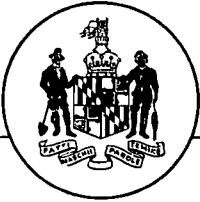


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# DEPARTMENT OF HEALTH

William J. Peeples, M.D., M.P.H., Commissioner

STATE OF MARYLAND

301 W. PRESTON STREET • BALTIMORE, MD. 21201 • Area Code 301—Phone 837-9000

February 23, 1968

Hon. Morris L. Radoff  
Archivist and Records Administrator  
Hall of Records  
Annapolis, Maryland 21404



Dear Mr. Radoff:

We respectfully transmit to you the attached proposed Housing Act, budget, plan of operation, and report by the Governor's Committee on Statewide Housing Standards which were transmitted to Governor Spiro T. Agnew on January 23, 1968.

These documents are the result of deliberations and studies of this special commission appointed as requested by House Resolution No. 9 of the 1966 General Assembly.

Respectfully yours,

A handwritten signature in cursive script that reads "William J. Peeples".

William J. Peeples, M.D.  
Honorary Chairman

A handwritten signature in cursive script that reads "Olonzo P. Fike".

Olonzo P. Fike, R.S.  
Chairman



# DEPARTMENT OF HEALTH

STATE OF MARYLAND

301 W. PRESTON STREET • BALTIMORE, MD. 21201 • Area Code 301—Phone 837-9000

William J. Peeples, M.D., M.P.H., Commissioner

January 24, 1968

Honorable Spiro T. Agnew  
Governor  
State of Maryland  
State House  
Annapolis, Maryland

Dear Governor Agnew:

We respectfully transmit a proposed Housing Act including a budget and plan of operation for its implementation. These documents are the result of deliberations and studies of the special commission appointed as requested by House Resolution No. 9 of the 1966 General Assembly.

This Act will have far-reaching effects upon the health, safety, and well-being of the citizens of the State, and will be a bold and courageous step toward achieving a decent living environment for all the citizens of our State.

All of the commission members have been most cooperative and diligent in giving unstintingly of their time in careful and considered research to bring to fruition these documents.

Respectfully yours,

William J. Peeples, M.D.  
Honorary Chairman

Olonzo P. Fike, R.S.  
Chairman

HALL OF RECORDS  
ANNAPOLIS, MARYLAND

COMMISSION REPORT  
TO  
HONORABLE SPIRO T. AGNEW  
GOVERNOR OF MARYLAND

by  
THE GOVERNOR'S COMMISSION  
ON  
STATEWIDE HOUSING STANDARDS

William J. Peeples, M.D.  
Honorary Chairman

Olonzo P. Fike, R.S.  
Chairman

GOVERNOR'S COMMISSION ON STATE-WIDE HOUSING STANDARDS

Dr. William J. Peeples, Honorary Chairman  
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Maryland State Department of Health  
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Baltimore, Maryland 21201

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Maryland State Department of Health  
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Mr. Ellsworth Andrews  
Program Coordinator  
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State Senator, District 4-B  
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Executive Director, Urban Renewal  
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College Park, Maryland 20740

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United Church Women of Baltimore  
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Cockeysville, Maryland 21030

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County Service Building  
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State Fire Marshal  
(David Hammerman representing State  
Fire Marshal)  
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Assistant Commissioner of Health for  
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Baltimore City Health Department  
Baltimore, Maryland 21202

Mr. Joseph Schock, Chief  
Urban Sanitation Activity  
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Mr. Culver B. Windsor, First Vice-President  
Maryland State and D. C. AFL-CIO  
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Town Manager for Seat Pleasant  
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Seat Pleasant, Maryland 20027  
(Representing Maryland Municipal League)

Mr. David Markey  
Assistant Legislative Officer  
Executive Office  
Annapolis, Maryland

Mr. George James  
Executive Secretary  
Maryland Commission on Interracial  
Problems and Relations

### ACKNOWLEDGMENTS

The Governor's Commission on Statewide Housing Standards wishes to acknowledge the following persons who have given freely of their assistance to the Commission during the past two years: Mr. Louis E. Schmidt, Legal Council, Maryland State Department of Health; Mr. Francis A. Jacocks, Chief, Office of Urban Environmental Health Planning, U. S. Public Health Service (formerly a Commission member); Mr. David Hammerman, representing the State Fire Marshal; Reverend Herbert O. Edwards (formerly a Commission member) and formerly Executive Secretary of Maryland Commission on Interracial Problems and Relations; Mr. David Markey, Assistant Legislative Officer, Executive Office; Mr. Merrill B. Glasser, Director, Harford County Environmental Health Services; Mr. Robert G. Deitrich, Director of Bureau Building Inspection, Baltimore City; and many others too numerous to mention.

The Governor's Commission on Statewide Housing Standards was formed as a result of House Resolution Number 9 of the General Assembly of Maryland 1966. The Resolution was introduced in the House of Delegates by Delegates James Latham and Alexander Stark. The original Commission was appointed at the request of Governor J. Millard Tawes, and served from June, 1966 until the close of the 1967 General Assembly. The Commission was reauthorized by Governor Spiro T. Agnew, who appointed several new members in addition to those already serving. A listing of commission members and their titles is located at the beginning of this report.

