



City of Baltimore

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

Legislation Text

File #: 12-0115, **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: President Young

A BILL ENTITLED

AN ORDINANCE concerning
Fire Suppression and Prevention - Closings

FOR the purpose of requiring a public hearing to be held and certain other actions to be taken before consolidating, relocating, or closing any fire suppression company or unit, emergency medical care company or unit, or truck company or unit; clarifying, conforming, and correcting certain language; conforming certain statutory provisions to subsequent Charter amendments; providing for a special effective date; and generally relating to the adoption and implementation of the City Comprehensive Fire Protection Plan and to the procedures for the consolidation, relocation, or closing of fire companies and units.

BY repealing and reordaining, with amendments
Article 9 - Fire Suppression and Prevention
Section(s) 2-1 through 2-4
Baltimore City Code
(Edition 2000)

BY adding
Article 9 - Fire Suppression and Prevention
Section(s) 2-5
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 9 - Fire Suppression and Prevention

Subtitle 2 - Comprehensive Fire Protection Plan

§ 21. Plan required.

[Commencing] BEGINNING January 1, 1989, and every 5 years [thereafter] FOLLOWING, [it shall be the duty of the Board of Fire Commissioners to] THE CHIEF OF THE FIRE DEPARTMENT SHALL present to the Mayor and City Council a written, comprehensive Baltimore City Fire Protection Plan [in which] FOR the City [is regarded] as 1 territorial unit.

§ 22. Required elements and factors.

(a) Elements of plan.

The plan [shall] MUST include, but NEED not be limited to:

- (1) specific recommendations for equipment, [and] personnel, and [their] locations for the DEPARTMENT'S fire suppression companies AND UNITS, [truck companies, and the] emergency medical care companies AND UNITS, AND TRUCK COMPANIES AND UNITS for the next 5 [fiscal] years;
- (2) proposed future consolidations, relocations, or reductions of fire suppression COMPANIES AND UNITS, [and] emergency medical care COMPANIES AND UNITS, AND TRUCK COMPANIES AND units; and
- (3) the criteria used [by the Board in determining that] TO DETERMINE WHETHER a fire suppression COMPANY OR unit, [a truck company, or an] emergency medical care COMPANY OR unit, OR TRUCK COMPANY OR UNIT should be [closed or] consolidated, RELOCATED, OR CLOSED.

(b) Factors on which plan to be based.

The plan [shall] MUST be based on the following factors:

- (1) population density;
- (2) street and traffic patterns;
- (3) geological and topographic considerations;
- (4) modernization of equipment;
- (5) types and uses of structures;
- (6) financial considerations;
- (7) the presence of any hazardous materials; and
- (8) any other factors [determined by the Board] THE CHIEF DETERMINES to be connected with fire protection and emergency medical service.

§ 23. Adoption procedures.

(a) Public hearing.

Before the CHIEF ADOPTS THE plan [is adopted by], THE CHIEF AND the Board of Fire Commissioners[, the Board shall] MUST hold a public hearing to offer concerned citizens an opportunity to present testimony on the proposed plan.

(b) Review by Mayor and City Council.

(1) After the fire protection plan has been adopted by the [Board of Fire Commissioners] CHIEF, the [Fire Commissioners] CHIEF shall present it to the Mayor for review and recommendation.

(2) After the Mayor reviews the plan, the Mayor shall forward it to the City Council for hearing and review.

§ 24. Adherence to adopted plan.

Following review of the plan by the Mayor and City Council:

(1) the [Board of Fire Commissioners shall] CHIEF MUST act in conformance with the plan; and

(2) no permanent, substantive [changes shall] CHANGE MAY be made to the [fire protection] plan without [the changes] THAT CHANGE first being adopted and reviewed in the same [manner] WAY as [set forth in this subtitle] THAT REQUIRED for the PLAN'S INITIAL approval [of the plan originally].

§ 2-5. CONSOLIDATIONS, RELOCATIONS, AND CLOSINGS.

(A) HEARING REQUIRED.

BEFORE A FINAL DECISION IS MADE TO CONSOLIDATE, RELOCATE, OR CLOSE ANY FIRE SUPPRESSION COMPANY OR UNIT, EMERGENCY MEDICAL CARE COMPANY OR UNIT, OR TRUCK COMPANY OR UNIT, A PUBLIC HEARING MUST BE HELD TO PROVIDE CITIZENS WITH AN OPPORTUNITY TO SUBMIT ORAL OR WRITTEN TESTIMONY OR OTHER INFORMATION ON THE PROPOSED CLOSING.

(B) NOTICE OF HEARING.

(1) AT LEAST 2 WEEKS BEFORE THE HEARING, NOTICE OF THE HEARING MUST BE:

(I) PUBLISHED IN AT LEAST 2 NEWSPAPERS OF GENERAL CIRCULATION IN THE GEOGRAPHIC AREA OF THE COMPANY OR UNIT PROPOSED FOR CONSOLIDATION, RELOCATION, OR CLOSING; AND

(II) POSTED PROMINENTLY OUTSIDE THAT UNIT OR COMPANY.

(2) THE NOTICE MUST INCLUDE:

(I) A STATEMENT OF THE PROCEDURES THAT WILL BE FOLLOWED IN MAKING THE FINAL DECISION; AND

(II) ANY TIME LIMITS IMPOSED ON THE SUBMISSION OF TESTIMONY OR OTHER INFORMATION.

(C) FINAL DECISION.

ANY FINAL DECISION TO CONSOLIDATE, RELOCATE, OR CLOSE A COMPANY OR UNIT MUST BE:

(1) IN WRITING;

(2) ACCOMPANIED BY A STATEMENT OF THE FACTORS CONSIDERED IN MAKING THE DECISION; AND

(3) ANNOUNCED IN A PUBLIC MEETING.

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 date it is enacted.

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