



Legislation Text

File #: 20-0486, Version: 0

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

**City of Baltimore
Ordinance
Council Bill 20-0486**

Introduced by: Councilmembers Costello, Schleifer, Clarke, President Scott, Councilmembers Bullock, Cohen, Sneed, Middleton, Stokes, Reisinger, Henry, Pinkett

Introduced and read first time: January 27, 2020

Assigned to: Public Safety Committee

Committee

Report: Favorable with amendments

Council action: Adopted

Read second time: February 24, 2020

Private Security Camera System Rebate and Voucher Program - Establishment

For the purpose of establishing a Private Security Camera System Rebate and Voucher Program in Baltimore City; setting forth certain eligibility requirements; requiring that applicants to the Program submit an application containing certain specified information; providing that the Director of Finance pay a rebate or distribute a voucher to certain property owners or lessees that meet certain Program requirements; permitting the Director of Finance to prioritize applications for rebates and vouchers based on equity and certain other metrics; requiring the adoption of rules and regulations to carry out the Program; requiring that the Department of Planning and the Mayor’s Office of Criminal Justice collaborate with the Director of Finance on the Program’s rules and regulations; mandating that the Director of Finance provide the Mayor and City Council with an annual report detailing certain data about the Program; providing for criminal penalties; defining certain terms; and generally relating to a Private Security Camera Rebate and Voucher Program.

By adding

Article 5 - Finance, Property, and Procurement

Section(s) 14-1 to ~~14-9~~ 14-12, to be under the new subtitle,

“Subtitle 14. Private Security Camera System Rebate and Voucher Program”

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 5. Finance, Property, and Procurement

Subtitle 14. Private Security Camera System Rebate and Voucher Program

§ 14-1. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.

(b) *Director.*

“Director” means the Director of Finance or the Director’s designee.

(c) *Person.*

“Person” means:

- (1) an individual;
- (2) a partnership, firm, association, corporation, or other entity of any kind; or
- (3) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind.

(d) *Program.*

“Program” means the Private Security Camera System Rebate and Voucher Program established by this subtitle.

(e) *Security camera system; system.*

“Security camera system” or “system” means one or more outdoor surveillance cameras with functioning digital video recording capability.

(f) *Small business.*

“Small business” means an individual, a partnership, a limited partnership, a limited liability partnership, a limited liability company, or a corporation that:

- (1) is independently owned and operated;
- (2) is not a subsidiary of another entity; and
- (3) in its most recently completed fiscal year, did not employ in its operations more than 25 individuals.

§ 14-2. Program established.

(a) *In general.*

There is a Private Security Camera System Rebate and Voucher Program.

(b) *Purpose.*

The purpose of the program is to encourage the purchase and installation of security camera systems in

Baltimore City.

(c) *Equity.*

To ensure that the Program is administered in the most equitable manner possible, the Director shall:

- (1) comply with the priority requirements set forth in this subtitle; and
- (2) subject to an appropriation of funds in accordance with the City Charter, process and distribute vouchers to voucher-eligible applicants prior to disbursing any rebates to rebate-eligible applicants.

14-3. {Reserved}

~~§ 14-3. Program~~ 14-4. Rebate eligibility.

To be eligible for a rebate under this subtitle, a property owner or lessee shall:

- (1) on or after June 1, 2020, purchase and install a system on the exterior of a dwelling or ~~commercial establishment~~ small business;
- (2) register the system with the Citiwatch Community Partnership; and
- (3) submit a rebate application to the Director as required by § ~~14-4~~ 14-5 {"Rebate application"} of this subtitle.

~~§ 14-5~~ 14-4. Rebate application.

(a) *In general.*

In order to be eligible to receive a rebate under this subtitle, a person must submit an application to the Director.

(b) *Contents of application.*

The application must be in the form and contain the information that the Director requires, including:

- (1) the applicant's name;
- (2) the address where the system is located and whether the property is primarily used ~~for residential or commercial purposes~~ as a residence or as a small business;
- (3) a proof-of-purchase for the system that indicates the date of purchase and the amount paid for the system;
- (4) verification that the system is registered with the Citiwatch Community Partnership; and
- (5) a signed statement that the applicant agrees to have the system oriented towards a specified public right-of-way for at least 2 years.

(c) *Application limits.*

- (1) *Residential properties.*

~~A property used primarily for residential purposes~~ A residential applicant may submit a rebate application for 2 systems.

(2) *Commercial properties.*

~~A property used primarily for commercial purposes~~ A small business applicant may submit an rebate application for up to 3 systems.

(3) *Exception.*

Notwithstanding the application limits set forth in paragraphs (1) and (2) of this subsection, a person may submit a rebate application for 1 additional system for a property that has already received a rebate every 2 years from the original rebate date.

§ ~~14-6~~ 14-5. **Rebate amount.**

(a) *In general.*

(1) On approval of a rebate application submitted in accordance with § ~~14-4~~ 14-5 {"Rebate application"} of this subtitle, the Director shall provide a rebate of ~~up to \$150 per~~ the lesser of \$150 or the actual cost of the system.

