

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2025, Legislative Day No. 17

Bill No. 75-25

Mr. Mike Ertel, Councilman

By the County Council, October 20, 2025

A BILL
ENTITLED

AN ACT concerning

Rental Property Inspections – Authorizations and Enforcement

FOR the purpose of authorizing the Code Official to enforce provisions of the Baltimore County Zoning Regulations related to the Livability Code; authorizing the Code Official to enter a structure or premises with the permission of the tenant for the purpose of investigating a complaint of or a reasonable belief of a violation for an unauthorized rooming and boarding house, a failure to maintain certain minimum fire safety standards, or an alteration to or a discrepancy in the number of bedrooms; and generally relating to rental property inspections and enforcement.

BY repealing and re-enacting, with amendments

Section 35-5-103
Article 35 – Buildings and Housing
Title 5 – Livability Code
Subtitle 1 – In General
Baltimore County Code, 2015

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

3
4 ARTICLE 35 – BUILDINGS AND HOUSING

5 Title 5 – Livability Code

6 Subtitle 1 – In General

7
8 § 35-5-103. Duties and Powers of Code Official.

9 (a) Except as otherwise provided in this title, the Code Official shall enforce the
10 provisions of this title AND RELATED PROVISIONS OF THE BALTIMORE COUNTY
11 ZONING REGULATIONS.

12 (b) The Code Official shall issue notices and orders necessary to ensure compliance with
13 this title.

14 (c) (1) The Code Official may enter a structure or premises with the permission of
15 the tenant for the purpose of:

16 (I) making an inspection or performing a duty under Subtitle 2 of this
17 title; OR

18 (II) INVESTIGATING A COMPLAINT OF OR A REASONABLE
19 BELIEF OF A VIOLATION FOR:

20 1. AN UNAUTHORIZED ROOMING AND BOARDING
21 HOUSE, AS DEFINED IN THE BALTIMORE COUNTY ZONING REGULATIONS;

22 2. A FAILURE TO MAINTAIN THE MINIMUM STANDARDS
23 FOR FIRE SAFETY FACILITIES AND EQUIPMENT UNDER § 35-5-213; OR

1 3. AN UNAUTHORIZED ALTERATION TO OR
2 DISCREPANCY IN THE NUMBER OF BEDROOMS FOR A LICENSED RESIDENTIAL
3 RENTAL PROPERTY, AS REPORTED BY THE STATE DEPARTMENT OF
4 ASSESSMENTS AND TAXATION.

5 (2) (i) Subject to subparagraph (ii) of this paragraph, the Code Official may
6 enter the property in order to conduct an inspection if the Code Official believes that a violation
7 of Subtitle 3 of this title has occurred.

8 (ii) The Code Official may not enter a structure on the premises to make
9 an inspection without a court order.

10 (d) (1) (i) Subject to the provisions of § 35-5-104 of this subtitle, the Code
11 Official may require and approve alterations or repairs that are necessary to bring a structure or
12 premises into compliance with the Code.

13 (ii) The Code Official shall consider the use of alternative and equivalent
14 approaches that are provided for in the Code when determining the alterations and repairs that
15 are necessary to bring the premises into compliance.

16 (2) The Code Official may approve changes in alterations or repairs in the field
17 when conditions are encountered that make the originally approved work impractical, provided
18 the change in the approved work:

19 (i) Can be readily determined to be in compliance with the Code; and

20 (ii) Is requested by the property owner or the property owner's agent
21 before the changes are undertaken.

22 (3) The property owner or the agent of the property owner shall:

1 (i) Document the change in the work, including a description of and
2 reasons and justification for the change; and

3 (ii) File the documentation with the permit for the project.

4 (4) (i) The property owner shall make an alteration or repair to correct a
5 violation of the Code:

6 1. Within 48 hours after receiving notice of a violation that the
7 Code Official has determined is an emergency; or

8 2. Within 30 days after receiving notice of a violation that the
9 Code Official has determined is not an emergency.

10 (ii) The Code Official may extend the time allotted for emergency repairs
11 if the property owner shows:

12 1. That an effort to make the repairs and alterations has begun; and
13 2. A commitment that the repairs and alterations will be completed
14 at the earliest possible time.

15 (e) (1) If a property owner, tenant, or operator of a structure refuses, impedes,
16 inhibits, interferes with, restricts, or obstructs entry and free access to any part of the structure or
17 premises where inspection authorized by the Code is sought, the county may seek an *ex parte*
18 order for right of entry in a court of competent jurisdiction.

19 (2) In a proceeding for an *ex parte* order for right of entry, the county shall
20 present evidence that there is probable cause to believe that a violation of the code exists in or on
21 the premises.

22 (f) Upon being given notice, a tenant of a structure or premises shall give the property
23 owner or operator or the agent or employee of the property owner access at reasonable times to

1 any part of the structure or premises for the purpose of making the inspection, maintenance,
2 repairs, or alterations necessary to comply with the provisions of the Code.

3 (g) (1) After initiating an inspection of a premises under the Code, if the Code
4 Official becomes aware that an inspection of the same premises is to be made by any other
5 governmental official or agency, the Code Official shall make a reasonable effort to arrange for
6 the coordination of the inspections in order to minimize the number of visits by inspectors.

7 (2) The Code Official shall confer with the other governmental officials or
8 agencies for the purpose of eliminating conflicting orders.

9 (h) The Code Official may adopt regulations in order to carry out the provisions of the
10 Code.

11 (i) The provisions of this Code do not abolish or impair any remedies available to the
12 county relating to the removal or demolition of a structure that is determined to be dangerous,
13 unsafe, and unsanitary.

14 (j) In order to secure the results intended by the Code, a property owner shall make
15 repairs, maintenance, alterations, or installations that are required for compliance with the Code
16 in accordance with housing industry standards.

17
18 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
19 the affirmative vote of five members of the County Council, shall take effect 14 days after its
20 enactment.