

**ARTICLE 24**  
**WATER**

**(As Last Amended by Ord. 16-523)**

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**BALTIMORE CITY DEPARTMENT OF LEGISLATIVE REFERENCE**  
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**SUBTITLE 1**  
**DIRECTOR OF PUBLIC WORKS**

**§ 1-1. Rules and regulations.**

(a) *Director may adopt.*

The Director of Public Works may adopt and enforce rules and regulations governing:

- (1) the operations of the Department of Public Works; and
- (2) the protection of the City's water supply and facilities.

(b) *Filing with Legislative Reference.*

A copy of all rules and regulations must be filed with the Department of Legislative Reference before they take effect.

(*City Code, 1879, art. 53, §1; 1893, art. 54, §1; 1927, art. 48, §1; 1950, art. 39, §1; 1966, art. 29, §1; 1976/83, art. 29, §1.*) (*Ord. 1862-010; Ord. 1896-026; Ord. 48-463; Ord. 76-142; Ord. 02-476.*)

**§ 1-2. Rates and charges.**

(a) *Assessment; records.*

The Director of Public Works shall:

- (1) assess the water rates or charges on all buildings and premises where the rates are established by law; and
- (2) keep suitable books in which shall be entered:
  - (i) all transactions of the department;
  - (ii) the kind of building or premises;
  - (iii) the amount charged;
  - (iv) the names of the owners of all buildings or premises;
  - (v) the street and number of the building or premises; and
  - (vi) the front footage.

(b) *Meter readings.*

The Director of Public Works must ensure that:

- (1) every consumer's accessible water meter is actively read and the actual reading accurately recorded at least once a month; and

- (2) no water bill based on an estimated rather than actual reading is sent to any residential consumer whose water meter is accessible to Department of Public Works employees when they attempt to read the water meter.

(c) *Charges to be liens.*

The charges imposed under this article and all increases, interest, and penalties thereon shall be a lien upon the property of any person liable to pay the same to the City. Such lien shall be recorded in the Tax Lien Records maintained by the Department of Finance.

(*City Code, 1879, art. 53, §6; 1893, art. 54, §6; 1927, art. 48, §5; 1950, art. 39, §2; 1966, art. 29, §2; 1976/83, art. 29, §2.*) (*Ord. 1862-010; Ord. 48-462; Ord. 76-142; Ord. 79-959; Ord. 11-455; Ord. 16-523.*)

**§ 1-3. Payments on claims.**

(a) *Claims to be certified.*

No payments for any claims upon the Department of Public Works shall be made unless the bill or claim be certified by the officer or other person duly authorized to make an agreement or contract for the Director of Public Works.

(b) *Order and recording.*

All payments shall be ordered by the Director and the order recorded on his records.

(*City Code, 1879, art. 53, §10; 1893, art. 54, §10; 1927, art. 48, §9; 1950, art. 39, §3; 1966, art. 29, §3; 1976/83, art. 29, §3.*) (*Ord. 1862-010; Ord. 48-496; Ord. 76-142.*)

**§ 1-4. Installations.**

(a) *Director may install.*

The Director of Public Works is empowered and authorized to make installations of water supply service pipes from the water mains to the curb line or, lacking such limit at the time of installation, to a corresponding appropriate location within the public way, or the private way used or intended to be used by the public.

(b) *No tapping, etc., without authorization.*

No pipe or main shall be tapped, opened, or reopened for a supply of water unless it be done under the direction of the Director of Public Works.

(*City Code, 1879, art. 53, §13; 1893, art. 54, §13; 1927, art. 48, §12; 1950, art. 39, §4; 1966, art. 29, §4; 1976/83, art. 29, §4.*) (*Ord. 1862-010; Ord. 48-496; Ord. 76-142.*)

**§ 1-5. Work by contract or labor.**

The Department of Public Works is authorized and empowered to do any of the work either by contract or by day labor as in the judgment of the Director of Public Works may be best for the interests of the City, in each instance.