The Commission held four meetings during 1966, the first on June 17th and the fourth on December 15th, at which time it was decided to postpone further activity until the U. S. Supreme Court had rendered its decision on the Right of Entry, and the proposed Recommended Housing Ordinance, which was being prepared by The American Public Health Association and the U. S. Public Health Service, had been received. A letter was sent to the 1967 General Assembly requesting additional time to benefit from the aforementioned.

The reauthorized Commission has met five times in 1967-68 to complete its work.

In addition to the expertise of its members, the Commission has used information from the following reports and publications:

1. Guide for Health Administrators in Housing Hygiene, American Public Health Association, New York, New York, 1967
2. U. S. Census of Housing 1960, Maryland, U. S. Department of Commerce, Bureau of the Census, U. S. Government Printing Office, Washington, D. C., 1962
3. Final Report, Housing Quality Appraisal, Experimental Conservation District, Baltimore, Maryland, Maryland State Department of Health, 1963

4. U. S. Supreme Court decision in Camara vs. Municipal Court Case, 1967
5. APHA-PHS Recommended Housing Maintenance and Occupancy Ordinance-- First Action Copy. U. S. Public Health Service, Washington, D. C., 1967
6. BOCA Basic Housing Code--1964, Building Officials Conference of America, Inc., Chicago, Illinois
7. Ordinance for Housing, City of College Park, Maryland
8. City of Hagerstown Housing Study--1957--Bureau of Environmental Hygiene, Maryland State Department of Health, Baltimore, Maryland.

The Commission has been keenly aware of the complexities of developing a Housing Act for Statewide application. Many variations exist between the urban and rural settings. These differences have been given careful consideration and the Act has been specifically prepared to meet Maryland's needs. By necessity, it is very minimal in its requirements. Local subdivisions are encouraged to develop more stringent codes where desirable.

Commission members have repeatedly reiterated the need for the adoption of companion codes. For example: a Statewide Building Code is very much needed to prevent built-in substandardness.

Also, a modern Statewide Plumbing Code is an essential complement to this Act.

#### Conclusions and Recommendations

1. The members of the Commission are in complete agreement that a Housing Act is much needed and unanimously recommend its adoption.
2. It is recommended that the State Board of Health and Mental Hygiene be designated as the Approving Authority for this Act and that the Administrative Authority be placed upon the Maryland State Department of Health. Also, to



simplify the process of establishing technical details for the implementation of the Act, it is recommended that the State Department of Health be charged with the responsibility of developing necessary regulations. The term "CENTRAL OFFICE" appearing in the proposed Budget refers to the Central Office of the State Department of Health.

3. It is recommended that during the first year of operation the concern be with staffing and training Central Office personnel and in developing and executing contracts with local subdivisions. The implementation of enforcement should begin the second year of operation along with staffing and training of local personnel. Also, the regulations spelling out details of enforcement are to be developed and adopted during the first year so that the enforcement of the Act can begin at the appointed time.

4. It is recommended that local operations be placed on a shared financing system on the same basis as that for local health services.

5. It is recommended that those subdivisions which elect to charge inspection fees, to help defray the expense of the program, shall receive a reduced portion of state assistance under the Case Formula participation. However, the subdivision shall be given permission to retain all fees collected under this plan. When such election is made the factor for reducing the formula shall not exceed 50%.

6. It is recommended that the Act have mandatory Statewide application and that enforcement be on the local level. However, if a local subdivision refuses to enforce the Act, the Commission recommends that the State Department of Health be empowered to enforce it in that area and the total cost be charged to such subdivision.

PROPOSED PROGRAM PLAN AND BUDGET  
STATEWIDE HOUSING HYGIENE PROGRAM

Prepared by  
GOVERNOR'S COMMISSION ON  
STATEWIDE HOUSING STANDARDS

William J. Peeples, M.D., Honorary Chairman  
Olonzo P. Fike, R.S., Chairman

## PROBLEM

The Governor's Commission on Statewide Housing Standards unanimously subscribes to the philosophy that the State of Maryland should adopt its proposed Housing Code as a mandatory minimum Housing Act which will have uniform application throughout all of the political subdivisions of the State, and shall be administered by the Maryland State Department of Health, with code enforcement responsibility being contracted with local jurisdictions.

Although the existence of housing codes does not guarantee healthful housing, it is estimated that 30% of the dwelling units in Maryland are not so covered.

According to the U. S. Department of Commerce Bureau of the Census, 1960 census of Housing, Maryland has a total of 934,344 housing units. Of this total, 172,502 units, or 18.6 percent, are substandard. The highest percentage of substandardness is to be found in one of the counties of the Eastern Shore, 57.6 percent. The lowest is found in a county in the Metropolitan Region-- 5.6 percent. Baltimore City's percentage is 16.7.

Inadequate housing is a recognized part of the poverty syndrome. Mr. Francis A. Jacocks, Chief, Urban Environmental Health Planning, National Center for Urban and Industrial Health, U. S. Public Health Service, has stated that based upon the progress of overcoming substandardness at the rate of control exercised during the decade 1950-1960, it will take 80.2 years to complete the job of providing a decent home for every American family!

The 81st Congress of the United States declared: "The general welfare and security of the nation and the health and living standards of its people-- require a decent home and a suitable living environment for every American family." In response to this mandate there has developed in the Commission the awareness that the quality of housing and the residential environment have

an enormous influence upon the physical, mental, moral, and social well-being of each individual.

