) any recommendations for legislative or administrative enhancements to improve community quality-of-life issues and multi-agency cooperation.

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 July 1, 2021.