(*City Code, 1879, art. 53, §14; 1893, art. 54, §14; 1927, art. 48, §13; 1950, art. 39, §5; 1966, art. 29, §5; 1976/83, art. 29, §5.*) (*Ord. 1862-010; Ord. 48-496; Ord. 76-142.*)

**§ 1-6. Suspension, etc., of certain uses.**(a) *Director may suspend, etc.*

Whenever the Director of Public Works determines that the state of the water supply requires, the Director may issue an order to suspend, condition, limit, or temporarily prohibit the use of water.

(b) *Scope.*

The Director's order may encompass, as the Director considers appropriate under the circumstances:

(1) some or all types of water users, including industrial, commercial, residential, and other users; and

(2) some or all types of water uses, including lawn sprinkling, air conditioning, street or pavement washing, car or other vehicle washing, and industrial or commercial processes. (*City Code, 1927, art. 48, §26; 1950, art. 39, §6; 1966, art. 29, §6; 1976/83, art. 29, §6.*) (*Ord. 04-125; Ord. 11-043; Ord. 48-508; Ord. 76-142; Ord. 02-476.*)

**§§ 1-7 to 1-10. {Reserved}****§ 1-11. Definitions.**(a) *In general.*

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

(b) *Person.*

“Person” means:

(1) an individual;

(2) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; or

(3) a partnership, firm, association, corporation, limited liability company, or other entity of any kind.

(*Ord. 02-476.*)

**SUBTITLE 2  
BILLS**

**§ 2-1. Collection.**

(a) *Finance to collect.*

The bills for water used or work done by the Department of Public Works shall be collected by the Department of Finance.

(b) *When due.*

All bills therefor shall be paid within 20 days after they have been issued.

(c) *Cut-off on default.*

On default in such payment, the Department of Public Works may cut off the supply. (*City Code, 1927, art. 48, §24; 1950, art. 39, §7; 1966, art. 29, §7; 1976/83, art. 29, §7.*) (*Ord. 04-125; Ord. 11-043; Ord. 48-501; Ord. 76-142; Ord. 16-523.*)

**§ 2-2. Abatements.**

(a) *Director may abate.*

The Director of Public Works shall have full power and authority to abate any charge for water made against any property, whether the same be made by meter, fixed charge, or otherwise, whenever the Director in his discretion may, for any cause, deem such abatement proper and advisable.

(b) *Scope.*

Said abatement may, in the discretion of the Director of Public Works, be of the whole or any part of the charge so made, and upon such terms and conditions as the Director may deem advisable and may prescribe. (*City Code, 1927, art. 48, §25; 1950, art. 89, §8; 1966, art. 29, §8; 1976/83, art. 29, §8.*) (*Ord. 04-125; Ord. 11-043; Ord. 48-501; Ord. 76-142.*)

**§ 2-3. Cut-off for nonpayment.**

(a) *Property owners responsible.*

The owners of property are in all cases responsible for the payment of water bills.

(b) *Arrearages.*

(1) Bills in arrears are sufficient reason for discontinuing water service until all arrearages are paid.



- (2) If a structure for which a bill is in arrears is a vacant structure, as defined in Baltimore City Building Code § 116.4 {"Vacant structures"}, the Department shall proceed as follows:
- (i) for a structure that has an accessible water meter, the Department shall cut off the water to the premises; or
  - (ii) for a structure that does not have an accessible water meter, the Department shall cut off the water to the premises if damage to adjacent property is imminent or demolition of the property is planned.

(c) *Charge to restore service.*

- (1) When a water supply is cut off for nonpayment of water charges, a service-restoration fee must be paid before the supply is turned on again.
- (2) The amount of the service-restoration fee shall be as determined by the Board of Estimates in accordance with Subtitle 3 of this article.

(d) *Unauthorized use.*

The Department of Public Works shall cut off the water from the premises of any person who:

- (1) introduces water to his, her, or its premises without authorization from the Department;  
or
- (2) permits another person (not entitled to use the water) to use the water without authorization from the Department.

(City Code, 1879, art. 53, §21; 1893, art. 54, §22; 1927, art. 48, §35; 1950, art. 39, §9; 1966, art. 29, §9; 1976/83, art. 29, §9.) (Ord. 1862-010; Ord. 1866-083; Ord. 48-502; Ord. 76-142; Ord. 78-923; Ord. 99-526; Ord. 02-476; Ord. 07-434; Ord. 13-093; Ord. 15-427.)

