City of Baltimore

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

Legislation Text

File #: 08-0250, **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 Kraft

A BILL ENTITLED

AN ORDINANCE concerning
Street Regulations - Obstructions

FOR the purpose of consolidating certain provisions governing the obstruction of streets, lanes, sidewalks, footways, or alleys; repealing certain obsolete or otherwise unnecessary provisions; and correcting, clarifying, and conforming related language.

BY repealing
  Article 19 - Police Ordinance
  Section(s) 50-1
  Baltimore City Code
  (Edition 2000)

BY repealing and reordaining, with amendments
  Article 19 - Police Ordinances
  Section(s) 50-2
  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 19. Police Ordinances

  Part 1. Obstructions

[§ 501. Boxes, etc. on street.

(a) Times prohibited.

If any person or persons shall place or cause to be placed, in any street, lane, or alley in the City, any barrel, hogshead, box, crate, or other package, and shall suffer the same to remain for a longer time than 12 hours or, in any instance, after 9 p.m., every person so offending shall forfeit and pay $1, and the further sum of $1 for every day the same shall be suffered to remain.

(b) Places prohibited.

And in no case shall any person be permitted to use more space than ½ of the foot pavement by placing the above named articles thereupon, under a penalty of $1 for each and every offense.]

§ 502. Obstructing street, etc., or gutter.

(a) Prohibited conduct.

Except as specifically provided in this section, no person may, in any manner, obstruct any street, lane, SIDEWALK, FOOTWAY, or alley [of] IN the City or any of their gutters.

(b) Exception [- Deliveries] FOR DELIVERIES, etc.

This section does not apply to someone [while] in the immediate act of delivering ITEMS TO or removing [some article to or] ITEMS from a place of business or A dwelling AS LONG AS THE ITEMS DO NOT USE MORE SPACE THAN ½ OF THE PAVEMENT.

[(c) Exception - Items requiring inspection, etc.

Articles that are to be inspected or guarded under law may be placed on the sidewalk, but only if they are arranged so as not to obstruct the passage through the streets or sidewalks between the pavement and any house, store, cellar, or backyard, without the consent of the owner or occupant.]

(C) [(d)] Enforcement by citation.

(1)   In addition to any other civil or criminal remedy or enforcement procedure, this section may be enforced by issuance of:

(i)   an environmental citation under City Code Article 1, Subtitle 40 {"Environmental Control Board"}; or

(ii)   a civil citation under City Code Article 1, Subtitle 41 {"Civil Citations"}.

(2)   The issuance of a citation to enforce this section does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

(D) [(e)] Penalties.

(1)   Any person who violates any provision of this section is guilty of a misdemeanor, and on conviction, is subject to the penalties specified in this subsection.

(2)   On a 1st conviction, the penalty for a violation of this section is a fine of not more than $50 for each offense.

(3)   On a 2nd or subsequent conviction, the penalty for a violation of this section is a fine of not more than $100 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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