



Legislation Details (With Text)

File #: 21-0030 **Version:** 0 **Name:** Coordinated Multi-Agency Code Inspections
Type: Ordinance **Status:** Enacted
File created: 1/25/2021 **In control:** Baltimore City Council
On agenda: **Final action:** 10/26/2021
Enactment date: **Enactment #:** 21-059

Title: 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.

Sponsors: Kristerfer Burnett, Zeke Cohen, Ryan Dorsey, Phylcia Porter, Sharon Green Middleton, John T. Bullock, Odette Ramos, James Torrence, Isaac "Yitzy" Schleifer

Indexes:

Code sections:

Attachments: 1. 21-0030~1st Reader, 2. LAW 21-0030, 3. Fire 21-0030, 4. Hearing Agenda - 21-0030, 5. ECB 21-0030, 6. DHCD 21-0030, 7. 21-0030 BCHD, 8. DPW Amendment 21-0030, 9. 21-0030 Finance, 10. ccb 21-0030 ver. 1, 11. CAO 21-0030, 12. cc21-0030(1)~1st (DHCD), 13. Multiagency Code Inspections, 14. Hearing Minutes - 21-0030, 15. PSGO - Hearing Notes - 21-0030, 16. FW 21-0030 Coordinated Multi-Agency Code Inspections, 17. CommercialCitationsMap, 18. Hearing Agenda - 21-0030, 19. Hearing Minutes - 21-0030, 20. PSGO - Hearing Notes - 21-0030 (2), 21. 2nd Reader Amendments 21-0030, 22. cc21-0030(1)_1st (DPW) (003), 23. Hearing Packet - Bill 21-0030 - Coordinated Multi-Agency Code Inspections, 24. 21-0030~3rd Reader, 25. 21-0030 Signed, 26. Completed Ordinance 21-0030

Date	Ver.	Action By	Action	Result
11/15/2021	0	Mayor	Signed by Mayor	
9/20/2021	0	Baltimore City Council	Approved and Sent to the Mayor	
9/13/2021	0	Baltimore City Council	3rd Reader, for final passage	
9/13/2021	0	Public Safety and Government Operations	Recommended Favorably with Amendment	
9/1/2021	0	Public Safety and Government Operations	Recommended Favorably with Amendment	Pass
8/18/2021	0	Public Safety and Government Operations	Worksession	
2/8/2021	0	Public Safety and Government Operations	Scheduled for a Public Hearing	
1/28/2021	0	Baltimore City Council	Refer to Baltimore City Administrator	
1/28/2021	0	Baltimore City Council	Refer to Dept. of Finance	
1/28/2021	0	Baltimore City Council	Refer to City Solicitor	
1/28/2021	0	Baltimore City Council	Refer to Dept. of Health	
1/28/2021	0	Baltimore City Council	Refer to Fire Department	

1/28/2021	0	Baltimore City Council	Refer to Dept. of Public Works
1/28/2021	0	Baltimore City Council	Refer to Dept. of Housing and Community Development
1/28/2021	0	Baltimore City Council	Refer to Environmental Control Board
1/25/2021	0	Baltimore City Council	Assigned
1/25/2021	0	Baltimore City Council	Introduced

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.