

**CITY OF BALTIMORE
COUNCIL BILL 25-0018
(First Reader)**

Introduced by: Councilmember Ramos
Cosponsored by: Councilmembers Parker, Conway, Schleifer, Middleton, Torrence, Gray,
Porter, Blanchard, and Glover
Introduced and read first time: February 10, 2025
Assigned to: Public Safety Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Fire
Department, Police Department

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Emergency Scene – Unauthorized Persons Prohibited**

3 FOR the purpose of prohibiting the presence of an unauthorized person within the boundaries of
4 an emergency scene; establishing certain penalties; defining certain terms; and generally
5 relating to unauthorized persons within the boundaries of an emergency scene.

6 BY repealing and re-ordaining, with amendments,
7 Article 9 - Fire Suppression and Prevention
8 Section 1-2
9 Baltimore City Code
10 (Edition 2000)

11 BY adding
12 Article 19 - Police Ordinances
13 Section 25-5
14 Baltimore City Code
15 (Edition 2000)

16 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
17 Laws of Baltimore City read as follows:

18 **Baltimore City Code**

19 **Article 9. Fire Suppression and Prevention**

20 **Division I: Fire Operations**

21 **Subtitle 1. Fire Department**

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

Council Bill 25-0018

§ 1-2. Control of persons and property at fires.

(A) *IN GENERAL.*

The Chief of the Fire Department shall, during the occurrence of fires or alarm of fires, have authority for himself, and the power to delegate to his assistants, the authority to control all persons and property in the vicinity of a fire, during the continuance thereof; provided, that the exercise of such authority does not conflict with any law of the United States, or of the State of Maryland.

(B) *ESTABLISHMENT OF EMERGENCY SCENE.*

WHEN RESPONDING TO AN EMERGENCY, THE CHIEF OR THE CHIEF'S DESIGNEE SHALL:

(1) IDENTIFY THE EMERGENCY SCENE, AS DEFINED IN CITY CODE, ARTICLE 19, § 25-5(A);

(2) ESTABLISH THE BOUNDARIES OF THE EMERGENCY SCENE USING:

(I) CAUTION TAPE;

(II) POSTED PERSONNEL; OR

(III) ANOTHER REASONABLE METHOD; AND

(3) AFTER THE FIRE DEPARTMENT COMPLETES THE INVESTIGATION OF THE EMERGENCY, REMOVE ANY BOUNDARIES MARKING THE EMERGENCY SCENE.

(C) *PERSONS PRESENT.*

ONLY AN AUTHORIZED PERSON, AS DEFINED IN CITY CODE, ARTICLE 19, § 25-5(A), MAY BE PRESENT WITHIN THE BOUNDARIES OF AN EMERGENCY SCENE.

Article 19. Police Ordinances

Subtitle 25. Loitering

§ 25-5. EMERGENCY SCENE.

(A) *DEFINITIONS.*

(1) *IN GENERAL.*

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

Council Bill 25-0018

1 (2) *AUTHORIZED PERSON.*

2 (1) *IN GENERAL.*

3 “AUTHORIZED PERSON” MEANS AN PERSON WHO IS GIVEN PERMISSION TO BE
4 PRESENT WITHIN THE BOUNDARIES OF AN EMERGENCY SCENE BY THE CHIEF.

5 (II) *INCLUSIONS.*

6 “AUTHORIZED PERSON” MAY INCLUDE:

7 (A) A FIREFIGHTER;

8 (B) EMERGENCY MEDICAL SERVICES PERSONNEL;

9 (C) PERSONNEL FROM THE BALTIMORE POLICE DEPARTMENT;

10 (D) A VICTIM OF THE FIRE;

11 (E) A FAMILY MEMBER OF A VICTIM OF THE FIRE;

12 (F) PERSONNEL FROM THE AMERICAN RED CROSS;

13 (G) PERSONNEL FROM THE BALTIMORE CITY DEPARTMENT OF HOUSING AND
14 COMMUNITY DEVELOPMENT; OR

15 (H) AN OFFICIAL, AS DEFINED IN CITY CODE, ARTICLE 8,§ 2-21, WITH
16 IDENTIFICATION ISSUED BY THE CITY.

17 (3) *CHIEF.*

18 “CHIEF” MEANS THE CHIEF OF THE BALTIMORE CITY FIRE DEPARTMENT OR THE
19 CHIEF’S DESIGNEE.

20 (4) *DEPARTMENT.*

21 “DEPARTMENT” MEANS THE BALTIMORE CITY FIRE DEPARTMENT.

22 (5) *EMERGENCY SCENE.*

23 “EMERGENCY SCENE” MEANS THE IMMEDIATE AREA NECESSARY FOR THE
24 DEPARTMENT TO INVESTIGATE AN EMERGENCY.

25 (B) *PROHIBITED CONDUCT.*

26 (1) *IN GENERAL.*

27 A PERSON MAY NOT LOITER WITHIN THE BOUNDARIES OF AN EMERGENCY SCENE.

Council Bill 25-0018

1 (2) *EXCEPTION.*

2 AN AUTHORIZED PERSON, AS DEFINED UNDER SUBSECTION (A)(2) OF THIS SECTION,
3 MAY BE PRESENT WITHIN THE BOUNDARIES OF AN EMERGENCY SCENE.

4 (C) *SCOPE.*

5 NO PERSON MAY BE CHARGED WITH A VIOLATION OF THIS SECTION UNLESS AND UNTIL THE
6 ARRESTING OFFICER HAS FIRST WARNED THE PERSON OF THE VIOLATION AND THE PERSON
7 HAS FAILED OR REFUSED TO STOP THE VIOLATION.

8 (D) *PENALTIES.*

9 ANY PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION IS GUILTY OF A
10 MISDEMEANOR AND, ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN \$500 OR
11 IMPRISONMENT FOR NOT MORE THAN 90 DAYS, OR BOTH FINE AND IMPRISONMENT.

12 (E) *EACH VIOLATION A SEPARATE OFFENSE.*

13 EACH VIOLATION OF THE PROVISIONS OF THIS SECTION IS A SEPARATE OFFENSE.

14 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
15 after the date it is enacted.