

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

Bill No. 75-25

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Mr. Mike Ertel, Councilman

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By the County Council, October 20, 2025

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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; providing for a remedy for refusal of entry; 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

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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:

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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                              (3)     (I) THE CODE OFFICIAL MAY ENTER AND INSPECT A  
11   STRUCTURE OR PREMISES FOR THE PURPOSE OF INVESTIGATING A COMPLAINT  
12   OF OR A REASONABLE BELIEF OF A VIOLATION FOR:

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

15                                       2. A FAILURE TO MAINTAIN THE MINIMUM STANDARDS  
16   FOR FIRE SAFETY FACILITIES AND EQUIPMENT UNDER §§ 35-5-213 AND 35-5-213.1  
17   OF THE COUNTY CODE; OR

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

1                               (II) IF A TENANT OR PROPERTY OWNER REFUSES ENTRY TO  
2                               THE CODE OFFICIAL UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE  
3                               COUNTY MAY SEEK A COURT ORDER IN ORDER TO OBTAIN ENTRY.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15               (f) Upon being given notice, a tenant of a structure or premises shall give the property  
16 owner or operator or the agent or employee of the property owner access at reasonable times to  
17 any part of the structure or premises for the purpose of making the inspection, maintenance,  
18 repairs, or alterations necessary to comply with the provisions of the Code.

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

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

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

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

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

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



# LEGISLATION DETAIL

LEGISLATION

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DISPOSITION

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ENACTED

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EFFECTIVE

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AMENDMENTS

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## ROLL CALL - BILL

MOTION

SECOND

AYE

NAY

☐☐

Councilman Young

☐☐

Councilman Patoka

☐☐

Councilman Kach

☐☐

Councilman Jones

☐☐

Councilman Marks

☐☐

Councilman Ertel

☐☐

Councilman Crandell

## ROLL CALL - AMENDMENTS

MOTION

SECOND

AYE

NAY

☐☐

Councilman Young

☐☐

Councilman Patoka

☐☐

Councilman Kach

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Councilman Jones

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Councilman Marks

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Councilman Ertel

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Councilman Crandell

## ROLL CALL - AMENDMENTS

MOTION

SECOND

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NAY

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Councilman Young

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Councilman Patoka

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Councilman Kach

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Councilman Jones

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Councilman Marks

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Councilman Ertel

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Councilman Crandell

## ROLL CALL - AMENDMENTS

MOTION

SECOND

AYE

NAY

☐☐

Councilman Young

☐☐

Councilman Patoka

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Councilman Kach

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Councilman Jones

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Councilman Marks

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Councilman Ertel

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Councilman Crandell