The key elements of healthful housing are:

1. Adequate facilities and equipment for the maintenance of the health, comfort, and cleanliness of the occupants;
2. Adequate light and ventilation;
3. Proper maintenance of the dwelling and its surroundings to prevent infestation, insanitary conditions, and to provide adequate and safe shelter;
4. Provision of adequate space to prevent overcrowding of occupants and to provide for necessary privacy for the individual.

The hazards of substandard housing are:

1. Damaging psychological imprint upon children. This has an irremediable and lasting effect;
2. The incidence of tuberculosis is found to be higher in substandard housing areas than in areas of decent, liveable housing;
3. Communicable Diseases such as meningitis and influenza have a higher incidence in overcrowded conditions;
4. Typhoid fever and dysentery are easily spread where improper sewage disposal and unprotected water supplies are prevalent;
5. Home accidents are more frequent in substandard housing;
6. Fires and electrical hazards are much more prevalent in substandard areas.

In many urban communities 60% of the total tax dollar is expended upon less than 25% of the city's total area--the slum, for welfare, police protection, fire protection and control, and other community services.

The Commission is convinced that the goal of decent living conditions for all our citizens can be achieved through the application of available knowledge

in a systematic, efficient, and comprehensive housing hygiene program. Therefore, the Commission urges the adoption of the budget as proposed in the section: "Manpower, Money, Facilities."

OBJECTIVES

It is proposed that by the adoption of the Housing Act and through effective and efficient Code enforcement it will be possible to:

1. Correct the bulk of insanitary and unsafe conditions in the residential environment contributing to substandardness within a ten year period;
2. Create and maintain a residential environment conducive to physical, mental, moral, and social well-being.
3. Focus upon the elimination and control of substandard conditions in the residential environment.

Due to the need for developing a statewide program, the fiscal year 1969 will be one of increasing and training the Central Office staff of the State Health Department for this purpose.

Contracts will be made with local subdivisions for the implementation and enforcement of the Act.

The fiscal year 1970 will be one of staffing local offices and training personnel for the purpose of program development and execution at the local level. A program of correcting substandard conditions will be aimed at the following achievements:

<u>Fiscal Year</u>	<u>Percentage of Elimination of Substandard Conditions</u>	<u>Percentage of Achievement</u>
1970	5%	5
1971	10%	15
1972	10%	25
1973	15%	40
1974	15%	55
1975	20%	75
1976	10%	85
1977	5%	90
1978	5%	95
1979 + Continued program of enforcement and control		

As noted above there is expected a gradual increase in the percentage of control and elimination of substandard conditions which will peak in 1976. Following this time the percentage drops dramatically due to hard-core substandard conditions which are difficult to eliminate.

It will also be noted that from the year 1979 a program of control is anticipated. This program will have been initiated at the very beginning of the program and will be an on-going function so that substandard conditions will not be allowed to develop to repeat the problem.

One could draw many examples of areas of special need. The housing problems in the Kent Narrows area inspired the resolution which was adopted by the House of Delegates and gave birth to the Commission. The Kent Narrows problem still exists mainly because there is no framework of law in which to bring about a solution. By working out solutions to this problem many valuable lessons are being learned which may be useful in similar situations.

#### METHODS

1. The fiscal year 1969 will be a time of intensive training of the Central Office program coordinator and the five regional supervisors. This corps of persons will be responsible for the supervision and coordination of all of the housing programs in their regions including the existing programs of migrant labor camps, mobile home parks, camps, etc.

During this period regulations for the implementation of the Act will be developed and adopted.

2. Contracting with local communities for the development and implementation of local programs, will be accomplished during this period.
3. Where possible the Administrative Authority will assist the local subdivisions in recruitment of personnel.

4. In the fiscal year 1970, Central Office will have an intensive training program for local personnel. This is essential to develop the necessary expertise for program development and implementation. This will be a continuing program.
5. A program of enforcement and evaluation will also be developed early in FY 1969.

#### EVALUATION

The effectiveness and efficiency of the program will be tested periodically by supervisory personnel utilizing the American Public Health Association's Housing Quality Appraisal Technique.

#### AUTHORITY

The authority for the implementation of a Statewide Housing Hygiene program is derived from the proposed Act. Implementation of local enforcement programs will be strengthened by regulations to be developed in keeping with the intent of the Act.

#### COORDINATION

A program of consultation and necessary liaison with other agencies involved with various facets of housing hygiene and safety will be instituted and maintained. Coordinating, supervisory, and advisory activity will be continued as needed, and direct services rendered when necessary.

#### MANPOWER, MONEY, FACILITIES

The requirement for manpower necessary to put the plan in operation has been carefully considered. Environmental Health Aides I were chosen to do the routine work of inspection for the following reasons:

1. A real incentive will be present for high school graduates to secure jobs and to become established in a service position and to take advantage of training opportunities for self-improvement;

2. The promotional career ladder will offer possibilities to the employee who applies himself diligently;
3. The use of this class of employee as opposed to college graduates will effect a saving of over one quarter million dollars to the program.

Qualified and efficient supervision will be an important consideration in the development and administration of the entire program. Provision has been made to cover the State by Supervisory Regions with five Sanitarian III's. A Sanitarian IV will be responsible for program coordination, direction, development, and evaluation. These six supervising sanitarians will be under the direction of the Head of the Housing Program in the central Offices of the Environmental Health Services. The accompanying schedules show the proposed regions, salaries and pertinent information regarding Manpower, Money, and Facilities. The fiscal statement shows total salaries and expenses and details leading to these totals. It also shows the case formula participation by political subdivisions based on 1969 formula estimates.

