

**ARTICLE 1
MAYOR, CITY COUNCIL,
AND MUNICIPAL AGENCIES**

(As Last Amended by Ord. 22-163)

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**SUBTITLE 1
CITY COUNCIL**

§ 1-1. Other office or clerkship prohibited.

It shall not be lawful for any member of the City Council to be appointed or to accept appointment to any office or clerkship under the corporation during the term for which he was elected as a member of the City Council, the salary or emolument of which are fixed and determined by the Mayor and City Council, whether said appointment be made by the Mayor individually, or by the Mayor and City Council, or by any other officer or officers of the City.

(City Code, 1879, art. 1, §12; 1893, art. 1, §15; 1927, art. 1, §17; 1950, art. 1, §2; 1966, art. 1, §1; 1976/83, art. 1, §1.) (Rev. Ords. 1858-003; Ord. 1859-032; Ord. 1864-090.)

§ 1-2. {Repealed by Ord. 09-217}

§ 1-3. Ordinances and resolutions.

(a) *Form and procedure.*

(1) *General.*

Every ordinance and resolution of the Mayor and City Council of Baltimore, when delivered to the Mayor for approval, duly authenticated as required by Article IV, § 5 of the City Charter, shall have indicated on it the date of each reading.

(2) *Ordinance requiring publication.*

If the ordinance is one requiring publication of notice, the Chief Clerk shall attach a certificate from the publisher of each newspaper in which notice was published, stating the number of times and the dates when the notice was published, which certification shall have pasted on it a printed copy of the notice so published.

(b) *Legalization.*

(1) The volumes of “Ordinances and Resolutions of the Mayor and City Council of Baltimore” published annually are legalized. They shall be deemed and taken by all public officials to be evidence of the ordinances contained in them.

(2) Individually printed and attested ordinances and resolutions:

(i) may be produced and offered in evidence in any suit pending in court; and

(ii) when so produced and offered in evidence, have the same effect, to all intents and purposes, as the printed volumes containing them would have when published.

*(City Code, 1927, art. 1, §§32, 33, 42; 1950, art. 1, §4; 1966, art. 1, §3; 1976/83, art. 1, §3.)
(Ord. 05-011; Ord. 08-140; Ord. 50-1217; Ord. 70-809; Ord. 80-151; Ord. 99-947; Ord. 09-217.)*

§ 1-4. Committee on Legislative Investigations.

(a) *Committee established.*

A standing committee of the City Council is established, to be known as the Committee on Legislative Investigations.

(b) *Composition.*

- (1) The Committee comprises 5 Councilmembers, to be appointed from time to time by the Council President, with the approval of the City Council.
- (2) The President, with the approval of the Council, shall designate 1 member as the Committee's Chair and another member as the Committee's Vice-Chair.

(c) *General functions.*

On its own motion or at the request of any person, the Committee may:

- (1) study the continuing operations, efficiency, and functions of the several departments, bureaus, commissions, boards, and agencies of the Mayor and City Council of Baltimore; and
- (2) investigate complaints or allegations of faulty operations, inefficiency, or malfunctioning in any of these departments, bureaus, commissions, boards, and agencies.

(d) *Oaths and subpoenas.*

(1) In undertaking any study or investigation under this section, the Committee may:

(i) on motion approved by a majority of its members, issue subpoenas:

(A) to compel the attendance of witnesses;

(B) to compel the production of any relevant papers, books, accounts, records, documents, and testimony; and

(C) to cause the deposition of witnesses to be taken, in the manner provided by law for taking depositions in a civil case; and

(ii) administer oaths to all witnesses.

(2) For purposes of paragraph (1) of this subsection, papers, books, accounts, records, documents, and testimony are considered relevant if they:

(i) refer or relate to the matters under study or investigation;

(ii) assist in assessing the credibility of a witness;

- (iii) contradict or corroborate the testimony of a witness; or
- (iv) demonstrate the existence of undue influence on a witness.

(e) *Service of subpoena.*

A subpoena issued under this section shall be served:

- (1) in the manner provided by law for service of a subpoena in a civil action;
- (2) at least 10 calendar days before the time that the subpoena sets for attendance or for the production of papers, books, accounts, records, or documents; and
- (3) with the following:
 - (i) a statement of the subject of the study or investigation to which the subpoena relates;
 - (ii) if the subpoena requires the appearance of a person, notice that the person may be accompanied by counsel; and
 - (iii) a copy of this section and of any rules adopted by the Committee under this section.

(f) *Enforcement of oaths and subpoenas.*

- (1) If a person subpoenaed under this section fails to comply with the subpoena or fails to testify on any matter on which the person may be lawfully interrogated:
 - (i) the Committee may petition the Circuit Court of Baltimore City to order compliance with the subpoena; and
 - (ii) on petition, the Court may:
 - (A) pass an order directing compliance with the subpoena or compelling testimony; and
 - (B) enforce its order by proceedings for contempt.

(2) False swearing by a witness before the Committee is subject to the penalties of perjury.

(g) *Committee rules.*

- (1) The Committee may adopt rules to govern its procedures under this section, including the conduct of hearings under this section.
- (2) These rules may not be inconsistent with the provisions of this section or of any other applicable law.

(h) *Reports and recommendations.*

On completion of a study or investigation under this section, the Committee shall report to the members of the City Council, the Mayor, and the Board of Estimates:

- (1) the results of that study or investigation; and
- (2) any recommendations it may have for:
 - (i) the more effective operation of any of these departments, bureaus, commissions, boards, and agencies;
 - (ii) legislative, administrative, and budgetary improvements; and
 - (iii) if the Committee has reasonable grounds to believe that a criminal offense has been committed, referral to the appropriate prosecuting authority.

(City Code, 1966, art. 1, §3A; 1976/83, art. 1, §4.) (Ord. 66-818; Ord. 14-213; Ord. 14-307.)

§ 1-5. Agencies to provide budget status reports.(a) *Reports required.*

On or before November 1, February 1, May 1, and August 1 each year, the City agencies so requested shall file quarterly budget status reports with the Budget and Appropriations Committee of the City Council.

(b) *Contents.*

Each report shall contain the information required by the Committee and be in the format requested.

(c) *Public hearing.*

The Committee may hold a public hearing for those agencies not reporting or those showing a projected deficit for the fiscal year.

(d) *“City agency” defined.*

The words “City agencies” include the City trustees and all City sponsored and financed nonprofit corporations.

(City Code, 1976/83, art. 1, §5.) (Ord. 72-211; Ord. 77-333; Ord. 81-568; Ord. 82-753.)

§ 1-6. Agencies to provide legislative information.

It shall be the duty of the head of every City department or bureau established by the Baltimore City Charter or by ordinance to provide all technical materials, plats, drawings, and information that are requested by any member or the President of the City Council for the purpose of introducing legislation into the Council.

(City Code, 1976/83, art. 1, §6.) (Ord. 76-080.)

§ 1-7. Disorderly conduct prohibited.*(a) Prohibited conduct.*

No person shall act in a disorderly manner to the disturbance of the public peace at any meeting or committee meeting of the Baltimore City Council, whether the Baltimore City Council be meeting at Baltimore City Hall or at any other location.

(b) Penalties.

- (1) Any person who continues to violate the prohibitions of this section after a request for order by the presiding officer shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not more than \$500 or be confined in jail for a period of not more than 60 days or be both fined and imprisoned in the discretion of the court.
- (2) Any person violating the provisions of this section after having been convicted of a prior violation of this section occurring within the preceding 12 months shall be fined not less than \$100 for each violation and may be imprisoned for not more than 10 days if the fine is not paid.

(City Code, 1976/83, art. 19, §§218, 219.) (Ord. 81-214.)

**SUBTITLE 2
OFFICE OF COUNCIL SERVICES**

§ 2-1. Office created; duties.

(a) *Created.*

The City Council Office of Financial Review is hereby abolished and there is hereby created the Office of Council Services.

(b) *Duties.*

It is the function of this Office:

- (1) to analyze the City’s budget and make recommendations thereon to the City Council, including both operating and capital budgets, revenues, taxation, and related matters;
- (2) to conduct studies of the organization and inter-relationships of the several departments, commissions, boards, and agencies of the City government;
- (3) to make recommendations on maximizing economy and efficiency in government;
- (4) to analyze legislation pending before the City Council;
- (5) to provide staff assistance to committees of the City Council; and
- (6) to provide such other assistance to the City Council and its committees as may be necessary to carry out the purposes of the City Council.

(City Code, 1976/83, art. 1, §7.) (Ord. 86-625; Ord. 05-008.)

§ 2-2. Oversight Committee.

(a) *Establishment; composition.*

- (1) The City Council shall establish an Oversight Committee, with the President serving as Chair.
- (2) The Committee shall comprise the Chairpersons of the Council’s standing committees and 2 additional members appointed by the President.

(b) *Policies and procedures.*

- (1) The Oversight Committee shall recommend such policies and procedures as are necessary for the effective operation of the Office of Council Services.
- (2) Said policies and procedures shall be approved by the City Council and may be amended or revised from time to time, as the Council deems necessary and/or appropriate.

(City Code, 1976/83, art. 1, §8(1st, 2nd, and 9th sens.) (Ord. 86-625; Ord. 05-008.)

§ 2-3. Director – appointment; term; removal.*(a) Appointment of Director.*

The Committee shall appoint the Director of the Office of Council Services.

(b) Term and removal of Director.

(1) The Director shall serve at the pleasure of the City Council, as expressed by the Oversight Committee.

(2) Within 10 days of being notified that the Oversight Committee has acted by majority vote of its members to discharge the Director, the President shall convene a meeting of the Committee of the Whole to review the action of the Oversight Committee. In such an instance, discharge shall not occur without a majority vote of the members of the Committee of the Whole to sustain the action of the Oversight Committee.

(3) When a vacancy occurs in the position of Director, the Oversight Committee shall designate a person to serve on an interim basis until a permanent director is appointed.

(City Code, 1976/83, art. 1, §8(3rd - 8th sens.) (Ord. 86-625; Ord. 04-822; Ord. 05-008; Ord. 06-247.)

§ 2-4. Director — qualifications; duties.*(a) In general.*

(1) The Director of the Office of Council Services:

(i) shall be a person who has prior experience in administration, supervision, taxation, and public finance and the legislative process; and

(ii) shall have such qualifications, duties, and responsibilities as may be prescribed from time to time by the Oversight Committee as provided in § 2-2 of this subtitle.

(2) The Director shall be a resident of Baltimore City and shall devote full time to the performance of the duties and assignments of the Office of Council Services.

(b) Reports.

The Director shall report to the Oversight Committee concerning the operations of the Office of Council Services in a manner specified in the policies and procedures adopted by the Council pursuant to § 2-2 of this subtitle.

(c) Supervision of staff.

(1) The Director shall be responsible for the supervision of all employees in the Office of Council Services.

(2) The Director, in consultation with the Oversight Committee, shall assign staff members to work with the various Council committees.
(City Code, 1976/83, art. 1, §9.) (Ord. 86-625; Ord. 05-008.)

§ 2-5. Staff; supplies; agency assistance.

(a) *Staff.*

The Director of the Office of Council Services is empowered to hire such employees as deemed necessary to perform the duties and exercise the powers conferred by this subtitle and as provided in the Ordinance of Estimates.

(b) *Supplies.*

The Office of Council Services shall be supplied with the necessary books, maps, charts, equipment, stationery, and other incidentals necessary to be paid from funds supplied in the Ordinance of Estimates.

(c) *Agency assistance.*

All departments, bureaus, agencies, boards, and commissions of the municipal government shall, upon request, provide responsible assistance and information to the Office of Council Services.
(City Code, 1976/83, art. 1, §10.) (Ord. 86-625; Ord. 05-008.)

SUBTITLE 3
CLAIMS BEFORE COUNCIL

§ 3-1. Limitations.

No claim shall be considered by the Council after the period of limitation has elapsed by which under the law of the State of Maryland such claim would be barred.

(City Code, 1879, art. 1, §29; 1893, art. 1, §32; 1927, art. 1, §44; 1950, art. 1, §5; 1966, art. 1, §8; 1976/83, art. 1, §11.) (Ord. 1871-088.)

§ 3-2. Diary fund.

With the exception of the matter of the compensation to the members of the City Council for their services as now provided by Article III, § 1 of the City Charter, the City Council shall have the control of all matters of expenditure which relate to the business operations or diary of the City Council, embracing:

- (1) the salaries of its officers;
- (2) printing for the body;
- (3) necessary expenses of its standing and special committees;
- (4) stationery;
- (5) appointments of the council chambers and committee rooms;
- (6) funeral expenses; and

(7) such other expenses as may be proper for and necessary to the discharge of its functions.

(City Code, 1893, art. 1, §33; 1927, art. 1, §45; 1950, art. 1, §6; 1966, art. 1, §9; 1976/83, art. 1, §12.) (Ord. 1881-056.)

§ 3-3. Resolution required.

None of the items of expense embraced in § 3-2 of this subtitle shall be paid unless authorized by resolution or resolutions of the City Council.

(City Code, 1893, art. 1, §34; 1927, art. 1, §46; 1950, art. 1, §7; 1966, art. 1, §10; 1976/83, art. 1, §13.) (Ord. 1881-056.)

§ 3-4. Presentation of expense bills.

All bills of expenses:

(1) shall be presented to the City Council, whether incurred by special or standing committees of the Council or officers of the body, in virtue of § 3-3; and

(2) when so presented, shall be referred to the Standing Committee on Claims *{sic}*, which committee shall report thereon to the City Council; and

- (3) if the claim shall be approved by the latter, certified copies of the resolution of approval shall be sent to the City Comptroller, which certificate will be the authority to that officer for the issuing of his warrant on the Director of Finance for the payment of the amount of the claim so certified.

*(City Code, 1893, art. 1, §35; 1927, art. 1, §47; 1950, art. 1, §8; 1966, art. 1, §11; 1976/83, art. 1, §14.)
(Ord. 1881-056.)*

SUBTITLE 4
{RESERVED}

**SUBTITLE 5
CLAIMS AND LITIGATION**

§ 5-1. Definitions.

(a) *In general.*

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

(b) *Agency.*

(1) *In general.*

“Agency” means any department, board, commission, council, authority, committee, office, or other unit of City government.

(2) *Inclusions.*

“Agency” also includes:

- (i) Baltimore City Parking Authority;
- (ii) Baltimore Development Corporation;
- (iii) Baltimore City Police Department;
- (iv) Enoch Pratt Free Library of Baltimore City;
- (v) Housing Authority of Baltimore City;
- (vi) Local Development Council, South Baltimore Video Lottery Terminal;
- (vii) Pimlico Community Development Authority;
- (viii) South Baltimore Gateway Community Impact District Management Authority;
and
- (ix) any individual not embraced in a unit of City government who exercises authority comparable to that of the head of a unit of City government.

(c) *{Repealed}*

(d) *Employee.*

(1) *In general.*

“Employee” means any employee of the City who is not an official.

(2) *Inclusions.*

“Employee” also means an employee of any agency or board included within the scope of subsection (b) {“Agency”} of this section.

(e) *Official.*

(1) *In general.*

“Official” means:

- (i) an elected official;
- (ii) the head of any department;
- (iii) the head of any bureau or division within a department; or
- (iv) any other individual in a unit of City government who, whether acting alone or as a member of a board acting jointly with other board members:
 - (A) has authority comparable to that of the head of a department or the head of a bureau or division;
 - (B) has decision-making authority in making City policy;
 - (C) has decision-making authority in the exercise of quasi-judicial, regulatory, licensing, inspecting, or auditing functions; or
 - (D) acts as a principal advisor to one who has authority of the type listed.

(2) *Inclusions.*

“Official” also includes the Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, Executive Director, Executive Secretary, or Administrator of any agency or board included within the scope of subsection (b) {“Agency”} of this section.

(f) *Police misconduct.*

(1) *In general.*

“Police misconduct” means any improper action taken by a Baltimore City police officer in relation with the police officer’s official duties.

(2) *Inclusions.*

“Police misconduct” includes any misconduct involving the use of force, assault and battery, malicious prosecution, or false arrest or imprisonment.

(g) *Unlawful discrimination.*

“Unlawful discrimination” means any discriminatory act prohibited by local, state, or federal law. (Ord. 19-320; Ord. 22-125.)

§ 5-2. Website reports – Civil actions involving alleged police misconduct.

(a) *Reports required.*

The Baltimore City Department of Law shall post on its website semi-annual reports regarding all civil actions filed in state or federal court against any agency, official, or employee involving allegations of police misconduct.

(b) *Information to be included.*

The report posted on the Department of Law’s website shall include:

- (1) the court in which the action was filed;
- (2) the name of the attorney representing the plaintiff, if any;
- (3) the date the action was filed;
- (4) the nature of the plaintiff’s claims; and
- (5) if the matter has been resolved:
 - (i) the manner and date of the resolution; and
 - (ii) whether the resolution included a payment to the plaintiff by the Mayor and City Council of Baltimore and, if so, the amount of that payment.

(c) *Time and scope of report.*

The semi-annual reports required under this section must be posted as follows:

- (i) on or before July 31, covering the preceding five-year period through June 30 prior to the report date; and
- (ii) on or before January 31, covering the preceding five-year period through December 31 prior to the report date.

(Ord. 19-320.)

§ 5-3. Website reports – Civil actions involving unlawful discrimination.*(a) Reports required.*

The Baltimore City Department of Law shall post on its website semi-annual reports regarding all civil actions filed in state or federal court against any agency, official, or employee involving allegations of unlawful discrimination.

(b) Information to be included.

The report posted on the Baltimore City Department of Law’s website shall include:

- (1) the court in which the action was filed;
- (2) the name of the attorney representing the plaintiff, if any;
- (3) the date the action was filed;
- (4) the nature of the plaintiff’s claims; and
- (5) if the matter has been resolved:
 - (i) the manner and date of the resolution; and
 - (ii) whether the resolution included a payment to the plaintiff by the Mayor and City Council of Baltimore and, if so, the amount of that payment.

(c) Time and scope of report.

The semi-annual reports required under this section must be posted as follows:

- (i) on or before July 31, covering the preceding five-year period through June 30 prior to the report date; and
- (ii) on or before January 31, covering the preceding five-year period through December 31 prior to the report date.

(Ord. 19-320.)

§ 5-4. Reports to City Council on significant litigation.*(a) Significant litigation defined.*

In this section, “significant litigation” means:

- (1) any suit, action, or legal proceeding in a state or federal court;
- (2) in which an attorney in the Baltimore City Department of Law is counsel of record, or the Baltimore City Department of Law has hired or is supervising outside counsel; and

- (3) for which the monetary demand exceeds \$100,000 or for which an agency, official, or employee is demanded to take, continue, or discontinue a certain action or practice.

(b) *Quarterly report required.*

Within 30 days after each calendar quarter, the Baltimore City Department of Law shall provide to the City Council a report on all significant litigation.

(c) *Contents generally.*

For each case, the report shall include:

- (i) the name of the case;
- (ii) a summary of the facts giving rise to the case;
- (iii) as applicable, the amount or course of action demanded;
- (iv) the case's current status; and
- (v) if the case has been resolved:
 - (A) the manner and date of the resolution; and
 - (B) whether the resolution included a payment to the plaintiff by the City and, if so, the amount of that payment.

(Ord. 19-320.)

§ 5-5. Certain non-disparagement clauses prohibited.

(a) *Law Department approval prohibited.*

In any claim alleging police misconduct or unlawful discrimination against the Mayor and City Council of Baltimore City or any agency, official, or employee, the Baltimore City Department of Law may not approve for form or legal sufficiency any settlement agreement that contains a provision requiring a claimant to waive the claimant's right to make any statement concerning:

- (1) the Mayor and City Council of Baltimore City;
- (2) any agency;
- (3) any official or employee;
- (4) the facts or circumstances of the claim; or
- (5) the terms or conditions of the settlement agreement.

(b) *Board of Estimates approval prohibited.*

In any claim alleging police misconduct or unlawful discrimination against the Mayor and City Council of Baltimore City or any agency, official, or employee, the Board of Estimates may not approve for execution any settlement agreement that contains a provision requiring a claimant to waive the claimant's right to make any statement concerning:

- (1) the Mayor and City Council of Baltimore City;
- (2) any agency;
- (3) any official or employee;
- (4) the facts or circumstances of the claim; or
- (5) the terms or conditions of the settlement agreement.

(c) *Enforcement prohibited.*

The Baltimore City Department of Law may not enforce or threaten to enforce any provision in a previously executed settlement agreement that would be prohibited under this section.

(Ord. 19-320.)

SUBTITLE 6
MEETINGS OF BOARDS AND COMMISSIONS

Editor's Note: State law imposes greater restraints than does the ensuing § 6-1 on the authority of public bodies to meet in "executive session". The State law also contains provisions governing notices, minutes, and the like. See generally State General Provisions Article, Title 3 {"State Open Meetings Act"}.

§ 6-1. Meetings to be public.

(a) *In general.*

All meetings, regular and special, of the boards or commissions in control of any department, bureau, or other agency in the executive and administrative branch of the government of the City of Baltimore shall be public meetings and open to the public at all times.

(b) *Executive sessions.*

Nothing contained herein shall be construed to prevent any such board or commission from holding an executive session from which the public is excluded, but no resolution, rule, or regulation shall be finally adopted at such an executive session.

(City Code, 1966, art. 1, §68; 1976/83, art. 1, §63.) (Ord. 57-939.)

§ 6-2. Failure of member to attend meetings.

(a) *In general.*

Any member of a City board or commission who is appointed by the Mayor and who, during any period of 12 consecutive months, fails to attend 50% or more of the meetings of the board or commission is considered to have resigned.

(b) *Procedure.*

The chairman of the board or commission shall forward the member's name to the Mayor as soon as practicable following a 12-month period of deficient attendance, together with a statement of the frequency and extent of the non-attendance.

(c) *Action by Mayor.*

(1) Except as otherwise provided in paragraph (2) of this subsection, the Mayor shall appoint a successor for the remainder of the term.

(2) If the reasons for a member's failure to attend meetings are satisfactory to the Mayor and are made public, the Mayor may waive the resignation.

(City Code, 1976/83, art. 1, §64.) (Ord. 71-1006; Ord. 13-175.)

§ 6-3. Yearly meetings required.*(a) In general.*

Each board or commission established by the Baltimore City Charter or the Baltimore City Code whose membership is appointed shall hold a minimum of 1 regular meeting each year.

(b) Meeting to be open.

These meetings shall be open to the public.

(c) Exception.

The provisions of this section shall not apply to the Board of Estimates.
(City Code, 1976/83, art. 1, §65.) (Ord. 72-181.)

§ 6-3.1. No meeting on primary- or general-election day.

No board, commission, council, authority, committee, or other multi-member unit of City government may hold a public meeting, regular or special, on a day during which a primary or general election is being held in the City.
(Ord. 08-008.)

§ 6-4. Notice of meetings.*(a) 7-day notice to be provided.*

(1) It shall be the duty of each board or commission established by the Baltimore City Charter or the Baltimore City Code to furnish written notice to the Department of Legislative Reference, for posting on a space designated by the Department of Legislative Reference, no less than 7 days before any meeting held by that board or commission.

(2) The posted notice shall include the time, date, and place of meeting.

(b) Emergency meetings; cancellations.

(1) The 7-day requirement may be waived in case of emergency meetings, but notice of occurrence of such meeting shall be posted as soon as possible, before or after such meeting.

(2) Notice of the cancellation of a meeting should be given at least 48 hours prior to the scheduled time of the meeting.

(c) Legislative Reference to provide space.

It shall be the duty of the Department of Legislative Reference to:

(1) provide space within the Department or the City Hall, clearly available to any onlooker, for the posting of meeting notices; and

(2) furnish at least 1 copy of each notice to the press.

(d) *Failure to comply.*

If any department, board, or commission fails to furnish written notice of meetings as provided in this section, such meeting will be deemed to have no legal standing.

(City Code, 1976/83, art. 1, §66.) (Ord. 72-181.)

§ 6-5. Minutes.

(a) *Required.*

Minutes shall be taken at all meetings, including regular, special, and emergency meetings, of all appointed boards and commissions established by the Baltimore City Charter and the Baltimore City Code.

(b) *Filing.*

A copy of the minutes shall be filed with the Department of Legislative Reference no later than the 7th day after the next regularly scheduled meeting or within 60 days, whichever comes first.

(City Code, 1976/83, art. 1, §67.) (Ord. 72-181.)

§ 6-6. {Repealed}

SUBTITLE 7
CITY OFFICERS AND EMPLOYEES

§ 7-1. Extra compensation; in-term raises.

(a) *Prohibited payments.*

- (1) No extra compensation shall be granted or allowed by the Mayor and City Council to any officer, agent, or servant of the corporation, or of any other corporation the expenses of which are borne in whole or in part by the City, after the services have been rendered.
- (2) Nor shall the salary or compensation of any of said officers, agents, or servants be increased or diminished during the term for which they may be or may have been elected, appointed, or employed.

(b) *Exception.*

Provided, that should an increase of duties be required by any subsequent ordinance or resolution of the Mayor and City Council, an extra compensation in proportion for the increase of labor, to the original compensation, may be allowed, in the discretion of the said Mayor and City Council. (*City Code, 1879, art. 1, §47; 1893, art. 1, §52; 1927, art. 1, §61; 1950, art. 1, §10; 1966, art. 1, §12; 1976/83, art. 1, §15.*) (*Ord. 1863-058.*)

§ 7-2. Registration with Selective Service System.

(a) *Proof of registration required.*

If an applicant for employment with the City is also required by federal law to register with the Federal Selective Service, the applicant must submit, before appointment, evidence of registration or of prior or current service in the Armed Forces of the United States.

(b) *Employment conditioned on compliance.*

A male born after December 31, 1959, may not be employed by the City until any documentation required by subsection (a) of this section has been submitted. (*City Code, 1976/83, art. 1, §15A.*) (*Ord. 98-328.*)

§ 7-3. Militia service.

All employees of the Mayor and City Council of Baltimore who shall be members of the organized militia of the State of Maryland created by the Constitution or laws of this State shall be entitled to leave of absence from their respective duties, without loss or deduction from pay, regular vacation, time, or efficiency rating for all days during which they shall attend field or coast defense training camps as required by law or military regulation passed pursuant to law; and whenever any such employees shall be engaged in active military duty within the State of Maryland they shall likewise be entitled to the privileges herein conferred. (*City Code, 1927, art. 1, §65; 1950, art. 1, §11; 1966, art. 1, §13; 1976/83, art. 1, §16.*) (*Ord. 27-956.*)

§ 7-4. Office hours.*(a) In general.*

All municipal offices shall remain open from 8:30 a.m. to 4:30 p.m. on Mondays through Fridays for the entire year, with a 40-minute luncheon period.

(b) Exceptions.

Provided, however, that any department head may, with the approval of the Mayor, establish hours other than those above specified for such employees as may be needed to meet emergencies or to promote the public service, and the Board of Estimates shall have the power, in its discretion, to modify or change the hours during which municipal offices shall be open whenever such change or changes shall seem desirable.

(City Code, 1950, art. 1, §12; 1966, art. 1, §14; 1976/83, art. 1, §17.) (Ord. 46-543.)

§ 7-5. Uniform allowance.

Every employee of the Police Department, including crossing guards, every employee of the Fire Department, and every public health nurse of the City of Baltimore whose duties require him or her to have and use, at any time, a uniform or other distinctive garb, shall either be provided with that uniform or other distinctive garb, free of cost, or shall be provided with an annual allowance in lieu thereof.

(City Code, 1966, art. 19, §175; 1976/83, art. 19, §215.) (Ord. 55-1416; Ord. 99-526.)

§ 7-6. Presentation of City Flag.*(a) To family of employee.*

The Mayor and City Council of Baltimore shall present a Baltimore municipal flag to the family of any City employee killed in the line of duty.

(b) Councilmembers may make presentation.

The flag may be presented to the family of the deceased by the Councilmembers of the Councilmanic district in which the deceased resided.

(City Code, 1976/83, art. 1, §16A.) (Ord. 82-635.)

§ 7-7. Residence address.*(a) On appointment.*

On appointment, each officer or employee of the City must submit to the Department of Finance, Payroll Division, the full street address of his or her legal residence.

(b) *On change of address.*

Within 10 days after an officer or employee of the City changes her or his legal residence, the officer or employee must submit to the Department of Finance, Payroll Division, the full street address of the new residence.

(c) *Rules and regulations.*

Subject to Title 4 {"Administrative Procedure Act – Regulations"} of the City General Provisions Article, the Director of Finance must adopt rules and regulations to carry out this section.

Editor’s Note: By authority of Ordinance 20-431, Section 5, the Director of Legislative Reference, in consultation with the Law Department, has conformed the text of this subsection to refer expressly to the requirements of the recently-enacted Administrative Procedure Act that, effective January 15, 2021, governs the proposal, adoption, and publication of administrative rules and regulations.

(Ord. 01-244; Text Conformed 02/09/21.)

§ 7-8. Hiring preference for persons with disabilities.(a) *Findings.*

- (1) Persons with disabilities are a largely untapped resource for outstanding candidates for City employment.
- (2) Persons with disabilities suffer from a high unemployment and underemployment rate in the City due in part to unfounded myths, fears, and stereotypes that are associated with many disabilities.
- (3) A hiring preference for persons with disabilities is necessary to remedy past discrimination resulting from these unfounded myths, fears, and stereotypes.

(b) *“Disability” defined.*

In this section, “disability” has the meaning stated in the Americans with Disabilities Act, 42 USCS § 12101 et seq.

(c) *Civil Service Commission to set standards.*

The Civil Service Commission must adopt regulations that set standards for establishing and maintaining a preference for the initial appointment of qualified persons with a disability into civil service positions.

(d) *Contents of standards.*

The standards adopted under this section:

- (1) must define a person with a disability eligible for the preference as:
 - (i) a person with medical proof of a developmental disability, a severe physical disability, or a psychiatric disability; or

(ii) a veteran rated by the Department of Veterans Affairs with a compensable service-connected disability;

(2) must require medical certification of a qualifying disability; and

(3) must establish the following order of preference:

(i) a veteran with a disability; and

(ii) an equal preference for a veteran without a disability and a non- veteran with a disability.

(e) *Limitation of preference.*

The standards adopted under this section may apply the preference to an applicant only after the applicant has been ranked among the highest in merit-based examinations.

(Ord. 11-424.)

§ 7-9. {Reserved}

§ 7-10. Residency requirements – City officials generally.

(a) *Definitions.*

(1) *In general.*

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

(2) *Agency.*

“Agency” means any department, any bureau or division within a department, and any board, commission, authority, council, committee, office, or other unit of City government.

(3) *Official.*

“Official” means:

(i) the head of an agency who reports directly to the Mayor; and

(ii) any at-will supervisory employee who reports directly to the Mayor or to the head of an agency.

(b) *Residency requirements.*

Every official:

(1) must be a resident and registered voter of Baltimore City at the time of his or her appointment, except only as otherwise authorized by subsection (c) of this section; and

(2) must remain a resident and registered voter of Baltimore City throughout his or her entire term of office.

(c) *Qualified, short-term exception.*

(1) *In general.*

Subsection (b)(1) of this section does not apply to an official who, before her or his appointment, signs a declaration of intent to become a City resident and registered voter within 6 months of the effective date of her or his appointment.

(2) *Termination for failure to timely comply.*

If the official fails to abide by this declaration of intent within the 6-month period, the official's appointment is automatically terminated at the end of that period.

(Ord. 18-111; Ord. 20-415.)

EDITOR'S NOTE: State Local Government Article ("LG") § 1-201 generally prohibits "a county or municipality [from] requir[ing] an employee to reside within the State, county, or municipality ... as a condition of employment" {LG § 1-201(b)(1)}, subject only to exceptions for:

- (1) "an elected official",
- (2) "the chief administrative officer of the county or municipality",
- (3) "the head of a unit ... who reports directly to:
 - (i) the chief administrative officer...;
 - (ii) an elected executive; or
 - (iii) the governing body of the county or municipality", and
- (4) as added by Chapter 776, Acts of 2017, "an at-will supervisory employee [who] reports directly to the head of a unit". {LG § 1-201(a) and(b)(1)}.

This § 7-10 was enacted by Ordinance 18-111, effective April 26, 2018, in accord with and by authority of LG § 1-201, as amended by Ch. 776, Acts of 2017. Section 2 of Ord. 18-111 (based on Section 2 of Ch. 776) contains the following "legacy clause":

[T]his Ordinance applies only prospectively and may not be applied or interpreted to have any effect on or application to the continued employment at the same level of any individual who, before the effective date of this Ordinance, is employed by the City as an "official", as that term is defined in this Ordinance.

§ 7-11. Residency requirements – Police Department command staff.

(a) *Definitions.*

(1) *In general.*

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

(2) *Command staff member.*

“Command staff member” means:

- (i) a member of the Baltimore Police Department with the rank of colonel; or
- (ii) a member of the Baltimore Police Department with the rank of deputy commissioner.

(b) *Residency requirements.*

(1) *Scope.*

Nothing in this section applies to a command staff member who:

- (i) on January 1, 2022, held the rank of colonel; and
- (ii) was subsequently promoted to the rank of deputy commissioner.

(2) *In general.*

Except as provided in subsection (c) of this section, each command staff member must:

- (i) be a resident and registered voter of Baltimore City at the time of the command staff member’s appointment; and
- (ii) remain a resident and registered voter of Baltimore City throughout the command staff member’s entire term of office.

(3) *Timing of compliance.*

An individual has 120 days after the date of hire for or promotion to a command staff member position to begin to reside in Baltimore City.

(c) *Waiver of residency requirements.*

If a command staff member is married to an individual who is employed by a governmental entity that has similar residency requirements as those in subsection (b) of this section, the Police Commissioner or the Police Commissioner’s designee may grant that command staff member a waiver from the requirements in subsection (b) of this section.

(d) *Termination for failure to comply.*

If a command staff member fails to comply with this section the command staff member is automatically terminated.

(e) *Annual reporting requirement.*

No later than June 30 of each year, the Police Commissioner or the Police Commissioner's designee shall submit a report to the Mayor and City Council detailing the residency and voter registration status of all command staff members.

(Ord. 20-415.)

EDITOR'S NOTE: This § 7-11 was enacted by Ordinance 20-415, effective January 1, 2022, in accord with and by authority of the PLL of Baltimore City § 16-1(6), (7), and (8), and § 16-2A, as amended by Ch. 512, Acts of 2020. Section 2 of Ord. 20-415 contains the following "legacy clause":

[T]his Ordinance applies only prospectively and may not be applied or interpreted to have any effect or application to the continued employment at the same level of any individual who, before the effective date of this Ordinance, is employed by the Baltimore Police Department as a member of its "command staff", as that term is defined in this Ordinance.

**SUBTITLE 8
WHISTLEBLOWER RIGHTS AND RESPONSIBILITIES**

EDITOR’S NOTE: This subtitle was enacted by Ord. 19-308, effective December 22, 2019. Ord. 19-335 subsequently extended the subtitle’s effective date to March 15, 2020.

§ 8-1. Definitions.

(a) *In general.*

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

(b) *Abuse of authority.*

“Abuse of authority” means the arbitrary or capricious exercise of power by a City official or employee that adversely affects the rights of any person or that results in personal gain or advantage to the City official or employee or to preferred other individuals.

(c) *Affiliated entity.*

“Affiliated entity” refers to the following entities:

- (1) Baltimore City Parking Authority;
- (2) Baltimore Development Corporation; and
- (3) South Baltimore Gateway Community Impact District Management Authority.

(d) *Agency.*

“Agency” means any department, board, commission, council, authority, committee, office, or other unit of City government or of any affiliated entity.

(e) *Covered disclosure.*

(1) *In general.*

“Covered disclosure” means a disclosure:

- (i) made by an employee;
- (ii) concerning actions arising within the Baltimore City government;
- (iii) initially made to a personnel officer or to the Inspector General; and
- (iv) that the employee reasonably believes to be evidence of:

- (A) fraud;

- (B) gross misuse or waste of public resources;
- (C) abuse of authority;
- (D) violation of law; or
- (E) a substantial and specific threat to health, safety, or security.

(2) *Inclusions.*

“Covered disclosure” includes a disclosure made during participation in an investigation by the Office of the Inspector General.

(3) *Exclusions.*

“Covered disclosure” does not include a disclosure that is prohibited by law.

(f) *Employee.*

“Employee” means an employee of a City agency, whether employed full-time, part-time, seasonal, contractual, or otherwise, including any member of a City board or commission, regardless of whether the member is compensated.

(g) *Notice of declination.*

“Notice of declination” means the notice sent by the Office of the Inspector General that informs the whistleblower their complaint is insufficient for the Office of the Inspector General to investigate.