**SUBTITLE 3**  
**SETTING RATES AND CHARGES; EXPENDITURES**

**§ 3-1. Board of Estimates to set.**

(a) *In general.*

The Board of Estimates, on the recommendation of the Director of Finance and the Director of Public Works, may establish, assess, and change rates and charges for:

- (1) sanitary wastewater; and
- (2) for the supply or use or both of water, for any purpose and at any point in or outside Baltimore City, whether by meter, fixed charge, or otherwise.

(b) *Public notice.*

At least 30 days before taking any final action on rates or charges, the Board of Estimates:

- (1) shall publish notice of the proposed action;
- (2) shall send the recommendations of the Director of Finance and the Director of Public Works to the City Council and the members thereof; and
- (3) shall afford an opportunity for the Council members and the public to make recommendations thereon.

(c) *Abatements or reductions.*

The Board shall also have the power to provide for abatement and reduction of such rates or other charges.

*(City Code, 1927, art. 48, §23; 1950, art. 39, §21; 1966, art. 29, §21; 1976/83, art. 29, §21.) (Ord. 04-125; Ord. 11-043; Ord. 23-072; Ord. 78-941; Ord. 02-476.)*

**§ 3-2. Accounting system**

(a) *In general.*

The accounting system for the water and sanitary wastewater utilities:

- (1) shall conform to generally accepted principles of utility accounting; and
- (2) shall be kept on the accrual basis and in the manner prescribed in Article VII, § 11 of the City Charter.

(b) *Revenue records by class.*

The records of revenues of each said utility shall be kept so that the sales made to each class of customer according to the rate schedules adopted by the Board of Estimates for each utility can be determined.

(City Code, 1976/83, art. 29, §21A(a)(1<sup>st</sup>, 2<sup>nd</sup> sens.)) (Ord. 78-941.)

**§ 3-3. Annual report.**

After the close of each fiscal year, there shall be submitted to the Board of Estimates, the Board of Finance, and to the members of the City Council, a report which may be submitted as a separate section of the statements prescribed under Article VII, § 11 of the City Charter as to the operation of each said utility containing at least the following financial statements:

- (1) a comparative balance sheet showing the financial condition of the utility as of the beginning and close of the fiscal year;
- (2) an analysis of the retained earnings account showing the factors of change in the account as reflected by the comparative balance sheet;
- (3) a comparative income statement of the last 2 fiscal years; and
- (4) a comparative detailed analysis of operating expense for the last 2 fiscal years according to functional groupings.

(City Code, 1976/83, art. 29, §21A(a)(3<sup>rd</sup> sen.)) (Ord. 78-941.)

**§ 3-4. Excess revenues.**(a) *Optional uses.*

After the budgets of the water and sanitary wastewater utilities have been adopted, should it appear that for either utility there will be revenues in excess of those budgeted:

- (1) additional expenditures may be authorized by the Board of Estimates from the funds of that utility in an amount not exceeding such excess; or
- (2) upon recommendation of the Directors of Finance and Public Works, the Board may decrease the utility rates and charges.

(b) *Expenditures subject to appropriation procedures.*

Any such additional expenditures of the water or sanitary wastewater utility shall be subject to the appropriation procedures provided in Article VI of the City Charter.

(City Code, 1976/83, art. 29, §21A(a)(2<sup>nd</sup> par.)) (Ord. 78-941.)

**§ 3-5. Setting rates and charges.**(a) *In general.*

It shall be the duty of the Director of Finance and the Director of Public Works to recommend, and the duty of the Board of Estimates to:

- (1) establish rates and charges to make each utility financially self-sustaining at all times; and
- (2) adjust the rates if the projected profit and loss statement for the current year anticipates a loss and the actual results for the immediate prior year resulted in a loss or deficit.

(b) *Recovery of prior losses.*

The rates so established shall be at a level sufficient to recover any accumulated loss from prior years.

