



Legislation Details (With Text)

File #: 22-0278 **Version:** 0 **Name:** Vacant Structures - Required Safeguarding
Type: Ordinance **Status:** In Committee
File created: 9/12/2022 **In control:** Rules and Legislative Oversight
On agenda: **Final action:**
Enactment date: **Enactment #:**
Title: Vacant Structures - Required Safeguarding
 For the purpose of amending the Baltimore City Building Code to require that certain vacant structures in Baltimore City be kept secured with doors and windows.
Sponsors: Kristerfer Burnett, John T. Bullock, Zeke Cohen, Odette Ramos, Phylicia Porter, Ryan Dorsey, Mark Conway
Indexes: Vacant Structures
Code sections:
Attachments: 1. 22-0278(1)~1st Reader, 2. Law 22-0278

Date	Ver.	Action By	Action	Result
9/15/2022	0	Baltimore City Council	Refer to City Solicitor	
9/15/2022	0	Baltimore City Council	Refer to Dept. of Housing and Community Development	
9/15/2022	0	Baltimore City Council	Refer to Police Department	
9/15/2022	0	Baltimore City Council	Refer to Fire Department	
9/15/2022	0	Baltimore City Council	Refer to Dept. of Public Works	
9/12/2022	0	Baltimore City Council	Assigned	
9/12/2022	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: Councilmember Burnett

A Bill Entitled

An Ordinance concerning

Vacant Structures - Required Safeguarding

For the purpose of amending the Baltimore City Building Code to require that certain vacant structures in Baltimore City be kept secured with doors and windows.

By amending

Article - Building, Fire, and Related Codes
Section 2-103 (IBC §§ 116.4.3 and 116.4.4)
Baltimore City Revised Code
(2020 Edition)

By adding

Article - Building, Fire, and Related Codes
Section 2-103 (IBC §§ 116.4.7 and 116.4.8)
Baltimore City Revised Code
(2020 Edition)

Section 1. Be it ordained by the Mayor and City Council of Baltimore, That the Laws of Baltimore City read as follows:

Baltimore City Revised Code

Article - Building, Fire, and Related Codes

Part II. International Building Code

§ 2-103. City Modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 1

Scope and Administration

116.4 Vacant structures. Every vacant structure, as defined in this § 116.4, is declared to be a fire hazard and a nuisance per se, and must be safeguarded and otherwise maintained as required in this § 116.4.

...

116.4.3 Required safeguarding. [Every] With the exception of a structure described in section 116.4.7 {"Required safeguarding - vacant structure in occupied neighborhood"}, every vacant structure must be cleaned, closed, and safeguarded as follows:

1. Before the structure is closed and secured, all litter, trash, and other debris must be removed from the premises.
2. All windows, doors, and other openings must be closed, and securely locked, and, if readily accessible, boarded up with substantial material, including masonry, approved by the Building Official. The Building Official may require windows facing streets to be boarded with lexan, vinyl, or similar material, protected by security grills, or both.
3. As long as the structure remains unrehabilitated:
 - a. it must be kept boarded,

- b. the premises must be conspicuously posted against trespass, and
 - c. the premises must be kept free of occupants, litter, trash, debris, high grass, and weeds at all times.
4. Boarding, posting, and cleaning, however, do not relieve the owner of responsibility to demolish or to repair and maintain the property in conformity with this Code.
5. The Building Official may post a sign to inform the public that the structure is a vacant structure and to provide additional information about the structure's status.
6. The structure may not be reoccupied until the Building Official has issued an occupancy permit.

116.4.4 Emergency condition. A vacant structure that is not [kept boarded] safeguarded and free from accumulations of debris and high vegetation or that, in the opinion of the Building Official, is so dangerously unsound or so deteriorated that rehabilitation is not feasible, constitutes an emergency condition that imminently threatens the public health and safety and requires immediate resolution.

...

116.4.7 Required safeguarding - vacant structure in occupied neighborhood. In addition to the requirements set forth in §116.4.3, a vacant structure that is located in a block where the Department of Planning has determined that 70% or more of the total residential properties are occupied, must be must be cleaned, closed, and safeguarded as follows:

1. Before the structure is closed and secured, all litter, trash, and other debris must be removed from the premises.
2. All windows, doors, and other openings must be in good repair, closed, and securely locked and fastened. Sealing a vacant structure with boards, masonry, or other materials that are not a window with a frame and glazing or a door shall not constitute good repair or being locked, fastened, or otherwise secured as required by this subsection.
3. As long as the structure remains unrehabilitated:
 - a. all accessible spaces on the structure that were designed as windows must be secured with windows that have frames and glazing, and all entryways must be secured with doors,
 - b. the premises must be conspicuously posted against trespass, and
 - c. the premises must be kept free of occupants, litter, trash, debris, high grass, and weeds at all times.
4. Securing doors and windows, posting, and cleaning, however, do not relieve the owner of responsibility to demolish or to repair and maintain the property in conformity with this Code.
5. The Building Official may post a sign to inform the public that the structure is a vacant structure and to provide additional information about the structure's status.
6. The structure may not be reoccupied until the Building Official has issued an occupancy permit.

116.4.8 Failure to provide safeguarding. Whenever a Building Official finds that a vacant structure is not safeguarded in the manner described in § 116.4.7 {"Required safeguarding - vacant structure in occupied neighborhood"}, the Building Official must issue to the owner of the structure a violation notice described under § 123.4 {"Violation notices."} of this Code. The owner of the structure shall have 90 days to abate the violation notice prior to enforcement by the Building Official, as authorized under § 123.8 of this Code.

Section 2. And be it further ordained, That this Ordinance takes effect on the 30th day after the date it is enacted.