(h) *Notice of investigation.*

“Notice of investigation” means the notice sent by the Office of the Inspector General that informs the whistleblower the Office of the Inspector General will be initiating a whistleblower investigation based on the complaint.

(i) *Personnel action.*

“Personnel action” means an act or omission by a supervisor that has a significant adverse impact on an employee, including dismissal, demotion, suspension, punitive transfer or assignment, disciplinary action, negative performance evaluation, failure to appoint, failure to promote, failure to transfer, or failure to assign.

(j) *Personnel officer.*

“Personnel officer” means an employee of the agency associated with the complaint who is responsible for administering personnel functions.

(k) *Supervisor.*

“Supervisor” means any individual who directly or indirectly oversees the work of an employee who files a complaint pursuant to this subtitle.

(l) *Whistleblower.*

“Whistleblower” means an employee who makes a covered disclosure.
(Ord. 19-308; Ord. 21-068.)

§ 8-2. {Reserved}

§ 8-3. Whistleblower protection against retaliatory personnel action.

(a) *In general.*

Unless a disclosure is specifically prohibited by law, a supervisor may not take retaliatory personnel action against a whistleblower for making a covered disclosure.

(b) *Exceptions.*

This section does not prohibit a supervisor from taking any personnel action against a whistleblower if the supervisor would have taken the personnel action regardless of whether the employee made the covered disclosure.
(Ord. 19-308.)

§ 8-4. {Reserved}

§ 8-5. Applicability of complaint procedures.

(a) *In general.*

This complaint procedures provisions in § 8-6 et seq. of this subtitle do not apply to any non-probationary member of the Civil Service who has been discharged from the Civil Service, reduced in pay or position, or suspended for longer than 30 days.

(b) *Jurisdiction of Civil Service Commission.*

- (1) The Civil Service Commission has jurisdiction over personnel actions described in subsection (a) of this section, as provided in City Charter Article VII §§ 94 through 104.
- (2) On the Civil Service Commission’s request, the Office of the Inspector General may investigate allegations made to the Civil Service Commission regarding retaliatory personnel actions and provide the Office’s findings to the Commission at or before a Commission hearing to the extent permitted by Article X of the Charter of Baltimore City. The Inspector General’s findings shall state whether the Inspector General believes the personnel actions were in violation of § 8-3 of this subtitle.

(c) *Civil Service Commission findings.*

- (1) During a Civil Service Commission hearing, the Commission may find that the personnel action described in subsection (a) of this section violates § 8-3 of this subtitle.
- (2) If the Commission finds that the personnel action described in subsection (a) of this section violates § 8-3 of this subtitle, this finding may be considered by the Commission in disposing of the matter before it.

(Ord. 19-308.)

§ 8-6. Complaint process.

(a) *Filing complaint with Human Services.*

- (1) A whistleblower who believes he or she has been retaliated against for making a covered disclosure shall file a written complaint with the personnel officer.
- (2) The complaint must be filed within 30 days from when the whistleblower knew or reasonably should have known about the violation.

(b) *Personnel officer's responsibilities.*

- (1) Within 5 business days after receiving a complaint under this section, the personnel officer who received the complaint must give the whistleblower written notice of the complaint's receipt.
- (2) Within 10 business days after receiving a complaint under this section, the personnel officer who received the complaint must notify the agency head or the appropriate appointing authority of the agency to the complaint *{sic}*.
- (3) Within 60 business *{days}* after the supervisor *{personnel officer}* received the complaint, the personnel officer must conduct an investigation and provide written findings to the whistleblower and to the agency head or the appropriate appointing authority of the agency.

(c) *Filing complaint with Inspector General.*

A whistleblower may choose to file a covered disclosure directly with the Office of the Inspector General if the whistleblower possesses a reasonable and articulable belief that any personnel officer cannot competently investigate the covered disclosure due to a conflict of interest or other specified reason.

(d) *Timing of the complaint.*

- (1) A whistleblower must file a complaint within 30 calendar days, by close of business on the 30th day, from when the whistleblower knew or should have reasonably known of the retaliation.

- (2) If the 30th day falls on a weekend or holiday or if City offices are closed for an emergency, the next business day when City offices are open shall count as the final day to file a complaint by close of business.

(e) *Ethical requirements.*

When making a covered disclosure, the whistleblower:

- (1) must act in good faith;
- (2) must make reasonable efforts to verify all information; and
- (3) may not knowingly report false information or allegations to the Office of the Inspector General.

(f) *Filing with Inspector General as appeal from personnel officer.*

- (1) If the whistleblower initially filed a complaint with a personnel officer, the whistleblower may appeal to the Inspector General if:
 - (i) the personnel officer who received the complaint failed to provide the whistleblower with written findings of the personnel officer's investigation; or
 - (ii) the whistleblower does not agree with the personnel officer's written findings.
- (2) An appeal filed with the Inspector General under either paragraph (1)(i) or paragraph (1)(ii) of this subsection must be filed within 30 days from when the personnel officer should have presented or actually presented the whistleblower with the written findings of the personnel officer's investigation.

(Ord. 19-308; Ord. 19-332; Ord. 21- 068.)

§ 8-7. Investigation by Inspector General.

(a) *Notice of receipt of complaint.*

Within 5 business days after receiving a written complaint or appeal under § 8-6(c) or (f) of this subtitle, the Office of the Inspector General must give the whistleblower written notice of the complaint's or appeal's receipt.

(b) *Initiating an investigation.*

- (1) Within 30 calendar days of receiving a complaint, the Office of the Inspector General shall provide the whistleblower with a written notice of investigation or a notice of declination depending on the timing and legal sufficiency of the complaint.
- (2) If initiating an investigation, the Office of the Inspector General shall send a Memorandum of Protected Activity to the whistleblower's supervisor.

(c) *Completing investigation.*(1) *Presentation of written findings.*

Within 150 days of receipt of the complaint, the Office of the Inspector General will present its written findings, including recommendations for action based on the investigation, to:

- (i) the City Administrator;
- (ii) the relevant agency head; and
- (iii) the whistleblower.

(2) *Required meeting.*

Within 14 days of receipt of the Office of the Inspector General's written findings, the City Administrator must meet with the relevant agency head and the Inspector General to discuss the recommendations included in the written findings.

(Ord. 19-308; Ord. 21-068.)

§ 8-8. Remedies.

To remedy any violation of this subtitle, an agency head may:

- (1) order the removal of detrimental information in the whistleblower's employment record put there due to retaliation related to the complaint;
- (2) require the relevant supervisor to:
 - (i) hire, promote, or reinstate the whistleblower;
 - (ii) end the whistleblower's suspension from employment; or
 - (iii) award the whistleblower back pay to the date of the violation; or
- (3) provide any other remedy consistent with the agency's mission.

(Ord. 21-068.)

§ 8-9. {Reserved}**§ 8-10. Rules and regulations.**

Subject to Title 4 {"Administrative Procedure Act – Regulations"} of the City General Provisions Article, the Inspector General must adopt rules and regulations to carry out this subtitle.

Editor's Note: By authority of Ordinance 20-431, Section 5, the Director of Legislative Reference, in consultation with the Law Department, has conformed the text of this section to refer expressly to the requirements of the recently-enacted Administrative Procedure Act that, effective January 15, 2021, governs the proposal, adoption, and publication of administrative rules and regulations.

(Ord. 19-308; Text Conformed 02/09/21.)

§ 8-11. Judicial and appellate review.

(a) *Judicial review.*

Any person aggrieved by a final action under this subtitle may seek judicial review of that action by petition to the Circuit Court for Baltimore City in accordance with the Maryland Rules of Procedure.

(b) *Appellate review.*

Any party to the judicial review may appeal the court's final judgment to the Court of Special Appeals in accordance with the Maryland Rules of Procedure.

(Ord. 19-308.)

§ 8-12. Other remedies not affected.

Nothing in this subtitle affects:

- (1) any action for defamation or invasion of privacy;
- (2) employee protections or employee grievance procedures provided by law or contract; or
- (3) any other remedy provided by law.

(Ord. 19-308.)

§ 8-13. Training.

The Department of Human Resources, with the assistance of the Office of the Inspector General and the Law Department, must conduct trainings regarding this subtitle to inform employees and supervisors of their rights and responsibilities.

(Ord. 19-308.)

§ 8-14. Administrative manual.

The Office of the Inspector General must create an administrative manual that outlines procedures and other information relative to the handling of complaints under this subtitle.

(Ord. 19-308.)

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**SUBTITLE 9
OPEN DATA PROGRAM**

§ 9-1. Definitions.

(a) *In general.*

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

(b) *Agency.*

“Agency” means:

- (1) any department, authority, office, board, commission, council, committee, or other unit of the City government; and
- (2) any individual not embraced in a unit of City Government who exercises authority comparable to that of the head of a unit of City government.

(c) *City data; Data.*

“City data” or “data” means statistical, factual, quantitative, or qualitative information that is regularly maintained or created by or on behalf of:

- (1) a City agency; or
- (2) a third-party contractor that creates or acquires information, records, or other data for and on behalf of a City agency.

(d) *Open data.*

“Open data” means data made available online:

- (1) in open format; and
- (2) with no legal encumbrances on use or reuse.

(e) *Open Data Portal; Web Portal.*

“Open Data Portal” means the “Open Baltimore” Web Portal as maintained under this subtitle.

(f) *Open format.*

“Open format” means any widely accepted, nonproprietary, platform-independent, machine-readable method for formatting data that:

- (1) permits automated processing of that data; and
- (2) facilitates search capabilities.

(g) *Dataset.*

“Dataset” means a named collection of related records that contains data organized or formatted in a specific or prescribed way, often in tabular form.

(h) *Protected information.*

“Protected information” means any dataset or part of a dataset to which an agency is required or authorized to deny access pursuant to the Maryland Public Information Act (Title 4 of the State Code General Provisions Article) or any other applicable law.

(i) *Sensitive information.*

“Sensitive information” means any data that, if published in open format, could raise privacy, confidentiality, or security concerns, or could have the potential to jeopardize public health, safety, or welfare, to an extent that exceeds the potential public benefit of publishing that data.

(j) *Publishable data.*

“Publishable data” means data that is neither protected information nor sensitive information. (Ord. 16-463.)

§ 9-2. Rules and regulations.

Subject to Title 4 {“Administrative Procedure Act – Regulations”} of the City General Provisions Article, the City’s Chief Data Officer may adopt rules and regulations to carry out this subtitle.

Editor’s Note: By authority of Ordinance 20-431, Section 5, the Director of Legislative Reference, in consultation with the Law Department, has conformed the text of this section to refer expressly to the requirements of the recently-enacted Administrative Procedure Act that, effective January 15, 2021, governs the proposal, adoption, and publication of administrative rules and regulations.

(Ord. 16-463; Text Conformed 05/5/21.)

§ 9-3. Short Title.

This subtitle may be cited as the “Baltimore City Open Data Program”. (Ord. 16-463.)

§§ 9-4 to 9-5. {Reserved}**§ 9-6. Program initiative.**

The Chief Data Officer shall oversee the development and adoption by the City of a program that allows the City to:

- (1) proactively release all publishable data, making it freely available in open formats, with no restrictions on use or reuse, and fully accessible to the broadest range of users for varying purposes;

- (2) publish high quality, updated data, with documentation and permanence to encourage maximal use;
- (3) continue and maintain the “Open Baltimore” Web Portal as the central location for publishable open data;
- (4) minimize limitations on the disclosure of public information, while appropriately safeguarding protected and sensitive information; and
- (5) encourage innovative uses of the City's publishable data by agencies, the public, and other partners.

(Ord. 16-463.)

§ 9-7. Program implementation and governance.

(a) In general.

The Chief Data Officer shall work with the City's agencies and officials to:

- (1) identify for each agency a lead open data coordinator who will be responsible for managing that agency's participation in the Open Data Program;
- (2) establish a comprehensive inventory of datasets held by each agency and to be published on the Open Data Portal and regularly updated;
- (3) develop and implement a process for determining the relative level of risk and public benefit associated with potentially sensitive, non-protected information, so as to make a determination about whether and how to publish that information;
- (4) develop and implement a process for prioritizing the publication of datasets on the Open Data Portal, taking into account:
 - (i) new and existing signals of interest from the public (such as the frequency of Public Information Act requests);
 - (ii) the City's programmatic priorities;
 - (iii) existing opportunities for data use in the public interest; and
 - (iv) cost;
- (5) establish processes for publishing datasets on the Open Data Portal, including processes for ensuring that datasets are reviewed for use-appropriate formats, quality, timeliness, and exclusion of protected and sensitive information;
- (6) develop and routinely update a public timeline for new dataset publication; and
- (7) ensure that published datasets are available for bulk download.

(b) *Feedback and collaboration.*

In order to increase and improve use of the City's open data, the Chief Data Officer shall actively encourage agency and public participation by providing regular opportunities for feedback and collaboration.

(Ord. 16-463.)

§ 9-8. Open Data Portal.

(a) *City to maintain.*

The City shall maintain the “Open Baltimore” Web Portal as the Open Data Portal where the City's publishable data will be publicly available.

(b) *Dataset to be on open license.*

Datasets published on the Open Data Portal shall be available to the public on an open license basis, with no restrictions on copying, publishing, further distributing, modifying, or using the data for any non-commercial or commercial purpose.

(Ord. 16-463.)

§ 9-9. Annual report.

(a) *In general.*

On or before June 30 of each year, the Chief Data Officer shall prepare and submit to the Mayor and the City Council an annual Open Data Report.

(b) *Contents.*

The report shall include:

- (1) an assessment of progress towards achievement of the goals of the Open Data Program;
- (2) an assessment of the current scope of agency compliance;
- (3) a list of datasets currently available on the Open Data Portal; and
- (4) a description of and publication timeline for datasets envisioned to be published on the Open Data Portal in the ending year.

(Ord. 16-463.)

§§ 9-10 to 9-14. {Reserved}

§ 9-15. Program disclaimers.

(a) *Data provided for informational purposes.*

Data is made available on the Open Data Portal for informational purposes only.

(b) *No warranties.*

(1) The City makes no express or implied warranty as to the completeness, accuracy, content, merchantability, or fitness for any particular use or purpose of any dataset made available on the Open Data Portal

(2) The City is not liable for any deficiency in the completeness, accuracy, content, merchantability, or fitness for any particular use or purpose of any dataset or of any third-party application using a dataset.

(c) *No private cause of action.*

(1) Neither this subtitle nor any Open Data Program plan or practice create a private right of action to enforce their provisions.

(2) Failure to comply with this subtitle or any Open Data Program plan or practice does not result in any liability by the City.

(d) *Display of disclaimers.*

The City shall conspicuously publish on the Open Data Portal the disclaimers contained in subsections (a) through (c) of this section.

(Ord. 16-463.)

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**SUBTITLE 10
RECORDS MANAGEMENT**

§ 10-1. Definitions.

(a) *In general.*

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

(b) *Agency.*

“Agency” means any department, board, commission, council, authority, committee, office, or other unit of City government in either the executive or legislative branches, including all elected officials.

(c) *{Repealed}*

(d) *Non-permanent record.*

(1) *In general.*

“Non-permanent record” means a public record with temporary value that may be destroyed after the passage of a specified period of time.

(2) *Inclusions.*

“Non-permanent record” includes:

- (i) extra copies of documents that:
 - (A) have no separate administrative purpose or value; and
 - (B) are preserved only for convenience or reference;
- (ii) informational copies of correspondence, directives, forms, or other similar documents on which no administrative action is recorded or taken;
- (iii) library and museum materials made or acquired for reference or exhibition purposes;
- (iv) personal papers or papers of a private or non-official character that pertain to an individual’s private affairs;
- (v) duplicate copies of documents maintained in the same file;
- (vi) extra copies of printed or processed materials for which complete record sets exists, including current and superceded manuals maintained outside the agency responsible for maintaining the manual;

- (vii) catalogs, trade journals, and other publications received from government agencies, commercial firms, or private institutions that require no further action by the agency; or
- (viii) physical exhibits, artifacts, and other material objects lacking evidential value.

(e) *Record.*

(1) *In general.*

“Record” means any documentary material in any form created or received by an agency in connection with the transaction of public business.

(2) *Inclusions.*

“Record” includes:

- (i) written materials, email, books, photographs, photocopies, publications, forms, microfilms, tapes, computerized records, maps, drawings, and other materials in any format;
- (ii) data generated, stored, received, or communicated by electronic means for use by, or storage in, an information system or for transmission from one information system to another; and
- (iii) non-permanent records.

(f) *Record inventory.*

“Record inventory” means a survey of all records series maintained by an agency resulting in a detailed, itemized compilation of the records in the possession of that agency.

(g) *Retention period.*

“Retention period” means the period of time that a record must be retained in accordance with an approved Records Retention and Disposition Schedule.

(h) *State Archivist.*

“State Archivist” means the individual appointed under Maryland State Government Article, § 9-1005, or that individual’s designee.

(*Ord. 20-407; Ord. 22-125.*)

§ 10-2. {Repealed by Ord. 22-125}

§§ 10-3 to 10-4. {Reserved}

§ 10-5. City Records Management Officer: In general.

There is a City Records Management Officer appointed by the Director of the Department of Legislative Reference.
(Ord. 20-407.)

§ 10-6. City Records Management Officer: Duties.*(a) In general.*

The City Records Management Officer shall direct the development and administration of a continuing records management, archival, and disposal program for the records of all City agencies.

(b) Specific duties.

The City Records Management Officer must:

- (1) establish standards, procedures, and techniques for the effective management of City records;
- (2) prepare, for the approval of the State Archivist, Record Retention and Disposition Schedules providing for:
 - (i) the retention of City and agency records of continuing value for a specific retention period;
 - (ii) the orderly disposal of City and agency records no longer possessing sufficient administrative, legal, fiscal, or historical value to warrant further preservation; and
 - (iii) the identification and preservation of records no longer needed by an agency that are of historical significance;
- (3) review all proposals for the digitization of records, whether or not the ultimate destruction of the original record is involved;
- (4) assist agency heads in the preparation of agency record inventories;
- (5) periodically inspect records and records management practices of agencies; and
- (6) organize and administer a City records storage center or centers for the City's inactive and historical records.

(c) Rules and regulations.

Subject to Title 4 {"Administrative Procedure Act – Regulations"} of the City General Provisions Article, the City Records Management Officer must adopt rules and regulations to carry out this subtitle.

Editor's Note: By authority of Ordinance 20-431, Section 5, the Director of Legislative Reference, in consultation with the Law Department, has conformed the text of this subsection to refer expressly to the requirements of the recently-enacted Administrative Procedure Act that, effective January 15, 2021, governs the proposal, adoption, and publication of administrative rules and regulations.

(Ord. 20-407; Text Conformed 02/09/21.)

§§ 10-7 to 10-8. {Reserved}

§ 10-9. Duties of agencies.

Each agency head must:

- (1) designate an Agency Records Officer to:
 - (i) serve as the agency liaison to the City Records Management officer;
and
 - (ii) assist the City Records Management Officer in carrying out the records management program for the agency;
- (2) on the request of the City Records Management Officer, prepare a record inventory;
- (3) cooperate with the City Records Management Officer in the preparation of Record Retention and Disposition Schedules for the agency head's agency; and
- (4) comply with the rules and regulations adopted by the City Records Management Officer with respect to the retention, disposal, storage, and digitization of agency records.

(Ord. 20-407.)

§ 10-10. Disposal of records.

(a) *Scope of section.*

Nothing in this section applies to any record that has been transferred to the custody of the Maryland State Archives.

(b) *In general.*

Except as provided in this section or in an approved Record Retention and Disposition Schedule, records created or received by an agency in the course of official City business are the property of the Mayor and City Council of Baltimore and may not be destroyed, sold, transferred, or otherwise disposed of.

(c) *Agency compliance.*

Each agency must comply with its Record Retention and Disposition Schedule and the disposal process set forth in Title 10, Subtitle 6 of the State Government Article of the Maryland Code to ensure:

- (1) the orderly retention of records required for the operation of the agency; and
- (2) the prompt disposal of records having no further value.

(d) *Agency Certificate of Disposal.*

- (1) An agency head must submit a Certificate of Disposal to the City Records Management Officer for any record disposed of in accordance with the agency's Record Retention and Disposition Schedule.
- (2) The Certificate of Disposal required by this section must set forth a list of the disposed records and a certification that the records were disposed of in accordance with this subtitle.
- (3) The City Records Management Officer shall transmit a copy of any Certificate of Disposal received under this subsection to the State Archivist.

(e) *Disposal of records held at a records storage center.*

- (1) At least 30 days before any records held at any City records storage center administered under this subtitle are destroyed, a list of the records proposed for destruction must be submitted to the City Solicitor and the City Auditor for review.
- (2) At any time during the 30-day review period, the City Solicitor or the City Auditor may submit to the City Records Management Officer a written objection to the destruction of a record or set of records on the list.
- (3) On receipt of a written objection under paragraph (2) of this subsection, the City Records Management Officer must retain the record.

(Ord. 20-407.)

§ 10-11. Digitization.

As provided in City Charter Article I, § 7(b), any agency may substitute a digital image or file for any of its records, provided that:

- (1) the required Record Retention and Disposition Schedule has been approved; and
- (2) any digital surrogates have been produced in a manner consistent with the rules and regulations adopted under this subtitle.

(Ord. 20-407.)

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SUBTITLE 11
POLICE ACCOUNTABILITY BOARD

EDITOR’S NOTE: Ordinance 22-146 (effective June 30, 2022) establishes that the Baltimore City Office of Equity and Civil Rights shall temporarily serve as the Police Accountability Board’s designee, as provided for in § 11-9(a) {“Complaints of police misconduct . . . In general.”} of this subtitle, and accept complaints of police misconduct beginning July 1, 2022, and continuing until the Board establishes a uniform procedure for filing complaints as required by § 11-9(c) {“Complaints of police misconduct . . . Procedure for filing complaints.”} of this subtitle.

§ 11-1. Definitions.

(a) *In general.*

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

(b) *Administratively charged.*

“Administratively charged” means that a police officer has been formally accused of police misconduct in an administrative proceeding.

(c) *Board.*

“Board” means the Baltimore City Police Accountability Board established by this subtitle.

(d) *Committee.*

“Committee” means the Administrative Charging Committee established by §11-10 of this subtitle.

(e) *Director.*

“Director” means the Director of the Baltimore City Office of Equity and Civil Rights, or its successor office.

(f) *Disciplinary matrix.*

“Disciplinary matrix” means a written, consistent, progressive, and transparent tool or rubric that provides ranges of disciplinary actions for different types of police misconduct.

(g) *Exonerated.*

“Exonerated” means that a police officer acted in accordance with the law and agency policy.

(h) *Law enforcement agency.*

“Law enforcement agency” means:

- (1) the Baltimore City Police Department;
- (2) the Baltimore City School Police;
- (3) the Baltimore City Sheriff’s Department;

- (4) the Baltimore City Environmental Police;
- (5) the police for of the Baltimore City Community College;
- (6) the police for of Morgan State University; or
- (7) the police department of Johns Hopkins University.

(i) *Not administratively charged.*

“Not administratively charged” means that a determination has been made not to administratively charge a police officer in connection with alleged police misconduct.

(j) *Police misconduct.*

“Police misconduct” means a pattern, a practice, or conduct by a police officer or law enforcement agency that includes:

- (1) depriving persons of rights protected by the constitution or laws of the City, the State, or the United States;
- (2) a violation of a criminal statute; and
- (3) a violation of law enforcement agency standards and policies.

(k) *Police officer.*

“Police officer” has the meaning stated in State Public Safety Article, § 3-101(h) {“Police Officer”}.

(l) *Unfounded.*

“Unfounded” means that the allegations against a police officer are not supported by fact.

§ 11-2. Board established.

There is a Baltimore City Police Accountability Board.

§ 11-3. Composition and qualifications.

(a) *Composition.*

(1) *In general.*

The Police Accountability Board is composed of 17 members.

(2) *Nomination and appointment.*

(i) *Mayoral appointment.*

- (A) 2 members shall be appointed to the Board by the Mayor in accordance with City Charter Article IV, § 6.
- (B) 1 of the members appointed by the Mayor under this paragraph (2) must be between 18 and 25 years of age.

(ii) *City Council candidates.*

- (A) Each member of the City Council and the City Council President shall propose 1 candidate to the Mayor for his or her consideration for appointment to the Board.
- (B) The Mayor shall consider the candidates proposed by the City Council for appointment to the Board and may nominate the candidates at his or her discretion in accordance with City Charter Article IV, § 6.
- (C) If the Mayor rejects a candidate proposed by the City Council the Mayor must provide a written response to the City Council justifying why he or she rejected the candidate.

(b) *Qualifications.*

(1) *Diversity of membership.*

To the extent practicable the membership of the Board shall reflect the racial, gender identity or expression, sexual orientation, socioeconomic, and cultural diversity of the City.

(2) *In general.*

Each member of the Board must be a resident of the City of Baltimore.

(3) *Exclusions.*

No person may be appointed to the Board, or once appointed, continue to serve on the Board if the person:

- (i) is or becomes a police officer or an officer or employee of a law enforcement agency;
- (ii) is or becomes a candidate for elected public office of the State, the City, or any other political subdivision of the State; ~~or~~
- (iii) is or becomes a person required to file a financial disclosure statement as required under Article 8, §§ 7-7 {"Elected officials and staff"}, 7-8 {"Agency officials and staff"}, or 7-9 {"Procurement, legislative liaison, and enforcement personnel"} of the City Code; and
- (iv) is a former police officer who did not separate from a law enforcement agency in good standing.

(4) *Prohibitions.*

No more than 2 former police officers or employees of a law enforcement agency may serve on the Board at any 1 time.

§ 11-4. Officers.

(a) *Chair.*

- (1) The Chair shall be elected from among the Board's members by a majority vote of the members of the Board.
- (2) The term of the Chair is 2 years.
- (3) The Chair may be-re-elected.

(b) *Vice-chair.*

The Board may elect a Vice-Chair and other officers from among its members.

§ 11-5. Term; removal; compensation.

(a) *Term.*

- (1) Each member of the Board serves a 4-year term.
- (2) A member of the Board may not serve more than 2 consecutive full terms.
- (3) A member of the Board appointed to fill a vacancy serves the rest of the then current term.
- (4) A member of the Board continues in office until their successor is appointed and qualified.

(b) *Removal.*

The Mayor, with the approval of at least 9 Board members, may remove a member for:

- (1) neglect of duty;
- (2) misfeasance, malfeasance, or nonfeasance;
- (3) a member's inability or unwillingness to perform the duties of the office;
- (4) conduct that impairs a member from performing the duties of the office;
- (5) a conviction of a felony or a crime relevant to a member's credibility for which the penalty and sentence has not been fully satisfied; or
- (6) inability to meet the qualifications for a Board member mandated by City or State law or by implementing regulations.

(c) *Compensation.*

The members of the Board:

- (1) shall only be entitled to such compensation as provided for in the Ordinance of Estimates or supplementary appropriation legislation; and
- (2) are entitled to reimbursement for reasonable expenses incurred in the performance of their duties, as provided in the Ordinance of Estimates or supplementary appropriation legislation.

§ 11-6. Meetings.

(a) *In general.*

The Board must meet at the call of the Chair as frequently as required to perform its duties, but not less than 4 times each year.

(b) *Quorum; voting.*

- (1) A majority of the members of the Board constitutes a quorum for the transaction of business.
- (2) An affirmative vote by the majority of a quorum is needed for any official action.

§ 11-7. Duties.

The Board must:

- (1) hold quarterly meetings with the Chief of each law enforcement agency;
- (2) appoint civilian members to the administrative charging committee and trial boards;
- (3) receive complaints of police misconduct filed by a member of the public;
- (4) review the outcomes of disciplinary matters considered by the administrative charging committee on a quarterly basis;
- (5) advise the Mayor and the City Council on policing matters; and
- (6) refer each complaint of police misconduct filed with the Board to the appropriate law enforcement agency within 3 days after receipt for investigation.

§ 11-8. Reports.*(a) In general.*

The Board must publicly publish and submit an annual report to the Mayor and City Council by each December 31 that:

- (1) identifies any trends in the disciplinary process of police officers in the City;
- (2) recommends changes to policy that would improve police accountability in the City; and
- (3) describes the activities of the Board and the number of complaints received.

(b) Board website.

The Board must maintain a public website where reports required under subsection (a) of this section are publicly published.

§ 11-9. Complaints of police misconduct.*(a) In general.*

(1) A complaint of police misconduct may be filed with:

- (i) the Board or its designee; or
- (ii) the law enforcement agency that employs the police officer who is the subject of the complaint.

(2) If a complaint is filed with the Board, the complaint must be forwarded to the law enforcement agency that employs the police officer who is the subject of the complaint.

(3) If a complaint is filed with a law enforcement agency, the complaint must be forwarded to the Board within 2 weeks.

(b) Receipt of complaints.

The Board shall receive complaints of police misconduct:

- (1) filed by members of the public;
- (2) forwarded to them from a law enforcement agency; or
- (3) forwarded to the Board by the Board's designee, as authorized under § 11-9(a)(1)(i) of this subtitle.

(c) *Procedure for filing complaints.*

The Board must establish a uniform procedure for allowing members of the public to file complaints of police misconduct.

(d) *Complaint requirements.*

(1) *Inclusions.*

A complaint of police misconduct filed with the Board or a law enforcement agency must include:

- (i) the name of the police officer accused of police misconduct;
- (ii) a description of the facts on which the complaint is based; and
- (iii) contact information of the complainant or a person filing on behalf of the complainant for investigative follow-up.

(2) *Exclusions.*

A complaint of police misconduct need not be notarized.

§ 11-10. Administrative charging committee.

(a) *Establishment.*

There is an Administrative Charging Committee for the City.

(b) *Composition; qualifications; training.*

(1) *Composition.*

The Committee comprises 5 members, of which:

- (i) 1 is the Chair of the Police Accountability Board, or another member of the Board designated by the Chair;
- (ii) 2 are civilian members appointed by the Police Accountability Board; and
- (iii) 2 are civilian members appointed by the Mayor.

(2) *Qualifications.*

(i) *Diversity of membership.*

To the extent practicable the membership of the Board shall reflect the racial, gender identity or expression, sexual orientation, socioeconomic, and cultural diversity of the City.

(ii) *In general.*

Each member of the Committee must be a resident of the City of Baltimore.

(3) *Training.*

Before serving as a member of the Committee, a person must receive training on matters relating to police procedures from the Maryland Police Training and Standards Commission.

(c) *Term; removal; compensation.*

(1) *Term.*

- (i) Each member of the Committee serves a 3-year term.
- (ii) A member of the Committee may not serve more than 2 consecutive full terms.
- (iii) A member of the Committee appointed to fill a vacancy serves the rest of the unexpired term.
- (iv) A members of the Committee continues in office until his or her successor is appointed and qualified.

(2) *Removal.*

The Mayor may remove a member for:

- (i) neglect of duty;
- (ii) misfeasance, malfeasance, or nonfeasance;
- (iii) a member's inability or unwillingness to perform the duties of the office;
- (iv) conduct that impairs a member from performing the duties of the office;
- (v) a conviction of a felony or a crime relevant to a member's credibility for which the penalty and sentence has not been fully satisfied; or
- (vi) inability to meet the qualifications for a Committee member mandated by City or Stat law, or implementing regulations.

(3) *Compensation.*

The members of the Committee:

- (i) serve with compensation, as provided for in the Ordinance of Estimates or supplementary appropriation legislation; and

- (ii) are entitled to reimbursement for reasonable expenses incurred in the performance of their duties, as provided in the Ordinance of Estimates or supplementary appropriation legislation.

(d) *Chair.*

- (1) The Committee shall elect a Chair from among its members at the first meeting occurring on or after July 1.
- (2) The Chair of the Committee may not serve more than 2 consecutive full terms.

(e) *Meetings; quorum; voting.*

(1) *In general.*

The Committee shall meet once per month or as needed.

(2) *Quorum; voting.*

- (i) A majority of the members of the Committee constitutes a quorum for the transaction of business.
- (ii) An affirmative vote by the majority of a quorum is needed for any official action.

(f) *Duties.*

The Committee must:

- (i) review the findings of each law enforcement agency's investigation forwarded by the agency to the Committee;
- (ii) review any body camera footage that may be relevant to the matters covered in the complaint of police misconduct;
- (iii) authorize a police officer called before the Committee to be accompanied by a representative;
- (iv) within 30 days after receipt of the law enforcement agency's investigatory file, unless the Committee requests further review under subsection (g) of this section, determine if the police officer who is the subject of the charged investigation should be administratively charged or not administratively charged;
- (v) if the Committee determines that a police officer should be administratively charged, recommend discipline pursuant to the disciplinary matrix;
- (vi) if the Committee determines that a police officer should not be administratively charged, make a determination that:

(A) the allegations against the police officer are unfounded, or

(B) the police officer is exonerated;

(vii) issue a written opinion for each complaint describing in detail the Committee's findings, determinations, and recommendations; and

(viii) forward the written opinion to the Chief of the appropriate law enforcement agency, the accused police officer, and the complainant.

(g) *Authority of the Committee.*

The Committee has the authority to:

(i) request information or action from the law enforcement agency that conducted the investigation, including requiring additional investigation;

(ii) issue subpoenas for documents or witnesses necessary to execute the Committee's duties; and

(iii) record, in writing, any failure of supervision that caused or contributed to the officer's police misconduct.

(h) *Law enforcement agency - delivery of investigatory files.*

On completion of an investigation of a complaint of police misconduct involving a member of the public and a police officer, regardless of whether the complaint originated from within the law enforcement agency or from an external source, the law enforcement agency shall forward to the Committee the investigatory files for the matter.

(i) *Confidentiality.*

Each member of the Committee must maintain confidentiality relating to the matter being considered by the Committee until the final disposition of the matter.

§ 11-11. Rules and regulations.

Subject to Title 4 {"Administrative Procedure Act – Regulations"} of the City General Provisions Article, the Director must adopt rules and regulations to carry out this subtitle.

§ 11-12. Director; staff; budget.

(a) *Director.*

The Director of the Baltimore City Office of Equity and Civil Rights, or its successor office, serves as the director of the Baltimore City Police Accountability Board and is responsible for assisting the Board in performing its responsibilities.

(b) *Staff.*

In consultation with the Board, the Director may assign staff from the Office of Equity and Civil Rights to assist the Police Accountability Board and the Administrative Charging Committee.

(c) *Budget.*

The Director may expend funds as authorized in the Ordinance of Estimates or in any supplementary appropriations.

(d) *Public records requests — Personnel records.*

(1) *In general.*

- (i) At the time a former police officer is nominated to the Board under § 11-3(a)(2) {"Nomination and appointment"} of this subtitle the Director shall submit written public records requests for the former police officer's personnel records.
- (ii) Written public records request shall be submitted to all known law enforcement agencies, police forces, sheriff's offices, or security forces or law enforcement organizations, regardless of jurisdiction, that employed the former police officer.

(2) *Access to personnel records.*

Access to personnel records received resulting from requests submitted under paragraph (1) of this subsection shall be limited to those individuals directly involved with the nomination and appointment process for Board members.

(3) *Retention and disposition of personnel records.*

All personnel records collected under this subsection shall be retained for the duration of the nomination and appointment process, and then destroyed.

§ 11-13. Records.

(a) *Record retention.*

The Director must maintain records of the Police Accountability Board and the Administrative Charging Committee in accordance with a record retention schedule created with the assistance of the Baltimore City Records Management Officer in accordance with City and State law.

(b) *Confidentiality of records.*

All records prohibited from disclosure under the Maryland Public Information Act or other applicable law regarding the confidentiality of these records must be kept confidential by:

- (1) members of the Board;
- (2) members of the Committee;

(3) the Director;

(4) staff from the Office of Equity and Civil Rights; and

(5) any other person who becomes a custodian of the records that are handled by the Board or the Committee.

(Ord. 22-146.)

SUBTITLE 12
CENTRAL BUREAU OF INVESTIGATION

§ 12-1. Bureau established.

A Central Bureau of Investigation is hereby created in the Law Department under the City Solicitor. (*City Code, 1950, art. 18, §1; 1966, art. 1, §25; 1976/83, art. 1, §28.*) (*Ord. 42-855.*)

§ 12-2. Investigations.

(a) *Claims against or by City.*

It shall be the duty of the Central Bureau of Investigation, to investigate:

- (1) any and all claims made by third persons against the Mayor and City Council of Baltimore;
- (2) all claims which the Mayor and City Council of Baltimore may have against third persons; and
- (3) all reports made by any department, board, bureau, commission, agency, or employee of the Mayor and City Council of Baltimore of an accidental injury suffered by any employee thereof.