It should be noted that budgets are available for fiscal years 1969 and 1970.

The FY1969 Central Office budget is shown to be \$98,638. This is the budget for staffing and equipping the central office along with the necessary expenses for the first year's operation. This amount will come entirely from State funds, and represents the entire FY1969 operating budget.

The FY1970 budget is also shown to be \$2,329,343. This figure includes both the budget for Central Office and for the political subdivisions. Of this amount \$1,295,931 will be provided by the State and Federal governments and \$1,033,412 by the political subdivisions. These projections are to be found on the Case Formula Participation part of the statement.



There will not be much change in the FY1971 budget due to the fact that office equipment and automobiles will have been purchased. It is true, that salaries will advance. However, this advance will about equalize with the reduction in equipment costs.

# PROPOSED REGIONS

REGIONS	NUMBER SUBSTANDARD UNITS	NUMBER PROPOSED STAFF	STATE SUPERVISORS	
1 REGIONAL PLANNING COUNCIL				1
2				2
3				3
4 BALTIMORE CITY	48463	95	1	4
5 ANNE ARUNDEL CO.	11767	27		5
6 BALTIMORE "	13345	27		6
7 CARROLL "	3731	9	1	7
8 HARFORD "	5962	12		8
9 HOWARD "	2759	6		9
10 Total Excl. Balto City	37456	78		10
11				11
12 METROPOLITAN - WASHINGTON COUNCIL OF GOVERNMENTS				12
13				13
14				14
15				15
16 MONTGOMERY CO.	5711	11		16
17 PRINCE GEORGES "	9350	18		17
18	14791	29	40.0	18
19 TRI-COUNTY COUNCIL OF SOUTHERN MD.				19
20				20
21				21
22 CALVERT CO.	2773	6		22
23 CHARLES "	3780	7	67.7	23
24 ST. MARY'S "	3517	7		24
25	9770	20		25
26 APPALACHIAN MD. DEV. COUNCIL				26
27				27
28				28
29 GARRETT CO	3772	7	59.9	29
30 ALLEGANY "	7803	15		30
31 WASHINGTON "	10057	20		31
32 FREDERICK "	7803	15	45.7	32
33	29135	57		33
34				34
35				35
36				36
37				37
38				38
39				39
40				40

# PROPOSED REGIONS

REGIONS	NUMBER SUBSTANDARD UNITS	NUMBER PROPOSED STAFF	STATE SUPERVISORS	
1				1
2 DEL MARVA				2
3 ADVISORY COUNCIL				3
4				4
5 CECIL COUNTY	4667	10		5
6 KENT "	1244	3	} 1	6
7 QUEEN ANNE'S "	2898	6		7
8 TALBOT "	2726	6		8
9 CAROLINE "	3399	7		9
10 DORCHESTER "	5317	11		10
11 WITCOMICO "	5533	11		11
12 SOMERSET "	4021	9		12
13 WORCESTER "	3827	11	13	
14	33639	74		14
15				15
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37				37
38				38
39				39
40				40

# BUDGET SUMMARY

STATEWIDE HOUSING HYGIENE PROJECT - FISCAL YEARS 1969-1970

CENTRAL OFFICE AND SUBDIVISIONS

		1	2	3	4	5	6
		TOTAL State+Fed BUDGET	TOTAL SUBDIVISION BUDGET		TOTAL BUDGET		
1	CENTRAL OFFICE-1969	\$9,8638			\$9,8638		
2							
3	CENTRAL OFFICE-1970	\$8,573			\$8,573		
4							
5	SUBDIVISIONS - 1970	\$1,214,358	\$1,033,412		\$2,247,770		
6							
7							
8	Total FY 1969 BUDGET	9,8638			9,8638		
9							
10	Total FY 1970 BUDGET	\$1,295,931	\$1,033,412		\$2,329,343		
11							
12	Total FY 1971 BUDGET	\$1,295,931	\$1,033,412		\$2,329,343		
13							
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Total Number of Housing Units by Political Subdivision with number (2) and Percent of Housing Units Substandard with Recommended number of Inspectors based on 700 substandard units per Inspector One Supervisor for each six inspectors, and one Secretary for each six inspectors.

SUBDIVISION	Total Housing Units	Number Substandard Units	Percent Substandard	Recommended number of Inspectors	Recommended Number of Supervisors	Recommended Number of Secretaries
1 Baltimore City	290078	48463	16.7%	69	11	15
2						
3 Allegany Co.	27165	7803	28.7	11	2	3
4 Anne Arundel Co.	61272	11767	19.2	17	3	7
5 Baltimore Co.	172903	13375	9.3	19	3	5
6 Calvert County	5778	2773	47.9	7	1	1
7 Caroline "	6708	3399	50.7	5	1	1
8 Carroll "	17771	3831	26.3	6	1	2
9 Cecil "	17730	7447	31.7	7	1	2
10 Charles "	9256	3780	37.5	5	1	1
11 Dorchester "	10519	5327	50.6	8	1	2
12 Frederick "	21773	7381	37.4	11	2	3
13 Garrett "	7197	3772	48.2	5	1	1
14 Harford "	22489	5962	26.5	9	1	2
15 Howard "	10156	2457	29.2	4	1	1
16 Kent "	5776	1277	21.5	2		1
17 Montgomery "	97133	5711	5.6	5	1	2
18 Prince Georges Co.	99607	9280	9.4	13	2	3
19 Queen Anns Co.	5901	2898	49.1	4	1	1
20 St. Marys Co.	11218	3517	31.4	5	1	1
21 Somerset County	6967	7221	57.7	6	1	2
22 Talbot "	7917	2726	34.4	7	1	1
23 Washington "	29091	10057	37.6	14	2	7
24 Wicomico "	16020	5533	34.5	8	1	2
25 Worcester Co.	9852	3827	38.8	6	1	2
26 Totals	937377	172502	18.6	250	41	62

