



## Legislation Text

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**File #:** 10-0489, **Version:** 0

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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: President Young

A BILL ENTITLED

AN ORDINANCE concerning  
**Miscellaneous Offenses - Citation and Penalty Amounts**

FOR the purpose of increasing the environmental, civil, and criminal penalties applicable to certain health and police ordinance offenses; and correcting, clarifying, and conforming related provisions.

BY repealing and reordaining, with amendments

Article 1 - Mayor, City Council, and Municipal Agencies

Section(s) 40-14(e)(3)(§§ 14-2, 14-3, 51-2),  
40-14(e)(7)(§§ 5-501, 5-503, Subtitles 1, 2, 6),  
41-14(2)(§§ 13-1, 13-2, 14-2, 14-3, 51-2, 55-1, 55-2), and  
41-14(6)(§§ 5-501, 5-503, Subtitles 1, 2, 6)

Baltimore City Code  
(Edition 2000)

BY repealing and reordaining, with amendments

Article 19 - Police Ordinances

Section(s) 13-5(c), 14-6(c), and 55-2(b)  
Baltimore City Code  
(Edition 2000)

BY repealing and reordaining, with amendments

Article - Health

Section(s) 5-510(b), 12-112(a) and (b)(1), and 12-607(a)  
Baltimore City Revised Code  
(Edition 2000)

Preamble

WHEREAS, many Baltimore City communities have a high density of restaurants, nightclubs, package good

stores, and other entertainment and alcohol-related businesses within walking distance of residential properties.

WHEREAS, it is necessary for the City to continue to encourage the establishment and vitality of entertainment areas that provide dynamic recreational options and excitement to a wide variety of residents and visitors.

WHEREAS, it is equally important to encourage responsible behavior amongst local revelers.

WHEREAS, residents frequently have to bear the brunt of disruptive behavior associated with the ills typical of over-consumption of alcohol; public urination or defecation; public drunkenness; or drinking or possessing open containers in public places.

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

§ 40I4. Violations to which subtitle applies.

(e) Provisions and penalties enumerated.

(3) Article 19. Police Ordinances

.....

§ 142[or § 143]. Drinking OR POSSESSING OPEN CONTAINERS  
in public places - IN GENERAL [ \$ 50] \$500

§ 143. DRINKING OR POSSESSING OPEN CONTAINERS  
IN PUBLIC PLACES - PARENTS OR GUARDIANS OF MINORS \$ 50

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§ 51-2. Compliance with park rules [ \$200] \$500

.....

(7) Health Code

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Title 5: Nuisance Control

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Subtitle 5: Bodily Wastes

§ 5501. Spitting [ \$ 25] \$200

§ 5503. Urinating, etc. [in general] [ \$150] \$750

.....

Title 12: Tobacco Products

Subtitle 1: Indoor Smoking

Person smoking [ \$250] \$500

Employer, other person in charge	[500]	750
Subtitle 2: Sale of Unpackaged Cigarettes	[150]	500
.....		
Subtitle 6: Flavored Tobacco Wrappings	[250]	500
Subtitle 41. Civil Citations		
§ 41-14. Offenses to which subtitle applies - Listing.		
(2) Article 19. Police Ordinances		
.....		
§ 13[or § 132]. Disorderly drinking - IN GENERAL	[150]	750
§ 132. DISORDERLY DRINKING - PARENTS OR GUARDIANS OF MINORS		150
§ 142[or § 143]. Drinking OR POSSESSING OPEN CONTAINERS in public places - IN GENERAL		[ 50] 500
§ 143. DRINKING OR POSSESSING OPEN CONTAINERS IN PUBLIC PLACES - PARENTS OR GUARDIANS OF MINORS	\$ 50	
.....		
§ 51-2. Compliance with PARK rules [required]	[ 50]	500
§ 55-1. Ticket "scalping" \$500		[100]
§ 55-2. Street sales of theater or circus tickets	[100]	500
.....		
(6) Health Code		
.....		
Title 5: Nuisance Control		
Subtitle 5: Bodily Wastes		
§ 5501. Spitting \$200		[ 25]
§ 5503. Urinating, etc. in general	[150]	750
.....		
Title 12: Tobacco Products		
Subtitle 1: Indoor Smoking		
Person smoking \$500		[250]
Employer, other person in charge	[500]	750
Subtitle 2: Sale of Unpackaged Cigarettes	[150]	500

.....  
Subtitle 6: Flavored Tobacco Wrappings

[\$250] \$500

Article 19. Police Ordinances

Subtitle 13. Disorderly Drinking

§ 135. Penalties.

(c) Adult offender.

Any person 18 years of age or older who violates a provision of this subtitle is guilty of a misdemeanor and, [upon] ON conviction, [shall be] IS subject to a fine of not [less than \$50 nor] more than [\$500] \$1,000[,] or imprisonment for not more than 90 days[,] or both FINE AND IMPRISONMENT FOR EACH OFFENSE.

Subtitle 14. Drinking in Public Places

§ 146. Penalties.

(c) Adult offender.

Any person 18 years of age or older who violates a provision of this subtitle is guilty of a misdemeanor and, [upon] ON conviction, [shall be] IS subject to a fine of not [less than \$50 nor] more than [\$500] \$1,000 or imprisonment for not more than 30 days or both FINE AND IMPRISONMENT FOR EACH OFFENSE.

Subtitle 55. Ticket Sales

§ 552. Street sales of theater and circus tickets.

(b) Penalties.

Any person [or persons violating the provisions] WHO VIOLATES A PROVISION of this section [shall be deemed] IS guilty of a misdemeanor and, on conviction, [shall be punished by] IS SUBJECT TO a fine of NOT MORE THAN [\$10] \$1,000 for every [such] offense.

Baltimore City Revised Code

Health Article

Title 5. Nuisance Control

Subtitle 5. Bodily Wastes

§ 5510. Penalties.

(b) Urinating or defecating - adult offenders: [\$500] \$1,000 and 30 days.

Any adult who violates § 5503 {"Urinating or defecating in public places - in general"} of this subtitle is guilty of a

misdemeanor and, on conviction, is subject to a fine of not more than [\$500] \$1,000 or to imprisonment for not more than 30 days or to both fine and imprisonment for each offense.

Title 12. Tobacco Products

Subtitle 1. Indoor Smoking

§ 12112. Penalties

(a) Smoker.

Any person who smokes in violation of this subtitle is subject to a civil fine of not more than [\$250] \$500 for each offense.

(b) Employer or person in charge.

(1) Any employer or other person in charge who violates a provision of this subtitle or who knowingly allows a violation is subject to a civil fine of not more than [\$500] \$750 for each offense.

Subtitle 6. Flavored Tobacco Wrappings

§ 12-607. Penalties: \$250.

(a) In general.

Any person who violates any provision of this subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than [\$250] \$1,000 for each 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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