(c) *Costs, depreciation, etc.*

In order to make and assure that each utility is financially self-sustaining, there shall be provision for:

- (1) operating and maintenance costs;
- (2) depreciation accruals;
- (3) amortization of bonds; and
- (4) reasonable accumulation of surplus.

(d) *Classes of users.*

Charges shall be made to various classes of consumers including but not limited to domestic, commercial, industrial, and municipal government and other governmental users of the services of water and sanitary wastewater utilities.

*(City Code, 1976/83, art. 29, §21A(b), (c).) (Ord. 78-941.)*

**§ 3-6. Approval of expenditures.**(a) *In general.*

Expenditures may be made with the approval of the Board of Estimates from the appropriated funds of either utility, on the recommendation of the Director of Public Works, for necessary renewing, improving, rebuilding, or extending the plant and distribution system of such utility including all costs related thereto.

(b) *Budgets to comply with Charter.*

The budgets for renewing, improving, rebuilding or extending the plant and distribution system of such utility shall be prepared in the manner prescribed in Article V of the City Charter. (City Code, 1976/83, art. 29, §21A(d).) (Ord. 78-941.)

**§ 3-7. City loans to utility.**

(a) *In general.*

The City may lend to each utility an amount not to exceed the equivalent to a 60-day cash working capital requirement.

(b) *Repayment requirements.*

Any such loan shall be repaid by each utility on or before 24 months from the date of such loan, with interest at the rate of average interest earned by the City on its invested funds during the same period. (City Code, 1976/83, art. 29, §21A(e).) (Ord. 78-941.)

**§ 3-8. Conflict with covenants, etc.**

In the event that any provision in this subtitle for the water and sanitary wastewater utilities shall be inconsistent with any covenants, conditions, laws, or any regulations promulgated thereunder governing any contract, project, or grant from the United States or from the State or funds dedicated by an Act of Congress or by State law or by the terms of any private grant, such provision in this section shall be applicable only to the extent that it is not inconsistent with any such covenants, laws, or regulations for any federal or State contract, project, or grant or with the terms of any such private grant. (City Code, 1976/83, art. 29, §21A(f).) (Ord. 78-941.)

**SUBTITLE 4**  
**COLLECTION OF CHARGES**

**§ 4-1. {Repealed by Ord. 16-523}**

**§ 4-2. Metered water charges and fire supply service inspection charges.**

(a) *When due.*

Metered water charges and fire supply service inspection charges are due and payable when the bills for them have been rendered.

(b) *When delinquent.*

Any metered water charges and fire supply service inspection charges unpaid 20 days after the issue date of the bill are considered delinquent, and all water service are subject to turn-off for nonpayment of those charges at any time.

(c) *Penalties.*

(1) A penalty at the rate of 1.64% of the water charge and fire supply service inspection charge shall be added to every metered water charge and fire supply service inspection charge at the time they become delinquent.

(2) An additional penalty of 1.64% shall be imposed on all charges, including accrued penalties, which remain unpaid and are forwarded as arrearages on subsequent bills.

*(City Code, 1879, art. 53, §15; 1893, art. 54, §15; 1927, art. 48, §14; 1950, art. 39, §26; 1966, art. 29, §26(c), (d); 1976/83, art. 29, §26(c), (d).) (Ord. 1897-004; Ord. 48-499; Ord. 49-621; Ord. 67-1153; Ord. 58-1572; Ord. 59-035; Ord. 66-901; Ord. 67-1016; Ord. 68-059; Ord. 69-391; Ord. 73-393; Ord. 80-070; Ord. 08-042; Ord. 16-523.)*

**§ 4-3. Cut-off for nonpayment.**

The non-payment of any delinquent water charge against a property is sufficient reason for terminating all water service and fire supply service to the property, even though other water charges against the property are not in arrears.

*(City Code, 1950, art. 39, §26; 1966, art. 29, §26(f); 1976/83, art. 29, §26(f).) (Ord. 48-499; Ord. 49-621; Ord. 57-1153; Ord. 58-1572; Ord. 66-901; Ord. 67-1016; Ord. 68-059; Ord. 69-391; Ord. 73-393; Ord. 08-042.)*

**§ 4-4. Full payment required to restore service.**

The total of all delinquent water charges, including but not limited to the penalty or interest and turn-off charges, must be paid before service will be restored.