(b) *Workers' Compensation claims.*

The Central Bureau of Investigation shall also, at the direction of the City Solicitor, or at the direction of an Assistant City Solicitor handling Workmen's Compensation claims, investigate all claims for Workmen's Compensation filed with the State Workers' Compensation Commission by any employee of the Mayor and City Council of Baltimore.

(c) *Investigations directed by Solicitor.*

The Central Bureau of Investigation shall also:

- (1) make any and all investigations, of whatsoever kind or character, directed to be made by the City Solicitor; and
- (2) report the results of any and all investigations made by it to the City Solicitor.

(d) *Reports to Division of Disability Compensation.*

The Central Bureau of Investigation shall send to the Division of Disability Compensation of the Central Payroll Bureau, a summary of any report of any investigation of any claim filed with the State Workers' Compensation Commission by any employee of the Mayor and City Council of Baltimore for Workmen's Compensation. (*City Code, 1950, art. 18, §2; 1966, art. 1, §26; 1976/83, art. 1, §29.*) (*Ord. 42-855.*)

§ 12-3. Employees.*(a) In general.*

- (1) The City Solicitor shall appoint the employees of the Central Bureau of Investigation in accordance with the City Charter.
- (2) The employees shall be compensated as provided in the Ordinance of Estimates.

(b) Positions part of Classified Service.

- (1) All non-lawyer positions in the Central Bureau of Investigation are part of the Classified Service of the City of Baltimore, subject to the laws, rules, and regulations governing that service.
- (2) All appointments to fill vacancies in non-lawyer positions caused by death, resignation, dismissal, retirement, or other reason shall be made by the City Solicitor from eligible lists established by the Department of Human Resources.

(c) Specialists for special purposes.

The City Solicitor may from time to time engage for special purposes the services of experts and specialists for any particular case or cases.

(City Code, 1950, art. 18, §3; 1966, art. 1, §27; 1976/83, art. 1, §30.) (Ord. 42-855; Ord. 99-526; Ord. 04-822.)

§ 12-4. Report of injury or damage.

Every department, board, bureau, commission, officer, and employee of the Mayor and City Council of Baltimore (except the Bureau of Receipts and the employees thereof, so far as claims for taxes are concerned) shall immediately, upon the happening of any accidental injury to any employee of the Mayor and City Council of Baltimore, and upon the filing of, or knowledge of the existence of, any claim against the Mayor and City Council of Baltimore, or any injury or damage caused to the person or property of any third person by the Mayor and City Council of Baltimore, and any claim of the Mayor and City Council of Baltimore against third parties for any damage to property owned by or under the control of the Mayor and City Council of Baltimore, or any other injury or damage for which the Mayor and City Council of Baltimore may have a claim against third parties, whether arising by subrogation or otherwise, report the happening of such accidental injury or damage, or the filing or knowledge of any such claim or damage, with the Central Bureau of Investigation, so that an immediate investigation of all such accidental injuries and all such claims and damages may be forthwith made by the Central Bureau of Investigation.

(City Code, 1950, art. 18, §4; 1966, art. 1, §28; 1976/83, art. 1, §31.) (Ord. 42-855.)

§ 12-5. Inconsistent laws.

In the event of any inconsistency between this subtitle and the terms and provisions of any ordinance of the Mayor and City Council of Baltimore, the terms and provisions of any other such ordinance are repealed to the extent of such inconsistency.

(City Code, 1950, art. 18, §5; 1966, art. 1, §29; 1976/83, art. 1, §32.) (Ord. 42-855.)

SUBTITLE 13
CONVENTION COMPLEX

§ 13-1. Created; officers.

(a) *Convention Complex created; Director.*

There shall be a Convention Complex, consisting of the Baltimore Arena and the Convention Center, the head of which shall be a Convention Complex Director, who shall be appointed by the Mayor in accordance with Article IV, § 6 of the Baltimore City Charter.

(b) *Managers.*

There shall also be a Baltimore Arena Manager who shall manage and operate the Baltimore Arena, and a Convention Center Manager who shall manage and operate the Convention Center, both of whom shall be subject to the supervision and control of the Convention Complex Director.

(c) *Compensation.*

The compensation of the Director and Managers and their assistants, aides, and employees shall be subject to the approval of the Board of Estimates and shall be paid as provided in the annual Ordinance of Estimates.

(City Code, 1976/83, art. 1, §33.) (Ord. 82-676; Ord. 86-778.)

§ 13-2. Powers of Director.

(a) *In general.*

The Convention Complex Director shall have the following powers, which may be delegated by him to the Convention Center Manager or the Baltimore Arena Manager:

- (1) with the prior approval of the Board of Estimates, to contract with consulting, planning, or designing engineers or architects, advertising or promotional agencies, and any other persons possessing technical or specialized skills in connection with the requirements of the Convention Center or Baltimore Arena;
- (2) within a framework submitted to and approved by the Board of Estimates, to establish fees, rentals, or charges for the use or occupancy of the Convention Center and Baltimore Arena, or any part thereof, and to collect such fees, rentals, or charges; all such collections shall be remitted to the Director of Finance of Baltimore City;
- (3) to adopt, promulgate, and enforce rules and regulations for the management, use, occupancy, government, and preservation of order with respect to all land, property, facilities, and activities under his supervision or control, and a copy of all such rules and regulations shall be effective 10 days after they are filed with the Department of Legislative Reference of Baltimore; and any and all rules and regulations previously adopted by the Civic Center Commission shall remain in force and effect until

superseding rules and regulations are adopted and promulgated by the Convention Complex Director; and

- (4) to do any and all things necessary, proper, or expedient relative to or in connection with the use, occupancy, control, operation, management, promotion, maintenance, and repair of the Convention Center and Baltimore Arena.

(b) *Penalties for violating rule or regulation.*

Every person who violates any such rules or regulations so adopted or promulgated shall be guilty of a misdemeanor and, upon conviction thereof in any court of competent jurisdiction, shall be fined not more than \$500 for each and every offense or imprisonment for not more than 12 months.

(City Code, 1976/83, art. 1, §34.) (Ord. 82-676; Ord. 86-778.)

§ 13-3. Contracts; property.

(a) *Contracts subject to Charter.*

All contracts or agreements entered into for or in connection with the maintenance or repair of the Convention Center and Baltimore Arena and their facilities shall be subject to the terms and provisions of Article VI, § 11 of the City Charter, as they now exist or as they may hereafter be amended.

(b) *Title to property.*

The title to all land or property of every kind and every right, interest, franchise, easement or privilege therein, acquired for or in connection with the Convention Center and Baltimore Arena shall be or remain in the name of the Mayor and City Council of Baltimore.

(City Code, 1976/83, art. 1, §35.) (Ord. 82-676; Ord. 86-778.)

SUBTITLE 14
COMMISSION ON THE AGING AND RETIREMENT EDUCATION

§ 14-1. Legislative intent; findings.

(a) *In general.*

- (1) It is the intent of the Mayor and City Council of Baltimore in the reordination of this subtitle to create an agency which will better serve to coordinate governmental programs and develop the public and private resources needed to enable the elderly to remain full participants in the community after retirement.
- (2) The increasing complexity of the problems faced by the elderly requires a broadly based, comprehensive approach to deal with matters of finance, organization, social service, education, housing, employment, leisure time activity, medical service, and transportation.

(b) *Focus on problems of elderly.*

- (1) By the provisions of this subtitle, the Mayor and City Council focuses on these issues as they relate specifically to the elderly.
- (2) It is intended that the agency hereby created will result in increased input which will flow from its composition and from the status of its executive director as an officer of the Mayor and City Council and from the new orientation and scope of the agency's powers and responsibilities as further provided in this subtitle.

(City Code, 1966, art. 1, §33; 1976/83, art. 1, §36.) (Ord. 63-1595; Ord. 73-261.)

§ 14-2. Commission established.

There is hereby created a Commission to be known as the Baltimore Commission on the Aging and Retirement Education .

(City Code, 1966, art. 1, §34(a)(1st sen.); 1976/83, art. 1, §37(a)(1).) (Ord. 63-1595; Ord. 99-526.)

§ 14-3. Composition.

(a) *In general.*

The Commission shall consist of 24 members, 18 of whom are appointed by the Mayor in accordance with Article IV, § 6 of the Baltimore City Charter, and 6 of whom are ex-officio members.

(b) *Appointed members.*

Of the 18 members to be appointed by the Mayor:

- (1) at least 4 shall be over 65 years of age and retired;
- (2) 2 shall be selected to represent the pre-retirement aspects of the Commission's work;

- (3) 1 shall be a member of the City Council;
- (4) 1 shall be a member from Baltimore City of the Medical and Chirurgical Faculty of Maryland;
- (5) 1 shall be a member of the Baltimore City Medical Society;
- (6) 1 shall be a member of organized labor;
- (7) 1 shall represent industry;
- (8) 2 shall be associated with voluntary organizations which provide services to the elderly; and
- (9) 5 shall be selected because of their general interest in providing services to the elderly.

(c) *Ex officio members.*

The 6 ex officio members of the Commission are the following, or their designated representatives:

- (1) the Commissioner of Health;
- (2) the Director of the Department of Social Services;
- (3) the Director of the Department of Planning;
- (4) the Police Commissioner;
- (5) the Commissioner of the Department of Housing and Community Development; and
- (6) the Director of the Department of Recreation and Parks.

(City Code, 1966, art. 1, §34(a)(2nd, 3rd, 9th sens.); 1976/83, art. 1, §37(a)(2), (3), (8).) (Ord. 63-1595; Ord. 73-261; Ord. 99-526.)

§ 14-4. Terms, organization, etc.

(a) *Terms.*

- (1) The appointed members, other than the member of the City Council, serve terms of 4 years concurrent with the Mayor's term of office.
- (2) The appointee who is a member of the City Council serves for a term expiring upon the expiration of his current term in the City Council.

(b) *Chair.*

The Mayor shall designate 1 of the appointed members to be the Chair of the Commission.

(c) *Vacancies.*

On a vacancy in the membership of the Commission, the member appointed by the Mayor to fill the vacancy must meet the same qualifications for appointment as the member being succeeded and serves for the remainder of the unexpired term.

(d) *Compensation.*

The members of the Commission shall receive no compensation for their services on the Commission but shall be reimbursed for the reasonable and necessary expenses incurred in the performance of their duties.

(e) *Attendance at meetings.*

Any appointed member of the Commission who fails to attend 4 consecutive meetings without good cause as determined by the Mayor shall be deemed to have resigned.

(City Code, 1966; art. 1, §34(a)(4th - 8th sens.), (b), (c); 1976/83, art. 1, §37(a)(4) - (7), (b), (c).) (Ord. 63-1595; Ord. 73-261; Ord. 74-513; Ord. 99-526.)

§ 14-5. Executive Director; staff; budget.(a) *Mayor to appoint Director.*

(1) The Mayor shall appoint a properly qualified person as Executive Director of the Commission, to be an officer of the Mayor and City Council of Baltimore, in accordance with Article IV, § 6 of the Baltimore City Charter for a term of 4 years, provided, however, that the first such term shall last until December 31, 1976.

(2) The Executive Director thus appointed shall receive such salary as may be provided in the Ordinance of Estimates.

(b) *Staff and budget.*

The Executive Director shall be authorized to:

(1) employ such assistants as shall be necessary to carry out his duties, who shall be members of the classified service, and

(2) expend such funds as may be provided in the Ordinance of Estimates.

(City Code, 1966, art. 1, §35; 1976/83, art. 1, §38.) (Ord. 63-1595; Ord. 73-261.)

§ 14-6. Powers and duties.(a) *In general.*

The Commission is charged with the responsibility for assisting City agencies and departments in the coordination of an effective program of services to and opportunities for the elderly.

(b) *Specific duties.*

This shall include:

- (1) the coordination of existing City programs;
- (2) the recommendation of new programs;
- (3) the evaluation of current programs and proposed legislation to determine their impact on the elderly; and
- (4) the identification of federal and state funding for City programs to meet the needs of the elderly.

(c) *Report on findings.*

The Commission shall promptly report to the Mayor on its findings concerning the programs and policies of the Mayor and City Council as reflected in:

- (1) the Ordinance of Estimates;
- (2) other ordinances; or
- (3) administrative policies of municipal agencies.

(d) *Hearings and studies.*

The Commission shall hold hearings and undertake surveys and studies as appropriate to:

- (1) evaluate existing municipal programs for the elderly; and
- (2) make recommendations for their improvement to the Mayor.

(e) *Evaluation of how information is disseminated.*

The Commission shall:

- (1) evaluate the methods by which information concerning available municipal programs for the elderly is disseminated; and
- (2) make recommendations to the Mayor of means to improve such methods of dissemination.

(f) *Representing City.*

The Commission shall act as a representative of the Mayor and City Council in dealing with the private sector and with other governments in an effort to develop additional public and private resources to provide better programs for the elderly.

(g) *Annual report.*

The Commission shall render an annual report to the Mayor on its activities.
(*City Code, 1966, art. 1, §36; 1976/83, art. 1, §39.*) (*Ord. 63-1595; Ord. 73-261; Ord. 76-022.*)

SUBTITLE 15
OFF-STREET PARKING PROJECTS

§ 15-1. Reconveyance on satisfaction of debt.

(a) *Authorized.*

Upon the payment and full satisfaction of any loan heretofore or hereafter made by the Mayor and City Council of Baltimore for Off-Street Parking Projects, as authorized under Article II, § (20) of the City Charter and property is conveyed to the Mayor and City Council of Baltimore to secure the repayment of the same, the Mayor and City Council of Baltimore with the approval of the Board of Estimates of Baltimore City is hereby authorized and empowered to execute and deliver to the owner or owners a release, a conveyance, or reconveyance of the land with the improvements thereon so conveyed to the City of Baltimore to secure said loan.

(b) *Solicitor's approval required.*

No deed or releases shall pass in accordance herewith unless the same shall first have been approved by the City Solicitor.

(City Code, 1966, art. 1, §69; 1976/83, art. 1, §69.) (Ord. 57-941.)

**SUBTITLE 16
PLANNING COMMISSION**

§ 16-1. Notice of meetings.

The Planning Commission shall give to each member of the City Council in writing, delivered by mail or in person by the Friday preceding any Tuesday meeting, or by the 4th day preceding any other meeting, an agenda of all matters which the Planning Commission proposes to consider with respect to altering or amending the master plan of the City of Baltimore.
(City Code, 1966, art. 1, §70; 1976/83, art. 1, §70.) (Ord. 64-211.)

§ 16-2. Fee for examination of subdivision plan.

(a) *Fee authorized.*

The Department of Planning, with the approval of the City Council of Baltimore, may establish and impose charges for subdivision plans, as defined in Article VII, § 76 of the City Charter, submitted to the Planning Commission for examination and action by it, to defray the cost and expenses incident to said examination and action.

(b) *When and how paid.*

- (1) Said charge shall be paid at the time a subdivision plan is first filed with the Department of Planning in the usual course of business.
- (2) Payment may be made either in cash or by certified check made payable to the Director of Finance of Baltimore.

(c) *Fee non-refundable.*

Said charge shall not be refunded in whole or in part, under any circumstances.
(City Code, 1976/83, art. 1, §71.) (Ord. 70-876; Ord. 89-293.)

SUBTITLE 17
DEPARTMENT OF PUBLIC WORKS

§ 17-1. Bureaus of Department.

(a) *Enumerated.*

The Department of Public Works comprises the following Bureaus:

- (1) Bureau of Solid Waste; and
- (2) Bureau of Water and Wastewater.

(b) *Continued powers and duties.*

All of the rights, powers, duties, obligations, and functions previously conferred or imposed on these Bureaus and their Bureau Heads shall continue to be exercised and performed by these Bureaus and Bureau heads unless otherwise assigned or reassigned by law or as provided in this subtitle.

(City Code, 1976/83, art. 1, §142.) (Ord. 67-1091; Ord. 76-022; Ord. 79-1210; Ord. 15-435.)

§ 17-2. Director of Public Works.

(a) *Powers and duties.*

- (1) The Director of Public Works is responsible for the proper conduct, management, and operation of the Bureaus established under this subtitle.
- (2) All of the rights, powers, duties, obligations, and functions that are now or may subsequently be conferred or imposed on any of the Bureaus or Heads of Bureaus of the Department of Public Works shall be exercised and performed by the Bureaus or by their respective Heads subject to the control, direction, and supervision of the Director of Public Works.
- (3) In the event of any duplication of authority or responsibility between any 2 or more Bureaus established under this subtitle, the Director of Public Works has the right and power to determine which 1 or more of the Bureaus involved will carry out the performance of that authority or responsibility.
- (4) Subject to the authority of the Board of Estimates, the Director of Public Works has have the power and authority from time to time to assign and reassign among the Bureaus of the Department of Public Works the performance of any duties and the exercise of any powers that are imposed or conferred on the Department.
- (5) Subject to the approval of Board of Estimates, the Director of Public Works has the power and authority from time to time to rename the various Bureaus of the Department.

(b) *Transfer of powers from abolished bureaus.*

Subject to the limitations provided in Ordinance 15-435, Section 2 {“Transfer of powers from DPW to DHCD”}, all the authorities, powers, responsibilities, rights, and duties previously imposed or conferred on any former Bureau or Bureau Head of the Department of Public Works are imposed and conferred on the Director of Public Works, and, subject to the authority of the Board of Estimates, all those authorities, powers, responsibilities, rights, and duties may be delegated by the Director to whichever Bureau or Bureau Head in the Department that the Director directs.

(City Code, 1976/83, art. 1, §143.) (Ord. 67-1091; Ord. 68-152; Ord. 75-816; Ord. 79-1210; Ord. 99-526; Ord. 15-435.)

EDITOR’S NOTE: Ord. 15-435 repealed §§ 17-3 through 17-7, which described no-longer extant Bureaus, and renumbered § 17-8 to be § 17-3.

§ 17-3. Appointment of Bureau Heads and Assistant Bureau Heads.(a) *Director to designate Assistant Head positions.*

The Director of Public Works may designate the positions of Assistant Bureau Heads for each of the Bureaus of the Department of Public Works.

(b) *Mayor to appoint Heads and Assistant Heads.*

All Bureau Heads and Assistant Bureau Heads shall be appointed by the Mayor in accordance with Charter Article IV, § 6.

(City Code, 1976/83, art. 1, §149.) (Ord. 67-1091; Ord. 79-1210; Ord. 15-435.)

SUBTITLE 18
DISASTER CONTROL AND CIVIL DEFENSE

§ 18-1. Office of Disaster Control and Civil Defense.

(a) *Office created.*

There is hereby created the “Office of Disaster Control and Civil Defense” for Baltimore City.

(b) *Functions transferred.*

The function and duties of the Civil Defense Division of the Fire Department, as set forth in said Ordinance 63-042, are hereby transferred to the said new Office.
(*City Code, 1976/83, art. 1, §150(a).*) (*Ord. 68-128.*)

§ 18-2. Director of Office.

(a) *Designation of initial Director.*

The Director of said Office initially shall be the same person who is, at the time of the passage of this ordinance, Director of the Civil Defense Division of the Fire Department; and also the same person appointed as Civil Defense Director of Baltimore City by the Governor, upon recommendation of the Mayor of said City, as provided by Article 16A, § 7 of the Maryland Code.

(b) *Duties.*

(1) He shall have direct responsibility for the organization, administration, and operation of such Office, subject to the direction and control of the Mayor of Baltimore, under the general power of the Governor.

(2) Said Director shall be responsible for the organization, administration, and operation of a disaster control and civil defense program, which program shall include a Civil Defense Volunteer Corps.

(*City Code, 1976/83, art. 1, §150(b).*) (*Ord. 68-128.*)

§ 18-3. Personnel.

(a) *Director to appoint.*

The Director shall appoint such assistants, aides, and employees as may be necessary to carry out a disaster control and civil defense program and also the State Civil Defense Plans and Programs, such employees to be subject to the provisions of City classified service, as provided by Article VII, §§ 94 through 104 of the City Charter.

(b) *Personnel transferred.*

The personnel now employed by the Civil Defense Division of the Fire Department are hereby transferred to the Office of Disaster Control and Civil Defense of Baltimore City, without diminution or loss of any rights or privileges heretofore earned or obtained by them.

(c) *Additional personnel.*

Any additional employees of this Office who may be required in an expanded program shall be as provided in the annual Ordinance of Estimates or as provided by the Board of Estimates.
(*City Code, 1976/83, art. 1, §150(c.) (Ord. 68-128.)*)

§ 18-4. Property.

(a) *Property transferred.*

(1) The Civil Defense Division of the Fire Department, on or about July 1, 1968, shall transfer to the Office of Disaster Control and Civil Defense any and all property which it now has in its custody or under its control used or usable in civil defense and disaster control work.

(2) Thereafter, the said Office:

- (i) shall become the custodian thereof, charged with the responsibility of maintaining and keeping all such property in good order and repair; and
- (ii) shall keep such records of same as are required by law.

(b) *Additional property.*

Additional property or equipment required to carry out the purposes of this subtitle shall be obtained by said Office as provided in the annual Ordinance of Estimates or as approved by the Board of Estimates.
(*City Code, 1976/83, art. 1, §150(d.) (Ord. 68-128.)*)

SUBTITLE 19
OFFICE OF INTERGOVERNMENTAL RESEARCH

§ 19-1. Office created; function.

(a) *Office created.*

There is created the Office of Intergovernmental Research under a Director.

(b) *Function.*

It is the function of this Office to analyze the State and Federal legislative needs of the City and related matters and make recommendations thereon to the Mayor.

(City Code, 1976/83, art. 1, §182(a).) (Ord. 79-1208.)

§ 19-2. Director — appointment; term.

(a) *Appointment.*

The Director of the Office of Intergovernmental Research shall be chosen by the Mayor from a list of possibilities provided from time to time by the Civil Service Commission.

(b) *Term.*

The Director:

(1) shall serve during good behavior for a term not to exceed the term of the appointing authority;

(2) shall be subject to removal only after charges are preferred by the Mayor and a full hearing is had before the Civil Service Commission; and

(3) shall be discharged only upon proof of inefficiency, neglect of duty, or misconduct in office.

(c) *Vacancy.*

(1) The Director's successor shall be chosen in the same manner.

(2) From time to time, as there is a vacancy, the Mayor shall choose and appoint the Director of the Office of Intergovernmental Research in the same manner.

(City Code, 1976/83, art. 1, §182(b).) (Ord. 79-1208.)

§ 19-3. Director — qualifications; devotion to duties.

(a) *Qualifications.*

The Director of the Office of Intergovernmental Research shall be a person who has had responsible prior experience in:

(1) legislative analysis; and

(2) subjects relating generally to government, public policy, fiscal policy, law, or political science.

(b) *Devotion to duties.*

(1) The Director shall devote full time to performing and carrying out the duties and assignments of the Office of Intergovernmental Research, as set forth in this subtitle and as may otherwise be assigned.

(2) And subject to the provisions of this subtitle, the Director shall not hold any other municipal office or position or perform any of the duties or responsibilities conferred upon another municipal officer by Charter or ordinance.

(City Code, 1976/83, art. 1, §182(c).) (Ord. 79-1208.)

§ 19-4. Staff; supplies; agency assistance.

(a) *Director to employ staff.*

The Director of the Office of Intergovernmental Research is empowered to employ such personnel as may be deemed necessary in order to perform the duties and exercise the powers conferred by this subtitle upon the Office of Intergovernmental Research, and as may be provided from time to time in the Ordinance of Estimates.

(b) *Supplies.*

The Office of Intergovernmental Research shall be supplied with all necessary books, maps, charts, stationery, and all appliances and incidentals necessary for the proper discharge of its duties, to be paid from funds supplied in the Ordinance of Estimates.

(c) *Agencies to assist Office.*

Every department, bureau, or other agency of the municipal government, upon request, shall provide reasonable assistance and information to the Office of Intergovernmental Research.

(City Code, 1976/83, art. 1, §182(d).) (Ord. 79-1208.)

SUBTITLE 20
BALTIMORE CITY COMMISSION FOR WOMEN

§ 20-1. Commission established.

(a) *In general.*

There is a Baltimore City Commission for Women.

(b) *Composition.*

(1) *Voting members.*

The Commission comprises 19 voting members, to be appointed by the Mayor in accordance with Article IV, § 6 of the City Charter.

(2) *Non-voting members.*

(i) *In general.*

The Mayor may appoint 1 or more members of the Baltimore City Council or the Baltimore City delegation to the Maryland General Assembly as additional, non-voting members of the Commission.

(ii) *Ex-officio members.*

Notwithstanding subparagraph (i) of this paragraph, any female member of the City Council shall be an ex-officio, non-voting member of the Commission.

(iii) *Office of Equity and Civil Rights member.*

The Mayor shall appoint a representative from the Baltimore City Office of Equity and Civil Rights or its successor agency to be a non-voting member of the Commission.

(c) *Appointment without regard to political affiliation.*

The appointment of members must be made without regard to political affiliation.
(*City Code, 1976/83, art. 1, §183(a).*) (*Ord. 83-955; Ord. 06-359; Ord. 18-119; Ord. 21-016.*)

§ 20-2. Terms, compensation, vacancies.

(a) *Terms of office.*

(1) Members serve for a term of 4 years, concurrent with the terms of the Mayor and the City Council.

(2) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(b) *Compensation; expenses.*

The members of the Commission:

- (1) serve without compensation; but
- (2) are entitled to reimbursement for reasonable expenses incurred in the performance of their duties, as provided in the Ordinance of Estimates.

(c) *Vacancies.*

A member appointed to fill a vacancy in an unexpired term or to succeed a member who is holding over serves only for the remainder of that term.

(City Code, 1976/83, art. 1, §183(b), (c).) (Ord. 83-955; Ord. 99-526; Ord. 06-359; Ord. 16-503.)

§ 20-3. Officers; committees.

(a) *Officers.*

- (1) The Mayor shall designate a member of the Commission to serve as its Chair.
- (2) Members of the Commission may select any other officers they consider necessary or appropriate.

(b) *Committees.*

The Chair may appoint committees to assist the Commission in carrying out its functions and duties.

(City Code, 1976/83, art. 1, §183(d) - (e).) (Ord. 83-955; Ord. 06-359.)

§ 20-4. Meetings; quorum.

(a) *In general.*

- (1) The Commission shall meet at the call of the Chair as frequently as required to perform its duties.
- (2) A majority of the voting members of the Commission constitutes a quorum for the transaction of business.
- (3) An affirmative vote by the majority of a quorum is needed for any official action.

(b) *Rules of procedure.*

The Commission may adopt rules of procedure to govern its meetings and procedures.

(c) *Failure to attend meetings.*

If any member is absent from regularly scheduled meetings more than 3 times in 1 year, not counting absences excused by the Chair:

(1) the member is considered to have resigned; and

(2) the Chair shall request that member's appointing authority to fill the resultant vacancy.
(*City Code, 1976/83, art. 1, §183(f) - (g).*) (*Ord. 83-955; Ord. 06-359; Ord. 18-119.*)

§ 20-5. Personnel; budget.

(a) *Executive Director.*

(1) The Commission may appoint a properly qualified person as Executive Director of the Commission.

(2) The Executive Director is entitled to a salary as provided in the Ordinance of Estimates.

(3) The Executive Director shall perform the duties that the Commission prescribes.

(b) *Staff.*

(1) The Executive Director may employ a staff as provided in the Ordinance of Estimates.

(2) Staff members shall be members of the classified service.

(c) *Volunteers.*

The Commission may engage the services of volunteer workers and consultants, without salary, as it considers necessary from time to time.

(d) *Budget.*

The Director may expend funds as authorized in the Ordinance of Estimates or in any supplemental appropriations.

(*City Code, 1976/83, art. 1, §184.*) (*Ord. 83-955; Ord. 06-359.*)

§ 20-6. Powers and duties.

(a) *In general.*

The Baltimore City Commission for Women shall undertake the activities described in this section.

(b) *Referral system.*

The Commission shall:

(1) develop an information and referral system for all services in the City related to women; and

(2) recommend other services when a need for them is determined.

(c) *Forum for amelioration.*

The Commission shall serve as the focus and forum for the identification and amelioration of the unique problems faced by women in our society and on any practice of discrimination or prejudice that exists because of gender.

(d) *Research and education.*

(1) The Commission shall:

- (i) conduct research, policy analysis, and public information and education programs and activities to assist in addressing the needs of women; and
- (ii) institute and conduct other programs, meetings, and conferences to promote equal rights and opportunities for all women.

(2) These programs and activities shall address the special needs of women related to race, age, national origin, religious preference, disability, sexual preference, physical characteristics, marital status, reproductive health, and economic status.

(e) *Monitor workforce.*

The Commission shall:

- (1) review and monitor the conditions of women in the workforce in Baltimore City;
- (2) make recommendations promoting equal pay for work of equal value and equitable representation by women in all job levels; and
- (3) direct attention to the problems facing women in the workforce.

(f) *Advise and counsel.*

The Commission shall:

- (1) advise and counsel the residents of Baltimore City, the City Council, the Mayor, and the various departments and agencies of the City, state, and federal governments on all matters involving women's lives; and
- (2) recommend programs and legislation it considers necessary and proper to promote and ensure equal rights, equal opportunities, and equal access to services for all persons regardless of gender.

(g) *Evaluate policies and programs.*

The Commission shall review and evaluate the impact of existing and proposed policies and programs and legislation affecting women.

(h) *Seeking to remove inequalities.*

The Commission shall work to remove inequalities due to discrimination or prejudice on the basis of gender in housing, recreation, employment, education, community services, criminal justice, financing, credit, insurance, and related matters.

(i) *Monitor board and commissions.*

The Commission shall monitor City government so as to ensure the equitable representation of women on all City boards and commissions.

(City Code, 1976/83, art. 1, §185.) (Ord. 83-955; Ord. 06-359.)

SUBTITLE 21
NEIGHBORHOOD BLOCK WATCH SIGNS

§ 21-1. Definitions.(a) *In general.*

For the purposes of this subtitle, the following terms shall have the meanings listed below.

(b) *Area.*

An “area” shall mean an area consisting of more than 1 block.

(c) *Block.*

A “block” shall mean all of the properties on both sides of a given street existing between 2 consecutive intersecting streets.

(d) *Household.*

“Household” shall mean all persons occupying a single housing unit (i.e. *sic* house, apartment, group of rooms, or single room intended for occupancy as separate living quarters).

(e) *Neighborhood Block Watch block or area.*

“Neighborhood Block Watch block or area” shall mean a block or an area designated in an application filed pursuant to § 21-3 in which signs provided for in this subtitle may be erected. (*City Code, 1976/83, art. 1, §191.*) (*Ord. 82-696.*)

§ 21-2. Legislative findings.(a) *In general.*

The Mayor and City Council of Baltimore finds and declares that the threat, fear, and intimidation caused by the criminal element is one of the most compelling problems facing society today. Crime isolates people in their own homes, causing them to become suspicious of, and in some cases afraid of, their neighbors. And yet, law enforcement officials tell us that neighborhoods with little inter-residential communication are more vulnerable to crime than are those in which neighbors communicate and cooperate with each other on a regular basis.

(b) *New program.*

A new kind of anti-crime program starting to take hold in neighborhoods around the City seeks to promote communication and cooperation among neighbors as an effective countermeasure to crime. This subtitle sets up a program to install signs in those neighborhoods where a Neighborhood Block Watch Program is in effect.

(c) *Liberal construction.*

This subtitle should be liberally interpreted to achieve its anti-crime goals.
(*City Code, 1976/83, art. 1, §190.*) (*Ord. 82-696; Ord. 04-672.*)

§ 21-3. Program established; procedure.

(a) *Program established.*

There is established a Neighborhood Block Watch Sign Program to promote an anti-crime posture in neighborhoods and between the neighborhoods and City officials.

(b) *Available to qualified blocks and areas.*

(1) The Program shall be available to all qualified residential blocks and areas of the City.

(2) In order to qualify for the Program, such blocks and areas shall meet the criteria set forth in this subtitle and any rules and regulations established by the Police Commissioner in consultation with the Director of Transportation and the Director of Finance under the requirements of this subtitle.

(c) *Procedure to qualify.*

This procedure shall be as follows:

- (1) In order to be considered for the Neighborhood Block Watch Sign Program, a neighborhood group, group of residents, or community association shall submit an application through the Police Commissioner to the Director of Transportation indicating the collective desire of at least 60% of the households in the block or area to have signs placed.
- (2) The boundary of the block and area within the Neighborhood Block Watch block or area shall be clearly identified on the application.
- (3) Upon receipt of a valid application, the Police Commissioner, in consultation with the Director of Transportation, shall review the block or area identified and any other information required by the Police Commissioner necessary to the completion of the application.
- (4) The Police Commissioner, in consultation with the Director of Transportation, shall approve or deny the application.
- (5) When an application is denied, the Police Commissioner or his designee shall state the reasons for the denial.
- (6) The Director of Transportation shall authorize the installation of Neighborhood Block Watch Signs in the block or area from which the application was approved.

(*City Code, 1976/83, art. 1, §192.*) (*Ord. 82-696; Ord. 15-435.*)

§ 21-4. Signs.

The neighborhood group, group of residents, or community association which has received approval for the installation of the Neighborhood Block Watch sign shall purchase signs approved by the Police Commissioner and all other material necessary to the installation of the signs. The signs shall be installed by the Department of Transportation. Any person(s) or organizations may volunteer to pay the fee.

(City Code, 1976/83, art. 1, §193.) (Ord. 82-696; Ord. 15-435.)

§ 21-5. Administration of program.

The Police Commissioner, in consultation with the Director of Transportation and the Director of Finance, shall promulgate rules necessary to carry out the provisions of this subtitle. The Police Commissioner shall also administer the program.

(City Code, 1976/83, art. 1, §194.) (Ord. 82-696; Ord. 15-435.)

SUBTITLE 22
CHILDREN, YOUTH, AND FAMILIES

PART I. DEFINITIONS

§ 22-1. Definitions.

(a) *In general.*

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

(b) *Children.*

“Children” means individuals under the age of 14 years.

(c) *Commission.*

“Commission” means the Baltimore City Youth Commission.

(d) *Office.*

“Office” means the Office of Children and Family Success.

(e) *Task Force.*

“Task Force” means the Baltimore City Trauma-Informed Care Task Force.

(f) *Youth.*

“Youth” means an individual between the ages of 14 and 25, inclusive.

(City Code, 1976/83, art. 1, §208.) (Ord. 86-781; Ord. 04-820; Ord. 07-431; Ord. 20-341.)

§ 22-2. {Reserved}

PART II. YOUTH COMMISSION

§ 22-3. Purpose.

The purpose of this Part II is to allow youth the opportunity to provide advice, recommendations, and information for the Mayor, the City Council, and municipal agencies on the development of coordinated community and government policies, programs, and services that support children, youth, and their families.

(City Code, 1976/83, art. 1, §209.) (Ord. 86-781; Ord. 04-820.)

§ 22-4. Commission established.

There is a Baltimore City Youth Commission.

(City Code, 1976/83, art. 1, §210.) (Ord. 86-781; Ord. 04-820.)

§ 22-5. Composition.

(a) *In general.*

The Commission comprises 17 voting members and 14 non-voting members.

(b) *Voting members.*

(1) The voting members shall be appointed by the Mayor, in accordance with City Charter Article IV, § 6, as follows:

- (i) 1 youth from each of the 14 Council Districts, at least 1 of whom is not a graduate of or then enrolled in a traditional educational program; and
- (ii) 3 at-large youths recommended by the President of the City Council.

(2) Each voting member of the Commission must be a resident of Baltimore City.

(3) A youth may not be appointed to a term as a voting member of the Commission if that youth would become 26 years old during that term.

(c) *Agency representatives.*

Each of the following entities shall designate a non-voting member to represent that entity:

- (1) Baltimore City Public School System.
- (2) Department of Recreation and Parks.
- (3) Health Department.
- (4) Police Department (PAL Centers).
- (5) Department of Social Services.
- (6) State's Attorney's Office.
- (7) Enoch Pratt Free Library.
- (8) Mayor's Office of Employment Development.
- (9) Housing Authority of Baltimore City.
- (10) State Department of Juvenile Services.
- (11) Family League of Baltimore City.
- (12) Baltimore City Community College.

(d) *Mayoral and Council representatives.*

(1) 2 non-voting, ex officio members are:

- (i) the Mayor; and
- (ii) the President of the City Council.

(2) The Mayor or Council President may designate another person to serve in her or his place. (*City Code, 1976/83, art. 1, §211(a)(1) - (3).*) (*Ord. 86-781; Ord. 04-820; Ord. 12-003.*)

§ 22-6. Terms, organization, meetings, etc.

