

**CITY OF BALTIMORE  
ORDINANCE 24-298  
Council Bill 23-0425**

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Introduced by: The Council President and Councilmember Ramos

At the request of: The Administration (Department of Housing and Community Development)

Introduced and read first time: September 18, 2023

Assigned to: Economic and Community Development Committee

Committee Report: Favorable, with amendments

Council action: Adopted

Read second time: December 7, 2023

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**AN ORDINANCE CONCERNING**

**Improving Safety and Habitability in Supportive and Other Residential Housing**

FOR the purpose of defining the term “supportive housing facility” in the Baltimore City Building Code; requiring a permit before any person may transfer ownership or operation of certain property in certain circumstances; updating use and occupancy classifications; and categorizing congregate living facilities as rental dwellings and requiring their licensing.

BY repealing, and reordaining, with amendments

Article - Building, Fire, and Related Codes

Sections 2-103 (IBC §§ 105.1, and 202.2.54 through 202.2.58)

Baltimore City Revised Code

(2020 Edition)

BY adding

Article - Building, Fire, and Related Codes

Sections 2-103 (IBC §§ 202.2.56, 202.2.57, and 310.5)

Baltimore City Revised Code

(2020 Edition)

BY repealing, and reordaining, with amendments

Article 13 - Housing and Urban Renewal

Section 5-1(g)

Baltimore City Code

(Edition 2000)

BY adding

Article 13 - Housing and Urban Renewal

Section 5-1(j)

Baltimore City Code

(Edition 2000)

**EXPLANATION:** CAPITALS indicate matter added to existing law.

[Brackets] indicate matter deleted from existing law.

Underlining indicates matter added to the bill by amendment.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

**Council Bill 23-0425**

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

**Baltimore City Revised Code  
Article – Building, Fire, and Related Codes**

**Part II. International Building Code**

**§ 2-103. City modifications.**

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

**Chapter 1  
Scope and Administration**

**Section 105 Permits**

**105.1 Required.** A permit issued by the Building Official is required before any person may do any of the following work:

14       ...

15       7. on transfer of ownership or operation of property, continue any of the following uses  
16       [, as defined in City Code Article 32 {"Zoning"}]:

- 17       a. banquet hall (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-303(C)  
18       {"BANQUET HALL."}),
- 19       b. body art establishment (AS DEFINED IN BALTIMORE CITY ZONING CODE  
20       § 1-303(J) {"BODY ART ESTABLISHMENT."}),
- 21       c. carry-out food shop (AS DEFINED IN BALTIMORE CITY ZONING CODE  
22       § 1-303(T) {"CARRY-OUT FOOD SHOP."}),
- 23       d. CONGREGATE LIVING FACILITIES (AS DEFINED IN § 202.1 OF THE BALTIMORE  
24       CITY BUILDING CODE),
- 25       E. [d.] day-care center: adult or child (AS DEFINED IN BALTIMORE CITY ZONING  
26       CODE §§ 1-304(Z) AND 1-305(A) {"DAY-CARE CENTER: CHILD." AND  
27       "DAY-CARE CENTER: ADULT"}),
- 28       F. [e.] drive-through facility (AS DEFINED IN BALTIMORE CITY ZONING CODE  
29       § 1-305(H) {"DRIVE-THROUGH FACILITY."}),
- 30       G. [f.] entertainment: [live or ] indoor OR LIVE (AS DEFINED IN BALTIMORE CITY  
31       ZONING CODE §§ 1-306(B) AND 1-306(C) {"ENTERTAINMENT: INDOOR."  
32       AND "ENTERTAINMENT: LIVE"}),

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1           **202.2.54 [202.2.55] Substantial damage.** “Substantial damage” has the meaning stated  
2       in City Code Article 7 {“Natural Resources”}, § 1-3 {“Definitions – “Floodproofing” to  
3       “Wet floodproofing”}.

4           **202.2.55 [202.2.56] Substantial improvement.** “Substantial improvement” has the meaning stated  
5       in City Code Article 7 {“Natural Resources”}, § 1-3 {“Definitions –  
6       “Floodproofing” to “Wet floodproofing”}.

7           **202.2.56 SUPPORTIVE HOUSING FACILITY.** “SUPPORTIVE HOUSING FACILITY” MEANS A  
8       NON-INSTITUTIONAL, SHARED LIVING ENVIRONMENT WHICH INTEGRATES SHELTER,  
9       SERVICE, AND SUPPORT NEEDS OF SOCIALLY ISOLATED PERSONS WHO ARE OTHERWISE IN  
10      GOOD HEALTH, CAN MAINTAIN A SEMI-INDEPENDENT LIFESTYLE, AND DO NOT REQUIRE  
11      CONSTANT SUPERVISION OR INTENSIVE HEALTH CARE AS PROVIDED BY AN INSTITUTION.

12           **202.2.57 TRANSFER.** “TRANSFER”, WHEN USED WITH RESPECT TO PROPERTY SUBJECT TO  
13      THIS CODE, HAS THE MEANING STATED IN § 114.23 {“RESPONSIBILITY OF TRANSFEREE”}.

14           **202.2.58 [202.2.57] Use.** “Use” means, unless the context indicates otherwise:

- 15       1. the purpose for which a building, structure, or land is used, occupied, or intended  
16       to be used or occupied, and
- 17       2. any activity, occupation, business, or operation carried out on land or in a building  
18       or structure.

19           **202.2.59 [202.2.58] Zoning Code.** “Zoning Code” means the Baltimore City Zoning  
20      Code, including the accompanying Zoning District Maps.

21           **Chapter 3**  
22           **Use and Occupancy Classification**

23           **Sections 301 to 309 {As in IBC}**

24           **Section 310 Residential Group R**

25       ...