*(City Code, 1950, art. 39, §26; 1966, art. 29, §26(e); 1976/83, art. 29, §26(e).) (Ord. 48-499; Ord. 49-621; Ord. 157-153; Ord. 58-1572; Ord. 66-901; Ord. 67-1016; Ord. 68-059; Ord. 69-391; Ord. 73-393; Ord. 08-042.)*

**§ 4-5. Payment schedule.***(a) Effect of compliance.*

If a person responsible for paying a water bill enters into a payment agreement acceptable to the Director of Public Works, then while the person is making timely payments in accord with the agreed schedule:

- (1) the penalty imposed under § 4-2(c) {"Metered water charges: Penalties"} of this subtitle does not accrue; and
- (2) service that has been turned off may be restored.

*(b) Effect of breach.*

If payment is missed and the payment agreement declared to be breached, all subsequent penalties shall continue to accrue.

*(Ord. 08-042; Ord. 16-523.)*

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**SUBTITLE 5**  
**MUNICIPAL USES**

**§ 5-1. Tax to cover costs.**

A sufficient tax shall be annually levied and imposed for the payment of the expenses incurred in supplying water to any of the departments of the city government and all other uses ordered by the Mayor and City Council.

*(City Code, 1927, art. 48, §22(1<sup>st</sup> par.); 1950, art. 39, §22(1<sup>st</sup> par.); 1966, art. 29, §22(1<sup>st</sup> par.); 1976/83, art. 29, §22(1<sup>st</sup> par.)) (Ord. 04-125; Ord 11-043; Ord. 23-072; Ord. 76-142.)*

**§ 5-2. Public parks and squares.**

(a) *In general.*

The Department of Recreation and Parks shall pay for the water used in the public parks and squares, the charges to be at the rate or rates fixed by the Board of Estimates for water used by individuals, firms, and corporations where meters are installed.

(b) *Reduced amount.*

The Board of Estimates may, however, in its discretion, make an agreement with the said Department of Recreation and Parks for the payment of a certain amount each year in lieu of said charges.

*(City Code, 1927, art. 48, §22(2<sup>nd</sup> par.); 1950, art. 39, §22(2<sup>nd</sup> par.); 1966, art. 29, §22 (2<sup>nd</sup> par.); 1976/83, art. 29, §22(2<sup>nd</sup> par.)) (Ord. 04-125; Ord 11-043; Ord. 23-072; Ord. 76-142.)*

**SUBTITLES 6 TO 10**  
***{RESERVED}***

**SUBTITLE 11**  
**DRINKING FOUNTAINS**

**§ 11-1. Construction; location; removal.**

(a) *Removal or relocation .*

The Mayor and the Director of Public Works are hereby authorized to remove or change the location of any and all existing drinking fountains and water troughs which, in their judgment, should be removed, or the location of which, in their judgment, ought to be changed.

(b) *Construction.*

The Mayor and the Director of Public Works are hereby empowered to authorize and direct the construction of such drinking fountains and water troughs as they may deem advisable in the public highways of Baltimore City, and to determine the location thereof.

(c) *Unauthorized construction prohibited.*

No drinking fountain or water trough shall hereafter be constructed in any of the public highways of Baltimore City without the authority of the Mayor and the Director of Public Works unless the same be authorized by ordinance of the Mayor and City Council of Baltimore. (*City Code, 1927, art. 48, §82; 1950, art. 39, §10; 1966, art. 29, §10; 1976/83, art. 29, §10.*) (*Ord. 16-104; Ord. 76-142.*)

**SUBTITLE 12**  
**LAYING PIPES IN STREETS**

**§ 12-1. Powers of Department.**

(a) *In general.*

The Department of Public Works shall have full power and authority:

- (1) to convey water under and along any of the streets, lanes, and alleys of the City of Baltimore;
- (2) to lay a pipe or pipes in any of the said streets, lanes, and alleys for the purpose of conveying and distributing the said water;
- (3) to renew and repair the said pipes from time to time; and
- (4) for that purpose, to dig, break up, and open such portions of such street, lane, or alley, and of the pavement and footways thereof as may be necessary, leaving at all times a sufficient passageway for pedestrians and vehicles, if the same will admit thereof.

