



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Text

File #: 07-0743, **Version:** 0

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 Conaway

A BILL ENTITLED

AN ORDINANCE concerning **Street Lamps - Temporary Replacements**

FOR the purpose of requiring the temporary replacement of street lamps under certain circumstances; correcting, clarifying, and conforming certain language; and generally relating to the provision of lamps and lighting.

BY repealing and reordaining, with amendments

Article 26 - Surveys, Streets, and Highways

Section(s) 13-1 to 13-7

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 26. Surveys, Streets, and Highways

Subtitle 13. Lamps and Lighting

§ 13-1. Street lamps, etc.

(a) Contracts for services.

The Department of [Public Works] TRANSPORTATION, subject to the powers of the Board of Estimates, shall make all contracts:

(1) for furnishing, operating, and maintaining lamps and lamp standards;

- (2) for furnishing steam for public buildings; and
- (3) for furnishing illuminating gas and electric current for street lamps and public buildings.

(b) Maintaining street lamps.

[It] THE DEPARTMENT OF TRANSPORTATION shall:

- (1) regulate the lighting and cleaning of the City lamps and see that they are kept in proper repair;
- (2) erect new lamp standards and lamps for lighting the highways, streets, lanes, alleys, bridges, parks, and squares in the City;
- (3) remove or relocate any lamp standards and lamps whenever and wherever, in its judgment, convenience and necessity of the public may require; and
- (4) make monthly statements of the street gas lamps and ascertain the correct rate or rates of gas consumption for all [such] THESE lamps.

§ 13-2. Lighting alleys.

(a) In general.

The Department of [Public Works] TRANSPORTATION may, in its discretion, furnish lighting for any alleyway, either improved or unimproved, public or private, [which] THAT is connected to a public way, and is in general use by the City's sanitation and other municipal vehicles and the public, when, in its judgment, the safety and convenience of the public so require.

(b) Construction of section.

Nothing in this section [shall] MAY be construed as committing the City to the policy of lighting private property; nor [shall] MAY it be construed as investing the Department of [Public Works] TRANSPORTATION with any authority to invade private rights.

§ 13-3. Shades on street lamps.

(a) Department to issue permits.

(1) [The] ON APPLICATION, THE Department of [Public Works] TRANSPORTATION [is hereby authorized and directed to] SHALL issue [on application,] permits for the placing of shades over portions of street lamps when the [same] LAMPS are situated so close to dwelling houses as, in its discretion, to be a special annoyance to the occupants of [such] THOSE houses.

(2) No charge or fee [shall] MAY be made for the issuing of [such] THESE permits.

(b) Standards.

In no case [shall] IS it [be] lawful to place any shades on or about any street lamps in [such a] ANY manner [as to

interfere] THAT INTERFERES with the full and proper lighting of the streets, alleys, lanes, or sidewalks.

(c) Department to supervise placement.

The placing of all [such] THESE shades over street lamps shall be done under the supervision and direction of the Department of [Public Works] TRANSPORTATION.

(d) Removal.

All [such] shades shall be removed [upon] ON notice from [said] THE Department whenever [said] THE Department finds them unnecessary or the public interest requires [such] THEIR removal.

§ 13-4. Interfering with lamps.

(a) Interference prohibited.

[It shall not be lawful for any] NO person, [or persons] other than [such persons as are] ONE legally authorized for [that] THE purpose, MAY:

- (1) [to] light or extinguish any of the public lamps of the City [of Baltimore];
- (2) [to] turn the stopcock of any [such] public lamp or [to] do any other thing to increase or diminish the flow of gas or electricity [therein];
- (3) [to] attach anything to any public lamp or lamp-post;
- (4) [to] interfere in any way with the lighting of the highways, streets, lanes, alleys, bridges, parks, or squares of the City [of Baltimore];
- (5) [to] remove or in any way damage any public lamp or lamp-post [in said] OF THE City; or
- (6) [to] post or paste any notice or advertisement on any [such] lamp or lamp-post.

(b) Penalties.

Any person violating the provisions of this section shall forfeit and pay the sum of \$5 for each [and every] offense[,] and, in addition, shall pay the costs of all damage to [said] THE lamp or lamp-post, to be recovered as other penalties for violating City ordinances are recoverable.

§ 13-5. Schedule for lighting lamps.

(a) Department to prepare.

[It shall be the duty of the] THE Department of [Public Works] TRANSPORTATION [to] SHALL [prepare and have printed] PRINT on cards, schedules [showing] OF the [time or] times when the City lamps [shall be] ARE lighted and extinguished daily.

(b) Distribution.

These cards shall be furnished to each lighting contractor[,] and the Police Department.

§ 13-6. Police to report problems.

The Police Department shall report to the [Department of Public Works] TRANSPORTATION:

- (1) all failures to light and extinguish the lamps at the proper time; and
- (2) all broken or damaged street lamps.

§ 13-7. TEMPORARY LIGHTING.

(A) REQUIRED.

WHENEVER CONSTRUCTION, EXCAVATION, DEMOLITION, OR OTHER WORK BY A UTILITY COMPANY OR BY A DEVELOPER, BUILDER, OR CONTRACTOR CAUSES 2 OR MORE STREET LAMPS ON A BLOCK TO BE OUT OF SERVICE FOR 3 OR MORE DAYS, THE UTILITY COMPANY OR THE DEVELOPER, BUILDER, OR CONTRACTOR SHALL PROVIDE EQUIVALENT TEMPORARY STREET LIGHTING UNTIL THE STREET LAMPS HAVE BEEN PUT BACK INTO SERVICE.

(B) PENALTIES.

- (1) ANY PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THEN \$500 FOR EACH OFFENSE.
- (2) EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

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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