(a) *Terms.*

(1) The term of a voting member expires at the end of the Mayor's term.

(2) At the end of a term, a voting member continues to serve until a successor is appointed and qualifies.

(b) *Compensation; expenses.*

The members of the Commission:

- (1) serve without compensation; but
- (2) are entitled to reimbursement for reasonable expenses incurred in the performance of their duties, as provided in the Ordinance of Estimates.

(c) *Officers; committees.*

(1) The Mayor shall designate a voting member to serve as Commission Chair.

(2) The Chair may select other officers.

(3) The Chair may appoint committees to assist the Commission in carrying out its functions and duties.

(d) *Meetings; quorum.*

(1) The Commission shall meet on the call of the Chair as frequently as required to perform its duties, but not less than 6 times nor more than 10 times each year.

(2) A majority of the voting members constitutes a quorum for the transaction of business.

(3) An affirmative vote of at least a majority of a quorum is needed for any official action.

(e) Rules and regulations.

Subject to Title 4 {“Administrative Procedure Act – Regulations”} of the City General Provisions Article, the Commission may adopt rules and regulations to govern its meetings and operations.

Editor’s Note: By authority of Ordinance 20-431, Section 5, the Director of Legislative Reference, in consultation with the Law Department, has conformed the text of this subsection to refer expressly to the requirements of the recently-enacted Administrative Procedure Act that, effective January 15, 2021, governs the proposal, adoption, and publication of administrative rules and regulations.

(City Code, 1976/83, art. 1, §211(a)(4) - (9).) (Ord. 86-781; Ord. 99-526; Ord. 04-820; Ord. 16-503; Text Conformed 02/09/21.)

§ 22-7. Commission duties.

The Commission shall:

- (1) develop and maintain a 3-year plan of action that outlines specific areas for Commission study and recommendations;
- (2) review issues relating to programs and services for children and youth;
- (3) identify and recommend priorities among programs and services for children and youth;
- (4) create a forum for discussions with children, youth, and their families;
- (5) advocate services and programs for children and youth;
- (6) make recommendations for programs, policies, procedures, or legislation it deems necessary to promote the well-being of children, youth, and their families;
- (7) work with the public and private sector in a collaborative effort to:
 - (i) bring forth the concerns of children and youth; and
 - (ii) evaluate and strengthen programming that will enhance the interpersonal and social development of children and youth;
- (8) develop a communications network to share information about public and private services to children and youth;
- (9) submit an annual report to the Mayor and the City Council; and
- (10) perform any other duties that the Mayor requests.

(City Code, 1976/83, art. 1, §211(b).) (Ord. 86-781; Ord. 04-820.)

§ 22-8. {Reserved}

PART III. OFFICE OF CHILDREN AND FAMILY SUCCESS**§ 22-9. Office established.**

There is an Office of Children and Family Success in the Office of the Mayor.
(*City Code, 1976/83, art. 1, §213.*) (*Ord. 86-781; Ord. 04-820; Ord. 20-341.*)

§ 22-10. Director – appointment.

The Director of the Office is appointed by the Mayor in accordance with Article IV, § 6 of the City Charter.
(*City Code, 1976/83, art. 1, §214.*) (*Ord. 86-781; Ord. 04-820.*)

§ 22-11. Director – powers and duties.

The Director shall:

- (1) identify the needs of children and youth according to age, location, and special services required;
- (2) identify public and private services available to children, youth, and families;
- (3) identify changes in public policy, service delivery, and funding necessary to improve the services available to children, youth, and families;
- (4) serve as a community voice for children and youth;
- (5) develop and implement programs to benefit children and youth;
- (6) provide staff and serve as advisor to the Commission;
- (7) serve as ex-officio member and advisor to the Task Force;
- (8) generally promote the well-being of all children and youth of Baltimore City;
- (9) be represented on any other special committee or task force that considers matters relating to children and youth, and work with the various boards, commissions, and municipal agencies that interact with the Office as deemed appropriate;
- (10) perform such other duties as required by the Mayor; and
- (11) review proposed legislation referred to the Office by the City Council, assessing its probable effect on the physical, social, emotional, and intellectual welfare of the children of this City.

(*City Code, 1976/83, art. 1, §215.*) (*Ord. 86-781; Ord. 91-663; Ord. 04-820; Ord. 20-341.*)

§ 22-12. Staff and budget.

(a) *Staff.*

The Office may employ staff in accordance with the Ordinance of Estimates.

(b) *Budget.*

The Office may expend funds authorized in the Ordinance of Estimates or any supplemental appropriations.

(City Code, 1976/83, art. 1, §216.) (Ord. 86-781; Ord. 04-820.)

§§ 22-13 to 22-14. {Reserved}

PART IV. TRAUMA-INFORMED CARE; TRAUMA-RESPONSIVENESS

§ 22-15. Trauma-informed care initiative.

In addition to any other duties set forth in this subtitle, it is the duty of the Office to coordinate a citywide initiative to prioritize the trauma-responsive and trauma-informed delivery of city services impacting children, youth, and families.

(Ord. 20-341.)

§ 22-16. Trauma-Informed Care Task Force – Established.

There is a Baltimore City Trauma-Informed Care Task Force.

(Ord. 20-341.)

§ 22-17. Trauma-Informed Care Task Force – Composition.

(a) *In general.*

The Task Force comprises 37 members, 30 of whom are appointed by the Mayor under Article IV, § 6 of the City Charter and 7 of whom are ex-officio members.

(b) *Appointed members.*

Of the 30 members appointed by the Mayor:

- (1) 3 shall be youth representatives from a youth-led advocacy group in Baltimore City;
- (2) 2 shall be individuals with at least one child enrolled in the Baltimore City Public School System;
- (3) 1 shall be a licensed clinician with an expertise in trauma and healing;
- (4) 2 shall be members of the research community with an expertise in trauma and healing;

- (5) 1 shall be a representative of an organization with an explicit focus on racial equity in its organizational mission statement;
- (6) 1 shall be an individual between 14 and 25 years of age;
- (7) 1 shall be a individual licensed to practice in the State of Maryland as a physician with a specialty in pediatrics;
- (8) 1 shall be a representative of an organization with an explicit focus on lesbian, gay, bisexual, transgender, and queer (LGBTQ) advocacy in its organizational mission statement;
- (9) 1 shall be a naturalized citizen or a resident alien;
- (10) 1 shall be an individual who has recently exited from the Maryland correctional system;
- (11) 1 shall be an employee of the Baltimore City Public School System;
- (12) 3 shall be representatives from community organizations, nonprofit organizations, or youth organizations that have an expertise in trauma and healing;
- (13) 2 shall be educators within the Baltimore City Public School System;
- (14) 2 shall be individuals licensed to practice in the State of Maryland as social workers; and
- (15) 8 shall be recommended by the City Council President as follows:
 - (i) 2 City Councilmembers as follows:
 - (A) 1 Councilmember with experience as an educator within the Baltimore City Public School System, who shall serve as co-chair if appointed; and
 - (B) 1 Councilmember with experience as a parent of a student within the Baltimore City Public School System;
 - (ii) 1 youth representative from a youth-led advocacy group in Baltimore City;
 - (iii) 1 representative of an organization with an explicit focus on racial equity in its organizational mission statement;
 - (iv) 1 licensed clinician with an expertise in trauma and healing;
and
 - (v) 3 representatives from community organizations, nonprofit organizations, or youth-led or youth-oriented organizations that have an expertise in trauma and healing.

(c) *Ex-officio (or designate) members.*

The 7 ex-officio members of the Task Force are:

- (1) the Director of the Office;
- (2) the Commissioner of the Baltimore City Department of Health or the Commissioner's designee;
- (3) the Director of the Department of Planning or the Director's designee;
- (4) the Director of the Department of Recreation and Parks or the Director's designee;
- (5) the Commissioner of the Department of Housing and Community Development or the Commissioner's designee;
- (6) the City Council President; and
- (7) the Youth Commission Chair.

(*Ord. 20-341; Ord. 20-403.*)

§ 22-18. Trauma-Informed Care Task Force – Terms, organization, etc.(a) *Terms.*

Appointed members serve for a term of 4 years concurrent with the term of the Mayor's term of office.

(b) *Compensation.*

Members serve on the Task Force without compensation.

(c) *Vacancies.*

- (1) At the end of a term, an appointed member serves until a successor is appointed and qualifies.
- (2) A member who is appointed after a term has begun serves out the rest of the term and until a successor is appointed and qualifies.

(d) *Meetings; quorum.*

- (1) The Task Force shall meet on the call of one or both of the Task Force co-chairs as frequently as required to perform its duties, but not less than 6 times a year.
- (2) A majority of the members of the Task Force constitutes a quorum for the transaction of business, and an affirmative vote by the majority of a quorum is sufficient for any official action.

*(e) Task Force co-chairs.**(1) In general.*

As provided in this subsection, the Task Force shall have 2 co-chairs designated.

(2) At-large co-chair.

Except as provided in paragraph (3) of this subsection, the Mayor may designate any member of the Task Force to serve as 1 of the co-chairs.

(3) Council member co-chair.

The City Council President shall designate the City Councilmember serving ex-officio under § 22-17(b)(15)(i)(A) as co-chair of the task force.

(Ord. 20-341; Ord. 20-403.)

§ 22-19. Trauma-Informed Care Task Force – Staff.

The Office shall provide adequate staff for the Task Force to carry out its duties.

(Ord. 20-341.)

§ 22-20. Trauma-Informed Care Task Force – Duties.

The Task Force shall:

- (1) assist in the identification of all City programs and services that impact children and youth;
- (2) assist in the development of a citywide strategy toward an organizational culture shift into a trauma-responsive City government;
- (3) establish metrics, in collaboration with the Baltimore City Department of Health, to evaluate and assess the progress of the citywide trauma-informed care initiative;
- (4) coordinate and develop with the Baltimore City Department of Health any formal or informal trauma-informed care training;
- (5) disseminate information within City government regarding best practices for preventing and mitigating the impact of trauma on and facilitating healing with children, youth, and families;
- (6) advise and assist the Mayor and City Council in providing oversight and accountability in implementing the requirements of this part;
- (7) perform any other duties as required by the Mayor.

(Ord. 20-341.)

§ 22-21. Trauma-informed care training.

(a) *Definitions.*

(1) *In general.*

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

(2) *Agency.*

“Agency” means:

- (i) the Baltimore City Fire Department;
- (ii) the Baltimore City Parking Authority;
- (iii) the Department of Finance;
- (iv) the Department of Law;
- (v) the Department of Housing and Community Development;
- (vi) the Department of Planning;
- (vii) the Department of Public Works;
- (viii) the Department of Recreation and Parks;
- (ix) the Department of Transportation;
- (x) the Environmental Control Board;
- (xi) the Enoch Pratt Free Library of Baltimore City;
- (xii) the Mayor’s Office of Criminal Justice;
- (xiii) the Mayor’s Office of Employment Development; and
- (xiv) the Mayor’s Office of Homeless Services.

(3) *Formal training.*

“Formal training” means a didactic course or curriculum in trauma-informed care that is:

- (i) developed by the United States Department of Health and Human Services, Maryland Department of Health, or the Baltimore City Department of Health; and
- (ii) provided by the Baltimore City Department of Health or its designee in collaboration with the Task Force.

(b) *Task Force members.*

Each Task Force member shall participate in at least 1 formal training each year.

(c) *Agency staff designation.*

(1) Subject to paragraphs (2) and (3) of this subsection, each agency head shall designate 2 agency staff members to:

- (i) participate in at least 1 formal training each year;
- (ii) collaborate with other agency designees in periodic worksessions and other informal trainings as organized by the Baltimore City Department of Health from time to time;
- (iii) serve as the principal advisors to the agency head and agency staff in trauma-responsiveness and trauma-informed care;
- (iv) collaborate with the agency’s equity coordinator, as designated under § 39-8 {“Agency implementation – Equity Coordinator”} of this article, to ensure that the agency’s equity assessment program is trauma-informed and trauma-responsive;
- (v) assess the agency for training and technical assistance needs related to trauma-responsiveness and trauma-informed care; and
- (vi) review and make appropriate recommendations to the agency head to align agency policies and practices with a trauma-intensive approach.

(2) Of the 2 agency staff members designated under paragraph (1) of this subsection:

- (i) 1 staff member shall be an individual who:
 - (A) has decision-making authority in developing City policy; or
 - (B) serves as a principal advisor to the agency head; and
- (ii) 1 staff member shall be an individual who, within the course of the individual’s City employment, routinely and directly interacts with community members.

- (3) In the event of a vacancy of one or both of the staff members, the agency head shall, within 90 days of the vacancy, designate another staff member to carry out the duties of this subsection.

(d) *Departmental cooperation.*

- (1) The Baltimore City Department of Health shall provide any technical advisory support to designated agency staff in order for those individuals to carry out their duties under subsection (c)(1) of this section.
- (2) The Department of Human Resources shall ensure compliance with the requirements of this section and report to the Task Force as necessary any difficulties regarding agency implementation.

(e) *Progress report to Task Force.*

On or before March 31 of each year, each agency head shall submit to the Task Force a progress report detailing its agency's progress and compliance with subsection (c) of this section.

(Ord. 20-341.)

§ 22-22. Annual report.

On or before June 30 of each year, utilizing its established evaluation and assessment metrics and its expertise, the Task Force shall submit a report to the Mayor and City Council containing:

- (1) an assessment of the implementation of trauma-informed care within each agency as defined in § 22-21(a)(2) of this subtitle;
- (2) an assessment of the trauma-responsiveness of each agency as defined in § 22-21(a)(2) of this subtitle; and
- (3) any recommendations regarding improvements to existing laws relating to children, youth, and families in Baltimore City.

(Ord. 20-341.)

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SUBTITLE 23
MAYOR'S COMMISSION ON DISABILITIES

§ 23-1. Definitions.

(a) *In general.*

As used in this subtitle, the following terms have the meanings indicated unless their context clearly indicates otherwise.

(b) *{Repealed}*

(c) *City.*

“City” means the Mayor and City Council of Baltimore, the body corporate as established by the Charter of Baltimore City.

(d) *Commission.*

“Commission” means the Mayor’s Commission on Disabilities.

(e) *Other terms.*

Any other term used in this subtitle shall be defined as such terms are defined in the Americans with Disabilities Act of 1990, as amended, and the federal regulations promulgated pursuant thereto, as amended.

(City Code, 1976/83, art. 1, §242.) (Ord. 93-237; Ord. 22-125.)

§ 23-2. Purpose.

It is the purpose of this Commission to:

- (1) advise the City on the accessibility of City facilities, programs, and services for citizens with disabilities;
- (2) assist the City to comply with the Americans with Disabilities Act of 1990; and
- (3) assist the City in providing information and education programs to City government, businesses, and industries with regard to reasonable accommodations for employment and other issues concerning persons with disabilities.

(City Code, 1976/83, art. 1, §241.) (Ord. 93-237.)

§ 23-3. Commission established.

There is a Mayor’s Commission on Disabilities.

(City Code, 1976/83, art. 1, §243.) (Ord. 93-237.)

§ 23-4. Members; associates.*(a) Members.*

(1) The Commission consists of 23 members:

(i) a Mayor's representative;

(ii) a representative of the City Council; and

(iii) 21 members appointed by the Mayor under Article IV, § 6 of the City Charter as follows:

A. 9 persons with disabilities, not employed in the field of disabilities;

B. 3 family members of persons with disabilities; and

C. 9 representatives of business, industry, community organizations, non-profit organizations, and organizations representing persons with disabilities, at least 3 of whom are persons with disabilities.

(2) Of the members appointed under paragraph (1)(iii) of this subsection, at least 1 must be appointed from each of the 14 Council Districts.

(3) Each member appointed under paragraph (1)(iii)C of this subsection must work or reside in the City.

(b) Associates.

One representative from each of the following agencies serves as a non-voting associate:

(1) Commission on Aging and Retirement Education.

(2) Health Department.

(3) Department of Recreation and Parks.

(4) Department of Planning.

(5) Department of Housing and Community Development.

(6) Department of Human Resources.

(7) Department of Transportation.

(8) Law Department.

(9) Community Relations Commission.

(10) Baltimore City Public School System.

(11) Office of Employment Development.

(12) Police Department.

(13) Department of Social Services.

(14) Fire Department.

(15) Department of Transportation.

(16) Enoch Pratt Free Library.

(17) Office of Emergency Management.

(City Code, 1976/83, art. 1, §244(a) - (d).) (Ord. 93-237; Ord. 97-141; Ord 04-822; Ord. 08-033; Ord. 15-435.)

§ 23-5. Terms, organization, etc.

(a) *Terms.*

Members serve for a term of 4 years concurrent with the Mayor's term of office.

(b) *Compensation.*

Members and associates serve without compensation.

(c) *Vacancies.*

(1) At the end of a term, an appointed member serves until a successor is appointed and qualifies.

(2) A member who is appointed after a term has begun serves out the rest of the term and until a successor is appointed and qualifies.

(d) *Meetings; quorum.*

(1) The Commission shall meet on the call of the Mayor or its Chair as frequently as required to perform its duties, but not less than 6 times a year.

(2) A majority of the members of the Commission constitutes a quorum for the transaction of business, and an affirmative vote by the majority of a quorum is sufficient for any official action.

(e) *Rules.*

The Commission may adopt rules to govern its meetings and operations.

(f) *Failure to attend meetings.*

Any member who is absent from more than 25% of the scheduled regular meetings, not counting absences excused by the Chair, during any 6-month period, shall be considered by the Mayor to have resigned and shall be so notified by the Commission.

(g) *Officers.*

(1) The Mayor shall designate an appointed member, representing the membership category identified in § 23-4(a)(3)(i), as Chair of the Commission.

(2) The Chair may select other officers.

(h) *Committees.*

The Chair of the Commission may appoint committees to carry out the functions and duties of the Commission.

(i) *Invited participants.*

Representatives of state agencies and other organizations that serve the interests of the disabled in Baltimore City may be invited by the Commission to participate in Commission meetings. (*City Code, 1976/83, art. 1, §244(e) - (m).*) (*Ord. 93-237; Ord. 97-141; Ord. 99-526.*)

§ 23-6. Duties.

The Commission shall:

- (1) assist in the development of a transition plan for the City of Baltimore to address community access to facilities, open spaces, and communications, and advise the Mayor on the implementation of the plan by January 26, 1995;
- (2) assist in the identification and evaluation of all City programs and services that impact the major life activities of persons with disabilities;
- (3) recommend modification of services or new services for persons with disabilities;
- (4) research, assemble, analyze and disseminate pertinent data and educational materials relating to activities and programs which will assist in meeting the needs of persons with disabilities;
- (5) work to eliminate discrimination of persons with disabilities;
- (6) in consultation with the Division of Occupational Medicine and the Community Relations Commission, institute and conduct educational programs, meetings, and conferences designed to promote equal rights and opportunities for persons with disabilities;
- (7) cooperate with interested citizens, general community, business, professional, technical, educational, and civic organizations in furthering the interests of persons with disabilities;

- (8) work jointly with other jurisdictions on conducting similar activities;
- (9) work to remove inequalities due to unmet needs or discrimination on the basis of disability in the areas of housing, recreation, employment, education, community services, and related matters;
- (10) cooperate and collaborate with all municipal agencies, including the Division of Occupational Medicine and the Community Relations Commission, to avoid duplication of efforts;
- (11) provide information to the residents of the City, the Mayor's Office, the City Council, and various offices of the city, state, and federal government on matters involving the needs of persons with disabilities;
- (12) recommend programs or legislation as necessary to promote and insure equal rights and opportunities for all persons with disabilities;
- (13) work to assure that information and referral needs are met and that information about City programs is disseminated;
- (14) hold a public forum at least yearly to give persons with disabilities an opportunity to voice their concerns;
- (15) work to assure the development of an effective delivery system of public, private, and consumer resources to all persons with disabilities;
- (16) assist the Director of the Commission with regard to inquiries, complaints, and other problems with City services for persons with disabilities;
- (17) assist in the coordination of state and federal programs and services available to the City, business, and industry; and
- (18) provide other advice as requested by the Mayor, City Council, and municipal agencies.
(*City Code, 1976/83, art. 1, §245.*) (*Ord. 93-237.*)

§ 23-7. Director; staff; budget.

(a) *Appointment of Director.*

In consultation with the Commission, the Mayor shall appoint a Director of the Commission in accordance with Article IV, § 6 of the City Charter.

(b) *Duties.*

The Director shall perform duties as required by the Mayor to carry out the provisions of this subtitle.

(c) *Staff.*

Staff may be employed in accordance with the Ordinance of Estimates.

(d) *Budget.*

The Director may expend funds authorized in the Ordinance of Estimates or any supplemental appropriations.

(City Code, 1976/83, art. 1, §246.) (Ord. 93-237.)

§ 23-8. Reports.

(a) *Annual report.*

The Commission shall submit an annual report to the Mayor and City Council within 2 months of the end of the fiscal year.

(b) *Other reports.*

The Commission shall submit reports on specific subjects at the request of the Mayor, City Council, or municipal agencies.

(City Code, 1976/83, art. 1, §247.) (Ord. 93-237.)

**SUBTITLE 24
OVERNIGHT SHELTERS**

§ 24-1. Definitions.

(a) *Homeless.*

A person shall be considered homeless if:

- (1) the person has no present possessory interest in a living accommodation and lacks the means necessary to obtain such interest; or
- (2) the person has a possessory interest in a living accommodation but:
 - (i) the person is unable to secure entry to that accommodation; or
 - (ii) occupation of the accommodation would likely lead to violence from another occupant.

(b) *Adequate shelter.*

Adequate shelter is that which to a reasonable degree maintains, protects, and supports human health, is accessible, safe, and sanitary, and has an atmosphere of reasonable dignity.

(City Code, 1976/83, art. 1, §§249, 250.) (Ord. 94-327.)

§ 24-2. Declaration of policy.

In the interest of preventing human suffering and reducing the costs of providing medical care and police protection, and in recognition of the need of all persons to adequate overnight shelter, it is the public policy of the City of Baltimore to assist the private sector in providing adequate overnight shelter and services for all homeless persons in Baltimore requesting such shelter and willing to abide by reasonable regulations governing the use of shelter facilities.

(City Code, 1976/83, art. 1, §248.) (Ord. 94-327.)

§ 24-3. Annual assessments.

On or before October 31 of each year, the Office of Homeless Services shall publish an assessment of:

- (1) the number of homeless persons in the City who desire overnight shelter; and
- (2) current shelter availability and adequacy.

(City Code, 1976/83, art. 1, §251.) (Ord. 94-327; Ord. 02-309.)

§ 24-4. *{Repealed by Ord. 02-309.}*

SUBTITLE 25
CONFISCATED ASSETS FOR NEIGHBORHOODS

§ 25-1. Program established.

(a) *In general.*

There is a Confiscated Assets for Neighborhoods Grant Program in the Mayor's Office of Criminal Justice.

(b) *Purpose.*

The purpose of the Grant Program is to fund community-based safety initiatives.
(Ord. 09-101.)

§ 25-2. Funding.

(a) *Source of funding.*

Funding for the Grants Program shall derive from a portion of all money confiscated by the Police Department and forfeited to the Mayor and City Council of Baltimore, as appropriated in the Ordinance of Estimates.

(b) *Allocation among police districts.*

Each year, this funding shall be allocated among the various police districts, prorated generally according to the percentage that money confiscated from a district in the preceding year bears to all money confiscated Citywide in that year.
(Ord. 09-101.)

§ 25-3. Applications.

(a) *Eligible applicants.*

Any established neighborhood association or other community-based organization active within a police district may apply for a grant from the funds allocated to that district.

(b) *Form.*

The application shall contain the information and be in the form that the Mayor's Office of Criminal Justice requires.
(Ord. 09-101.)

§ 25-4. Review by community relations council.

(a) *Referral to council.*

Each application for available grant money in a police district shall be referred for review and recommendation to that district's community relations council.

(b) *Recommendation by council.*

The community relations council shall submit its recommendations to the Mayor’s Office of Criminal Justice.

(Ord. 09-101.)

§ 25-5. Decisions by Office of Criminal Justice.

(a) *Office to make all decisions.*

The Mayor’s Office of Criminal Justice shall make all decisions approving or disapproving an application and, making a grant, may impose any limitations or conditions that it considers necessary or appropriate.

(b) *Office’s decisions final.*

All decisions of the Office under this subtitle are final and non-appealable.

(Ord. 09-101.)

§ 25-6. Rules and regulations.

(a) *Office to adopt.*

Subject to Title 4 {“Administrative Procedure Act – Regulations”} of the City General Provisions Article, the Mayor’s Office of Criminal Justice shall adopt rules and regulations to carry out this subtitle and the grant program established under it.

(b) *Scope.*

Among other things, these rules and regulations may further define:

- (1) words or phrases used in this subtitle;
- (2) qualifications for grant applicants;
- (3) procedures for awarding grants; and
- (4) procedures for monitoring the use of grant funds.

Editor’s Note: By authority of Ordinance 20-431, Section 5, the Director of Legislative Reference, in consultation with the Law Department, has conformed the text of this section to refer expressly to the requirements of the recently-enacted Administrative Procedure Act that, effective January 15, 2021, governs the proposal, adoption, and publication of administrative rules and regulations.

(Ord. 09-101; Text Conformed 02/09/21.)

SUBTITLE 26
MAYOR’S TASK FORCE ON COMMUNITY COLLABORATION
TO OVERCOME VIOLENCE

§ 26-1. Definitions.

(a) *In general.*

As used in this subtitle, the following terms have the meanings indicated unless their context clearly indicates otherwise.

(b) *{Repealed}*

(c) *City.*

“City” means the Mayor and City Council of Baltimore, the body corporate as established by the Charter of Baltimore City.

(d) *Task Force.*

“Task Force” means the Mayor’s Task Force on Community Collaboration to Overcome Violence.

(e) *Violence.*

“Violence” means:

- (1) the harmful use of physical or emotional force by an individual or group against another;
also
- (2) the creation and/or maintenance of conditions that degrade individuals, families, groups,
or communities.

(City Code, 1976/83, art. 1, §280.) (Ord. 95-615; Ord. 22-125.)

§ 26-2. Purpose.

It is the purpose of this subtitle to:

- (1) review and understand the issue of individual, family, community, criminal, and societal violence in Baltimore City;
- (2) examine the causes of violence;
- (3) consider methods to prevent the different types of violence;

- (4) establish systems to deliver existing social, governmental, and economic resources to relieve conditions that may lead to violence;
- (5) provide information, education, and assistance to communities, businesses, and government about programs that prevent violence; and
- (6) generally address the need to develop the well being of the citizens of Baltimore City in order to eliminate violence as a means of conflict resolution.

(City Code, 1976/83, art. 1, §279.) (Ord. 95-615.)

§ 26-3. Task Force created.

There is a Mayor's Task Force on Community Collaboration to Overcome Violence.
(City Code, 1976/83, art. 1, §281.) (Ord. 95-615.)

§ 26-4. Composition.

(a) *In general.*

The Task Force shall consist of 27 members.

(b) *Public members.*

16 members shall be appointed by the Mayor pursuant to Article IV, § 6 of the City Charter:

- (1) 3 members shall be non-profit or public community social workers;
- (2) 1 member shall be a representative of a community organization;
- (3) 1 member shall be a representative of the business community;
- (4) 1 member shall be a senior citizen;
- (5) 1 member shall be a community psychiatric nurse, nurse practitioner, or a physician;
- (6) 1 member shall be a public assistance client;
- (7) 1 member shall be a victim of violence;
- (8) 1 member shall be a family member of a victim of violent crime;
- (9) 1 member shall be an ex-offender;
- (10) 1 member shall be a community public school teacher;
- (11) 1 representative from the Interdenominational Ministerial Alliance; and
- (12) 3 other representatives from the Baltimore City religious community.

(c) *Agency representatives.*

Representatives from the following City agencies shall serve as members of the Task Force who shall serve ex officio:

- (1) a Mayor's representative;
- (2) a representative of the City Council;
- (3) Police Department — a community relations officer;
- (4) Health Commissioner or representative designated by the Commissioner;
- (5) Commission on Aging and Retirement Education;
- (6) Baltimore Development Corporation;
- (7) Office of Employment Development;
- (8) Department of Planning;
- (9) Department of Housing and Community Development;
- (10) Department of Human Resources;
- (11) Law Department;
- (12) Community Relations Commission;
- (13) Department of Education;
- (14) a representative from the Mayor's Interagency Task Force on Youth Violence Prevention; and
- (15) a representative from the Baltimore City Department of Social Services.

(d) *City Council Districts.*

Of the members appointed under subsection (b), 1 shall be appointed from each of the 6 Councilmanic districts.

(e) *Residency.*

Members appointed by the Mayor shall be residents of Baltimore City.
(*City Code, 1976/83, art. 1, §282(a) - (c).*) (*Ord. 95-615; Ord. 04-822.*)

§ 26-5. Terms, organization, meetings, etc.**(a) Terms.**

Members shall serve for a 4-year term concurrent with the Mayor's term of office.

(b) Compensation.

Members shall serve without compensation.

(c) Vacancies.

(1) At the end of a term an appointed member serves until a successor is appointed.

(2) A member who is appointed after a term has begun serves out the rest of the term and until a successor is appointed and qualifies.

(d) Meetings; quorum.

(1) The Task Force shall meet on the call of the Mayor or Chair as frequently as required to perform its duties, but not less than 6 times each year.

(2) A majority of the members of the Task Force shall constitute a quorum for the transaction of business, and an affirmative vote by the majority of a quorum shall be sufficient for any official action.

(e) Rules.

The Task Force may adopt rules to govern its meetings and operations, which shall be filed with the Department of Legislative Reference.

(f) Failure to attend meetings.

Any member who is absent from more than 25% of the scheduled regular meetings, not counting absences excused by the chair, during any 6-month period, shall be considered by the Mayor to have resigned.

(g) Officers.

The Mayor shall designate an appointed member as Chair of the Task Force. The Task Force may select other officers.

(h) Committees.

The Chair of the Task Force may appoint committees to carry out the functions and duties of the Task Force.

(i) *Participation by others.*

Representatives of State and federal agencies and other organizations that serve the interests of the disabled in Baltimore City shall be invited by the Task Force to participate in its meetings (*City Code, 1976/83, art. 1, §282(d) - (l.) (Ord. 95-615; Ord. 04-672.)*)

§ 26-6. Duties.

The Task Force shall:

- (1) review and understand the issue of individual, family, community, criminal, and societal violence in Baltimore City;
- (2) examine the causes of violence;
- (3) consider methods to prevent the different types of violence;
- (4) recommend systems to deliver existing social, governmental, and economic resources to relieve conditions that may lead to violence;
- (5) provide information, education, and assistance to communities, businesses, government, and industries about programs that prevent violence;
- (6) assist in the identification, establishment, and evaluation of all City programs and services that affect violence prevention;
- (7) recommend modification of services or new services for the prevention of situations that could lead to violence;
- (8) cooperate with interested citizens, general community, business, professional, technical, educational, and civic organizations in furthering the violence prevention programs;
- (9) coordinate with other jurisdictions on sharing violence prevention strategies and information;
- (10) cooperate and collaborate with all municipal agencies, including the Division of Occupational Safety in the Department of Finance and the Community Relations Commission, to avoid duplication of efforts;
- (11) compile and provide information to the residents, community organizations, and businesses of the City, the Mayor's Office, the City Council, and various offices of the City, State, and federal government on matters involving methods and strategies for recognizing and preventing violence;
- (12) recommend to the Mayor, City, State, and federal programs or legislation to promote violence prevention as a means of conflict resolution;
- (13) work to assure that information and referral needs are met and that information about City programs is disseminated;

- (14) hold a public forum at least yearly to give communities an opportunity to voice their concerns regarding violence and the effectiveness of violence prevention programs and to make recommendations to the Task Force;
- (15) assist in the coordination of State and federal programs and services available to the City, business, and industry to prevent violence;
- (16) coordinate economic development opportunities that may be available for those citizens and communities in need of violence prevention;
- (17) develop an information program for the media to disseminate practices, methods, and procedures to be followed to avoid violence; and
- (18) generally assist in the development of the well being of the citizens of Baltimore City in order to eliminate violence as a means of conflict resolution.

(City Code, 1976/83, art. 1, §283.) (Ord. 95-615; Ord. 04-672; Ord. 04-822.)

§ 26-7. Staff; funds.

(a) *Staff.*

Staff may be employed in accordance with the Ordinance of Estimates.

(b) *Funds.*

The Task Force may expend funds authorized in the Ordinance of Estimates or any supplemental appropriations.

(City Code, 1976/83, art. 1, §284.) (Ord. 95-615.)

§ 26-8. Reports.

(a) *Annual report.*

The Task Force shall submit an annual report to the Mayor and City Council within 2 months of the end of the fiscal year.

(b) *Other reports.*

The Task Force shall submit reports on specific subjects regarding violence at the request of the Mayor, City Council, or municipal agencies.

(c) *Filing.*

A copy of all reports shall be filed with the Department of Legislative Reference.

(City Code, 1976/83, art. 1, §285.) (Ord. 95-615.)

SUBTITLE 27
GOOD SAMARITAN: CITIZEN INJURED WHILE AIDING POLICE

§ 27-1. Policy.

It is declared to be the policy of the Mayor and City Council of Baltimore, within the limits hereinafter prescribed, to compensate certain private citizens or, in case of death, certain survivors, where injury, property damage, or death result from assisting in law enforcement activities. *(City Code, 1976/83, art. 1, §140(a).) (Ord. 67-1126.)*

§ 27-2. Board of Estimates may make awards.

(a) *When authorized.*

The Board of Estimates is hereby authorized and empowered in its discretion to make an award for the death of or injury to any private citizen which has been directly caused:

- (1) while such person is assisting or coming to the aid of a member of the Police Department of Baltimore City while making an arrest or otherwise engaged in enforcing the laws, ordinances, or regulations of the State of Maryland or the City of Baltimore; or
- (2) while such private citizen:
 - (i) is attempting to prevent the commission of a crime; or
 - (ii) is in fresh pursuit of one who has committed a crime.

(b) *Determinations.*

In deciding on the making of an award in the circumstances above outlined, the Board of Estimates shall have the sole discretion to determine:

- (1) the amount of the award;
- (2) to whom it shall be payable in the event that the said citizen suffer death as a result of his intervention; and
- (3) in the event that such private citizen is not acting in aid of a police officer:
 - (i) whether the crime sought to be prevented was actually occurring and was of such nature as to warrant the intervention of a private citizen; or
 - (ii) whether a crime had occurred and was of such a nature as to warrant pursuit by a private citizen.

(c) *Source of funds.*

The award herein authorized may be paid from the Contingent Fund of the Board.

(d) *“Private citizen” defined.*

The term “private citizen” as used herein shall not include a paid guard or other security officer while engaged in the protection of property or persons he is employed to guard.
(*City Code, 1976/83, art. 1, §140(b).*) (*Ord. 67-1126.*)

§ 27-3. Limitations on award.

(a) *In general.*

Such sum as may be awarded:

- (1) shall be granted by the Board of Estimates as a matter of grace and not as a matter of right; and
- (2) shall be such compensation as the Board in its judgment deems to be right and proper under the circumstances, subject to the following limitations.

(b) *Personal injury.*

(1) In the case of personal injury, the award shall be limited:

- (i) to the injured person’s medical, hospital, and other such expenses; and
- (ii) to his loss of net earning or take-home pay, if any, during the time he is unable to work as a direct result of such injuries.

(2) If such person received workmen’s compensation or other insurance payments as a result of such injuries, the award shall be reduced by the amount of such payments.

(3) If such person is unemployed and not receiving unemployment insurance at the time of such injuries, the Board in its discretion may award him a sum not exceeding \$1,000.

(c) *Property damage.*

In the case of property damage, the award shall be limited to the actual value of the property damaged.

(d) *Death.*

(1) In the case of the death of such person, the award shall be to:

- (i) the surviving spouse;
- (ii) dependent child or children under the age of 18;
- (iii) the person responsible for payment of funeral expenses of the deceased citizen;

(iv) other dependents or relatives of such deceased citizen to whom he at the time of death was contributing at least 50% financial support; or

(v) any combination of the above in the discretion of the Board.

(2) Such award may be a lump sum payment in the discretion of the Board or in its discretion may be made in periodic payments not exceeding the amount of such person's net or take-home wages, salary, or other earned income at the time of such occurrence, or the amount of the special death benefits payable upon the death of a beginning or 1st-year patrolman of the Baltimore City Police Department, as provided, and in the manner provided in Article 22, § 34(i) of the City Code, whichever is less.