NOTE: - Inspectors, or Environmental Health Aides I - Salaries are figured at \$7,450.00 per year

- Supervisors, or Sanitarian III Salaries are figured at \$8,776.00 per year

- Secretary II Salaries are figured at \$4,896.00 per year.

- Social Security - 7.6% of \$38000/yr.

- Retirement - 7.07% of salaries

- Hospital Insurance - \$66.00/yr. per employee.



411 - Staff  
 816 - Green  
 4216 - White

# TOTAL BUDGETS

(4)

## CENTRAL OFFICE AND SUBDIVISIONS STATEWIDE HOUSING HYGIENE PROJECT FY 1969 AND 1970

	1	2	3	4	5	6	7
PERSONNEL	SALARIES	SOC. SEC.	RETIREMENT	HOSP. INSURANCE	TOTAL SALARIES	DESK & AMU CHARGES	TYPEWRITERS AND FILES
1- Sanitarian II	9577	343	388	66	10374	2577	
5- Sanitarian III's	13380	1716	1766	330	47192	1370	
2- Secretary II's	9792	481	399	132	10754	186	650
FY 1969-Totals	62716	2490	3553	528	68267	2010	650
1- Sanitarian II	10117	359	712	66	10954		
5- Sanitarian III's	45985	2115	1872	330	50302		
2- Secretary II's	10350	477	422	132	11411		
FY 1970-Totals	66452	2951	2706	528	72607		
FY 1970 Subdivision Totals							
FY 1970 Totals Central Office and Subdivision							

TOTAL BUDGETS - CONTINUED  
CENTRAL OFFICE AND SUBDIVISIONS

STATEWIDE HOUSING HYGIENE PROJECT FY 1969 AND 1970

8	9	10	11	12	13	14	15	16
TRAIN. MANUAL TRAINING	TRAVEL	AUTOMATIC DATA PROCESSING	TOTAL Col's 6-10	TOTAL Col's 5, 11	0.5% Col. 12 Misc. Exp.	TOTAL BUDGET	TOTAL STATE AND FEDERAL	TOTAL LOCAL COSTS
9125	3325	3725	15129	25470	128	25579	25579	
500	11625		13395	60587	302	60890	60890	
200			1335	12090	60	12150	12150	
9825	13950	3725	27860	98147	490	98637	98637	
1100	300	5000	6400	17357	86	17440	17440	
500	1500		2000	52302	262	52564	52564	
100			100	11511	58	11569	11569	
1700	1800	5000	8500	81167	306	81573	81573	
				2236587	11183	2247770	1214358	1,033,412
				2,317,754	11,799	2,329,553	1,295,931	1,033,622



PROPOSED SUBDIVISION BUDGET FY 1970  
STATEWIDE HOUSING HYGIENE PROJECT

(6)

	1	2	3	4	5	6	7
SUBDIVISION	Salaries Comp. Health Aides	Salaries San. M.	Salaries Sec'y II.	Total Salaries	Social Security %	Retirement %	Hosp. Ins %
1 Baltimore City	307119	95736	73770	475795	21453	19373	6270
2 Allegany County	48761	17352	17688	81001	3675	3297	1056
3 Anne Arundel "	75667	26025	19557	121279	5758	4736	1584
4 Baltimore "	54569	26025	21780	135077	6093	5798	1780
5							
6 Calvert "	17804	8676	4896	31376	1403	1277	396
7 Caroline "	22255	8676	4896	35827	1608	1708	460
8 Carroll "	26706	8676	4792	45174	2038	1839	594
9 Cecil "	31157	8676	4792	49625	2272	2020	660
10							
11 Charles "	20255	8676	4896	35827	1608	1753	462
12 Dorchester "	35608	8676	4792	59076	2777	2201	726
13 Frederick "	48961	17352	17688	81001	3675	3297	1056
14 Garrett "	22255	8676	4896	35827	1608	1458	462
15							
16 Harford "	40059	8676	4792	55527	2652	2382	702
17 Howard "	17804	8676	4896	31376	1403	1277	396
18 Kent "	8702		4896	13798	635	562	198
19 Montgomery "	35608	8676	4792	55076	2125	2201	726
20							
21 Prince George's "	57563	17352	17688	89903	4055	3659	1188
22 Queen Anne's "	17804	8676	4896	31376	1403	1277	396
23 St. Mary's "	22255	8676	4896	35827	1608	1458	462
24 Somerset "	26706	8676	4792	45174	2038	1839	594
25							
26 Talbot "	17804	8676	4896	31376	1403	1277	396
27 Washington "	62314	17352	19587	99250	4785	4031	1320
28 Wicomico "	35608	8676	4792	59076	2125	2201	726
29 Worcester "	26706	8676	4792	45174	2038	1839	594
30 Totals	1112750	355716	303552	1772018	79218	7123	23298
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							
41							
42							