(b) *Prompt restoration of streets required.*

All such streets, lanes, and alleys as shall from time to time and at any time be so dug, opened, and taken up shall be restored as soon as possible to their former condition at the expense of the Department of Public Works.

*(City Code, 1879, art. 53, §25; 1893, art. 54, §25; 1927, art. 48, §38; 1950, art. 39, §17; 1966, art. 29, §17; 1976/83, art. 29, §17.) (Rev. Ords. 1858-043; Ord. 48-495; Ord. 76-142.)*

**§ 12-2. Digging up streets.**

Whenever the Department of Public Works, or any of its agents or workmen, shall take up any part of the pavement or dig up any part of the streets, lanes, or alleys of the City of Baltimore for the purpose of laying or repairing the pipes for conducting the water through the City or into the houses or lots of the citizens, it shall proceed without delay to put down or repair the pipes, as the case may be, and immediately thereafter fill in the earth or otherwise secure the place so dug up from becoming a nuisance or endangering persons using the streets, lanes, and alleys.

*(City Code, 1879, art. 53, §26; 1893, art. 54, §26; 1927, art. 48, §39; 1950, art. 39, §18; 1966, art. 29, §18; 1976/83, art. 29, §18.) (Rev. Ords. 1858-043; Ord. 48-495; Ord. 76-142.)*

**§ 12-3. Repairing pipes.**

(a) *Immediate repair required.*

As often as any of the said pipes shall prove defective, so as to cause the water to flow on the surface of the ground or pavement, it shall be the duty of the Department of Public Works to have the same immediately repaired.

(b) *Scope of section.*

The pipes mentioned and referred to in subsection (a) of this section are hereby declared to mean and be any pipes laid by the Department of Public Works or in connection with the works under its care, under or along any street, lane, or alley of the City, whether the same be under or along the space covered or designed to be covered with the foot pavement or not, and a notice of the fact, by any person whatsoever, left at the office of said Department, shall be a sufficient notification.

*(City Code, 1879, art. 53, §§27, 28; 1893, art. 54, §§27, 28; 1927, art. 48, §§40, 41; 1950, art. 39, §§19, 20; 1966, art. 29, §§19, 20; 1976/83, art. 29, §§19, 20.) (Rev. Ords. 1858-043; Ord. 48-495; Ord. 76-142.)*

**SUBTITLE 13  
PAVEMENTS**

**§ 13-1. Repair work.**

In all cases where the Department of Public Works or any of its agents or workmen shall take up any paving or curbing, whether in the roadway or sidewalk area, for any of the purposes aforesaid, the said Department of Public Works shall have such areas repaved, reconstructed, or repaired in a satisfactory manner.

*(City Code, 1879, art. 53, §29; 1893, art. 54, §29; 1927, art. 48, §42; 1950, art. 39, §23; 1966, art. 29, §23; 1976/83, art. 29, §23.) (Rev. Ords. 1858-043; Ord. 50-1246; Ord. 76-142.)*

**§ 13-2. Marking distribution facilities.**

*(a) Marking by contractor required.*

Whenever it becomes necessary to pave, repave, or repair any street, lane, alley, sidewalk, or yard in the City of Baltimore, it shall be the duty of the contractor, paver, or other person or persons performing this work to distinctly mark, by a wooden or iron box, or by some other means approved by the Director of Public Works, all manhole frames and covers, roadway valve boxes, meter frames and covers, and curb boxes which are a part of the distribution system of the Department of Public Works or are a part of the water supply service to a consumer's property.

*(b) Penalties for violation.*

Any person, firm, or corporation failing or neglecting to comply with this provision shall forfeit and pay for each and every offense the sum of \$10 to be paid to the Director of Finance.