(3) The Board shall retain continuing jurisdiction over each such case and may change the amount of the periodic payments or stop them altogether at any time, in its best judgment.

(City Code, 1976/83, art. 1, §140(c).) (Ord. 67-1126.)

§ 27-4. Procedures.

(a) *How and when to apply.*

(1) Petitions for such award may be made informally to the Board by a written statement of the circumstances surrounding the incident giving rise to the claim.

(2) Such petition for compensation shall be filed with the Board within 1 year of the date of the personal injury, property damage, or death.

(b) *Review and report by Law Department.*

Upon receiving a claim filed under the provisions of this section, the Board shall refer such claim to the Law Department for full investigation and prompt report to the Board.

(c) *Hearing discretionary with Board.*

In the discretion of the Board, a hearing may or may not be held and a payment may be made within the above limits without a hearing.

(d) *Board's decision final.*

Such payment being a matter of grace and not of right, no appeal shall lie from and no further proceedings shall be had after the decision of the Board in a given case.

(City Code, 1976/83, art. 1, §140(d).) (Ord. 67-1126.)

§ 27-5. Rules and regulations.

Subject to Title 4 {"Administrative Procedure Act – Regulations"} of the City General Provisions Article, the Board of Estimates may adopt and from time to time change reasonable rules and regulations for the administration of this section which are not in conflict with the intent and specific wording hereof.

Editor's Note: By authority of Ordinance 20-431, Section 5, the Director of Legislative Reference, in consultation with the Law Department, has conformed the text of this section to refer expressly to the requirements of the recently-enacted Administrative Procedure Act that, effective January 15, 2021, governs the proposal, adoption, and publication of administrative rules and regulations.
(City Code, 1976/83, art. 1, §140(e).) (Ord. 67-1126; Text Conformed 02/09/21.)

§ 27-6. Assignment and release.

Before any payment is made under this subtitle, the claimant:

(1) shall execute and deliver to the City an instrument, in such form as may be approved by the City Solicitor, assigning to the City all rights and claims which he may have against third persons as a result of the occurrence for which the claim is being made, up to the amount of the City's award to such claimant; and

(2) shall fully release the City from all claims and liabilities of any kind whatsoever arising out of such occurrence, on a form approved by the City Solicitor.

(City Code, 1976/83, art. 1, §140(f).) (Ord. 67-1126.)

§ 27-7. Authorization reduced by like State award.

In the event that the State enacts legislation on the same general subject covered by this subtitle, the amounts authorized hereunder shall be reduced by the amount of any benefit paid or payable under such State law.

(City Code, 1976/83, art. 1, §140(g).) (Ord. 67-1126.)

SUBTITLE 28
CHILD FIRST AUTHORITY

§ 28-1. Definitions.

(a) *In general.*

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

(b) *Authority.*

“Authority” means the Child First Authority.

(c) *Board.*

“Board” means the Board of Directors of the Authority.

(d) *Executive Director.*

“Executive Director” means the Executive Director of the Authority.
(*City Code, 1976/83, art. 1, §286.*) (*Ord. 96-076.*)

§ 28-2. Authority established; purpose.

(a) *Authority established.*

There is a Child First Authority.

(b) *Purpose.*

The purpose of the Authority is to enhance the development of children in Baltimore City by providing recreational, cultural, academic, and other enrichment programs for children in approximately 40 schools in the City during an extended school day.
(*City Code, 1976/83, art. 1, §287.*) (*Ord. 96-076.*)

§ 28-3. Powers of Authority.

(a) *In general.*

The powers of the Authority shall be broadly interpreted to allow the Authority to achieve the purposes of Article II, § (64) of the City Charter and this subtitle.

(b) *Enumeration.*

In addition to any other powers specified in this subtitle, the Authority may:

- (1) acquire, lease, or hold both real and personal property for the purposes of the Authority;

- (2) engage the services of an Executive Director, which may be an individual or an entity, to administer the programs and undertakings of the Authority;
- (3) sue and be sued;
- (4) accept grants and other revenue from individuals and public or private foundations, agencies, organizations, and entities necessary or beneficial to carry out the purposes of the Authority;
- (5) borrow funds for purposes consistent with the public purposes of the Authority;
- (6) incur limited-obligation debt that shall be an obligation solely of the Authority;
- (7) create and enter into partnerships and contracts with the Baltimore City Public Schools to provide services and benefits in exchange for payments in cash or in kind or without charge;
- (8) contract for and purchase goods and services without being subject to approval by the Board of Estimates, but subject to the provisions of Article 5 of the City Code governing the prevailing wage and governing City policy on encouraging and achieving goals for Minority and Women's Business Enterprises' participation in the contracting activities of the Authority;
- (9) implement the programs and goals of the Authority directly through employees, or through 1 or more contracts, which contracts may be with independent contractors or contractual employees;
- (10) appoint, hire, or engage such auditors, accountants, attorneys, assistants, aides, employees, and advisors as it deems necessary and consistent with this subtitle; and
- (11) do all other things necessary or convenient to carry out the purposes and powers of the Authority.

(c) *Exemptions.*

(1) *In general.*

To the extent not specifically made subject to laws and procedures that would otherwise apply to any unit of the City government, the Authority is exempt from those laws and procedures.

(2) *City funding.*

However, if the Authority is given direct City funding, the receipt and expenditure of those funds are subject to the powers and authority of the Board of Estimates.

(City Code, 1976/83, art. 1, §288.) (Ord. 96-076; Ord. 19-334.)

§ 28-4. Limitations on Authority.*(a) In general.*

The Authority may not:

- (1) be or constitute or be deemed an agency of the Mayor and City Council of Baltimore or the State of Maryland, and its officers and employees may not act as agents or employees of the Mayor and City Council of Baltimore or the State of Maryland;
- (2) exercise any power specifically withheld by the terms of the Charter or this subtitle;
- (3) exercise any police powers other than those expressly authorized by state or local law;
- (4) pledge the full faith and credit of the City or otherwise obligate the City to any debt, obligation, or contract;
- (5) have any taxing authority; or
- (6) exercise the power of eminent domain.

(b) Indemnification of Mayor and City Council.

The Authority shall indemnify and hold harmless the Mayor and City Council of Baltimore and its officers, agents, and employees against all acts, conditions, damages, suits, claims, and liabilities arising out of or in connection with any activities of the Authority or of its board, executive director, officers, agents, or employees.

(City Code, 1976/83, art. 1, §289.) (Ord. 96-076.)

§ 28-5. Board of Directors.*(a) Board to govern Authority.**(1) In general.*

The Authority shall be governed and administered by its Board of Directors.

(2) Appointment; Terms.

The Board members shall be appointed and serve the terms prescribed by the Authority's Bylaws.

*(b) Bylaws; Rules and regulations.**(1) Bylaws.*

The Board shall adopt, and may amend from time to time, Bylaws, not inconsistent with the Charter or this subtitle, for the administration of the Authority.

(2) *Rules and regulations.*

Except as may be restricted by the Charter or this subtitle, the Board may adopt rules and regulations to carry out this subtitle.

(f) *Officers.*

(1) *Of Authority.*

The Bylaws shall provide for officers of the Authority, including a president, vice-president, treasurer, secretary, and any other officers deemed necessary or appropriate, and shall specify their qualifications, terms, and duties.

(2) *Of Board.*

The Board shall select from among its members individuals to serve as officers of the Board and may delegate to those officers the responsibilities the Board deems appropriate.

(d) *Exercise of Authority's powers.*

All powers of the Authority shall be exercised by the Board, unless delegated by the Board to 1 or more of the officers or to the Executive Director.

(City Code, 1976/83, art. 1, §290.) (Ord. 96-076; Ord. 19-334.)

§ 28-6. Executive Director.

(a) *General authority.*

(1) The Executive Director may exercise the powers granted to the Authority under this subtitle.

(2) However, the Board shall retain final discretion and power with regard to all substantive agreements, contracts, and other arrangements binding on the Authority.

(b) *Duties.*

The Executive Director shall:

(1) be responsible for the day-to-day operations of the Authority and its employees and contractors;

(2) prepare the financial plan for review and approval by the Board;

(3) implement the approved financial plan and arrange for the collection and disbursement of all charges, fees, and revenues of the Authority;

(4) establish procedures and processes necessary to perform the functions called for under the financial plan and the budget;

- (5) hire and retain the employees, agents, and contractors needed to perform the functions of the Executive Director, subject to the requirements of § 28-3(b)(8) of this subtitle;
- (6) be the agent of the Authority; and
- (7) have such further rights, powers, and authority as granted by the Board.

(c) *Limitations.*

Any limitations on the powers and authority of the Board shall apply as well to the Executive Director in performing the functions charged to the Executive Director by this subtitle or by the Board.

(City Code, 1976/83, art. 1, §292.) (Ord. 96-076; Ord. 19-334.)

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SUBTITLE 29
VIOLENCE PREVENTION

§§ 29-1 to 29-9. {Reserved}

§ 29-10. Biennial violence prevention strategy plan.

(a) *In general.*

On or before January 31 of each odd-numbered year, the Baltimore City Department of Health shall present to the City Council a comprehensive violence prevention strategy plan for the subsequent 2 years.

(b) *Development and coordination.*

(1) *In general.*

The Baltimore City Department of Health shall coordinate and develop the plan in direct consultation with:

- (i) the Baltimore City Department of Housing and Community Development;
- (ii) the Baltimore City Department of Public Works;
- (iii) the Baltimore City Department of Recreation and Parks;
- (iv) the Baltimore City Department of Social Services;
- (v) the Baltimore City Department of Transportation;
- (vi) the Baltimore City Fire Department;
- (vii) the Baltimore City Police Department;
- (viii) the Baltimore City Public School System;
- (ix) the Baltimore City State's Attorney's Office;
- (x) the Governor's Office of Crime Control and Prevention;
- (xi) the Housing Authority of Baltimore City;
- (xii) the Mayor's Office of Children and Family Success;
- (xiii) the Mayor's Office of Emergency Management;
- (xiv) the Mayor's Office of Homeless Services; and
- (xv) the State Department of Juvenile Services.

(2) *Qualification.*

Only the entities listed in paragraph (1) of this subsection that are municipal agencies as defined in City Charter Article I, § 2(j) {"Definitions: Municipal agency"} are required to assist and participate with the Baltimore City Department of Health in this endeavor.

(c) *Contents.*

- (1) The plan required by this section shall focus on the social determinative outcomes of health, as described by the Centers for Disease Control and Prevention, by:
 - (i) analyzing available City data regarding criminal justice, health, education, public works, transportation, housing, lead paint, drug overdoses, and any other relevant dataset;
 - (ii) outlining public health and safety strategies, including setting goals for prevention, intervention, enforcement, rehabilitation, and re-entry;
 - (iii) setting forth holistic, non-policing efforts aimed at violence prevention;
 - (iv) establishing goals, priorities, and standards for the prevention of violence, the reduction of harm, the remediation of trauma, and the overall improvement of health disparities within Baltimore City; and
 - (v) utilizing any other data, metric, or methodology that the Department of Health believes to be within the best practices for the prevention of violence, the reduction of harm, the remediation of trauma, and the overall improvement of health disparities within Baltimore City.
- (2) After the initial plan, each subsequent plan under this section must include an analysis, utilizing qualitative and quantitative data, of the specific strategies outlined in the previous plan in order to assess the effectiveness of those strategies.

(d) *Publication of plan and comment.*

- (1) The plan required by this section shall be posted prominently for public comment on the City's website for no less than 30 days prior to its submission to the City Council.
- (2) After the public comment period has concluded and prior to submission to the City Council, the Baltimore City Department of Health may amend or revise its plan to:
 - (i) reflect the public comments received; or
 - (ii) include updated data.
- (3) Any comments received shall be included with the plan on its submission to the City Council.

(e) *Interim progress reports.*

No later than January 31 of each even-numbered year, the Baltimore City Department of Health shall submit to the Mayor and City Council an interim progress report detailing the progress of the plan submitted in the previous year, including:

- (1) an analysis, assessment, and, if necessary, re-evaluation of any relevant data, strategies, and priorities from the previous year; and
- (2) any public education or engagement measures taken or to be taken based on that data to assist in the prevention of violence, the reduction of harm, the remediation of trauma, and the overall improvement of health disparities within Baltimore City.

(Ord. 20-364B; Ord. 22-124.)

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SUBTITLE 29A
PUBLIC SAFETY APPRENTICESHIP PROGRAM

§ 29A-1. Definitions.

(a) *In general.*

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

(b) *Cadet.*

“Cadet” means a participant in the Public Safety Apprenticeship Program who:

- (1) has been hired into a specialized training program aimed at introducing young adults to public safety careers; and
- (2) is at least 18 but no more than 21 years old.

(c) *Department.*

“Department” means the Baltimore City Fire Department.

(d) *Explorer.*

“Explorer” means a participant in the Public Safety Apprenticeship Program who is:

- (1) a Baltimore City resident;
- (2) enrolled in a public, public charter, private, or parochial school within Baltimore City; and
- (3) at least 11 but no more than 18 years old.

(e) *Public safety agency.*

“Public safety agency” means the following:

- (1) Baltimore City Fire Department;
- (2) Baltimore City Police Department;
- (3) Baltimore City Office of Emergency Management;
- (4) Baltimore City Sheriff’s Office; and
- (5) Baltimore City School Police.

(f) *Public Safety Apprenticeship Program; Program.*

“Public Safety Apprenticeship Program” or “Program” means a program for recruiting, mentoring, training, and hiring a new generation of Baltimore City youth and young adults to prepare them for careers in law enforcement, fire suppression, emergency medical services, and emergency management.

(g) *Public Safety Cadet Post; Cadet Post.*

“Public Safety Cadet Post” or “Cadet Post” means the branch of the Program that engages participants who are at least 18 but no more than 21 years old.

(h) *Public Safety Explorer Post; Explorer Post.*

“Public Safety Explorer Post” or “Explorer Post” means the branch of the Program that engages participants who are at least 11 but no more than 18 years old.

(i) *Public safety internship.*

“Public safety internship” means an 8 to 10 week paid summer internship in a Baltimore City public safety agency for participants in the Program who are at least 14 but no more than 18 years old.

§ 29A-2. Program establishment.

(a) *In general.*

There is a Public Safety Apprenticeship Program in Baltimore City, consisting of:

- (1) the Public Safety Explorers Post; and
- (2) the Public Safety Cadet Post.

(b) *Staffing.*

The Program shall be staffed with a reasonable number of uniformed and non-uniformed personnel who are full-time members of a public safety agency.

(c) *Public Safety Explorers Post.*

- (1) By January 1, 2023, each participating public safety agency shall develop and implement their own local Public Safety Explorers Post.
- (2) The goals and objectives of the Explorers Post are to:
 - (i) expose youth in Baltimore City to public safety careers;
 - (ii) serve as a local recruitment tool for future men and women in public safety professions;

- (iii) build better community relations efforts in Baltimore City between public safety agencies, youth, and the community;
- (iv) utilize active personnel within each of Baltimore City's public safety agencies to serve as recruiters, mentors, and trainers; and
- (v) develop programming that builds character, develops leadership skills, and fosters an appreciation for community service and good citizenship.

(3) In order to be eligible to participate in the Explorers Post, an individual shall:

- (i) have approval from the individual's parent or guardian;
- (ii) be at least 11 but no more than 18 years old;
- (iii) be a Baltimore City resident;
- (iv) be enrolled in a Baltimore City-based public, public charter, private, or parochial school; and
- (v) be able to safely perform the duties of an explorer without posing a threat to the health and safety of themselves or others.

(d) *Public safety internship.*

(1) *In general.*

The public safety internship will provide youth who are current participants in the Program with the opportunity to take part in an 8 to 10 week paid summer internship with a public safety agency.

(2) *Eligibility.*

In order to be eligible for a public safety internship under the Program, an individual shall:

- (i) be at least 14 but no more than 18 years old;
- (ii) have attended a reasonable number of Explorer Post Activities as determined by the host agency within the fiscal year immediately preceding the application period;
- (iii) be enrolled in a Baltimore City-based public, public charter, private, or parochial school;
- (iv) at the time of entry into the Program, have and maintain a minimum of a "C" average in school;
- (v) be able to safely perform the duties of an explorer without posing a threat to the health and safety of themselves or others.

- (vi) complete all documentation required by the Department; and
- (vii) participate in a formal interview process with representatives from public safety agencies.

(3) *Curriculum.*

Each participating public safety agency shall develop and implement their own specialized curriculum of modules that expose public safety internship participants to the various uniformed and non-uniformed career paths with the public safety agency.

(e) *Public Safety Cadet Post.*

(1) The Public Safety Cadet Post shall provide eligible individuals who are participants in the Program with the opportunity to:

- (i) be hired by a public safety agency in the career track of the participant's choice; and
- (ii) receive on-the-job training and skills development for a period of not more than 3 years.

(2) In order to be eligible to participate in the Public Safety Cadet Post, an individual shall:

- (i) be at least 18 years old but no more than 21 years old; and
- (ii) meet all of the hiring requirements in accordance with:

(A) the Baltimore City Administrative Manual; and

(B) the rules and regulations governing the public safety agency chosen by the cadet.

(3) Beginning in fiscal year 2023, the Cadet Post shall use a phased-in approach to hire a minimum number of young adults to serve in the law enforcement career track or the fire and emergency medical services career track in the following sequence:

(i) in fiscal year 2023:

(A) 10 Emergency Medical Technician ("EMT")/firefighter cadets; and

(B) 10 police cadets;

(ii) in fiscal year 2024:

(A) 15 EMT/firefighter cadets; and

(B) 15 police cadets

(iii) in fiscal year 2025:

(A) 20 EMT/firefighter cadets; and

(B) 20 police cadets;

(iv) in fiscal year 2026:

(A) 25 EMT/firefighter cadets; and

(B) 25 police cadets; and

(v) beginning in fiscal year 2027, if funding is available, each agency shall continue to hire a minimum of 25 cadets in each career track.

(4) Fire Department cadet duties shall include:

(i) completion of all Baltimore City Fire Academy training modules and certifications;

(ii) an academy and field operations training rotation lasting 18 months; and

(iii) all administrative functions that fall into this classification of work as prescribed by the public safety agency.

(5) Law enforcement cadet duties shall include:

(i) maintaining and filing records;

(ii) operating office computers and machines;

(iii) answering telephones;

(iv) entering and indexing official documents;

(v) preparing routine reports;

(vi) preparing and tabulating facts and figures for statistical purposes; and

(vii) all other administrative functions that do not require law enforcement authority.

§ 29A-3. Program funding.

(a) *Public Safety Apprenticeship Program.*

Program funding shall be subject to an appropriation of funds in accordance with the City Charter.

(b) *Public safety internship.*

An appropriate allocation of funds may be provided for miscellaneous costs associated with the public safety internship, including transportation fees for participants.

§ 29A-4. Compensation.

(a) *Public safety internship compensation.*

Subject to the availability of funds, on or before July 1, 2023, individuals hired to participate in the 8 to 10 week public safety internship shall be paid an amount determined by the Board of Estimates.

(b) *Public Safety Cadet Post compensation.*

Subject to the availability of funds, individuals selected to participate in the Cadet Post shall receive a benefits and compensation package as determined by the Board of Estimates.

§ 29A-5. Annual Report.

(a) *In general.*

(1) On or before June 30 of each year, the Department shall report to the Mayor and City Council of Baltimore the following information regarding the Public Safety Apprenticeship Program:

- (i) the number and location of recruitment and outreach events that the Program hosted and participated in;
- (ii) the number of active youth and young adults who participated in at least 60% of the activities hosted by the Explorers Post broken down by sex, age, race, and ethnicity;
- (iii) the curriculum, modules, and other learning materials that were used for programming to build character, develop leadership, and develop an appreciation for community service and good citizenship;
- (iv) the number of youth and young adults selected to participate in the public safety internship broken down by sex, age, race, and ethnicity; and
- (v) the number of youth and young adults hired into the Public Safety Cadet Post broken down by sex, age, race, and ethnicity.

(2) The information required under paragraph (1) of this subsection:

- (i) may not include participants' names; and
- (ii) shall be disaggregated by race and gender.

(b) *Other reporting requirements.*

On or before June 30 of each year, the Department shall report the to the Mayor and City Council of Baltimore the following information from the previous fiscal year:

- (1) the total amount of funds that were appropriated to the Public Safety Apprenticeship Program;
- (2) the remaining balance of unused funds that were appropriated to the Public Safety Explorers Post;
- (3) the administrative, operational, and programming costs associated with the public safety internship;
- (4) the administrative, personnel, and training costs associated with the Public Safety Cadet Post; and
- (5) the personnel cost to staff the Public Safety Apprenticeship Program with uniformed personnel.

(c) *Publication of reports.*

On or before June 30 of each year, the Baltimore City Fire Department shall publish copies of the reports described in this section on the Department's website.

(Ord. 22-147.)

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SUBTITLE 30
MEDICAL TREATMENT FOR SERVICE-CONNECTED
DISABILITIES OF RETIRED POLICEMEN AND FIREMEN

§ 30-1. Program established.

(a) *In general.*

The Board of Estimates is hereby authorized and empowered in its discretion, upon proper application by retired policemen and firemen of the City of Baltimore, in cases where such retirement has been occasioned by disabilities sustained in the line of duty, to provide for continuing medical treatment of such retirees.

(b) *Treatment or payment options.*

Such treatment may be provided at such place or places as the Board may authorize; or in lieu thereof the Board may make a payment to such retiree, payable during disability or in a lump sum, in its discretion; or the Board may provide both medical treatment and a sum of money if the circumstances of a particular case require it.

(City Code, 1976/83, art. 1, §138(a)(1st par.)) (Ord. 70-885.)

§ 30-2. Delegation of implementation.

(a) *Board may delegate to agency.*

After having passed upon a case in first instance, the Board may delegate to the retiree's former department or to a suitable department or agency of the City the implementation of its award and the question of whether or not such award is to be permanent or temporary in nature.

(b) *Board retains jurisdiction.*

In each case, however:

(1) the Board retains jurisdiction and responsibility for the execution of this subtitle in accordance with its declared intent; and

(2) any decision by a subordinate official or agency may be informally appealed or brought before the Board for review.

(City Code, 1976/83, art. 1, §138(a)(2nd par.)) (Ord. 70-885.)

§ 30-3. Rules and regulations.

(a) *Board may adopt.*

The Board is authorized and empowered to promulgate and adopt suitable rules and regulations for the implementation of this section.

(b) *Scope.*

Such rules shall provide generally for:

- (1) the determination of what medical treatment is required in a particular case;
- (2) the approximate amount to be allowed;
- (3) where such retirees should be treated, if at all, and by whom, using City facilities and personnel where practicable; and
- (4) whether a sum of money should be payable in lieu of medical services or in addition thereto.

(City Code, 1976/83, art. 1, §138(b).) (Ord. 70-885.)

§ 30-4. Procedures.

(a) *Informal petition.*

Upon retirement of a City policeman or fireman because of injuries sustained in line of duty and in cases where such disability is continuing, he may informally petition the Board for the services or payments herein provided. Such petition may be by a letter or other document referring the Board to his departmental case.

(b) *Referral for investigation and report.*

Upon receipt of such petition, the Board may:

- (1) refer such matter back to the department from which the claimant has been retired for full investigation and prompt report to the Board; or
- (2) refer such claim to any other agency of the City, including the Law Department for investigation by its Central Bureau of Investigation.

(c) *Decision by Board.*

- (1) Upon receipt of such report, the Board shall act in disposing of the claim before it. In doing so it may act solely upon the record before it or it may call the claimant and other witnesses to aid in its determination of such matter.
- (2) Where there is a dispute as to whether a retiree's medical condition is service-connected and should be compensated under this section, a decision of the Board after full investigation shall be deemed final and conclusive.

(City Code, 1976/83, art. 1, §138(d).) (Ord. 70-885.)

§ 30-5. Other payments as offset.

Any other payments now or hereafter financed wholly or in part from public funds, including but not limited to workmen's compensation, intended to meet the same expense or provide the same service with respect to the same medical condition, shall serve as an offset against the payments herein provided.

(City Code, 1976/83, art. 1, §138(e).) (Ord. 70-885.)

§ 30-6. Award.

(a) *Board to decide award.*

Such sum as may be provided herein or such services as may be furnished shall be such as the Board in its judgment determines to be right and proper under the circumstances.

(b) *Board's decision final.*

And the decision of the Board in any particular case, or in any stage of any such case, shall be final and conclusive and not subject to appeal.

(City Code, 1976/83, art. 1, §138(c).) (Ord. 70-885.)

§ 30-7. Funding.

(a) *Initial year.*

Funding of this compensation provision during the City Fiscal Year 1970-71 shall be from the respective budget of the Police and Fire Departments.

(b) *Subsequent years.*

After such initial year, funds to sustain awards shall be available as provided in the Ordinance of Estimates.

(City Code, 1976/83, art. 1, §138(a)(3rd par.).) (Ord. 70-885.)

SUBTITLE 31
OCCUPATIONAL MEDICAL SERVICE
AND OCCUPATIONAL SAFETY

§ 31-1. Occupational Medical Service – established.

There is a City of Baltimore Occupational Medical Service in the Department of Finance, Office of Risk Management.

(City Code, 1976/83, art. 1, §48.) (Ord. 80-057; Ord. 94-370; Ord. 04-822.)

§ 31-2. Occupational Medical Service – duties.

The Occupational Medical Service shall:

- (1) establish medical procedures and standards at all City medical facilities for employees and assure conformity with such procedures and standards;
- (2) examine and treat patients at a central medical services clinic;
- (3) monitor the quality of medical treatments for all City employees;
- (4) investigate and evaluate all City employee safety and health hazards, including but not limited to toxic materials, and establish programs to eliminate and reduce hazards;
- (5) evaluate medical cases of patients, including employees with disability claims, at all City medical facilities and recommend upon their disposition;
- (6) cooperate with and assist the Law Department and other City agencies involved in Workers' Compensation Commission claims and disability retirement claims and matters relative thereto, improving all types of claims management and loss control;
- (7) develop and maintain programs for controlling sick leave, substance abuse, and disability of all City employees and for monitoring and reducing absenteeism;
- (8) cooperate with public health agencies in improving the quality of occupational medicine;
- (9) maintain a system of uniform medical records; and
- (10) develop and maintain programs to enhance the professional education of all employees involved in occupational medicine.

(City Code, 1976/83, art. 1, §49.) (Ord. 80-057; Ord. 94-370; Ord. 04-822.)

§ 31-3. {Reserved}

§ 31-4. Division of Occupational Safety — established.

There is a Division of Occupational Safety in the Department of Finance, Office of Risk Management.

(City Code, 1976/83, art. 1, §50(1st sen.)) (Ord. 80-057; Ord. 94-370; Ord. 04-822.)

§ 31-5. Division of Occupational Safety — duties.

The Division of Occupational Safety shall:

- (1) develop and administer City-wide safety programs for the prevention of accidents, illnesses, and injuries;
- (2) develop and monitor safety programs in City departments, boards, commissions, and agencies and work with agency safety personnel to assure the effectiveness of said programs;
- (3) advise the Mayor, the Director, and City agencies in all aspects of employee safety and the safety of the public related to City activities;
- (4) investigate and report upon occupational injuries and illnesses and maintain a related record system designed to reduce occupational hazards and ensure responsibility and compliance by all City departments, boards, commissions, and agencies;
- (5) assure the adherence of City agencies to City safety policies;
- (6) keep abreast of all laws and regulations affecting employee safety and advise City management thereon;
- (7) maintain relationships with appropriate federal and state regulatory agencies affecting safety and with relevant professional organizations; and
- (8) develop and maintain programs to enhance the professional education of all employees involved in safety activities.

(City Code, 1976/83, art. 1, §50(2nd sen.)) (Ord. 80-057; Ord. 94-370.)

SUBTITLE 32
SOCIAL SERVICES COMMISSION

§ 32-1. Commission established.

There is a Social Services Commission, as established in Article VII, § 58 of the City Charter.
(*Ord. 02-402.*)

§ 32-2. Composition.

The Commission comprises the following 13 members:

- (1) the Mayor or the Mayor's designee;
- (2) the Commissioner of Health or the Commissioner's designee;
- (3) the City Council President or the President's designee; and
- (4) 10 members appointed by the Mayor and confirmed by the City Council in accordance with Article IV, § 6 of the City Charter.

(*Ord. 02-402.*)

§ 32-3. Tenure.

- (a) *In general.*

The term of an appointed member expires at the end of the Mayor's term of office.

- (b) *Hold over.*

At the end of a term, an appointed member continues to serve until a successor is appointed and qualifies.

(*Ord. 02-402.*)

§ 32-4. President.

- (a) *Designation.*

The Mayor shall designate one of the appointed members to serve as President of the Commission.

- (b) *Tenure.*

The member so designated serves as President at the pleasure of the Mayor.

(*Ord. 02-402.*)

§ 32-5. Powers and duties.

The Commission has the powers and duties prescribed by State and City law.
(*Ord. 02-402.*)

**SUBTITLE 33
NUCLEAR-FREE ZONE**

PART 1. GENERAL PROVISIONS

§ 33-1. Definitions.

(a) *In general.*

For the purposes of this subtitle, the following definitions apply:

(b) *Development Commission.*

“The Development Commission” is that which is set forth in Article VII, §§111 through 113 of the City Charter.

EDITOR’S NOTE: Article VII, §§ 111 through 113 of the City Charter were repealed and the Development Commission abolished by Res. 00-010, ratified November 2000.

(c) *Component of nuclear weapon.*

“Component of a nuclear weapon” is any device, radioactive or non-radioactive, specifically designed to be installed in and to contribute to the operation of a nuclear weapon.

(d) *Direct activities of federal government.*

“Direct activities of the federal government” means actions of the federal government or any agency thereof created by statute, but does not include actions of independent contractors.

(e) *Nuclear weapon.*

(1) “Nuclear weapon” is any device, the purpose of which is use as a weapon, a weapon prototype, or a weapon test device, the intended detonation of which results from the energy released by fission and/or fusion reactions involving atomic nuclei.

(2) “Nuclear weapon” includes the weapon’s guidance and propulsion system and triggering mechanism, i.e., the means of transporting, guiding, propelling, triggering, or detonating the weapon, provided that such means is destroyed or rendered useless in the normal transporting, guiding, propelling, triggering, or detonation of the weapon.

(f) *{Repealed}*

(g) *Radioactive materials.*

“Radioactive materials” are any radioactive materials, or their radioactive by-products, which are generated, refined, or made radioactive by any government agency or pursuant to federal or state government contract or license, and including that which the federal government classified as low-level radioactive waste as of January 1, 1989, but which may be classified as below regulatory concern after that date.

(*City Code, 1976/83, art. 3, §1.*) (*Ord. 92-012; Ord. 92-013; Ord. 92-014; Ord. 92-015; Ord. 22-125.*)

PART 2. NUCLEAR WEAPONS**§ 33-2. Exclusions.**

Nothing in this Part shall be construed to prohibit:

- (1) any activity not specifically described in this Part;
- (2) basic research and/or any writing or speech devoted to public commentary or debate or other speech protected by the First Amendment of the United States Constitution;
- (3) the use, storage, or treatment and disposal of radioactive materials used in basic academic research, medical research, or the diagnosis and treatment of patients;
- (4) consumer uses of radioactive material for smoke detectors, light emitting watches or clocks, industrial radiography and tracer processes, and other similar incidental applications;
- (5) direct activities of the federal government or its employees;
- (6) the transportation of radioactive materials to and through the Port of Baltimore; and
- (7) research, development, and manufacturing associated with biotechnology.

(*City Code, 1976/83, art. 3, §2.*) (*Ord. 92-012.*)

§ 33-3. Nuclear weapons work prohibited.(a) *In general.*

No person shall knowingly within the City of Baltimore design, produce, deploy, launch, maintain, or store nuclear weapons or components of nuclear weapons.

(b) *Effective date of prohibition.*

In the case of persons with existing contractual agreements for any of the aforementioned activities, this prohibition shall take effect 3 years after the adoption and publication of this Part; otherwise, this Part takes effect upon enactment.

(c) *New work prohibited.*

No person who is not, as of the effective date of this Part, engaged in the design, production, deployment, launching, maintenance or storage of nuclear weapons or components of nuclear weapons, shall, within the City of Baltimore, commence any such activities after the effective date of this Part.

(City Code, 1976/83, art. 3, §3(a).) (Ord. 92-012.)

§ 33-4. Redirection of resources towards human needs.

(a) *Conversion plan.*

(1) The Development Commission shall determine if any businesses are affected by this Part.

(2) The Development Commission shall then, if necessary:

- (i) solicit testimony from the public;
- (ii) prepare a plan for the conversion to other uses of resources and physical plants affected by this Part; and
- (iii) develop within this plan, a list of suggested alternative sources of employment for persons currently employed in the nuclear weapons industry.

(3) The conversion plan shall be completed within 3 years of the adoption of this Part.

(b) *Interim report.*

(1) The Commission shall issue an interim report on its progress within 18 months following the Commission's first meeting.

(2) This interim report shall be presented to the City Council, and copies shall be made available to the news media for public dissemination.

(City Code, 1976/83, art. 3, §3(b).) (Ord. 92-012.)

§ 33-5. Nuclear-free zone signs.

(a) *In general.*

The City shall post and maintain appropriate signs at recognized entrances to the City and in City Hall, proclaiming Baltimore City's status as a nuclear-free zone.

(b) *Standards.*

When posted on City streets or on state or federally supported roads entering Baltimore City, such signs shall conform with the standards set forth in § 28-44 of the Federal Highway Administration's Manual on Uniform Traffic Control Devices for Streets and Highways.

(City Code, 1976/83, art. 3, §3(c).) (Ord. 92-012.)

§ 33-6. Civil enforcement.

Any taxpayer domiciled in the City of Baltimore, any person aggrieved by a violation of this Part, or the Mayor and City Council of Baltimore, is authorized to institute an action in the appropriate court of law having jurisdiction, seeking declaratory, injunctive or other appropriate judicial relief for the purpose of enforcing this Part and enjoining or restraining any violations of this Part.

(City Code, 1976/83, art. 3, §3(d).) (Ord. 92-012.)

PART 3. NUCLEAR-FREE PURCHASING**§ 33-7. Nuclear-free purchasing by City.**

Whenever practicable, and subject to approval by the Board of Estimates, all City departments, agencies, boards, commissions, officers, and employees who purchase or lease goods and services for the City of Baltimore shall make good faith efforts not to contract for, purchase, or lease goods or services produced, sold, distributed, or supplied by manufacturers of nuclear weapons or components.

(City Code, 1976/83, art. 3, §4.) (Ord. 92-013.)

PART 4. DISPOSAL OF RADIOACTIVE MATERIALS**§ 33-8. Exclusions.**

Nothing in this Part shall be construed to prohibit:

- (1) any activity not specifically described in this Part;
- (2) the use, storage, or treatment and disposal of radioactive materials used in basic academic research, medical research, or the diagnosis and treatment of patients;
- (3) consumer uses of radioactive material for smoke detectors, light emitting watches or clocks, industrial radiography and tracer processes, and other similar incidental applications; and
- (4) direct activities of the federal government or its employees.

(City Code, 1976/83, art. 3, §5.) (Ord. 92-014.)

§ 33-9. Disposal of radioactive materials prohibited.

Except as specifically exempted in this Part, no person shall incinerate or dispose of radioactive materials, for any purpose, within Baltimore City or within landfills or incinerators owned or licensed by Baltimore City.

(City Code, 1976/83, art. 3, §6.) (Ord. 92-014.)

§ 33-10. Penalties.

(a) *In general.*

Each violation of this Part shall be punishable by a \$1,000 fine.

(b) *Each day a separate offense.*

Each day of violation shall be deemed a separate violation.
(*City Code, 1976/83, art. 3, §7.*) (*Ord. 92-014.*)

PART 5. TRANSPORTATION OF RADIOACTIVE MATERIALS

§ 33-11. Exclusions.

Nothing in this Part shall be construed to prohibit:

- (1) any activity not specifically described in this Part;
- (2) the transportation of radioactive materials used in basic academic research, medical research, or the diagnosis and treatment of patients;
- (3) consumer uses of radioactive material for smoke detectors, light emitting watches or clocks, industrial radiography and tracer processes, and other similar incidental applications;
- (4) direct activities of the federal government or its employees; and
- (5) the transportation of radioactive materials to and through the Port of Baltimore.

(*City Code, 1976/83, art. 3, §8.*) (*Ord. 92-015.*)

§ 33-12. Restrictions on transportation of radioactive materials.