(2) The Director may adjust rebate amounts based on:

~~(i) the priority of the application as set forth in subsection (c) of this section; and~~

(i) whether the property is located in an area with a high number of incidents of violent crime, as determined in consultation with the Mayor's Office of Criminal Justice;

(ii) whether the property is located in an area where the median household income is at or below 185% of the Federal Poverty Level, as measured by the most recent 5-year estimate of the U.S. Census Bureau's American Community Survey;

(iii) whether the applicant has received a rebate for any property under this subtitle from the City in a prior year; and

(iv) ~~(ii)~~ the availability of funds.

(3) Availability of rebates is subject to the appropriation of funds in accordance with the City Charter.

(b) *Limitations.*

(1) A rebate may not exceed the actual cost of a system as indicated on the proof-of-purchase submitted with the application.

(2) Rebates are contingent on the availability of funds and the application's priority under subsection (c) of this section.

(c) *Rebate priority; equity.*

To ensure that rebates are disbursed in an equitable manner and in a manner that best serves the City's interest in improving public safety, the Director shall prioritize rebate recipients based on:

- (1) incidents of violent crime in the vicinity of an applicant's property;
- (2) median household income in the vicinity of an applicant's property; and
- (1) incidents of violent crime in the vicinity of an applicant's property, with areas with the highest incidents of violent crime receiving the highest priority;
- (2) median household income in the vicinity of an applicant's property, with areas, with the lowest median income receiving the highest priority; and
- (3) whether the applicant has received a rebate for any property from the City in a prior year.

§ 14-7 14-6. *{Reserved}*

14-8. Vouchers.

(a) *"Public assistance" defined.*

In this section, "public assistance" means money, property, food stamps, or other assistance that is provided under a need-based social or nutritional program that is:

- (1) financed wholly or partly by the State; and
- (2) administered by the State or Baltimore City.

(b) *Voucher eligibility.*

To be eligible for a voucher under this section, a property owner or lessee shall:

- (i) submit an application to the Director in the form that the Director requires; and
- (ii) provide the Director with proof of receipt of public assistance.

(c) *Voucher distribution.*

(1) *In general.*

After a determination that an applicant is eligible under this section, the Director shall distribute a voucher to the applicant for the purchase and installation of 1 security camera system.

(2) *Value.*

A voucher under this section may not exceed the amount for a rebate claim under 14-6 {"Rebate amount"} of this subtitle.

(3) *Availability.*

Availability of vouchers is subject to the appropriation of funds in accordance with the City Charter.

(4) *Priority.*

The Director may prioritize the distribution of vouchers based on whether the applicant's property is

located in an area with a high number of incidents of violent crime as determined through consultation with the Mayor's Office of Criminal Justice.

14-9. {Reserved}

§ 14-10 ~~14-7~~. Rules and regulations.

(a) *In general.*

Subject to the requirements in this section, the Director shall adopt rules and regulations to carry out the provisions of this subtitle, including:

- (1) the requirements for proofs of purchase and system verification;
- (2) procedures for verifying that a system is registered with the Citiwatch Community Partnership, including a certification from any rebate recipient providing that the recipient may not use the system to intentionally record specific individuals conducting lawful activity; ~~and~~
- (3) in collaboration with the Department of Planning and the Mayor's Office of Criminal Justice, identification of priority areas for rebates based on violent crime indicators and socio-economic status as required by 14-6 {"Rebate amount"} of this subtitle;
- (4) procedures for participating in the voucher program established by § 14-8 {"Vouchers"} of this subtitle; and
- (5) in consultation with the Mayor's Office of Criminal Justice, identification of priority areas for vouchers based on violent crime indicators as required by § 14-8(d) {"Vouchers: Distribution"} of this subtitle.

(b) *Collaboration.*

In developing the regulations required by this section and any subsequent amendments, the Director shall collaborate with the Department of Planning and the Mayor's Office of Criminal Justice.

(c) *Periodic review.*

Every 2 years from the date of initial adoption of the rules and regulations required by this section, the Director shall conduct a review of those rules and regulations and update them as necessary.

(d) *Filing with Legislative Reference.*

A copy of all rules and regulations adopted under this section must be filed with the Department of Legislative Reference before they become effective.

§ 14-11 ~~14-8~~. Annual report.

No later than June 30 of each year, the Director shall prepare and submit a report to the Mayor and City Council detailing data regarding the Program from the preceding year, including:

- (1) the number of rebate and voucher applications received;
- ~~(2) the number of rebates actually disbursed; and~~

(2) the amount of rebates disbursed and vouchers distributed; and

(3) aggregate data regarding which neighborhoods are applying for rebates and vouchers and which neighborhoods are receiving rebates and vouchers.

§ 14-12 14-9. Criminal penalties.

Any person who knowingly makes a false statement on or in connection with an application for a rebate or a voucher under this section or in connection with any statement supporting a property's eligibility for a rebate or a voucher granted under this section is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$1,000 or to imprisonment for not more than 12 months or to both fine and imprisonment 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. It will remain effective through June 30, 2025, and immediately after that date, with no further action by the Mayor and City Council, this Ordinance will be abrogated and of no further effect.

Certified as duly passed this ____ day of _____, 20__

City Council President, Baltimore

Certified as duly delivered to His Honor, the Mayor,

this ____ day of _____, 20__

Chief Clerk

Approved this ____ day of _____, 20__

Mayor, Baltimore City