26           **310.5 RESIDENTIAL GROUP R-4.** RESIDENTIAL GROUP R-4 OCCUPANCY SHALL INCLUDE  
27       BUILDINGS, STRUCTURES, OR PORTIONS THEREOF FOR MORE THAN 5 BUT NOT MORE THAN  
28       16 PERSONS, EXCLUDING STAFF, WHO RESIDE ON A 24-HOUR BASIS IN A SUPERVISED  
29       RESIDENTIAL ENVIRONMENT AND RECEIVE CUSTODIAL CARE. RESIDENTIAL GROUP R-4  
30       SHALL ALSO INCLUDE ALL SUPPORTIVE HOUSING FACILITIES. BUILDINGS OF RESIDENTIAL  
31       GROUP R-4 SHALL BE CLASSIFIED AS ONE OF THE OCCUPANCY CONDITIONS SPECIFIED IN  
32       § 310.5.1 OR § 310.5.2 OF THIS SUBSECTION. THIS GROUP SHALL INCLUDE, BUT NOT BE  
33       LIMITED TO, THE FOLLOWING:

- 34       1. ALCOHOL AND DRUG CENTERS,
- 35       2. ASSISTED LIVING FACILITIES,

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- 1       3. CONGREGATE CARE FACILITIES,
- 2       4. GROUP HOMES,
- 3       5. HALFWAY HOUSES,
- 4       6. RESIDENTIAL BOARD AND CARE FACILITIES,
- 5       7. SOCIAL REHABILITATION FACILITIES, AND
- 6       8. SUPPORTIVE HOUSING FACILITIES.

7       **310.5.1 CONDITION 1.** THIS OCCUPANCY CONDITION SHALL INCLUDE BUILDINGS IN  
8       WHICH ALL PERSONS RECEIVING CUSTODIAL CARE, WITHOUT ANY ASSISTANCE, ARE  
9       CAPABLE OF COMPLETING BUILDING EVACUATION IN RESPONSE TO AN EMERGENCY  
10      SITUATION.

11      **310.5.2 CONDITION 2.** THIS OCCUPANCY CONDITION SHALL INCLUDE BUILDINGS IN  
12      WHICH THERE ARE ANY PERSONS RECEIVING CUSTODIAL CARE WHO REQUIRE LIMITED  
13      VERBAL OR PHYSICAL ASSISTANCE TO COMPLETE BUILDING EVACUATION IN RESPONSE  
14      TO AN EMERGENCY SITUATION.

**Baltimore City Code**

**Article 13. Housing and Urban Renewal**

**Subtitle 5. Licensing of Rental Dwellings**

**§ 5-1. Definitions.**

19      ...

20      (g) *Rental dwelling.*

21      “Rental dwelling” means:

- 22       (1) any multiple-family dwelling;
- 23       (2) any rooming house; [and]
- 24       (3) ANY SUPPORTIVE HOUSING FACILITY; AND
- 25       (4) any non-owner-occupied dwelling unit in a 1- or 2-family dwelling that is leased  
26       or rented or offered or available for lease or rental in exchange for any form of  
27       consideration.

28      ...

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- H. [g.] [gas] FUEL station (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-306(T) {"*FUEL STATION.*"}),
  - I. [h.] health-care clinic (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-307(F) {"*HEALTH-CARE CLINIC.*"}),
  - J. [i.] lodge or social club (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-308(Q) {"*LODGE OR SOCIAL CLUB.*"}),
  - K. [j.] lounge (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-309(H-1) {"*LOUNGE.*"}),
  - L. [k.] pawn shop (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-311(L) {"*PAWN SHOP.*"}),
  - M. [l.] personal services establishment (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-311(O) {"*PERSONAL SERVICES ESTABLISHMENT.*"}),
  - N. RESIDENTIAL-CARE FACILITY (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-312(P) {"*RESIDENTIAL-CARE FACILITY*"})
  - O. [m.] restaurant (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-312(S) {"*RESTAURANT.*"}),
  - P. [n.] retail goods establishment – with [our] ~~OR~~ without alcoholic beverage sales (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-312(U) {"*RETAIL GOODS ESTABLISHMENT.*"}), [or]
  - Q. ROOMING HOUSE (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-313(B) {"*ROOMING HOUSE.*"}),
  - R. SUPPORTIVE HOUSING FACILITY (AS DEFINED IN § 202.2.56 OF THIS CODE), OR
  - S. [o.] tavern (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-314(A) {"*TAVERN.*"}).

## Chapter 2

### Definitions; Rules of Construction

## Section 202 Definitions

**202.2 Supplemental definitions.** Notwithstanding any different definition in the International Building Code, the following terms have the meanings given in this § 202.2.

[202.2.54 **Transfer**. “Transfer”, when used with respect to property subject to this Code, has the meaning stated in § 114.23 {“Responsibility of transferee”}.]

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1           **(J) SUPPORTIVE HOUSING FACILITY.**

2           “SUPPORTIVE HOUSING FACILITY” HAS THE MEANING STATED IN § 202.2.56 OF THE  
3           BALTIMORE CITY BUILDING CODE.

4           **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
5           after the date it is enacted.

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Certified as duly passed this 18 day of December, 2023.

  
\_\_\_\_\_  
President, Baltimore City Council

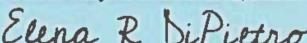
Certified as duly delivered to His Honor, the Mayor,  
this 18 day of December, 2023.

  
\_\_\_\_\_  
Natawnia B. Austin  
Chief Clerk

Approved this 17th day of January, 2024

  
\_\_\_\_\_  
Brandon M. Scott  
Mayor, Baltimore City

Approved for Form and Legal Sufficiency  
This 18th Day of December, 2023.

  
\_\_\_\_\_  
Elena R. DiPietro  
Chief Solicitor