(a) *Office of Disaster Control to prepare report.*

Within 2 years of the effective date of this Part, the Office of Disaster Control and Civil Defense shall prepare a report for the City Council covering the following areas:

- (1) a determination of which existing federal, state, and local laws can be used to control the transportation of radioactive materials;
- (2) a survey of shippers and recipients of radioactive materials in or near the municipality;
- (3) a consideration of alternative routes to those presently allowed under 49 C.F.R., using DOT guidelines and local safety analyses, and cooperating with state routing agencies where applicable; and
- (4) an emergency response plan and assessment of capabilities for accidents involving radioactive materials transport.

(b) *Notices to Fire Communication Center.*

The Board of Fire Commissioners of Baltimore shall request that state officials notify Baltimore City's Fire Communication Center of the transportation of radioactive materials, based upon the requirements of federal law, 10 C.F.R. 171.97(c)3, which requires shippers to notify the state governor or his designees, no less than 96 hours prior to such shipments.

(City Code, 1976/83, art. 3, §9.) (Ord. 92-015.)

SUBTITLE 34
BALTIMORE CITY OFFICE OF SUSTAINABILITY

§ 34-1. Definitions.

(a) *In general.*

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

(b) *Carbon offset.*

“Carbon offset” means one metric ton of carbon dioxide equivalent (CO₂e) that is kept out of the atmosphere by either:

- (1) preventing the creation of the emissions; or
- (2) sequestering carbon in:
 - (i) vegetation;
 - (ii) soils;
 - (iii) rock; or
 - (iv) water.

(c) *Director.*

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

(d) *Environmental justice.*

“Environmental justice” means the fair treatment of all individuals regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

(e) *Greenhouse gas.*

“Greenhouse gas” includes carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

(f) *Net-zero emissions.*

“Net-zero emissions” means the balancing of greenhouse gas emissions with emissions off-sets that cause an equivalent reduction of greenhouse gas emissions.

(g) *Office.*

“Office” means the Baltimore City Office of Sustainability.
(*Ord. 07-484; Ord. 22-125; Ord. 22-131.*)

§ 34-2. {Reserved}

§ 34-3. Office established.

(a) *In general.*

There is a Baltimore City Office of Sustainability.

(b) *A Division of Planning.*

The Office is a Division in the Department of Planning.
(*Ord. 07-484.*)

§ 34-4. Sustainability Manager.

The Director of Planning shall employ a Sustainability Manager.
(*Ord. 07-484.*)

§ 34-5. Staff and consultants.

The Director may employ a staff and may contract for consultants and other experts as provided in the Ordinance of Estimates.
(*Ord. 07-484.*)

§ 34-6. {Reserved}

§ 34-7. Mission of Office.

(a) *“Sustainable community” defined.*

A sustainable community is one in which economic, ecological, and social well-being are integrated to ensure all live well, within nature’s means.

(b) *Programs, policies, and actions.*

- (1) The mission of the Office is to develop and advocate for programs, policies, and actions by government, citizens, and businesses that lead to sustainable communities in the City.
- (2) These programs, policies, and actions include those that:
 - (i) support a diverse and vibrant economy;
 - (ii) promote an equitable distribution of resources;

(iii) protect and restore the integrity of the natural systems that support life, including air, water, and land;

(iv) preserve the diversity of plant and animal life; and

(v) reduce human impacts on local and worldwide ecosystems.

(Ord. 07-484.)

§ 34-8. {Reserved}

§ 34-9. Sustainability and Environmental Management Program.

(a) *Office to develop.*

The Office shall develop a Sustainability and Environmental Management Program for the City.

(b) *Components.*

(1) The Program shall incorporate the Sustainability Plan developed by the Commission on Sustainability and any other recommendations made by the Commission.

(2) The Program shall include appropriate measures for:

(i) developing, implementing, and coordinating City policies that make all City operations achieve;

(A) by January 1, 2025, a 30% reduction in greenhouse gas emissions from 2007 levels;

(B) by January 1, 2030, a 60% reduction in greenhouse gas emissions from 2007 levels; and

(C) by January 1, 2045, net-zero emissions, as defined in § 34-1(f) of this subtitle;

(ii) developing or coordinating City policies and programs that will improve environmental performance in City operations;

(iii) facilitating the City's compliance with federal, state, and local environmental regulations;

(iv) advancing the City's environmental priorities;

(v) integrating sustainability and environmental values into City plans, programs, and policies; and

(vi) setting sustainability and environmental targets and objectives for the City.

(c) *Implementation.*

The Office shall oversee implementation of the Program.
(*Ord. 07-484; Ord. 22-131.*)

§ 34-10. Support for other programs and policies.(a) *In general.*

The Office shall seek to assure proper City support for the City's green building, energy policy, and solid waste and recycling programs.

(b) *Specific duties.*

To this end, the Office shall:

- (1) direct and evaluate energy policy and global warming action plan implementation;
- (2) administer and monitor direct City government energy efficiency activities;
- (3) review City policies and programs for consistency with the policy;
- (4) make recommendations to the City Council on the policies and programs; and
- (5) administer and monitor programs in support of green building and sustainable development principles.

(*Ord. 07-484.*)

§ 34-11. Director's powers and duties – In general.

The Director shall:

- (1) prepare and update annually a sustainability and environmental management planning agenda for the City;
- (2) report to the Mayor and City Council on the performance in meeting sustainability and environmental targets and objectives of:
 - (i) each City agency; and
 - (ii) the City overall;
- (3) serve, in conjunction with other affected agency heads, as the City's representative to boards, commissions, and organizations engaged in issues relating to sustainability and environmental management;
- (4) manage the activities, as described in City Code Article 5, Subtitle 34, of the Commission on Sustainability;

(5) regularly review and propose appropriate changes to the Environmental Management Program; and

(6) perform any other duties prescribed by law.

(Ord. 07-484.)

§ 34-12. Director’s powers and duties – Rules and regulations.

(a) *In general.*

Subject to Title 4 {“Administrative Procedure Act – Regulations”} of the City General Provisions Article, the Director may adopt rules and regulations to carry out this subtitle.

Editor’s Note: By authority of Ordinance 20-431, Section 5, the Director of Legislative Reference, in consultation with the Law Department, has conformed the text of this subsection to refer expressly to the requirements of the recently-enacted Administrative Procedure Act that, effective January 15, 2021, governs the proposal, adoption, and publication of administrative rules and regulations.

(Ord. 07-484; Text Conformed 02/09/21.)

(b) *Scope.*

These rules and regulations shall require transparency and community-based public participation mechanisms to provide input to and track the progress of the City’s development and implementation of City policies that make all City operations achieve:

(1) by January 1, 2025, a 30% reduction in greenhouse gas emissions from 2007 levels;

(2) by January 1, 2030, a 60% reduction in greenhouse gas emissions from 2007 levels; and

(3) by January 1, 2045, net-zero emissions, as defined in § 34-1(f) of this subtitle.

(Ord. 07-484; Ord. 22-131.)

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SUBTITLE 35
CITY SEAL; CITY SLOGAN; FLAGS

§ 35-1. City Seal - established.

The seal heretofore provided and used, the impression on which is a representation of the Battle Monument, is hereby established and declared to have been and now to be the Seal of the Mayor and City Council of Baltimore.

(City Code, 1879, art. 1, §58; 1893, art. 1, §65; 1927, art. 1, §86; 1950, art. 1, §25; 1966, art. 1, §101; 1976/83, art. 1, §104.) (Ord. 1858-001.)

§ 35-2. City Seal - custody; fees.

(a) *Director of Finance to keep.*

The Director of Finance shall take under his charge and keeping the Corporate Seal of the City, and use it in all cases which now are or may hereafter be required, either by the laws of the United States, the several States, the ordinances of this corporation, or the usage and customs of nations, whenever applied to for that purpose.

(b) *Fees.*

(1) And for each and every seal which he shall affix to an instrument or instruments of writing, he shall be entitled to receive for the use of the City, the sum of \$2.

(2) Except that in cases where the certificate of the Director of Finance under seal shall be required to be used as evidence in the claims of soldiers and seamen in the United States service, or in the claims of the widows or heirs of such as may have died, or may hereafter die in the service, he shall furnish such certificate without any charge whatever.

(City Code, 1879, art. 1, §59; 1893, art. 1, §66; 1927, art. 1, §87; 1950, art. 1, §26; 1966, art. 1, §102; 1976/83, art. 1, §105.) (Ord. 1858-008; Ord. 1865-028.)

§ 35-3. City Seal - prohibited uses.

(a) *In general.*

(1) No person other than the Director of Finance and his clerks and subordinates shall attach, impress, or affix the Corporate Seal of the Mayor and City Council of Baltimore to any paper, instrument, or document whatsoever.

(2) No person shall use a copy or facsimile of the Seal of the Mayor and City Council of Baltimore for any advertising purposes whatsoever, nor shall a copy or facsimile of said Seal be used in any pamphlet, program, prospectus, or paper or document of any character other than the official publications and stationery of the Mayor and City Council of Baltimore and its officers and officials.

(b) *Penalties.*

Any person violating the provisions of this section shall be guilty of a misdemeanor and shall be subject to a fine of \$500 for each offense, said fine to be collected as other fines for the violation of City Ordinances are collected.

(City Code, 1927, art. 1, §88; 1950, art. 1, §27; 1966, art. 1, §103; 1976/83, art. 1, §106.) (Ord. 22-697.)

§ 35-4. City Seal - motor vehicles.

Nothing in this subtitle shall be construed to prevent or affect the use of, by a resident of Baltimore City, a copy or facsimile of the Seal of the Mayor and City Council of Baltimore, if it is affixed to a motor vehicle where a registration plate is normally placed and if such use is not prohibited by the Motor Vehicle Laws of the State of Maryland.

(City Code, 1966, art. 1, §104; 1976/83, art. 1, §107.) (Ord. 54-959; Ord. 76-022.)

§ 35-5. City Slogan.

The phrase “Baltimore – Birthplace of The Star-Spangled Banner” is established and approved as the official slogan of the City of Baltimore.

(Ord. 15-321.)

§ 35-6. City Flag.

The following described design, recommended by the aforesaid legally authorized “Flag Commission” {*cf. Ord. 14-507 and Preamble to Ord. 14-565*}, is hereby approved and established as the official “Flag of Baltimore City”:

- (1) The Flag shall be of the Lord Baltimore colors, to wit, black and gold, heraldically arranged as in his armorial bearings, that is to say, paly of 6 pieces, or, and Sable, a bend counterchanged; and superimposed thereon, as an augmentation of honor, a shield, sable, bordered, or, charged with the Battle Monument argent, in memory of the Defenders of Baltimore during the War of 1812-14.
- (2) The said Flag in dimensions, shall be 9 feet long by 6 feet deep (or of the proportions of 3 to 2), the superimposed shield being 2 feet 6 inches wide by 3 feet and 3/8 of an inch from top to tip.
- (3) The said Flag in color and in heraldic layout shall be in accordance with design published in the *Municipal Journal* of December 18, 1914, and now on file in the office of the Department of Legislative Reference.

(City Code, 1927, art. 1, §90; 1950, art. 1, §28; 1966, art. 1, §57; 1976/83, art. 1, §52.) (Ord. 14-565.)

§ 35-7. {Reserved}

§ 35-8. American flag on City buildings.

The superintendent of any of the public buildings belonging to and used by the municipal government of the City shall cause to be raised the American flag on the same:

(1) on each and every legal holiday during the year; and

(2) at half-mast on May 30 (known as Memorial Day).

(City Code, 1927, art. 37, §9; 1950, art. 28, §6; 1966 art. 1, §87; 1976/83, art. 1, §88.) (Ord. 95-029; Ord. 76-022.)

SUBTITLE 36
COMMEMORATIVE DAYS

§ 36-1. Baltimore Day.

August 8 of each year shall be Baltimore Day in honor of Baltimore's founding on August 8, 1729. The Mayor annually shall proclaim this day as Baltimore Day, to recognize this important moment in the City's history.

(Ord. 15-358.)

§ 36-2. Henrietta Lacks Day.

August 1 of each year shall be Henrietta Lacks Day in honor of the birth on August 1, 1920 of Henrietta Lacks, whose cervical cancer cells were taken without her or her family's knowledge or consent to create the HeLa line of cells used to further medical science, including cures and treatments for diseases such as polio, cancer, and AIDS. The Mayor annually shall proclaim this day as Henrietta Lacks Day to recognize this important moment in medical history.

(Ord. 17-046.)

**SUBTITLE 36A
LEGAL HOLIDAYS**

§ 36A-1. Holidays specified.

(a) *In general.*

In addition to other legal holidays established from time to time by union contract, by agency regulation, or by action of the Board of Estimates, the following days are legal holidays for the City of Baltimore.

(b) *Indigenous Peoples' Day.*

Indigenous Peoples' Day, the second Monday in October of each year.
(*Ord. 20-432.*)

§ 36A-2. Observance.

The City shall observe the legal holidays specified in § 36A-1 of this subtitle annually, in the same manner as it observes other legal holidays established from time to time by union contract, by agency regulation, or by action of the Board of Estimates.
(*Ord. 20-432.*)

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SUBTITLE 37
NONPROFIT EVENT DISCOUNT

§ 37-1. Discount on City services, permits, and equipment costs for nonprofit events.

(a) *In general.*

(1) *Required discount.*

Except as otherwise provided in this subtitle, if an event is open to the public without charge and sponsored by a qualifying organization described in paragraph (2) of this subsection, the fees for City services, permits, or equipment used to support the event must be reduced by 50% from the otherwise applicable rates.

(2) *Qualifying organizations.*

- (i) An organization qualifies for the 50% discount required by paragraph (1) of this subsection if it is:
 - (A) a nonprofit, tax-exempt charitable or religious organization; or
 - (B) an organization that is not required to pay any federal, state, or local taxes.
- (ii) Organizations eligible for the 50% discount required by paragraph (1) of this subsection include:
 - (A) the Mayor's Office of Minority and Women-Owned Business Development's Main Street programs;
 - (B) Retail Business District Business Associations established under City Code Article 14, § 11-9 {"Business Associations"};
 - (C) Business Improvement Districts;
 - (D) Community associations, neighborhood organizations, homeowners' associations, and organized block clubs; and
 - (E) sports organizations with 15 or more Baltimore City youth aged 18 years old or younger as participants.

(b) *Documentation to be provided.*

The sponsoring organization must submit satisfactory evidence to the Director of Transportation, or the Director's designee, documenting its qualifications for the discount provided by this section at the time that it requests City services, permits, or equipment for its event.

(c) *Exclusions.*

The following types of events are not eligible for the 50% discount required by this section:

(1) pub crawls; and

(2) road races.

(Ord. 17-102.)

§ 37-2. Fees ineligible for discount.

The 50% discount required by this subtitle does not apply to:

(1) the fee schedule of the Department of Recreation and Parks;

(2) fees imposed by the Parking Authority;

(3) fees charged by the Department of Housing and Community Development for temporary structures pursuant to Building Code § 109.6.1m {"Temporary structures"}; or

(4) fees charged by the Fire Department.

(Ord. 17-102.)

§ 37-3. Rules and regulations.

Subject to Title 4 {"Administrative Procedure Act – Regulations"} of the City General Provisions Article, the Director of Finance may adopt rules and regulations to carry out this subtitle.

Editor's Note: By authority of Ordinance 20-431, Section 5, the Director of Legislative Reference, in consultation with the Law Department, has conformed the text of this section to refer expressly to the requirements of the recently-enacted Administrative Procedure Act that, effective January 15, 2021, governs the proposal, adoption, and publication of administrative rules and regulations.

(Ord. 17-102; Text Conformed 02/09/21.)

**SUBTITLE 38
MUNICIPAL IDENTIFICATION**

§ 38-1. Definitions.

- (a) *“Baltimore City ID Card”*; *“Municipal identity card”*.

“Baltimore City ID Card” or “municipal identity card” means an identification card issued by the City of Baltimore under this subtitle.

- (b) *MOIT*.

“MOIT” means the Mayor’s Office of Information Technology, or any successor entity in the Mayor’s Office, or another City agency, responsible for the City’s information technology needs. *(Ord. 16-586.)*

§ 38-2. Findings; Legislative intent.

- (a) *Findings of fact.*

- (1) In adopting this subtitle, the Mayor and City Council make the findings contained in this subsection.
- (2) Many residents of Baltimore City are unable to obtain a government-issued identification essential to full participation in Baltimore’s diverse society. This barrier leaves thousands of individuals – including immigrants, homeless people, transgender people, senior citizens, young people, and formerly incarcerated people – without access to critical services, benefits, and cultural, educational, and civic opportunities.
- (3) Baltimore City offers an array of cultural, educational, and civic opportunities meant to be accessible to all members of our community.
- (4) Transgender and gender non-conforming individuals may have particular challenges in obtaining identification cards that reflect their gender identity, due to stigma and burdensome administrative policies for changing gender on other identification documents. This increases the likelihood they will experience discrimination in seeking employment or housing or otherwise participating in cultural or civic life.

- (b) *Legislative intent.*

It is the intent of the Mayor and City Council in adopting this subtitle to:

- (1) build Baltimore’s standing as a welcoming and inclusive center for all residents, without regard to a person’s race, national origin, religion, sex, sexual orientation, gender identity, disability, or immigration, housing, or financial status;

- (2) provide a municipal identification card that will affirm the gender identity and resident status of all Baltimore City residents by allowing applicants to obtain identification that reflects their gender identity, regardless of assigned birth sex or gender designation on previously-issued identity documents;
- (3) expand access and incorporate more members of Baltimore’s diverse community into the rich fabric of civic life; and
- (4) preserve the safety and privacy of all Baltimore City residents by ensuring that personal data gathered during the municipal identification application process is destroyed or maintained confidentially.

(c) *No expansion of identification requirements.*

- (1) By authorizing the creation of a municipal identification card program, the Mayor and City Council do not intend to expand identification requirements for access to basic services or exercise of constitutional rights.
- (2) The program created by this subtitle is not to be used to require individuals to produce government-issued identification to access services and benefits where government-issued identification was not previously required, such as when registering to vote, casting a ballot, or accessing certain government buildings.

(Ord. 16-586.)

§ 38-3. Program administration.

(a) *In general.*

MOIT shall administer the municipal identity card program with the assistance and cooperation of all other City agencies as needed.

(b) *Rules and regulations.*

Subject to Title 4 {“Administrative Procedure Act – Regulations”} of the City General Provisions Article, MOIT may adopt rules and regulations to carry out this subtitle.

Editor’s Note: By authority of Ordinance 20-431, Section 5, the Director of Legislative Reference, in consultation with the Law Department, has conformed the text of this subsection to refer expressly to the requirements of the recently-enacted Administrative Procedure Act that, effective January 15, 2021, governs the proposal, adoption, and publication of administrative rules and regulations.

(Ord. 16-586; Text Conformed 02/09/21.)

§ 38-4. Issuance of identity cards.*(a) Available to all City residents.*

MOIT must make a Baltimore City ID Card available to any resident of Baltimore City who can meet the requirements of § 38-8 {"Eligibility for identity card"} of this subtitle for establishing his or her identity and residency, regardless of his or her race, color, creed, age, national origin, alienage or citizenship status, gender, sexual orientation, disability, marital status, partnership status, source of lawful income, housing status, status as a victim of domestic violence, status as a victim of sex offenses or stalking, or conviction or arrest record.

(b) Application fee.

(1) The application fee for a Baltimore City ID Card is as set by the Board of Estimates.

(2) MOIT must adopt rules permitting residents who cannot afford to pay an application fee to receive a full or partial waiver of the fee.

(Ord. 16-586.)

§ 38-5. Card content and design.*(a) Content.*

(1) A Baltimore City ID Card issued under this subtitle must, at a minimum, display the cardholder's photograph, name, date of birth, a municipal identity card number unique to each card, and an expiration date.

(2) A Baltimore City ID Card issued under this subtitle may not display the cardholder's gender.

(b) Secure design.

Each Baltimore City ID Card issued under this subtitle must be designed and produced with fraud and counterfeit deterring features.

(Ord. 16-586.)

§ 38-6. Availability of applications.*(a) Available at City agencies.*

Applications for Baltimore City ID Cards must be made available for pick-up and submission at every City agency or office where there is substantial contact with the public.

(b) Available on-line.

MOIT must make applications available for Baltimore City ID Cards on-line.

(Ord. 16-586.)

§ 38-7. Language assistance services.

MOIT shall, consistent with all federal, state, and local laws, provide language assistance to address the needs of limited English proficient individuals in the administration of the municipal identity card program by implementing measures such as:

- (1) staff training,
- (2) community outreach, and
- (3) the use of language assistance tools.

(Ord. 16-586.)

§ 38-8. Eligibility for identity card.

- (a) Proof of identity.

To establish identity, an applicant must produce 1 or more of the following documents, each of which must be current or have expired not more than 5 years prior to the date it is presented:

- (1) a U.S. or foreign passport;
- (2) a U.S. state driver's license;
- (3) a U.S. state identification card;
- (4) a U.S. permanent resident card;
- (5) a consular identification card;
- (6) a photo identification card, with name, address, date of birth, and expiration date, issued by another country to its citizens or nationals as an alternative to a passport for re-entry to the issuing country;
- (7) a certified copy of a U.S. or foreign birth certificate;
- (8) a Social Security card;
- (9) a national identification card with photo, name, address, date of birth, and expiration date;
- (10) a foreign driver's license;
- (11) a U.S. or foreign military identification card;
- (12) a current visa issued by a government agency;
- (13) a U.S. individual taxpayer identification number (ITIN) authorization letter;

- (14) an electronic benefit transfer (EBT) card; or
- (15) an identity document recognized by local homeless shelters allowing individuals experiencing homelessness to access shelters or other services.

(b) *Proof of City residency.*

To establish City residency, an applicant must produce one or more of the following items, each of which must show the applicant's name and residential address located within the City and must, except as otherwise provided in this subsection, be dated no more than 60 days prior to the date it is presented:

- (1) a utility bill;
- (2) a current residential property lease;
- (3) a local property tax statement dated within 1 year of the date it is presented;
- (4) a local real property mortgage payment receipt;
- (5) a bank account statement;
- (6) proof that the applicant has a minor child currently enrolled in a school located within the City;
- (7) an employment pay stub;
- (8) a jury summons or court order issued by a federal or state court;
- (9) a federal or state income tax or refund statement dated within one year of the date it is submitted;
- (10) an insurance bill (homeowner's, renter's, health, life, or automobile insurance);
- (11) written verification issued by a homeless shelter that receives City funding confirming at least 15 days residency; or
- (12) written verification issued by a hospital, health clinic, or social services agency located within Baltimore City confirming at least 15 days residency.

(c) *Homeless residency.*

An individual experiencing homelessness may establish City residency by producing any document recognized by local homeless shelters allowing the individual to access shelters or other services.

(Ord. 16-586.)

§ 38-9. {Reserved}

§ 38-10. Confidentiality of application information.

(a) *Documents not to be retained.*

Baltimore City may not retain originals or copies of documents provided by an applicant to prove his or her identity or residency under § 38-8 {"Eligibility for identity card"} of this subtitle.

(b) *Only de-identified information to be retained.*

(1) The City may not retain or create lists of the names or addresses of municipal ID card applicants or holders.

(2) Any data or information about municipal ID card applicants or holders retained by the City must be de-identified and incapable of being linked to a specific individual by name.

(c) *Fraud prevention.*

MOIT must develop a program to detect and prevent fraudulent use of municipal identity cards and may retain descriptive or demographic data tied to a particular ID card by card number as part of this fraud prevention program.

(Ord. 16-586.)

§ 38-11. Access to services.

(a) *City agencies required to accept City ID Cards.*

All municipal agencies and offices and all municipal employees, including law enforcement officers, must accept a valid Baltimore City ID Card as proof of identity and residency.

(b) *City to encourage City ID Card acceptance and use.*

(1) The City shall seek to expand the benefits associated with the municipal identity card by promoting the acceptance of the municipal identity card by banks and other public and private institutions.

(2) The City shall seek to encouraging all eligible persons to apply for the card and may offer new benefits or privileges exclusively to those who possess a municipal identity card as an incentive to apply for a municipal identity card.

(c) *No new ID requirements.*

- (1) Except as otherwise provided in this subsection, Baltimore City agencies and officers may not require the possession of a municipal identity card where, as of July 1, 2017, identification was not already required to obtain city services.
- (2) Agencies may require the possession of a municipal identity card to obtain benefits or privileges established after July 1, 2017 and offered exclusively to those who possess a municipal identity card as an incentive to apply for a municipal identity card.

(Ord. 16-586.)

§ 38-12. {Reserved}

§ 38-13. Counterfeit and fraudulent Baltimore City ID Cards.

(a) *Prohibited conduct.*

No person or entity may:

- (1) knowingly present false information in the course of applying for a Baltimore City ID Card;
- (2) alter, copy, or replicate a Baltimore City ID Card without the authority of the City of Baltimore; or
- (3) use the Baltimore City ID Card issued to another person, with the intent to cause a third person or entity to believe the holder of the card is the person to whom the card was issued.

(b) *Civil penalty.*

Any person who violates any provision of this section is subject to a civil penalty of \$100 that may be enforced by issuance of a civil citation under Subtitle 41 {"Civil Citations"} of this article.

(Ord. 16-586.)

SUBTITLE 39
EQUITY ASSESSMENT PROGRAM

§ 39-1. Definitions.

(a) *In general.*

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

(b) *Agency.*

“Agency” means any department, authority, office, board, commission, council, committee, or other unit of the City government.

(c) *Equity.*

“Equity” means closing the gaps in policy, practice and allocation of City resources so that race, gender, religion, sexual orientations, and income do not predict one’s success, while also improving outcomes for all.

(d) *Equity assessment.*

“Equity assessment” means a systematic process of identifying policies and practices that may be implemented to identify and redress disparate outcomes on the basis of race, gender, or income.

(e) *Gender.*

“Gender” means actual or perceived sex and includes a person’s gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth.

(Ord. 18-160.)

§§ 39-2 to 39-5. {Reserved}

§ 39-6. Program initiated.

(a) *First year of program.*

In the first year following enactment of this subtitle, agencies must participate in training and ongoing capacity building around equity and inclusion to produce a baseline analysis of the equity impacts of the agency’s existing and proposed actions and policies, encompassing programs, operations, and capital projects.

(b) *Second and subsequent years.*

Starting in the second year following enactment of this subtitle, each City agency must develop, adopt, and oversee an Equity Assessment Program that requires it to:

- (1) proactively develop policies, practices, and strategic investments to reverse disparity trends based on race, gender, sexual orientation, or income;
- (2) act to eliminate structural and institutional racism and discrimination of all kinds based on immutable characteristics to ensure that outcomes and opportunities for all people are no longer predicable based on those characteristics;
- (3) develop and implement an equity action plan to incorporate and embed equity principles and strategies into City operations, programs, services, and policies; and
- (4) conduct equity assessments of existing and proposed City actions, policies, and both capital and operating budgets.

(Ord. 18-160.)

EDITOR'S NOTE: Ordinance 18-160 was "enacted" on August 10, 2018, "effect[ive] on the 30th day after the date ... enacted" (i.e., on September 9, 2018).

§ 39-7. {Reserved}

§ 39-8. Agency implementation – Equity coordinator.

Each agency must:

- (1) identify an equity coordinator who shall report directly to the head of the agency and will be responsible for managing that agency's Equity Assessment Program;
- (2) conduct equity assessments of the agency's existing and proposed practices and policies; and
- (3) develop and implement a plan to address any disparate outcomes based on race, gender, sexual orientation, or income that have been identified by the agency's assessments.

(Ord. 18-160.)

§ 39-9. Agency implementation – Bill reports.

Whenever an agency reports to the City Council on a proposed ordinance or resolution, the agency shall include in that report the results of an equity assessment of the proposal's impact on its operations.

(Ord. 18-160.)

§ 39-10. Agency implementation – Capital budget scoring.

The Director of Planning shall conduct an equity assessment on any proposed capital budget and score the proposed projects based on that assessment. The results of each proposed capital budget shall be published on the Department of Planning's Website.

(Ord. 18-160.)

§ 39-11. Annual Equity Report.*(a) In general.*

- (1) On or before June 30 of each year beginning 1 year after the effective date of this subtitle, each agency shall submit its equity report to the Mayor and City Council and the Department of Legislative Reference for public review.

EDITOR'S NOTE: Ordinance 18-160 was "enacted" on August 10, 2018, and became "effect[ive] on the 30th day after the date ... enacted" (i.e., on September 9, 2018).

- (2) The reports shall be made available online.
- (3) The City Council may hold hearings to review annual equity reports as warranted.

(b) Contents.

Each Report shall include:

- (1) an assessment of progress towards achievement of the goals of the Equity Assessment Program;
- (2) an assessment of the current scope of its compliance;
- (3) a discussion of any disparate outcomes identified through equity assessments of its existing City policies or procedures;
- (4) recommended steps to address the identified disparate outcomes; and
- (5) an update on progress towards eliminating previously identified disparities and implementing actions recommended in past reports.

(Ord. 18-160.)

**SUBTITLE 40
ENVIRONMENTAL CONTROL BOARD**

§ 40-1. Definitions.

(a) *In general.*

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

(b) *Board.*

“Board” means the Environmental Control Board of Baltimore City.

(c) *Code Enforcement Officer.*

“Code Enforcement Officer” means:

(1) a Baltimore City Police Officer;

(2) a Special Enforcement Officer appointed under City Code Article 19, § 71-1 {“Special Enforcement Officers: Appointment; duties”}; or

(3) any City employee who:

(i) is in a position of trust, as defined by the Administrative Manual AM-237-1; and

(ii) has been authorized by his or her agency head to issue environmental citations under this subtitle.

(d) *Director.*

“Director” means the Executive Director of the Environmental Control Board of Baltimore City.

(e) *Environmental citation.*

“Environmental citation” means a prepayable citation for violation of any provision of law or regulation under the jurisdiction of the Board.

(f) *{Repealed}*

(City Code, 1976/83, art. 1, §295.) (Ord. 98-326; Ord. 12-084; Ord. 16-503; Ord. 22-125.)

§ 40-2. Board established.

(a) *In general.*

The Environmental Control Board of Baltimore City is established as an independent agency of City Government.

(b) *Composition.*

- (1) The Board comprises 15 members.
- (2) 7 are the following ex officio members, or their respective designees:
 - (i) the Commissioner of Health;
 - (ii) the Commissioner of Housing and Community Development;
 - (iii) the Police Commissioner;
 - (iv) the Fire Chief;
 - (v) the Director of Public Works;
 - (vi) the Director of Transportation; and
 - (vii) a member of the City Council, to be appointed by the President of the City Council.
- (3) 8 members are appointed by the Mayor in accordance with Article IV, § 6 of the City Charter.

(c) *Qualifications of appointed members.*

Of the members appointed under subsection (b)(3) of this section:

- (1) 2 members must be appointed from the general public; and
- (2) 6 members must be appointed with at least 1 designated as having expertise in each of the following areas:
 - (i) real estate;
 - (ii) small business;
 - (iii) education;
 - (iv) water pollution;
 - (v) solid waste; and
 - (vi) community advocacy.

(d) *Chair.*

The Chair of the Board is appointed by the Mayor from among the members.

(e) *Compensation; expenses.*

The members appointed under subsection (b)(3) of this section:

(1) serve without compensation; but

(2) are entitled to reimbursement for reasonable expenses incurred in the performance of their duties, as provided in the Ordinance of Estimates.

(City Code, 1976/83, art. 1, §296.) (Ord. 98-326; Ord. 16-503; Ord. 16-555.)

§ 40-3. General Board functions.

(a) *Hearings.*

The Board is responsible to provide for hearing officers or panels of Board members to conduct hearings on contested environmental citations.

(b) *Appeals.*

The Board is responsible to provide for an opportunity to appeal to the Board or to a panel of the Board from the decision of a hearing officer.

(c) *Collections.*

With the assistance of its Executive Director and staff, the Board is responsible for:

(1) all actions necessary or appropriate to collect fines imposed under this subtitle; and

(2) all bookkeeping, accounting, and revenue reconciliations.

(City Code, 1976/83, art. 1, §297.) (Ord. 98-326.)

§ 40-4. Executive Director; staff.

(a) *Director.*

(1) The Executive Director of the Board is appointed by the Mayor in accordance with Article IV, § 6 of the City Charter.

(2) The Executive Director is entitled to the compensation provided in the Ordinance of Estimates.

(b) *Staff.*

The Executive Director may appoint the assistants, hearing officers, and other employees needed to properly perform the work of the Board, as provided in the Ordinance of Estimates.
(*City Code, 1976/83, art. 1, §298.*) (*Ord. 98-326.*)

§ 40-5. General jurisdiction of Board.

The Board has full authority to enforce, in accordance with the provisions of this subtitle, the sanitation, environmental, health, safety, and other quality-of-life provisions of law listed in § 40-14 of this subtitle, including any rules and regulations adopted under them.
(*City Code, 1976/83, art. 1, §299.*) (*Ord. 98-326.*)

§ 40-6. Rulemaking authority.

(a) *In general.*

Subject to Title 4 {“Administrative Procedure Act – Regulations”} of the City General Provisions Article, the Board must adopt and, from time to time, may amend rules and regulations necessary or appropriate to carry out its powers and duties under this subtitle.

Editor’s Note: By authority of Ordinance 20-431, Section 5, the Director of Legislative Reference, in consultation with the Law Department, has conformed the text of this subsection to refer expressly to the requirements of the recently-enacted Administrative Procedure Act that, effective January 15, 2021, governs the proposal, adoption, and publication of administrative rules and regulations.

(b) *Matters included.*

These rules and regulations must include:

- (1) procedures for the issuance and enforcement of environmental citations for violations of the laws, rules, and regulations subject to the Board’s jurisdiction;
- (2) procedures for the adjudication of these violations, including the conduct of hearings and appeals by hearing officers, panels of the Board, or the full Board; and
- (3) procedures for enforcement of any abatement order that is contained in a citation or made part of an order or decision of a hearing officer, panel of the Board, or the full Board.

(*City Code, 1976/83, art. 1, §300.*) (*Ord. 98-326; Text Conformed 02/09/21.*)

§ 40-7. Environmental Citations.

(a) *Board to prescribe.*

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:

- (1) the name, if known, of the person cited;
- (2) the violation with which the person is cited, including a reference to the specific law in question;
- (3) 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 the Board. (City Code, 1976/83, art. 1, §301.) (Ord. 98-326; Ord. 02-362; Ord. 07-425; Ord. 12-084; Ord. 16-503.)

§ 40-8. Default by person cited.

(a) *Failure to respond constitutes admission of liability.*

Any person cited under an environmental citation is conclusively considered to have admitted liability for the violation cited and responsibility for abating the violation if, within the time allowed by the rules of the Board, the person:

- (1) neither pays the prescribed prepayable fine nor requests a hearing on the violation; or
- (2) having requested a hearing, fails to appear on a designated hearing date.

(b) *Board order; default penalty.*

Under either of the circumstances described in subsection (a) of this section, the Board may:

- (1) render a default decision and order against the person cited; and
- (2) impose an aggregate civil penalty that is equal to:
 - (i) the amount of the prepayable fine prescribed for the violation; plus
 - (ii) an additional, default penalty equal to the lesser of:
 - (A) 50% of the prescribed prepayable fine for every 30 days that, after notice of default is mailed under subsection (c) of this section, the citation remains unsatisfied;
 - (B) 2 times the prescribed prepayable fine; or
 - (C) \$1,000.

(c) *Notice of default order.*

Before an order based on a default becomes final, the Board must notify the respondent, by first-class mail, of:

- (1) the default decision and order;
- (2) the amount of all penalties imposed; and
- (3) the right of the respondent, within 30 days of the notice, to avoid a final judgment and collection proceedings by requesting a stay of default for good cause shown and a determination on the request.

(City Code, 1976/83, art. 1, §302.) (Ord. 98-326; Ord. 18-148.)

§ 40-9. Administrative adjudications.(a) *In general.*

The Board, acting by or through its hearing officers, panels of the Board, and other authorized agents:

- (1) must conduct hearings and other proceedings for adjudicating violations of the laws, rules, and regulations enforced by it; and
- (2) has full authority to render decisions and orders, as well as impose the civil penalties provided by law for those violations.

(b) *Unappealed decision of hearing officer or panel.*

Unless otherwise specified by the Board, every decision of a hearing officer or panel of the Board from which no timely appeal is taken to the Board constitutes a final decision of the Board.

(City Code, 1976/83, art. 1, §303.) (Ord. 98-326.)