PROPOSED SUBDIVISION BUDGET FY1970 - CONTINUED  
 STATEWIDE HOUSING HYGIENE PROJECT

7	8	9	10	11	12	13	14	15	16
Equip Item	GROSS REAL COSTS	Cost % Col. 9	Total Subdiv Costs	% State Funded Costs	State Fed. Costs	% Local Costs	TOTAL LOCAL COSTS		
183710	601731	3007	601731	55.3	3327289	1177	270189		
151206	1001105	510	1002115	11.1	100696	3871	317117		
197552	1501001	165	1531177	58.2	891196	418	67218		
2251281	1705176	803	1711731	479	71115	556	95316		
7438	373110	197	39557	677	25613	35.3	15977		
5792	45177	226	45313	695	31537	30.5	13837		
73171	54751	285	57277	50.5	28908	49.5	28356		
8166	62115	313	63028	61.5	38762	38.5	21066		
5792	45177	226	45313	57.3	25999	427	19377		
9022	68172	342	68377	607	41567	39.6	27250		
13106	102105	510	102615	457	46895	51.3	55720		
5792	45177	226	45373	679	30808	32.1	11565		
9876	74229	371	74600	549	40955	45.1	33675		
7438	373110	197	37587	417	16508	58.3	23079		
2376	17569	88	17657	49.8	8795	50.2	8867		
1022	68150	371	68491	254	17397	77.6	51094		
17817	113619	568	114187	546	62376	484	51811		
1938	39390	197	39587	50.5	20783	47.6	18807		
5792	45177	226	45373	71.3	32351	28.7	13022		
73171	54959	285	57277	73.9	42303	26.1	17741		
4738	39590	197	39587	430	17052	57.0	22565		
116336	125730	627	126057	56.8	71600	43.2	94757		
9022	68150	371	68491	470	32191	53.0	36300		
7314	54959	285	57077	340	19463	66.0	3781		
289930	2236557	21183	2247770		1214358		1033412		

Final Draft

A BILL  
Entitled

HOUSING HYGIENE

Prepared by:

The Governor's Committee on  
State-wide Housing Standards

William J. Peeples, M.D., Honorary Chairman  
Olonzo P. Fike, R.S., Chairman

A BILL  
Entitled

1 AN ACT to add new Sections to Article 43 of the  
2 Annotated Code of Maryland (1957 Edition), title "Health", and  
3 to be under the new subtitle "Housing Hygiene", to establish  
4 minimum standards and definitions governing the condition and  
5 maintenance of dwellings and their premises, including supplied  
6 utilities and facilities and other physical things and conditions  
7 necessary to make dwellings and their premises safe, sanitary and  
8 fit for human habitation, fixing certain responsibilities and  
9 duties of owners and occupants of dwellings and their premises;  
10 authorizing the inspection of dwellings and their premises, and  
11 condemnation of dwellings unfit for human habitation, establishing  
12 rules and regulations applicable hereto; providing for administration  
13 and enforcement procedures; and fixing certain penalties for  
14 violations of the provisions of this Act.

PREFACE

It is hereby declared to be the purpose and intent of this Act to provide legislation which shall be applicable to all dwellings now in existence in this State, or that shall hereafter be constructed. This Act is to ensure that the quality of housing is adequate for the protection, preservation, and promotion of the physical, mental, and social well-being of all the people in the residential environment by regulating all privately and publicly owned dwellings to protect the health, safety, and general welfare. This Act, in addition to other considerations, provides for the establishment of minimum standards and regulations for:

1. Basic equipment and facilities for light, ventilation, and thermal conditions;

2. Safety from fire and accidents;
3. Use, location, and amount of space for human occupancy;
4. An adequate level of maintenance;
5. Determination of the responsibilities of owners, operators, and occupants of dwellings; and
6. Administration and enforcement procedures.

"Whereas the quality of the environment is of prime public concern, and

Whereas the quality of housing units in which people reside is a major component of the environment, which has significant influence on the public health and safety, and

Whereas, there is presently no provision of State law which covers this subject area;

Now, therefore, this Act is proposed for enactment at the 1968 Session of the General Assembly, with the understanding that only preparatory work, and negotiations

with local governmental bodies is to take place during the 1969 fiscal year; with implementation being initiated on July 1, 1969, and thereafter being focused principally on the quality of housing units which are determined by inspection to be seriously deficient. Additionally, it is expected that the State Board of Health and Mental Hygiene will assign operating responsibility for this program to the State Department of Health, and that the State Department of Health will, in turn, conduct the program on the basis of contractual arrangements with the governing body of each county and Baltimore City."

SECTION I

1 BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, THAT new Sections  
2 be and they are hereby added to Article 43 of the  
3 Annotated Code of Maryland (1957 Edition), title "Health", to be  
4 known under the new subtitle "Housing Hygiene", and to read as follows:

SECTION II

DEFINITIONS

1           The following definitions shall apply in the interpretation,  
2 administration, and enforcement of this Act:

3   2.01 APPROVED means in satisfactory compliance with practice acceptable  
4 to the approving authority under the provisions of this Act, or other  
5 appropriate authority designated by law to give approval in the matter  
6 in question.