*(City Code, 1879, art. 53, §§32, 33; 1893, art. 54, §§32, 33; 1927, art. 48, §46; 1950, art. 39, §24; 1966, art. 29, §24; 1976/83, art. 29, §24.) (Ord. 1864-003; Ord. 50-1391; Ord. 76-142.)*

**SUBTITLE 14**  
***{REPEALED BY ORD. 02-476}***

**SUBTITLES 15 TO 20**  
***{RESERVED}***



**SUBTITLE 21**  
**PROHIBITED CONDUCT; PENALTIES**

**§ 21-1. Rules and regulations.**

No person may violate any rule or regulation adopted under § 1-1 of this article to protect the City's water supply and facilities.  
(*Ord. 02-476.*)

**§ 21-2. Suspension, etc., of certain uses.**

No person may violate any order issued under § 1-6 of this article to suspend, condition, limit, or temporarily prohibit the use of water.  
(*Ord. 02-476.*)

**§ 21-3. Injuring fire hydrants.**

No person may wilfully injure or deface any fire hydrant belonging to the City.  
(*City Code, 1879, art. 53, §57; 1893, art. 54, §57; 1927, art. 48, §70; 1950, art. 39, §13; 1966, art. 29, §13; 1976/83, art. 29, §13.*) (*Rev. Ords. 1858-043; Ord. 1859-080; Ord. 50-1141; Ord. 02-476.*)

**§ 21-4. Wrongful use after cut-off.**

No person may, without authorization from the Department of Public Works, connect with any water pipe that belongs to the City or otherwise turn on the water to any premises to which the water was turned off by an officer of the Department.  
(*City Code, 1893, art. 54, §42; 1927, art. 48, §55; 1950, art. 39, §32; 1966, art. 29, §27; 1976/83, art. 29, §27.*) (*Rev. Ords. 1858-043; Ord. 1880-043; Ord. 50-1393; Ord. 76-142; Ord. 02-476.*)

**§ 21-5. Refusal of entry.**

No person may refuse to permit an agent of the Department of Public Works to visit his, her, or its premises in the discharge of that agent's official duties.  
(*City Code, 1879, art. 53, §43; 1893, art. 54, §43; 1927, art. 48, §56; 1950, art. 39, §33; 1966, art. 29, §28; 1976/83, art. 29, §28.*) (*Rev. Ords. 1858-043; Ord. 50-1393; Ord. 02-476.*)

**§ 21-6. Interference with equipment; illegal use of water.**

(a) *Scope of section.*

This section does not apply to the lawful governmental regulation of water companies, their canals, springs, reservoirs, tunnels, mounds, dams, plugs, fire hydrants, mains, pipes, conduits, connections, taps, valves, engines, and machinery.

(b) *Prohibited conduct.*

Unless authorized by law or by permit from the Department of Public Works, no person may:

- (1) connect, disconnect, tap, or interfere or tamper with any of the canals, springs, reservoirs, tunnels, mounds, dams, plugs, fire hydrants, mains, pipes, conduits, connections, taps, valves, engines, or machinery belonging to the City;
- (2) connect with any canal, spring, reservoir, tunnel, mound, dam, plug, fire hydrant, main, pipe, conduit, connection, tap, valve, engine, or machinery for the purpose of using or wasting water;
- (3) tamper in any way with any meter used to register water consumption; or
- (4) introduce water to any premises not entitled to use it.

(City Code, 1976/83, art. 29, §14.) (Ord. 94-346; Ord. 02-476.)

§§ 21-7 to 21-10. *{Reserved}*

§ 21-11. **Enforcement by citation.**

(a) *In general.*

In addition to any other civil or criminal remedy or enforcement procedure, this subtitle may be enforced by issuance of:

- (i) an environmental citation under City Code Article 1, Subtitle 40 {"Environmental Control Board"}; or
- (ii) a civil citation under City Code Article 1, Subtitle 41 {"Civil Citations"}.

(b) *Process not exclusive.*

The issuance of an environmental citation to enforce this subtitle does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

(Ord. 02-476; Ord. 03-595.)

§ 21-12. **Criminal penalties.**

(a) *In general.*

Any person who violates any provision of this subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$1,000 for each offense.

(b) *Each day a separate offense.*

Each day that a violation continues is a separate offense.

(Ord. 02-476.)