§ 40-10. Judicial and appellate review.(a) *Judicial review.*

A person who, after having exhausted all administrative remedies available, is aggrieved by a final decision of the Board under this subtitle may seek judicial review of that decision by petition to the Circuit Court for Baltimore City in accordance with the Maryland Rules of Procedure.

(b) *Appellate review.*

A party to the judicial review may appeal the court's final judgment to the Court of Special Appeals in accordance with the Maryland Rules of Procedure.

(City Code, 1976/83, art. 1, §304.) (Ord. 98-326; Ord. 04-672; Ord. 19-332.)

§ 40-11. Enforcement of Board orders.*(a) Penalty as debt and lien.*

Any civil penalty imposed on a person by the Board, whether on hearing, on default, or otherwise:

- (1) is a personal debt owed by that person to the City; and
- (2) if the offense involves real property owned by that person, creates a lien on that property in favor of the City.

(b) Collection of penalties and liens.

All penalties and liens incurred under this subtitle:

- (1) are collectible from and enforceable against any of the assets of the person who incurred the penalty; and
- (2) may be collected and enforced in the same way that the City collects and enforces other debts due to it or liens in its favor.

(c) Priority over other liens and encumbrances.

All penalties and liens incurred under this subtitle have priority over all other liens and encumbrances, except taxes or other government assessments.

(City Code, 1976/83, art. 1, §305.) (Ord. 98-326.)

§ 40-12. Judicial assistance in enforcement.

The Board may apply to a court of competent jurisdiction for enforcement of any decision, order, or subpoena issued by the Board.

(City Code, 1976/83, art. 1, §306.) (Ord. 98-326.)

§ 40-13. Subtitle not exclusive.

The issuance of an environmental citation does not preclude pursuit of any other remedy or enforcement action authorized by law.

(City Code, 1976/83, art. 1, §307.) (Ord. 98-326.)

§ 40-14. Violations to which subtitle applies.*(a) In general.*

The jurisdiction and authority of the Board extends to each of the provisions of the Baltimore City Code that are specified in subsection (e) of this section, as those provisions may be amended from time to time, including any rules and regulations adopted under them from time to time.

(b) *Prepayable fines.*

- (1) The basic prepayable civil fine for violation of a provision is as specified next to the listing of that provision in subsection (e) of this section.
- (2) The basic prepayable fine is doubled, however, on any environmental citation that is issued to a person if, within the past 12 months:
 - (i) a final order of the Board, whether issued on hearing, on default, or otherwise, imposed a penalty on that person for a violation of the same provision; or
 - (ii) that person prepaid an environmental citation for a violation of the same provision.

(c) *Continuing violations.*

- (1) If a provision of law provides that the continuation or recurrence of a violation constitutes a separate offense, a separate environmental citation may be issued for each separate offense.
- (2) The payment of a penalty under this subtitle does not relieve the offender of the duty to fully abate and correct any continuing violation or other unlawful act.

(d) *Prior notice not required.*

Notwithstanding any other provision of the City Code to the contrary, notice need not be given before issuance and enforcement of an environmental citation for any of the provisions listed in subsection (e) of this section.

(e) *Provisions and penalties enumerated.*

(.5) Article 2. Consumer Protections

Subtitle 16. Ticket Sales - Charges by Operators and Agents \$750

Subtitle 17. Ticket Sales – Ticket Purchasing Software \$750

(.5a) Article 5. Finance, Property, and Procurement

Subtitle 11. Fair Election Fund \$500

Subtitle 26A. Labor Trafficking Notice Requirements \$50

(.5b) Article 7. Natural Resources

Division I. Floodplain Management	\$500
Division VI. Miscellaneous	
Subtitle 62. Plastic Bag Reduction	
1st offense	\$250
2nd offense in same 6-month period	\$500
3rd or subsequent offense in same 6-month period	\$1,000

(1) Article 13. Housing and Urban Renewal

Subtitle 4. Registration of Non-Owner-Occupied Dwellings, Rooming Houses, and Vacant Structures	
Non-owner-occupied dwelling units	\$100
Rooming houses	\$100
Vacant structures	\$500
Subtitle 5. Licensing of Rental Dwellings	
§ 5-4. License required	\$1,000
§ 5-15. {Offenses there listed as cause for} Denial, suspension, or revocation of license	\$750
All other provisions	\$500
Subtitle 8. Rent Increases	\$1,000

(2) Article 15. Licensing and Regulation

Subtitle 12. Commercial Parking Facilities	\$1,000
Subtitle 13. Special-Event Parking Lots	\$750
Subtitle 17. Street Vendors	\$500
Subtitle 21. Third-Party Food Delivery Platform	\$1,000
Subtitle 42. Human Trafficking Notice Requirements	
1st offense	\$500
Subsequent offense	\$1,000
Subtitle 42A. Temporary Shelter Human Trafficking Notice Requirements	\$50
Subtitle 43. Public Restrooms	\$100
Subtitle 48. Short-Term Residential Rentals	

§ 48-6. License required <i>{for host}</i>	\$500
§ 48-16. <i>{Operational requirements for}</i> hosting platforms	\$1,000
§ 48-21. <i>{Offenses there listed as cause for}</i> denial, suspension, or revocation of license	\$500
All other provisions	\$250
 (3) Article 19. Police Ordinances	
§ 1-2. Placement <i>{of advertising circulars}</i> without permission	
1 st offense	\$50
2 nd offense	\$100
3 rd or subsequent offense	\$500
§ 7-2. Vehicle alarms: Prohibited devices	\$100
 Subtitle 8. Burglar Alarms - Registration and Regulation	
§ 8-8. False alarm fees.	
Failure to pay-	
Residential users	\$100
Non-residential users	\$500
All other provisions.	
Users	\$100
Contractors, Monitors, Others	\$500
§ 14-2. Drinking or possessing open containers in public places – In general	\$250
§ 14-3. Drinking or possessing open containers in public places – Parents or guardians of minors	\$150
§ 32-3. Sales to minors [in proximity to liquor stores]	\$500
§ 32-4. Inducing minor to purchase	\$500
§ 32-5. False representation by minor	
1 st offense	\$ 50
2 nd or subsequent offense	\$150
§ 41-2. Outdoor telephones: Prohibited placement	\$500
§ 45-2. Signs on or affecting public property: Posting prohibited	\$500
§ 50-2. Obstructing street, etc., or gutter	\$50

§ 50-3. Merchandise projecting from building	\$50
§ 51-2. Compliance with park rules	
1 st offense	\$250
2 nd offense	\$500
3 rd or subsequent offense	\$1,000

(4) Article 23. Sanitation

§ 2-1. Mixed refuse: Receptacles	
Residential properties	\$50
Commercial properties	\$100
§ 2-2. Mixed refuse: Handling	
Residential properties	\$50
Commercial properties	\$100
§ 4-1 or § 4-2. Receptacles on collection days	
Residential properties	\$50
Commercial properties	\$100

(4a) Article 24. Water

§ 21-1. Rules and regulations *{to protect water supply and facilities}*

Watershed Regulations

Polluting or depositing trash, etc., in reservoir waters or tributaries	\$500
Trespassing or otherwise entering or traversing property in violation of rule or regulation	\$150
Boating without a required permit or otherwise in violation of rule or regulation	\$100
Hunting without a required permit or otherwise in violation of rule or regulation	\$100
Fishing without a required permit or otherwise in violation of rule or regulation	\$60
Other recreational activity (horseback riding, bicycling, picnicking, etc.) in violation of rule or regulation	\$60

Smoking except where expressly allowed	\$75
All other violations	\$100
All other rules and regulations of Department to protect water supply and facilities	\$250
§ 21-2. Suspension, etc., of certain uses	\$100
§ 21-3. Injuring fire hydrants	\$250
§ 21-4. Wrongful use after cut-off	\$150
§ 21-5. Refusal of entry	\$100
§ 21-6. Interference with equipment; illegal use of water	\$500
 (4b) Article 26. Surveys, Streets, and Highways	
Subtitle 6. Building Address Numbers	\$25
Subtitle 23. Underground Conduit System	\$1,000
 (5a) Article 31. Transit and Traffic	
Subtitle 14. Valet Parking	
<i>Part II. Valet Operator's License</i>	
§ 14-7. License required	
1 st offense	\$500
2 nd or subsequent offense within 12 months of 1 st	\$1,000
§ 14-8(c). Liability insurance <i>{required}</i>	
1 st offense	\$250
2 nd or subsequent offense within 12 months of 1 st	\$500
<i>Part III. Valet Parking Zone Permit</i>	
§ 14-16. Permit required	
1 st offense	\$500
2 nd or subsequent offense within 12 months of 1 st	\$1,000
<i>Part IV. Standards of Operation</i>	
§ 14-31. Licensed operator <i>{required}</i>	
1 st offense	\$250
2 nd or subsequent offense within 12 months of 1 st	\$500

§ 14-32. <i>{Authorized}</i> locations and hours	
1 st offense	\$200
2 nd or subsequent offense within 12 months of 1 st	\$400
§ 14-33. <i>{Required, prohibited uses of}</i> valet parking zones	
1 st offense	\$250
2 nd or subsequent offense within 12 months of 1 st	\$500
§ 14-34(a). Attendants' qualifications	
1 st offense	\$200
2 nd or subsequent offense within 12 months of 1 st	\$400
§ 14-35. Transporting and parking vehicles	
1 st offense	\$250
2 nd or subsequent offense within 12 months of 1 st	\$500
§ 14-36. <i>{Required}</i> signage	
1 st offense	\$100
2 nd or subsequent offense within 12 months of 1 st	\$200
§ 14-37. Permit and operator's license <i>{available for}</i> inspection	
1 st offense	\$100
2 nd or subsequent offense within 12 months of 1 st	\$200
§ 14-41(3). Operators: Providing valet services in way that endangers public safety	
1 st offense	\$500
2 nd or subsequent offense within 12 months of 1 st	\$1,000
§ 14-41(4). Operators: Providing valet services that unreasonably disrupt vehicular or pedestrian traffic	
1 st offense	\$500
2 nd or subsequent offense within 12 months of 1 st	\$1,000
§ 14-42(3). Hosts: Providing or allowing valet services in way that endangers public safety	
1 st offense	\$500
2 nd or subsequent offense within 12 months of 1 st	\$1,000
§ 14-42(4). Hosts: Providing or allowing valet services that unreasonably disrupt vehicular or pedestrian traffic	
1 st offense	\$500
2 nd or subsequent offense within 12 months of 1 st	\$1,000

§ 14-43. Any other violation that is cause for suspending or revoking a license or permit	
1 st offense	\$150
2 nd or subsequent offense within 12 months of 1 st	\$300
Subtitle 16. Use-of-the-Road Regulations	
§ 16-12. Vehicles on sidewalks	\$50
Subtitle 38. Dockless Vehicles	
§ 38-7(b)(2). Exceeding the maximum number or type of dockless vehicles permitted to operate	\$1,000
§ 38-8(a). Operating a dockless-vehicle-for-hire business without a permit	\$1,000
§ 38-12. Failure of provider to provide required data or reports	\$1,000
§ 38-15. Failure of provider to notify of data breach	\$1,000
§ 38-18. Unlawful operation of e-bike or e-scooter	\$20
§ 38-19. Unlawful parking of dockless vehicle	\$20
§ 38-21. Display of advertisements on dockless vehicles	\$1,000
§ 38-22. Provider operational responsibilities:	
Item (1). Failure to maintain 24-hour customer service phone support	\$1,000
Item (2). Failure to remove dockless vehicles from public rights-of-way between dusk and dawn, as determined in rules and regulations	\$500
Item (3). Failure to ensure that dockless vehicles are parked as required by law, rule, or regulation	\$500
Item (4). Failure to remove or reposition illegally parked dockless vehicles within required time	\$500
Item (5). Failure to ensure that dockless vehicles adhere to national safety standards	\$1,000
Item (6). Failure to ensure that provider operations adhere to equitable access requirements	\$1,000
Item (7). Failure to comply with any other requirement established by the Director	\$1,000

(5b) Article 32. Zoning

§ 19-101. Prohibited Conduct	\$500
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**(5c) Building, Fire, and Related Codes Article –
Building Code**

§ 105.11. Post-work proof of disposal	\$1000
§ 114.14. Work without permit	\$500
§ 115.3. Stop-work order: Unlawful continuance	\$500
§ 123.8. Failure to comply with notice or citation	
Unsafe structures {§ 116}	\$1000
Condemnation proceedings {§ 120}	\$500
All other notices (excluding citations)	\$250
§ 1209.4 Diaper-Changing Amenities	\$500
§ 3302.2. Construction Safeguards: Waste and debris	\$250
§ 3808. Traffic-Mitigation Enforcement	\$1,000

**(6) Building, Fire, and Related Codes Article –
Fire Code**

§ 108.6. Maintenance: Overcrowding	
1-99 persons over capacity	\$250
100-199 persons over capacity	\$500
200 or more persons over capacity	\$1,000
§ 916.4 Telephone Access to City's 9-1-1 System: General	
1 st offense	\$100
2 nd and subsequent offenses	\$200
§ 1111. Unsafe buildings: General	\$250
§ 1001.2. Means of Egress: Minimum requirements	\$250

**(6a) Building, Fire, and Related Codes Article –
Property Maintenance Code**

Chapter 3. General Requirements

§ 305.5.1. Motor vehicles and trailers: Registered owner responsible	\$150
All other provisions	
Residential properties	\$50
Commercial properties	\$100

(7) Health Code

Title 3: Health Facilities	
Subtitle 5: Limited-Service Pregnancy Centers	\$150
Title 4: Disease Control	
Subtitle 6: Screening for Lead Poisoning	
§ 4-601. Parental Responsibility	\$100
Title 5: Nuisance Control	
Subtitle 2: Nuisance Abatement	
§ 5-210. Abatement notice	\$100
Subtitle 4: Lead-Based Paint	\$100
Subtitle 5: Bodily Wastes	
§ 5-501. Spitting	\$100
§ 5-503. Urinating, etc. - In general	\$500
§ 5-504. Urinating, etc. - Parents	\$150
Subtitle 7: Weeds	\$50
Title 6: Food Service Facilities	
Subtitle 2: License Required	
§ 6-201. In general	\$300
Subtitle 5: Miscellaneous Regulations	
§ 6-506. Litter and rubbish prohibited	\$200
§ 6-508. Polystyrene foam products	\$200
All other provisions	\$100
Title 7: Waste Control	
Subtitle 2: Solid Waste Collection	\$100
Subtitle 4: Landfills	\$200
Subtitle 6: Prohibited Disposal	\$1,000
Subtitle 7: Littering	\$500

Title 8: Air Pollution	\$100
Title 9: Noise Regulation	
Subtitle 2: Basic Sound Level Standards	\$100
Subtitle 3: Entertainment and Commercial Noise	\$50
Subtitle 4: Amplified Sounds in Market Center	\$50
Title 10: Animal Control and Protection	
Subtitle 1: General Provisions	
§ 10-112. Obstructing, etc., officer; False Statements	\$500
Subtitle 2: Licensing	
Part I. Dog and Cat Licenses	\$100
Part II. Facility Licenses	
Animal fanciers	\$100
All other facilities	\$250
Subtitle 3: General Care and Control	
§ 10-301. Rabies – Vaccinations	\$250
§ 10-302. Rabies – Possible exposure	\$250
§ 10-303. Humane care required	\$500
§ 10-307. Restraints required	
1 st offense	\$200
2 nd offense within 12 months of 1 st	\$400
3 rd offense within 12 months of 1 st	\$600
§ 10-313. Animal waste	\$200
All other provisions	\$1,000
Subtitle 4: Animal Protection	\$1,000
Subtitle 5: Public Nuisance Animals	\$200
Subtitle 6: Wild Animals, etc.; Prohibited Animals	\$500
Subtitle 7: Attack Dogs; Dangerous and Vicious Animals	
§ 10-701. Attack dogs	\$1,000
§ 10-702. Dangerous animals	\$250
§ 10-706. Vicious animals – Keeping prohibited	\$1,000
Subtitle 9: Horse Riding and Driving	
§ 10-918. Sick or injured horses	\$1,000
All other provisions	\$200

Title 11: Swimming Pools	
Subtitle 3: Public Swimming Pools	\$200
Title 12: Tobacco Products and Smoking Devices	
Subtitle 1: Indoor Smoking	
Person smoking	\$500
Employer, other person in charge	\$750
Subtitle 2: Sale of Unpackaged Cigarettes	\$500
Subtitle 4: Placement of Tobacco Products and Smoking Devices	\$500
Subtitle 5: Unlawful Distribution	\$500
Subtitle 6: Flavored Tobacco Wrappings	\$500
Subtitle 7: Mobile Vendors	\$500
Subtitle 8: Smoking Near Playgrounds	\$500
Subtitle 9: Nicotine Replacement Therapy Products	\$100
Title 15: Ephedrine Products	
Subtitle 2: Distribution to Minors	\$500
Subtitle 3: Product Placement	\$500
Title 16: Psychoactive Substances	
Subtitle 2: Prohibited Conduct	\$1,000
Title 19: Pesticides	\$250

(City Code, 1976/83, art. 1, §308.) (Ord. 98-326; Ord. 99-487; Ord. 99-491; Ord. 99-520; Ord. 99-547; Ord. 99-548; Ord. 00-030; Ord. 00-069; Ord. 00-118; Ord. 01-172; Ord. 01-176; Ord. 02-322; Ord. 02-475; Ord. 02-476; Ord. 03-572; Ord. 03-621; Ord. 04-672; Ord. 04-854; Ord. 06-183; Ord. 06-205; Ord. 06-232; Ord. 06-247; Ord. 07-392; Ord. 07-424; Ord. 07-430; Ord. 07-623; Ord. 08-040; Ord. 08-058; Ord. 08-063; Ord. 09-100; Ord. 09-113; Ord. 09-148; Ord. 09-169; Ord. 09-171; Ord. 09-172; Ord. 09-175; Ord. 09-217; Ord. 09-232; Ord. 09-234; Ord. 09-241; Ord. 09-252; Ord. 10-268; Ord. 10-340; Ord. 10-342; Ord. 11-414; Ord. 11-478; Ord. 11-520; Ord. 11-523; Ord. 11-529; Ord. 11-572; Ord. 11-573; Ord. 12-046; Ord. 12-061; Ord. 12-065; Ord. 13-093; Ord. 13-098; Ord. 13-111; Ord. 13-157; Ord. 13-161; Ord. 14-208; Ord. 14-212; Ord. 14-237; Ord. 14-310; Ord. 15-389; Ord. 15-427; Ord. 16-440; Ord. 16-545; Ord. 16-581; Ord. 16-587; Ord. 17-015; Ord. 18-125; Ord. 18-130; Ord. 18-182; Ord. 19-217;

*Ord. 19-218; Ord. 19-251; Ord. 19-263; Ord. 19-264; Ord. 19-265; Ord. 20-338; Ord. 20-340;
Ord. 20-337; Ord. 20-361; Ord. 20-364; Ord. 20-364A; Ord. 20-430; Ord. 21-001; Ord. 21-034;
Ord. 21-039; Ord. 22-110; Ord. 22-124; Ord. 22-133; Ord. 22-149; Ord. 22-163.)*

**SUBTITLE 41
CIVIL CITATIONS**

§ 41-1. Definitions.

(a) *In general.*

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

(b) *Civil citation.*

“Civil citation” means a prepayable civil citation issued under this subtitle for violation of any offense listed in § 41-14 of this subtitle.

(c) *Enforcement officer.*

“Enforcement officer” means:

(1) a police officer; or

(2) a Special Enforcement Officer appointed under City Code Article 19, § 71-1 and authorized by the Police Commissioner to issue citations under this subtitle.

(d) *{Repealed}*
(*Ord. 03-595; Ord. 22-125.*)

§ 41-2. Subtitle not exclusive.

The issuance and enforcement of a civil citation under this subtitle does not preclude pursuit of any other remedy or enforcement action authorized by law.

(*Ord. 03-595.*)

§ 41-3. Rules and regulations.

Subject to Title 4 {“Administrative Procedure Act – Regulations”} of the City General Provisions Article, the Police Commissioner, in consultation with the Director of Finance, may adopt rules and regulations to carry out this subtitle.

Editor’s Note: *Cf.* Editor’s Note to § 40-6(a) of this article.
(*Ord. 03-595; Text Conformed 02/09/21.*)

§ 41-4. Authority to issue citation.

(a) *In general.*

An enforcement officer may issue a civil citation to any adult who the officer, on observation, report, or investigation, believes is committing or has committed an offense listed in § 41-14 of this subtitle.

(b) *Prior notice not required.*

Notwithstanding any other provision of the City Code to the contrary, notice need not be given before issuance and enforcement of a civil citation under this subtitle.

(Ord. 03-595.)

§ 41-5. Form, etc., of citation.

(a) *Form.*

The civil citation shall be in the form specified by the Chief Judge of the District Court.

(b) *Contents.*

The citation shall contain:

- (1) the name and address, if known, of the person charged;
- (2) the violation with which the person is charged, including a narrative statement of the cause for issuing the citation;
- (3) the time when and place where the violation occurred;
- (4) the amount of the fine;
- (5) the manner and time within which the person must either:
 - (i) pay the fine specified in the citation; or
 - (ii) request a trial on the violation.

(c) *Certification.*

The citation also shall contain a certification, signed by the issuing enforcement officer under penalties of perjury, that the facts contained in it are true to the best of the officer's information, knowledge, and belief.

(Ord. 03-595.)

§ 41-6. Service; copies.

(a) *In general.*

The citation may be served on the person charged by 1 of the following methods:

- (1) in person;
- (2) by certified mail, return receipt requested;

- (3) by delivery to a person of suitable age and discretion who resides at the last-known address of the person charged; or
- (4) for service on an occupant of the premises at which the violation occurred, by:
 - (i) posting on the main entrance of the premises; and
 - (ii) mailing by regular mail to the person charged, at that person's last-known address.

(b) *Copy to be retained.*

The enforcement officer shall retain a copy of the citation and file it with the Department of Finance.

(Ord. 03-595.)

§ 41-7. Tenor of citation.

(a) *In general.*

On certification, issuance, and service, the citation:

- (1) constitutes full and complete notice of the violation charged in it; and
- (2) is prima facie evidence of the facts contained in it.

(b) *No administrative appeal.*

The issuance of the civil citation is not appealable to any City board or agency.

(Ord. 03-595.)

§ 41-8. Payment of fine.

(a) *When due.*

- (1) The fine specified in a civil citation is due and payable by the date specified in the citation.
- (2) The date specified must be at least 30 days from the date the citation is issued.

(b) *To whom payable.*

The fine shall be paid to the Director of Finance.

(Ord. 03-595.)

§ 41-9. Election to stand trial.*(a) In general.*

The person charged under a civil citation may elect to stand trial for the alleged violation by filing with the Director of Finance, at least 5 days before the due date of the fine, a notice of intent to stand trial.

(b) Notice to Court.

On timely receipt of a notice of intent to stand trial, the Director of Finance shall send a copy of the notice and of the citation to the District Court.

(c) Scheduling trial.

On receipt of the notice and citation, the District Court shall:

(1) schedule the case for trial; and

(2) notify all parties of the trial date.

(Ord. 03-595.)

§ 41-10. Default.*(a) In general.*

A person charged under a civil citation is in default and is conclusively considered to have admitted liability for the violation charged if the person neither:

(1) pays the fine specified in the citation by its due date; nor

(2) files a timely notice of intent to stand trial.

(b) Default notice.

On a default, the Director of Finance shall send a default notice to the person charged, at that person's last-known address.

(c) Default penalty.

If the fine specified in the citation is not paid within 15 days of the date of the default notice, the person is liable to the City for both:

(1) the fine specified in the citation; and

(2) a default penalty equal to the lesser of:

- (i) \$1,000; or
- (ii) 3 times the fine specified in the citation.

(d) *Request for adjudication.*

(1) If the fine and default penalty are not paid within 35 days of the date of the default notice, the Director of Finance may request the District Court to adjudicate the case.

(2) On the Director’s request, the District Court shall:

- (i) schedule the case for trial; and
- (ii) notify all parties of the trial date.

(Ord. 03-595.)

§ 41-11. Adjudication by District Court.

(a) *In general.*

(1) This section applies to proceedings in the District Court to enforce a civil citation issued under this subtitle.

(2) Adjudication of a civil citation is not a criminal proceeding, and a finding of guilty does not impose any civil disability ordinarily imposed by a criminal conviction.

(b) *Burden of proof.*

Except in the case of a default under § 41-10 of this subtitle, the City has the burden to prove, by a preponderance of the evidence, that the defendant has committed the offense charged.

(c) *Right to counsel.*

The defendant may be represented by counsel of her or his own choice, at her or his own expense.

(d) *Plea.*

The defendant shall enter a plea of “guilty” or “not guilty”.

(e) *Testimony, etc.*

The defendant may:

- (1) testify on his or her own behalf;
- (2) produce evidence and witnesses in his or her own behalf; and

(3) cross-examine witnesses who testify against the defendant.

(f) *Verdict.*

(1) The court shall issue a verdict of “guilty” or “not guilty” of the offense charged.

(2) If the court finds the defendant guilty, the court may:

(i) impose on the defendant the fine and, if applicable, default penalty prescribed;

(ii) impose court costs on the defendant; and

(iii) suspend or defer payment of a fine or penalty under conditions, including the performance of community service, that the court sets.

(Ord. 03-595.)

§ 41-12. Enforcement of court verdict.

(a) *In general.*

Any fine or penalty imposed by the District Court under this subtitle is a judgment in favor of the City.

(b) *Contempt for willful failure to pay.*

If a defendant willfully fails to pay any fine, penalty, or costs imposed by the court, the court may punish that failure as a contempt of court.

(Ord. 03-595.)

§ 41-13. Offenses to which subtitle applies – General.

(a) *In general.*

A civil citation may be issued under this subtitle only for violation of a provision of the Baltimore City Code listed in § 41-14 of this subtitle.

(b) *Prepayable-fine amounts.*

The prepayable civil fine for the violation of a provision is as specified next to the listing of that provision in § 41-14 of this subtitle.

(c) *Continuing or recurring violations.*

(1) If a provision of law provides that the continuation or recurrence of a violation constitutes a separate offense, a separate civil citation may be issued for each separate offense.

(2) The payment of a fine or penalty under this subtitle does not relieve the offender of the duty to fully abate and correct any continuing violation or other unlawful act.

(Ord. 03-595.)

§ 41-14. Offenses to which subtitle applies – Listing.

(.25) ***Article 1. Mayor, City Council, and Municipal Agencies***

§ 38-13. Counterfeit and fraudulent Baltimore City ID Cards \$100

(.5) ***Article 2. Consumer Protections***

Subtitle 16. Ticket Sales – Charges by Operators and Agents \$750

Subtitle 17. Ticket Sales – Ticket Purchasing Software \$750

(.5a) ***Article 5. Finance, Property, and Procurement***

Subtitle 11. Fair Election Fund \$500

(.5b) ***Article 7. Natural Resources***

Division I. Floodplain Management \$500

(1) ***Article 15. Licensing and Regulation***

Subtitle 17. Street Vendors \$500

Subtitle 18. Itinerant Wholesale Produce Dealers \$ 50

Subtitle 42. Human Trafficking Notice Requirements

1st offense \$500

Subsequent offense \$1,000

Subtitle 43. Public Restrooms \$100

(2) ***Article 19. Police Ordinances***

§ 1-2. Placement *{of advertising circulars}* without permission

1st offense \$ 50

2nd offense \$100

3rd or subsequent offense \$500

§ 7-2. Vehicle alarms: Prohibited devices \$100

Subtitle 8. Burglar Alarms - Registration and Regulation

§ 8-8. False alarm fees.	
Failure to pay -	
Residential users	\$100
Non-residential users	\$500
All other provisions	
Users	\$100
Contractors, Monitors, Others	\$500
§ 13-1. Disorderly drinking – In general	\$500
§ 13-2. Disorderly drinking – Parents or guardians of minors	\$150
§ 14-2. Drinking or possessing open containers in public places – In general	\$250
§ 14-3. Drinking or possessing open containers in public places – Parents or guardians of minors	\$150
Subtitle 25. Loitering – General	\$ 50
§ 26-6. Loitering – Drug-Free Zone	\$ 50
§ 27-3. Loitering – For assignation, etc.	\$ 50
§ 27-15. Loitering – Prostitution-Free Zone	\$ 50
§ 32-3. Sales to minors [in proximity to liquor stores]	\$500
§ 32-4. Inducing minor to purchase	\$500
§ 32-5. False representation by minor	
1 st offense	\$ 50
2 nd or subsequent offense	\$150
§ 34-5. Curfews: Prohibited conduct of parents, guardians, etc.	\$ 50
§ 34-6. Curfews: Prohibited conduct of establishments	\$500
§ 39-2. Replica gun possession prohibited.	
1 st offense	\$250
2 nd or subsequent offense	\$1,000
§ 40-9. Dirt Bikes, etc. – Motor fuel sales	\$100

§ 41-2. Outdoor telephones: Prohibited placement	\$500
Subtitle 43B. Neighborhood Nuisances and Unruly Social Events	
1 st offense	\$500
2 nd or subsequent offense within 12 months of previous offense	\$1,000
§ 45-2. Signs on or affecting public property: Posting prohibited	\$500
§ 47-5. Nighttime soliciting	\$100
§ 50-2. Obstructing street, etc., or gutter	\$ 50
§ 50-3. Merchandise projecting from building	\$ 50
§ 50-56. Soliciting customers.	\$100
§ 51-2. Compliance with park rules	
1 st offense	\$250
2 nd offense	\$500
3 rd or subsequent offense	\$1,000
§ 59-18. Reporting <i>{theft or loss of firearm}</i> required	
1 st offense	\$500
Subsequent offense	\$750

(3) Article 24. Water

§ 21-1. Rules and regulations *{to protect water supply and facilities}*

Watershed Regulations

Polluting or depositing trash, etc., in reservoir waters or tributaries	\$500
Trespassing or otherwise entering or traversing property in violation of rule or regulation	\$150
Boating without a required permit or otherwise in violation of rule or regulation	\$100
Hunting without a required permit or otherwise in violation of rule or regulation	\$100
Fishing without a required permit or otherwise in violation of rule or regulation	\$ 60

Other recreational activity (horseback riding, bicycling, picnicking, etc.) in violation of rule or regulation	\$ 60
Smoking except where expressly allowed	\$ 75
All other violations	\$100
All other rules and regulations of Department to protect water supply and facilities	\$250
§ 21-2. Suspension, etc., of certain uses	\$100
§ 21-3. Injuring fire hydrants	\$250
§ 21-4. Wrongful use after cut-off	\$150
§ 21-5. Refusal of entry	\$100
§ 21-6. Interference with equipment; illegal use of water	\$500
(3a) Article 26. Surveys, Streets, and Highways	
Subtitle 23. Underground Conduit System	\$1,000
(4) Article 31. Transit and Traffic	
Subtitle 10. Residential Permit Parking Program	
§ 10-40. Falsifying or concealing information	\$500
§ 10-41. Fraudulent obtaining, etc., permit	\$500
§ 10-42. Counterfeiting or altering permits	\$500
§ 10-43. Using invalid permits	\$500
§ 10-44. Misusing visitor's permit	\$500
§ 10-45. Landlord abuse	\$500
§ 10-46. Aiding another in violation	\$500
Subtitle 16. Use-of-the-Road Regulations	
§ 16-12. Vehicles on sidewalks	\$ 50

Subtitle 18. Bicycles

§ 18-8. Riding *{bicycles}* on sidewalk \$ 50

Subtitle 22. Towing Services – Accident Towing \$750

Subtitle 38. Dockless Vehicles

§ 38-7(b)(2). Exceeding the maximum number or type of dockless vehicles permitted to operate \$1,000

§ 38-8(a). Operating a dockless-vehicle-for-hire business without a permit \$1,000

§ 38-12. Failure of provider to provide required data or reports \$1,000

§ 38-15. Failure of provider to notify of data breach \$1,000

§ 38-18. Unlawful operation of e-bike or e-scooter \$ 20

§ 38-19. Unlawful parking of dockless vehicle \$ 20

§ 38-21. Display of advertisements on dockless vehicles \$1,000

§ 38-22. Provider operational responsibilities:

Item (1). Failure to maintain 24-hour customer service phone support \$1,000

Item (2). Failure to remove dockless vehicles from public rights-of-way between dusk and dawn, as determined in rules and regulations \$500

Item (3). Failure to ensure that dockless vehicles are parked as required by law, rule, or regulation \$500

Item (4). Failure to remove or reposition illegally parked dockless vehicles within required time \$500

Item (5). Failure to ensure that dockless vehicles adhere to national safety standards \$1,000

Item (6). Failure to ensure that provider operations adhere to equitable access requirements \$1,000

Item (7). Failure to comply with any other requirement established by the Director \$1,000

(4a) **Article 32. Zoning**

§ 19-101. Prohibited conduct \$500

**(5) Building, Fire, and Related Codes Article –
Fire Code**

§ 108.6. Maintenance: Overcrowding	
1-99 persons over capacity	\$250
100-199 persons over capacity	\$500
200 or more persons over capacity	\$1,000
§ 1001.2. Means of Egress: Minimum requirements	\$250

**(5a) Building, Fire, and Related Codes Article –
Property Maintenance Code**

§ 305.8. Snow and ice on sidewalks	
Residential properties	\$ 50
Commercial properties	\$100

(6) Health Code

Title 3: Health Facilities

Subtitle 5: Limited-Service Pregnancy Centers	\$150
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Title 5: Nuisance Control

Subtitle 5: Bodily Wastes

§ 5-501. Spitting	\$100
§ 5-503. Urinating, etc. - In general	\$500
§ 5-504. Urinating, etc. - Parents	\$150

Title 7: Waste Control

Subtitle 2: Solid Waste Collection	\$100
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Subtitle 4: Landfills	\$200
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Subtitle 6: Prohibited Disposal	\$1,000
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Subtitle 7: Littering	\$500
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Title 8: Air Pollution	\$100
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Title 9: Noise Regulation

Subtitle 2: Basic Sound Level Standards	\$100
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Subtitle 3: Entertainment and Commercial Noise	\$ 50
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Subtitle 4: Amplified Sounds in Market Center	\$ 50
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Title 10: Animal Control and Protection

Subtitle 1: General Provisions

§ 1-112. Obstructing, etc., officer; False statements	\$500
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Subtitle 2: Licensing

Part I. Dog and Cat Licenses	\$100
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Part II. Facility Licenses

Animal fanciers	\$100
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All other facilities	\$250
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Subtitle 3: General Care and Control

§ 10-301. Rabies – Vaccinations	\$250
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§ 10-302. Rabies – Possible exposure	\$250
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§ 10-303. Humane care required	\$500
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§ 10-307. Restraints required

1 st offense	\$200
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2 nd offense within 12 months of 1 st	\$400
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3 rd offense within 12 months of 1 st	\$600
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§ 10-313. Animal waste	\$200
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All other provisions	\$1,000
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Subtitle 4: Animal Protection	\$1,000
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Subtitle 5: Public Nuisance Animals	\$200
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Subtitle 6: Wild Animals, etc.; Prohibited Animals	\$500
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Subtitle 7: Attack Dogs; Dangerous and Vicious Animals

§ 10-701. Attack dogs	\$1,000
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§ 10-702. Dangerous animals	\$250
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§ 10-706. Vicious animals – Keeping prohibited	\$1,000
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Subtitle 9: Horse Riding and Driving

§ 10-918. Sick or injured horses	\$1,000
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All other provisions	\$200
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Title 12: Tobacco Products and Smoking Devices

Subtitle 1: Indoor Smoking

Person smoking	\$500
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Employer, other person in charge	\$750
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Subtitle 2: Sale of Unpackaged Cigarettes	\$500
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Subtitle 4: Placement of Tobacco Products and Smoking Devices	\$500
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Subtitle 5: Unlawful Distribution	\$500
Subtitle 6: Flavored Tobacco Wrappings	\$500
Subtitle 7: Mobile Vendors	\$500
Subtitle 8: Smoking Near Playgrounds	\$500
Subtitle 9: Nicotine Replacement Therapy Products	\$100
Title 16: Psychoactive Substances	
Subtitle 2. Prohibited Conduct	\$1,000
Title 19: Pesticides	\$250

(Ord. 03-595; Ord. 04-672; Ord. 04-675; Ord. 04-683; Ord. 06-183; Ord. 06-205; Ord. 06-232; Ord. 06-247; Ord. 06-316; Ord. 07-392; Ord. 07-430; Ord. 08-040; Ord. 08-058; Ord. 08-063; Ord. 08-065; Ord. 08-077; Ord. 09-100; Ord. 09-148; Ord. 09-172; Ord. 09-234; Ord. 09-252; Ord. 10-340; Ord. 11-478; Ord. 11-523; Ord. 11-573; Ord. 12-046; Ord. 12-061; Ord. 12-065; Ord. 13-093; Ord. 13-111; Ord. 13-157; Ord. 13-161; Ord. 14-208; Ord. 14-212; Ord. 14-237; Ord. 14-310; Ord. 15-389; Ord. 15-427; Ord. 15-435; Ord. 16-440; Ord. 16-503; Ord. 16-545; Ord. 16-581; Ord. 16-586; Ord. 16-593; Ord. 17-015; Ord. 19-218; Ord. 19-251; Ord. 19-263; Ord. 19-264; Ord. 20-338; Ord. 20-340; Ord. 20-353; Ord. 20-361; Ord. 20-364A; Ord. 20-430; Ord. 21-034; Ord. 22-124.)