7   2.02 APPROPRIATE AUTHORITY means that person within the governmental  
8 structure of the corporate unit charged with the administration and  
9 enforcement of the appropriate code or regulations.

10   2.03 APPROVING AUTHORITY, hereinafter referred to as THE AUTHORITY,  
11 means the State Board of Health and Mental Hygiene, or its duly  
12 authorized representative or other designated ENFORCEMENT AUTHORITY,  
13 or AUTHORITIES, as provided by Section III of this Act.

14   2.04 BASEMENT means a portion of a building located partly underground,  
15 but having less than half its clear floor-to-ceiling height below the  
16 average grade of the adjoining ground. (See "cellar")

17   2.05 CELLAR means a portion of a building located partly or wholly  
18 underground, and having half or more than half of its clear floor-to-  
19 ceiling height below the average grade of the adjoining ground.  
20 (See "Basement")

21   2.06 DWELLING means any building of one or more rooms, tent, trailer,  
22 railroad car, or any other enclosure which is wholly or partly used or  
23 intended to be used for living or sleeping by human occupants. The  
24 term "dwelling", as hereinafter used, includes but is not limited to  
25 dormitory room, dwelling unit, rooming unit, or any combination of  
26 these and the structure in which located, and also "multiple dwelling"

1 and "boarding house". The term does not include "temporary housing"  
2 as hereinafter defined.

3 2.06.01 BOARDING HOUSE, means a building arranged or used for  
4 lodging with meals, for compensation, and accommodating five or  
5 more persons.

6 2.06.02 DORMITORY ROOM means a room in any dwelling used for  
7 sleeping purposes by four (4) or more persons unrelated to the  
8 owner or operator.

9 2.06.03 DWELLING UNIT means any room or group of rooms located  
10 within a dwelling and forming a single habitable unit with  
11 facilities for cooking and occupied or intended to be occupied  
12 by one household as a home where its occupants live and sleep.

13 2.06.04 MULTIPLE DWELLING means any dwelling containing more than  
14 two dwelling units, rooming units, dormitory rooms, or combinations  
15 of the same.

16 2.06.05 ROOMING HOUSE means any dwelling or that part of any  
17 dwelling containing one or more rooming units, or one or more  
18 dormitory rooms.

19 2.06.06 ROOMING UNIT means a group of rooms in one structure and  
20 under one management, without facilities for regular cooking by  
21 the occupants, offered for rent to individual lodgers or to  
22 families for living or sleeping purposes.

23 2.06.07 TEMPORARY HOUSING means any tent, trailer, mobile home,  
24 or any other structure used for human shelter which is designed  
25 to be transportable and which is not attached to the ground,  
26 to another structure, or to any utility system on the same premises,  
27 for more than thirty consecutive days.



1 2.07 EMERGENCY means the existence of circumstances that constitute  
2 a danger to the public health, safety, or general welfare requiring  
3 immediate action.

4 2.08 ENFORCEMENT AUTHORITY means the Maryland State Department of Health  
5 or the local authority which has been designated by the Approving Authority,  
6 through contractual arrangements, to enforce the provisions of this Act.

7 2.09 EXTERMINATION means the control and elimination of insects, rodents,  
8 or other pests by eliminating their harborage places; by removing or  
9 making inaccessible materials that may serve as their food, by poisoning,  
10 spraying, fumigating, trapping, or by any other recognized and approved  
11 pest elimination methods.

12 2.10 FAMILY means one adult person plus one or more persons who are  
13 legally related to him and residing together in the same dwelling unit.  
14 Unrelated persons living together in a synthetic household may constitute  
15 a family.

16 2.11 FLUSH WATER CLOSET means a toilet bowl connected to water under  
17 pressure with a water sealed trap.

18 2.12 GARBAGE means any material composed in whole or in part of animal  
19 and vegetable wastes, exclusive of human excreta.

20 2.13 GUEST means any non-paying person who shares a dwelling unit in  
21 a temporary status for not more than thirty (30) days in a calendar  
22 year.

23 2.14 HABITABLE ROOM means a room or enclosed floor space used or  
24 intended to be used for living, sleeping, eating, or cooking purposes.

25 2.15 HOUSEHOLD means a person or group of persons who occupy a dwelling  
26 unit as the home where they regularly live and sleep. They need not be  
27 related.

1 2.16 INFESTATION means the presence, within or contiguous to a dwelling,  
2 of any insects, rodents, or other pests.

3 2.17 KITCHEN means any room used, or intended to be used, primarily  
4 for cooking purposes. It may include laundry facilities and dining  
5 equipment.

6 2.18 MEANING OF CERTAIN WORDS. Whenever the words "dwelling," "dwelling  
7 unit," "rooming house," "rooming units," "premises," "structure,"  
8 "boarding house," "dormitory room," are used in this Act they shall be  
9 construed as though they were followed by the words: "or any part thereof."

10 Words used in the singular include the plural, and the plural the  
11 singular, the masculine gender includes the feminine and the feminine  
12 includes the masculine.

13 2.19 OCCUPANT means any person, except a guest, over 1 year of age,  
14 living, sleeping, cooking, or eating in, or having actual possession  
15 of, a dwelling unit, rooming unit, or dormitory room.

16 2.20 OPERATOR means any person who has charge, care, control, or  
17 management of a building, or part thereof, in which dwelling units,  
18 rooming units, or dormitory rooms are let.

