



Legislation Details (With Text)

File #: 13-0237 **Version:** 0 **Name:** Automated Purchasing Machines
Type: Ordinance **Status:** Enacted
File created: 6/3/2013 **In control:** City Council
On agenda: **Final action:** 9/18/2013
Enactment date: **Enactment #:** 13-166
Title: Automated Purchasing Machines

FOR the purpose of prohibiting the use of automated purchasing machines for the purchase of personal property; defining certain terms; establishing certain exceptions; imposing certain penalties; and generally relating to purchasing or offering to purchase personal property by means of an automated purchasing machine.

Sponsors: Bill Henry, James B. Kraft, Nick Mosby, Rochelle Spector, Helen L. Holton, Warren Branch, Sharon Green Middleton, Brandon M. Scott, William "Pete" Welch, Edward Reisinger, President Young, William H. Cole, IV, Mary Pat Clarke

Indexes: Purchasing

Code sections:

Attachments: 1. 13-0237 - 1st Reader.pdf, 2. Law - 13-0237.pdf, 3. Police - 13-0237.pdf, 4. BDC - 13-0237.pdf, 5. Finance - 13-0237.pdf, 6. Sustainability - 13-0237.pdf, 7. 13-0237 - 3rd Reader.pdf

Date	Ver.	Action By	Action	Result
9/18/2013	0	Mayor	Signed by Mayor	
9/16/2013	0	City Council	Approved and Sent to the Mayor	
9/9/2013	0	Judiciary and Legislative Investigations	Recommended Favorably with Amendment	
9/9/2013	0	City Council	Advanced to 3rd Rdr., Adopted Comm. Report	
6/17/2013	0	Judiciary and Legislative Investigations	Scheduled for a Public Hearing	
6/6/2013	0	The City Council	Referred for a Report	
6/6/2013	0	The City Council	Referred for a Report	
6/6/2013	0	The City Council	Referred for a Report	
6/6/2013	0	The City Council	Referred for a Report	
6/6/2013	0	The City Council	Referred for a Report	
6/3/2013	0	City Council	Assigned	
6/3/2013	0	City Council	Introduced	

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.
INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmember Henry

A BILL ENTITLED

AN ORDINANCE concerning
Automated Purchasing Machines

FOR the purpose of prohibiting the use of automated purchasing machines for the purchase of personal property; defining certain terms; establishing certain exceptions; imposing certain penalties; and generally relating to purchasing or offering to purchase personal property by means of an automated purchasing machine.

BY adding

Article 2 - Consumer Protections

Section(s) 12A-1 through 12A-5, to be under the new subtitle designation,

“Subtitle 12A. Automated Purchasing Machines”

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 2. Consumer Protections

SUBTITLE 12A. AUTOMATED PURCHASING MACHINES

§ 12A-1. DEFINITIONS.

(A) IN GENERAL.

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) AUTOMATED PURCHASING MACHINE.

“AUTOMATED PURCHASING MACHINE” (ALSO KNOWN AS A “REVERSE VENDING MACHINE”) MEANS A SELF-SERVICE AUTOMATED DEVICE THAT, WITHOUT THE PHYSICAL PRESENCE OF A HUMAN AGENT, IS CAPABLE OF TAKING POSSESSION OF AND DISPENSING PAYMENT FOR ANY 1 OR MORE TYPES OF PERSONAL PROPERTY.

(C) PERSON.

(1) “PERSON” MEANS:

(I) AN INDIVIDUAL; OR

(II) A PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, OR OTHER ENTITY OF ANY KIND.

(2) "PERSON" DOES NOT INCLUDE A GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

§ 12A-2. GENERAL PROHIBITION.

EXCEPT AS OTHERWISE EXPRESSLY PROVIDED IN THIS SUBTITLE, NO PERSON MAY PURCHASE OR OFFER TO PURCHASE ANY PERSONAL PROPERTY BY MEANS OF AN AUTOMATED PURCHASING MACHINE.

§ 12A-3. EXCEPTION FOR RECYCLING MATERIALS.

(A) IN GENERAL.

THIS SUBTITLE DOES NOT PROHIBIT THE USE OF AN AUTOMATED PURCHASING MACHINE EXCLUSIVELY FOR COLLECTING RECYCLABLE MATERIALS PURSUANT TO A RECYCLING PROGRAM APPROVED JOINTLY BY THE POLICE COMMISSIONER AND THE COMMISSION ON SUSTAINABILITY.

(B) RULES AND REGULATIONS.

(1) THE POLICE COMMISSIONER AND THE COMMISSION ON SUSTAINABILITY MAY JOINTLY ADOPT RULES, REGULATIONS, AND STANDARDS GOVERNING THE RECYCLABLE MATERIALS AND RECYCLING PROGRAMS THAT MAY BE APPROVED FOR PURPOSES OF THIS EXCEPTION.

(2) A COPY OF ALL RULES, REGULATIONS, AND STANDARDS ADOPTED UNDER THIS SECTION MUST BE FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY TAKE EFFECT.

§ 12A-4. {RESERVED}

§ 12A-5. PENALTIES.

(A) IN GENERAL.

A PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, SUBJECT TO A FINE OF NOT MORE THAN \$500 OR IMPRISONMENT FOR NOT MORE THAN 6 MONTHS OR BOTH FINE AND IMPRISONMENT FOR EACH OFFENSE.

(B) EACH TRANSACTION A SEPARATE OFFENSE.

EACH TRANSACTION IN VIOLATION OF THIS SUBTITLE 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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