SUBTITLES 42 TO 48
{RESERVED}

SUBTITLE 49
COMMISSION ON HIV/AIDS

§ 49-1. Commission established.

There is a Commission on HIV/AIDS.
(*Ord. 03-516.*)

§ 49-2. Members.

(a) *In general.*

The Commission consists of 34 members. Of these, 22 members are appointed by the Mayor in accordance with Article IV, § 6 of the Baltimore City Charter, 4 members are appointed by the President of the City Council, and 8 members serve ex officio.

(b) *Appointed members.*

Of the 26 appointed members, 2 shall be appointed from each of the following categories:

- (1) Charitable foundations (2 by Mayor).
- (2) Business community (2 by Mayor).
- (3) Faith community (1 by Mayor, 1 by Council President).
- (4) Recovery community (2 by Mayor).
- (5) Community-based organizations (2 by Mayor).
- (6) Local universities and university researchers (1 by Mayor, 1 by Council President).
- (7) Community, infected and affected (1 by Mayor, 1 by Council President).
- (8) Physicians (2 by Mayor).
- (9) Prevention providers (1 by Mayor, 1 by Council President).
- (10) Treatment providers (2 by Mayor).
- (11) Mental health providers (2 by Mayor).
- (12) Correctional institution (2 by Mayor).
- (13) Criminal justice system, including juvenile justice (2 by Mayor).

(c) *Ex officio members.*

The 8 ex-officio members of the Commission are the following or their designated representatives:

- (1) Secretary of Health and Mental Hygiene.
- (2) Director of State AIDS Administration.
- (3) President of the Baltimore City Board of School Commissioners.
- (4) Health Commissioner.
- (5) a person appointed by the Health Commissioner.
- (6) President of the City Council.
- (7) Director of the Department of Social Services.
- (8) Commissioner of Housing.

(Ord. 03-516.)

§ 49-3. Terms, organization, etc.

(a) *Terms.*

Appointed members serve for a term of 4 years concurrent with the Mayor's term of office.

(b) *Compensation.*

Members serve without compensation.

(c) *Vacancies.*

- (1) At the end of a term, an appointed member serves until a successor is appointed and qualifies.
- (2) A member who is appointed after a term has begun serves out the rest of the term and until a successor is appointed and qualifies.

(d) *Meetings; quorum.*

- (1) The Commission shall meet on the call of the Mayor or its Chair.
- (2) A majority of the members of the Commission constitutes a quorum for the transaction of business, and an affirmative vote by the majority of a quorum is sufficient for any official action.

(e) *Rules.*

The Commission may adopt rules to govern its meetings and operations.

(f) *Officers.*

(1) The Mayor shall designate an appointed member as Chair of the Commission.

(2) The Chair may select other officers.

(Ord. 03-516.)

§ 49-4. Duties.

The Commission shall:

- (1) assess and maintain an accurate demographic profile on HIV/AIDS incidence and prevalence rates;
- (2) design and develop a Strategic Plan for Baltimore, with input from key stakeholders in the community, and provide leadership to implement the Strategic Plan;
- (3) recommend appropriate legislation and other actions to control, treat, and prevent the further spread of HIV/AIDS in Baltimore;
- (4) provide policy guidance, recommendations, and consultation to the City Health Department and the City's health community on the best prevention and treatment programs available to protect our citizens;
- (5) serve as advocates for program development and funding for programs most productive for Baltimore; and
- (6) keep the City Council and the Mayor informed of critical HIV/AIDS prevention strategies and programs.

(Ord. 03-516.)

SUBTITLE 50
BALTIMORE BENEFITS COMMISSION

§ 50-1. Commission established.

There is a Baltimore Benefits Commission.
(Ord. 04-890.)

§ 50-2. Members.

(a) *In general.*

- (1) The Commission consists of 21 members.
- (2) Of these:
 - (i) 19 members serve ex officio; and
 - (ii) 2 members are appointed by the Mayor in accordance with Article IV, § 6 of the Baltimore City Charter.

(b) *Ex officio members.*

The ex officio members are the following or their designated representatives:

- (1) Mayor.
- (2) President of the City Council.
- (3) Director, Department of Human Resources.
- (4) Labor Commissioner.
- (5) Director, Department of Finance.
- (6) Budget Chief, Department of Finance.
- (7) Chief, Fire Department
- (8) Executive Director, Commission on the Aging and Retirement Education.
- (9) Executive Director, Employees' Retirement System.
- (10) Executive Director, Fire and Police Employees' Retirement System.
- (11) President, Metropolitan Baltimore Council, AFL-CIO.
- (12) President, Managerial and Professional Society of Baltimore, Inc.

- (13) President, Baltimore Teachers Union.
- (14) President, City Union of Baltimore.
- (15) President, American Federation of State, County, and Municipal Employees, Local 44.
- (16) President, Baltimore Fire Fighters Association, Local 734.
- (17) President, Baltimore City Fire Fighters, Local 964.
- (18) President, Fraternal Order of Police, Lodge #3.
- (19) Commissioner, Baltimore City Police Department.

(c) *Appointed members.*

Of the appointed members:

(1) 1 must be an active City employee; and

(2) 1 must be a retired City employee.

(Ord. 04-890; Ord. 09-165.)

§ 50-3. Organization, Meetings, etc.

(a) *Officers.*

(1) The Mayor shall designate a member as Chair of the Commission.

(2) The Chair may select other officers.

(b) *Quorum; action.*

(1) A majority of the members of the Commission constitutes a quorum for the transaction of business

(2) An affirmative vote by the majority of a quorum is sufficient for any official action.

(c) *Rules.*

The Commission may adopt rules to govern its meetings and operations.

(Ord. 04-890.)

§ 50-4. Staff.

In consultation with the Commission, the Director of Finance shall assign staff from the Department of Finance to assist the Commission in its efforts.

(Ord. 04-890.)

§ 50-5. Duties.

The Commission shall:

- (1) study and monitor the compensation and other benefits (including health, retirement, life and disability insurance, and other benefits) provided or, from time to time, proposed to be provided by the City to its employees and retirees; and
- (2) on or before June 30 of each year, submit a report to the Board of Estimates recommending specific methods to:
 - (i) improve communications between administrators and beneficiaries concerning available benefits and proposed changes to them; and
 - (ii) generally improve the administration of benefits for employees and retirees.

(Ord. 04-890.)

§ 50-6. Cooperation with Commission.

(a) *In general.*

Any information that the Commission requests from a City department or agency shall be provided to the Commission in a timely manner, so as not to impede the Commission's purpose and function.

(b) *Department of Human Resources.*

The City Department of Human Resources shall make available to the Commission the findings of all health care or prescription drug plans that pertain to City employees and retirees.

(Ord. 04-890.)

SUBTITLE 51
BALTIMORE CITY VETERANS COMMISSION

EDITOR'S NOTE: Ordinance 06-362 (effective January 1, 2007) designated this new subtitle to be "Subtitle 49". That number, however, was already spoken for. Hence the placement here, with a different number.

§ 51-1. "Veteran" defined.

In this subtitle, "veteran" means a person who:

(1) served in the active military service of:

- (i) the Army, Navy, Marine Corps, or Air Force;
- (ii) the Coast Guard, Public Health Service Commissioned Corps, or Merchant Marines;
- (iii) the Army, Air, or State National Guard; or
- (iv) a reserve component of one of these services; and

(2) was released from that service other than by dishonorable discharge.

(Ord. 06-362.)

§ 51-2. Commission established.

(a) *In general.*

There is a Baltimore City Veterans Commission.

(b) *Composition.*

(1) The Commission comprises 11 members, who shall be appointed by the Mayor in accordance with Article IV, § 6 of the City Charter.

(2) The 11 members shall include:

- (i) 4 members recommended by the President of the City Council;
- (ii) the Police Commissioner or the Commissioner's designee; and
- (iii) the Fire Chief or the Chief's designee.

(c) *Qualifications.*

(1) Except as provided in this subsection. each appointed member must be a veteran.

(2) Of the 4 members recommended by the City Council President, 1 shall be a member of the City Council, who need not be a veteran.

(3) The Police Commissioner or designee and the Fire Chief or designee need not be veterans.
(*Ord. 06-362; Ord. 12-002.*)

§ 51-3. Purpose.

The Veterans Commission is dedicated to:

(1) providing assistance to veterans who reside in the City, are employed by the City, or are retired City employees, and their families, when in need; and

(2) working with the Mayor and City Council, veterans groups, and others on policies, programs, and concerns related to veterans and their families.

(*Ord. 06-362.*)

§ 51-4. Terms, compensation, vacancies.

(a) *Terms of office.*

(1) Commission members serve for a term of 4 years, concurrent with the terms of the Mayor and the City Council.

(2) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(b) *Compensation; expenses.*

The members of the Commission:

(1) serve without compensation; but

(2) are entitled to reimbursement for reasonable expenses incurred in the performance of their duties, as provided in the Ordinance of Estimates.

(c) *Vacancies.*

A member appointed to fill a vacancy in an unexpired term or to succeed a member who is holding over serves only for the remainder of that term.

(*Ord. 06-362; Ord. 16-503.*)

§ 51-5. Officers; committees.

(a) *Officers.*

(1) The Mayor shall designate a member of the Commission to serve as its Chair.

(2) Members of the Commission may select any other officers they consider necessary or appropriate.

(b) *Committees.*

The Chair may appoint committees to assist the Commission in carrying out its functions and duties.

(Ord. 06-362.)

§ 51-6. Meetings; quorum.

(a) *In general.*

(1) The Commission shall meet at the call of the Chair as frequently as required to perform its duties.

(2) A majority of the members of the Commission constitutes a quorum for the transaction of business.

(3) An affirmative vote by the majority of a quorum is needed for any official action.

(b) *Rules of procedure.*

The Commission may adopt rules of procedure to govern its meetings and operations.

(c) *Failure to attend meetings.*

If any member is absent from regularly scheduled meetings more than 3 times in 1 year, not counting absences excused by the Chair:

(1) the member is considered to have resigned; and

(2) the Chair shall request that member's appointing authority to fill the resultant vacancy.

(Ord. 06-362.)

§ 51-7. Personnel; budget.

(a) *Executive Director.*

(1) The Commission may appoint a properly qualified person as its Executive Director.

(2) The Executive Director is entitled to a salary, as provided in the Ordinance of Estimates.

(3) The Executive Director shall perform the duties that the Commission prescribes.

(b) *Staff.*

(1) The Executive Director may employ a staff as provided in the Ordinance of Estimates.

(2) Staff members shall be members of the classified service.

(c) *Volunteers.*

The Commission may engage the services of volunteer workers and consultants, without salary, as it considers necessary from time to time.

(d) *Budget.*

The Commission may expend funds as authorized in the Ordinance of Estimates or in any supplemental appropriations.

(Ord. 06-362.)

§ 51-8. Powers and duties.

(a) *Assistance to veterans, etc.*

The Commission shall assist veterans who reside in the City, are employed by the City, or are retired City employees, and their families, in matters relating to:

- (1) educational training and retraining services and facilities;
- (2) health, medical, and rehabilitation services and facilities;
- (3) special rights and privileges provided by federal, state, and local laws and regulations;
- (4) employment and reemployment services; and
- (5) other matters of a related or similar nature.

(b) *Information resource.*

The Commission shall serve as a resource for information relating to veterans' issues.

(c) *Community awareness.*

The Commission shall undertake and support activities and programs to:

- (1) increase community awareness of veterans' rights;
- (2) honor and memorialize deceased veterans; and
- (3) honor those currently serving in the armed forces.

(Ord. 06-362.)

§ 51-9. Agency cooperation.

At the request of the Commission, all City officials and agencies shall cooperate with the Commission and extend the services and facilities that the Commission requires.

(Ord. 06-362.)

SUBTITLE 52
BALTIMORE CITY HISPANIC COMMISSION

§ 52-1. Commission established.

(a) *In general.*

There is a Baltimore City Hispanic Commission.

(b) *Composition – Voting members.*

- (1) The Commission comprises 13 voting members, appointed by the Mayor in accordance with Article IV, § 6 of the City Charter.
- (2) 1 of the voting members shall be a member of the City Council, nominated by the City Council President.
- (3) At least 7 of the voting members shall be representatives of the Hispanic community in Baltimore City.

(c) *Composition – Non-voting members.*

The following non-voting members also serve on the Commission:

- (1) a representative of the Mayor's Office;
- (2) the Director of the Department of Public Works, or the Director's designee;
- (3) the Commissioner of Housing and Community Development, or the Commissioner's designee;
- (4) the Director of the Department of Health, or the Director's designee; and
- (5) the CEO of the Baltimore City Public School System, or the CEO's designee.

(Ord. 07-620; Ord. 12-048.)

§ 52-2. Purpose.

The Hispanic Commission is dedicated to:

- (1) Identifying and defining issues concerning the rights and needs of Baltimore's Hispanic Community.
- (2) Advising the Mayor and City agencies on the development of relevant policies, plans, and programs that affect Hispanics.
- (3) Advising the City Council on issues of concern to the City's Hispanic community.

(4) Establishing and maintaining relationships with city agencies and members of the private sector.

(5) Creating a central source of information for Baltimore's Hispanic Community.

(6) Reviewing and commenting on any proposed legislation, regulation, policy, or program that affects the Hispanic population.

(Ord. 07-620.)

§ 52-3. Terms, compensation, vacancies.

(a) Terms of office.

(1) Commission members appointed by the Mayor serve for a term of 4 years, concurrent with the term of the Mayor. The member appointed from the City Council serves for a term concurrent with that member's term on the City Council.

(2) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(b) Compensation; expenses.

The members of the Commission:

(1) serve without compensation; but

(2) are entitled to reimbursement for reasonable expenses incurred in the performance of their duties, as provided in the Ordinance of Estimates.

(c) Vacancies.

(1) A member appointed to fill a vacancy must meet the same qualifications for appointment as the member being succeeded.

(2) A member appointed to fill a vacancy in an unexpired term or to succeed a member who is holding over serves only for the remainder of that term.

(Ord. 07-620; Ord. 16-503.)

§ 52-4. Officers; committees.

(a) Officers.

(1) The Mayor shall designate a voting member of the Commission to serve as the Chair of the Commission.

(2) Members of the Commission shall by majority vote select any other officers they consider necessary or appropriate.

(b) *Committees.*

The Chair may appoint committees to assist the Commission in carrying out its functions and duties.

(Ord. 07-620.)

§ 52-5. Meetings; quorum.

(a) *In general.*

- (1) The Commission shall meet at the call of the Chair as frequently as required to perform its duties.
- (2) A majority of the voting members of the Commission constitutes a quorum for the transaction of business.
- (3) An affirmative vote by the majority of a quorum is needed for any official action.

(b) *Rules of procedure.*

The Commission may adopt rules of procedure to govern its meetings and operations.

(c) *Failure to attend meetings.*

If any member is absent from regularly scheduled meetings more than 3 times in 1 year, not counting absences excused by the Chair:

- (1) the member is considered to have resigned; and
- (2) the Chair shall request the Mayor to fill the resultant vacancy.

(Ord. 07-620.)

§ 52-6. Personnel; budget.

(a) *Executive Director.*

- (1) The Commission may appoint a properly qualified person as the Executive Director of the Commission, to serve for a term of 4 years concurrent with the term of the Mayor.
- (2) The Executive Director is entitled to a salary, as provided in the Ordinance of Estimates.
- (3) The Executive Director shall perform the duties that the Commission prescribes.

(b) *Staff.*

- (1) The Executive Director may employ a staff as provided in the Ordinance of Estimates.
- (2) Staff members shall be members of the classified service.

(c) *Volunteers.*

The Commission may engage the services of volunteer workers and consultants, without salary, as it considers necessary from time to time.

(d) *Budget.*

The Commission may expend funds as authorized in the Ordinance of Estimates.
(*Ord. 07-620.*)

§ 52-7. Powers and duties.

(a) *Assistance to Hispanic population.*

The Commission shall assist Hispanics who reside in the City in matters relating to:

- (1) education or workforce training;
- (2) health and medical services;
- (3) special rights and privileges provided by federal, state, and local laws and regulations;
- (4) employment; and
- (5) any other matters.

(b) *Information resource.*

The Commission shall serve as a resource for information relating to issues affecting Baltimore Hispanics.

(c) *Research and education.*

The Commission shall:

- (1) conduct research, policy analysis, and public information and education programs on issues affecting Hispanics; and
- (2) institute and conduct other programs, meetings, and conferences to promote equal rights and opportunities for Hispanics

(d) *Monitor workforce.*

The Commission shall:

- (1) review and monitor the conditions of Hispanics in the workforce in Baltimore City; and
- (2) direct attention to the problems facing Hispanics in the workforce.

(e) *Advise and counsel.*

The Commission shall:

- (1) advise and counsel the Mayor, the City Council, and the various departments and agencies of the City on all issues of concern to the Hispanic community; and
- (2) recommend programs and legislation it considers necessary and proper.

(f) *Evaluate policies and programs.*

The Commission shall review and evaluate the impact of existing and proposed policies, programs, and legislation affecting Hispanics.

(g) *Representing City.*

The Commission shall act as a representative of the Mayor and City Council in dealing with the private sector and with other governments in an effort to develop additional private and public resources to provide better programs for the Hispanic community.

(Ord. 07-620.)

§ 52-8. Agency cooperation.

At the request of the Commission, all City officials and agencies shall cooperate with the Commission and extend the services and facilities that the Commission requires, to the extent that the officials and agencies are able to do so given their personnel and budgets as provided in the Ordinance of Estimates.

(Ord. 07-620.)

§ 52-9. Annual report.

The Commission shall submit to the Mayor an annual report on its activities.

(Ord. 07-620.)

SUBTITLES 53 TO 54
{RESERVED}

SUBTITLE 55
MAYOR'S ANTI-ANIMAL ABUSE ADVISORY COMMISSION

§ 55-1. Definitions.

(a) *In general.*

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

(b) *Advisory Commission.*

“Advisory Commission” means the Mayor’s Anti-Animal Abuse Advisory Commission established under this subtitle.

(Ord. 10-369.)

§ 55-2. Commission established.

There is a Mayor’s Anti-Animal Abuse Advisory Commission.

(Ord. 10-369.)

§ 55-3. Advisory Commission membership.

(a) *In general.*

(1) The Advisory Commission consists of 26 members.

(2) Of these:

- (i) 15 members are appointed by the Mayor in accordance with Article IV, § 6 of the Baltimore City Charter; and
- (ii) 11 members are agency representatives.

(b) *Appointed members.*

The 15 appointed members of the Advisory Commission are as follows:

- (1) 1 member representing each of the following 4 organizations:
 - (i) Maryland SPCA;
 - (ii) The Snyder Foundation for Animals;
 - (iii) the ASPCA; and
 - (iv) the Baltimore Animal Rescue and Care Shelter.

- (2) 1 City Council member, nominated by the President of the City Council.
- (3) 1 judge.
- (4) 1 veterinarian practicing in Baltimore City.
- (5) 4 at-large members.
- (6) 4 at-large members, nominated by the President of the City Council.

(c) *Agency representatives.*

The 11 agency representatives are the following, or their designated representatives:

- (1) the Director of the Bureau of Animal Control.
- (2) the Health Commissioner.
- (3) the Director of Juvenile Services.
- (4) the Director of Social Services.
- (5) the Mayor.
- (6) the President of the City Council.
- (7) the State's Attorney for Baltimore City.
- (8) the Police Commissioner.
- (9) the Baltimore City Sheriff.
- (10) the Commissioner of Housing.
- (11) the CEO of the Baltimore City Public School System

(d) *Appointment without regard to political affiliation.*

The appointment of members must be made without regard to political affiliation.
(*Ord. 10-369; Ord. 12-060.*)

§ 55-4. Terms, compensation, vacancies.

(a) *Terms of office.*

- (1) Advisory Commission members serve for a term of 4 years, concurrent with the terms of the Mayor and the City Council.
- (2) At the end of a term, an Advisory Commission member continues to serve until a successor is appointed and qualifies.

(3) Advisory Commission members may be reappointed, but may not serve more than 3 terms.

(b) *Compensation; expenses.*

The members of the Advisory Commission:

(1) serve without compensation; but

(2) are entitled to reimbursement for reasonable expenses incurred in the performance of their duties, as provided in the Ordinance of Estimates.

(c) *Vacancies.*

A member appointed to fill a vacancy in an unexpired term serves only for the remainder of that term.

(Ord. 10-369; Ord. 12-060; Ord. 16-503.)

§ 55-5. Chair; committees.

(a) *Chair.*

The Mayor must designate a member of the Advisory Commission to serve as its Chair.

(b) *Committees.*

(1) The Chair may appoint committees to assist the Advisory Commission in carrying out its functions and duties.

(2) Non-members of the Commission may be designated by the Chair, with the consent of the Commission, to participate as members of committees of the Commission.

(Ord. 10-369; Ord. 12-060.)

§ 55-6. Meetings; quorum.

(a) *In general.*

(1) The Advisory Commission meets once per month.

(2) The Advisory Commission may hold additional meetings, at the call of the Chair, as frequently as required to perform its duties.

(3) A majority of the members of the Advisory Commission constitutes a quorum for the transaction of business.

(4) An affirmative vote by the majority of a quorum is needed for any official action.

(b) *Rules of procedure.*

The Advisory Commission may adopt rules of procedure to govern its meetings and procedures.

(c) *Failure to attend meetings.*

If any member is absent from regularly scheduled meetings more than 3 times in 1 year, not counting absences excused by the Chair:

(1) the member is considered to have resigned; and

(2) the Chair must request that the member's appointing authority fill the resultant vacancy.
(*Ord. 10-369.*)

§ 55-7. {Reserved}

§ 55-8. Volunteers.

The Advisory Commission may engage the services of volunteer workers and consultants, without salary.
(*Ord. 10-369.*)

§ 55-9. Budget.

The Advisory Commission may expend funds as authorized in the Ordinance of Estimates.
(*Ord. 10-369.*)

§ 55-10. Powers and duties.

(a) *In general.*

The Mayor's Anti-Animal Abuse Advisory Commission may undertake the activities described in this section.

(b) *Research and advise.*

The Advisory Commission may research best practices in the following areas and provide recommendations to City agencies on each topic:

- (1) ways to eradicate animal abuse in the City of Baltimore, including dogfighting;
- (2) methods of increasing awareness of animal cruelty laws;
- (3) legislation to protect animals and prosecute abusers;
- (4) training techniques for law enforcement officials on how to handle animal cruelty cases humanely and to ensure acquisition of the best evidence to prosecute abusers;
- (5) steps to foster improved responses to incidents of animal cruelty; and
- (6) methods to improve training for animal control officers for their protection as well as the animals.

(c) *Monitor programs.*

The Advisory Commission may:

- (1) review and monitor the successes and lessons learned in implementing its recommendations;
- (2) make recommendations for improving the effectiveness of programs targeting animal abuse; and
- (3) review and monitor ongoing animal cruelty calls and provide recommendations to City agencies for effective and timely investigation by and coordination among City agencies.

(d) *Evaluate policies and programs.*

The Advisory Commission may review and evaluate the impact of existing and proposed policies, programs, and legislation affecting the effort to eradicate animal abuse in Baltimore.

(Ord. 10-369.)

§ 55-11. {Reserved}

§ 55-12. Agency assistance.

At the request of the Advisory Commission, all City officials and agencies must extend the services and facilities required for the performance of the Advisory Commission's duties, to the extent that those officials and agencies are able to do so given their personnel and budgets.

(Ord. 10-369.)

§ 55-13. Annual reports.

The Advisory Commission must submit an annual report on its activities to the Mayor and City Council.

(Ord. 10-369.)

SUBTITLE 56
CITIZENS ADVISORY COMMISSION FOR PUBLIC SAFETY

§ 56-1. Commission established.

There is a Baltimore City Citizens Advisory Commission for Public Safety.
(*Ord. 17-035.*)

§ 56-2. Commission composition.

(a) *In general.*

(1) The Advisory Commission comprises 23 members.

(2) Of these:

- (i) 20 members are appointed by the Mayor in accordance with City Charter Article IV, § 6; and
- (ii) 3 are ex officio members.

(b) *Appointed members.*

The members appointed by the Mayor are as follows:

- (1) a member of the Baltimore City House Delegation to the Maryland General Assembly, to be nominated by the Speaker of the House of Delegates;
- (2) a member of the Baltimore City Senate Delegation to the Maryland General Assembly, to be nominated by the President of the Senate; and
- (3) the following, to be nominated by the President of the City Council:
 - (i) 2 Baltimore City residents;
 - (ii) a representative of the Hispanic community;
 - (iii) a representative of the lesbian, gay, bisexual, and transgender community;
 - (iv) an individual with expertise in the area of reentry after incarceration;
 - (v) a representative of the Fraternal Order of Police;
 - (vi) a representative of the Vanguard Justice Society;
 - (vii) a resident of Baltimore City public housing;
 - (viii) an individual at least 14 years old or older and under the age of 21; and

(ix) 1 resident of each of the 9 police districts of Baltimore City.

(c) *Ex officio members.*

The ex officio members are as follows:

- (1) the Chair of the City Council's Public Safety Committee or of any City Council Committee succeeding to the duties of the City Council's Public Safety Committee (or the Chair's designee) ;
- (2) the Police Commissioner (or the Commissioner's designee); and
- (3) the Director of the Office of Civil Rights and Wage Enforcement or of any office or agency succeeding to the duties of the Office of Civil Rights and Wage Enforcement relevant to duties of the Citizens Advisory Commission for Public Safety (or the Director's designee) .

(Ord. 17-035; Ord. 17-068.)

§ 56-3. Term of appointed members.

(a) *In general.*

- (1) Appointed members of the Advisory Commission serve for a term of 4 years, concurrent with the term of the Mayor.
- (2) At the end of a term, an appointed member continues to serve until a successor is appointed and qualifies.

(b) *Vacancies.*

A member appointed to fill a vacancy in a term:

- (1) must meet the same qualifications as that required for the member being succeeded; and
- (2) serves only for the rest of the term and until a successor is appointed and qualifies.

(c) *Term limits.*

No appointed member may serve for more than 2 consecutive full terms.

(Ord. 17-035.)

§ 56-4. Officers; Committees.

(a) *Officers.*

Annually, the Advisory Commission:

- (1) shall elect one of its members to serve as the Commission's Chair; and

(2) and may elect from among its members a Vice-Chair and any other officers that the Commission considers necessary or appropriate.

(b) *Committees.*

The Advisory Commission may establish committees to assist it in carrying out its functions and duties.

(Ord. 17-035.)

§ 56-5. Meetings, quorum, etc.

(a) *Meetings.*

(1) The Advisory Commission shall hold public meetings at least once quarterly.

(2) All meetings of the Commission must be conducted in accordance with the State Open Meetings Act (Title 3 of the General Provisions Article of the Maryland Code).

(b) *Quorum.*

A majority of the Commission's authorized membership constitutes a quorum for the transaction of business.

(c) *Voting.*

An affirmative vote by a majority of a quorum is needed for any official action.

(d) *Rules of procedure.*

The Commission may adopt rules of procedure for the conduct of its meetings.

(Ord. 17-035.)

§ 56-6. Community Interaction Recommendations Reports.

(a) *In general.*

In cooperation with the Baltimore City Police Department, the Advisory Commission shall develop annually a Community Interaction Recommendations Report.

(b) *Focus.*

The Report shall focus on making recommendations to create consistent positive interactions between police officers and community residents.

(c) *Contents.*

The report shall:

- (1) recommend ways that police officers, by actively participating in neighborhood meetings and events, can bring police together with a wide array of City residents;
- (2) identify ways to help build long-term consistent interaction between police officers and youth in Baltimore's schools, recreation centers, and other youth programs;
- (3) identify ways that police officers can interact directly with members of the reentry community in a positive manner;
- (4) recommend ways that emphasis can be placed on creating positive interactions with Baltimore's African-American, lesbian, gay, bisexual, and transgender, domestic-violence victim, public housing, and immigrant and refugee communities;
- (5) recommend ways that emphasis can be placed on improving relationships between the Police Department and the small business community;
- (6) provide ideas for citizen-involved training of police officers;
- (7) list and evaluate partnerships between the Police Department and nonprofit organizations and other non-law-enforcement entities;
- (8) include recommendations for homeless and lesbian, gay, bisexual, and transgender community interactions;
- (9) include recommendations on how to recruit and retain City residents as police officers; and
- (10) identify ways to form and maintain lasting and coordinated relationships with colleges and universities located in Baltimore City, including Morgan State University and Coppin State University.

(d) *Annual submission.*

On or before November 15 of each year, the Advisory Commission shall submit its Report for the ensuing calendar year to the City Council and, in accordance with § 2-1246 of the State Government Article, the members of the Baltimore City House and Senate Delegations to the Maryland General Assembly.

(Ord. 17-035.)

SUBTITLE 57
OFFICE OF LGBTQ AFFAIRS

§ 57-1. Definitions.

(a) *In general.*

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

(b) *Commission.*

“Commission” means the Baltimore City LGBTQ Commission.

(c) *Director.*

“Director” means the Director of the Office of LGBTQ Affairs.

(d) *Lesbian, gay, bisexual, transgender, and queer; LGBTQ.*

“Lesbian, gay, bisexual, transgender, and queer” or “LGBTQ” means individuals who identify themselves as lesbian, gay, bisexual, transgender, or queer, or individuals who are exploring their sexuality or sexual identity or who are concerned about applying a social label to themselves related to their sexuality or sexual identity.

(e) *Office.*

“Office” means the Baltimore City Office of LGBTQ Affairs.

(Ord. 21-028.)

§ 57-2. {Reserved}

§ 57-3. Office established.

There is a Baltimore City Office of LGBTQ Affairs.

(Ord. 21-028.)

§ 57-4. Director.

(a) *In general.*

The Director is responsible for the administration and oversight of the Office.

(b) *Appointment.*

The Director is appointed by the Mayor in accordance with Article IV, § 6 of the City Charter.

(Ord. 21-028.)

§ 57-5. {Reserved}

§ 57-6. LGBTQ Commission.*(a) Established.*

There is a Baltimore City LGBTQ Commission within the Office.

(b) Duties of Commission.

The Commission shall:

- (1) advise the Office and the Mayor and City Council on issues relating to the lesbian, gay, bisexual, transgender, and queer community; and
- (2) collaborate and consult with the Office on matters relating to the discharge of the Office's duties.

*(c) Composition.**(1) In general.*

The Commission comprises at least 14 members, but no more than 25 members, appointed by the Mayor in accordance with Article IV, § 6 of the City Charter with:

- (i) 2 members nominated by the City Council President; and
- (ii) 2 members nominated by the Comptroller.

(2) Diversity.

- (i) The Mayor shall appoint Commission members to represent the diversity of people and ideas within the Baltimore lesbian, gay, bisexual, transgender, and queer community.
- (ii) The Commission shall include, at a minimum, representation from lesbian, gay, bisexual, transgender, and queer community organizations representing health, social service, religious, and human rights issues and its members shall be representative of the diversity in the community with regard to socioeconomic status, religion, race, ethnicity, gender identification, age, and families.

(c) Terms.

- (1) Commission members serve a term of 4 years, concurrent with the terms of the Mayor and the City Council.
- (2) At the end of a term, a member continues to serve until a successor is appointed and qualifies.
- (3) A member appointed to fill a vacancy in an unexpired term or to succeed a member who is holding over serves only for the remainder of that term.

(d) *Compensation; expenses.*

The members of the Commission:

- (1) serve without compensation; but
- (2) are entitled to reimbursement for reasonable expenses incurred in the performance of their duties, as provided in the Ordinance of Estimates.

(e) *Chair.*

- (1) The Commission shall elect a Chair from among its members.
- (2) The term of the Chair is 1 year.
- (3) The Chair may be reelected.

(f) *Meetings; quorum.*

- (1) The Commission shall meet at least monthly.
- (2) A majority of the members of the Commission constitutes a quorum for the transaction of business.

(Ord. 21-028.)

§ 57-7. {Reserved}

§ 57-8. Staff and budget.

(a) *Staff.*

The Office may employ staff in accordance with the Ordinance of Estimates.

(b) *Budget.*

The Office may expend funds authorized in the Ordinance of Estimates or any supplemental appropriations.

(Ord. 21-028.)

§ 57-9. Duties of the Office.

In collaboration and consultation with the Commission, the Office shall:

- (1) develop proposed City policy regarding civil rights issues affecting LGBTQ people;
- (2) coordinate and participate in the implementation of policies and programs consistent with the City's diversity and equity goals;
- (3) coordinate among City departments, agencies, offices, boards, and commissions to improve LGBTQ access to City services and to promote equality and safety for LGBTQ people;

- (4) support the growth and development of the City's LGBTQ communities;
 - (5) review proposed legislation referred to the Office by the City Council, assessing its probable effect on City LGBTQ communities;
 - (6) serve as liaison between the City's LGBTQ communities and the City; and
 - (7) perform any other duty required by the Mayor.
- (Ord. 21-028.)*

§ 57-10. Annual report.

On or before June 30 of each year, the Office shall submit a report to the Mayor and City Council detailing:

- (1) the activities of the Office and the Commission; and
 - (2) any specific policy or legislative proposals to advance the needs of LGBTQ communities in Baltimore or the goals of the Office.
- (Ord. 21-028.)*

**SUBTITLE 58
COORDINATED MULTI-AGENCY CODE INSPECTIONS**

EDITOR’S NOTE: This subtitle was enacted by Ordinance 21-059, effective November 1, 2021, the date of its enactment.. Section 3 of Ord. 21-059 provides that the Ordinance “shall remain effective until a year after the date that it is enacted; 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”.

§ 58-1. Scope of subtitle.

This subtitle 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.

(Ord. 21-059.)

§ 58-2. Retention of records.

The original or a copy of a citation listed in §58-1 of this subtitle must be filed and retained in the records of:

- (1) the City Administrator; and
- (2) the Department of Housing and Community Development for inclusion in its open data mapping application.”

(Ord. 21-059.)

§ 58-3. Coordination of response.

Within 30 days of receipt of an environmental citation described in §58-1 of this subtitle, the City Administrator may coordinate a multi-agency, comprehensive code inspection of the cited premises, as specified in subsection §58-4 of this subtitle.

(Ord. 21-059.)

§ 58-4. Multi-agency inspection team.

(a) *Composition.*

The multi-agency inspection team coordinated by the City Administrator under this subtitle shall include representatives from:

- (1) the Fire Department;
- (2) the Department of Health; and
- (3) the Department of Housing and Community Development.

(b) *Duties.*

Each agency specified in this section shall inspect the premises to ensure compliance with *{the}* laws, rules, and regulations administered by that agency.

(Ord. 21-059.)

§ 58-5. 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 subtitle in the previous month within the respective councilmember's district.

(Ord. 21-059.)

§ 58-6. Quarterly report.

The City Administrator shall submit a quarterly report to the Mayor and City Council detailing:

- (1) the number of multi-agency coordinated inspections conducted under this subtitle occurring in the previous quarter;
- (2) the number and types of violations discovered as the result of multi-agency coordinated inspections under this subtitle in the previous quarter;
- (3) any recommendations for legislative or administrative enhancements to improve community quality-of-life issues and multi-agency cooperation;
- (4) a breakdown of the number of inspections conducted by City Council district;
- (5) a map displaying the location of the citations; and
- (6) an agency-level breakdown of:
 - (i) the amount of time between the initial complaint and the first inspection;
 - (ii) the types of citations issued;
 - (iii) the number of reinspections conducted within the time allotted; and
 - (iv) the outcome of inspections, including:
 - (A) how many resulted in a citation being issued;

- (B) how many violation notices were issued;
- (C) how many violations were abated within the time allotted; and
- (D) the number of outstanding citations and violations.

(Ord. 21-059.)