19 2.21 ORDINARY SUMMER CONDITIONS means a temperature 10 degrees below  
20 the highest recorded temperature in the locality for the prior ten year  
21 period.

22 2.22 ORDINARY MINIMUM WINTER CONDITIONS means a temperature 15 degrees  
23 above the lowest recorded temperature in the locality for the prior ten  
24 year period.

25 2.23 OWNER means any person who, alone or jointly or severally with  
26 others:

27 2.23.01 Has legal title to any dwelling or dwelling unit, with or  
28 without accompanying actual possession thereof, or

1 2.23.02 Has charge, care, or control of any dwelling or dwelling  
2 unit, as owner, or agent of the owner, or as executor, administrator,  
3 trustee, or guardian of the estate of the owner.

4 2.24 PERMISSIBLE OCCUPANCY means the maximum number of persons permitted  
to reside in a dwelling unit, rooming unit, or dormitory room.

6 2.25 PERSON means and includes any individual, firm, corporation,  
7 association, or partnership.

8 2.26 PLUMBING means and includes, but is not limited to, all of the  
9 following supplied facilities and equipment within or adjacent to the  
10 dwelling: gas pipes, gas-burning equipment, water pipes, garbage  
11 disposal units, waste pipes, water closets, sinks, installed dishwashers,  
12 lavatories, bathtubs, shower baths, installed clothes-washing machines,  
13 catch basins, drains, vents, and any other similar supplied fixtures,  
14 together with all connections to water, sewer or gas lines.

15 2.27 PREMISES means a lot, plot or parcel of land including the dwellings  
16 and related structures situated thereon.

17 2.28 REFUSE means all putrescible and nonputrescible solids (except  
18 body wastes) including garbage, rubbish, ashes, and dead animals.

19 2.29 RUBBISH means nonputrescible solid wastes (excluding ashes)  
20 consisting of either:

21 2.29.01 Combustible: paper, cartons, boxes, barrels, wood,  
22 excelsior, tree branches, yard trimmings, wood furniture, bedding,  
23 dunnage.

24 2.29.02 Noncombustible: metals, tin cans, metal furniture, dirt,  
25 glass, crockery, minerals.

26 2.30 SAFETY means the condition of being free from danger and hazards  
27 which may cause accidents or disease.

1 2.31 SPACE HEATER means a self-contained, heating appliance of either  
2 the circulating type or the radiant type and intended primarily to  
3 heat only one room.

4 2.32 SUPPLIED means paid for, furnished by, provided by, or under the  
5 control of the owner or operator.

SECTION III

ADMINISTRATION AND ENFORCEMENT

1 3.01 The Authority is hereby empowered and directed to develop and  
2 implement a systematic program for inspections to determine the condition  
3 of dwellings and their premises located within the State of Maryland to  
4 enforce the provisions of this Act, and to protect the health and safety  
5 of the occupants of the dwellings and the general public. Such inspection  
6 shall be made during reasonable hours and shall be made so as to cause the  
7 least amount of inconvenience to owners or occupants consistent with the  
8 efficient performance of the duties of the Authority.

9 3.02 The Authority is authorized to make contractual arrangements  
10 with the governing body of each county and Baltimore City for the  
11 administration and enforcement of the provisions of this Act throughout  
12 the State of Maryland. If the governing body of any county, city or  
13 town has adopted its own housing code or ordinance, and the provisions  
14 of that code or ordinance are no less stringent than the provisions of  
15 this Act and any regulations adopted under it, and so long as the pro-  
16 gram for enforcement of such local housing code or ordinance is approved  
17 by the Authority, that code or ordinance, and enforcement program, will be  
18 applicable in that jurisdiction and shall be considered as being in  
19 compliance with this Act.

1 3.03 Each county and Baltimore City shall by June 30, 1969, either  
2 make contractual arrangements with the Authority for the administration  
3 and enforcement of this Act in that particular subdivision or shall have  
4 adopted its own housing code or ordinance with provisions which are no  
5 less stringent than the provisions of this Act and any regulation adopted  
6 under it with a program for enforcement of such local housing code or  
7 ordinance which is approved by the Authority.

8 3.04 The Authority and the Enforcing Authorities are authorized to obtain  
9 such Federal or other funds as may be available from time to time for  
10 purposes of carrying out the provisions of this Act.

11 3.05 The State Department of Health is hereby authorized to utilize  
12 funds appropriated in the program of the annual State operating budget,  
13 which provides for General Local Health Services, for the purposes of  
14 carrying out this Act. When so used, the proportion of State and local  
15 funds, respectively, shall be that specified for the financing of minimum  
16 health services. Where a city or town is in compliance with the provisions  
17 of this Act, the State Department of Health in its contractual arrangement  
18 shall indicate the amount of state funds that are to be forwarded by the  
19 county to that city or town for housing code administration and enforcement.  
20 Such designation of funds by the State Department of Health shall be based  
21 on the same formula used for that county in which the city or town is  
22 located.

23 3.06 If any county or Baltimore City fails to comply with subsection 3.03  
24 of this Act by June 30, 1969, the Authority is authorized to enforce the  
25 provisions of this Act in that county or Baltimore City until the county or  
26 Baltimore City complies with subsection 3.03 of this Act. In this case,  
27 the entire cost for this enforcement shall be charged to that county and  
28 shall be recoverable by the State in a civil action brought by the State of

1 Maryland, and such money when collected shall be paid into the State  
2 Treasury. None of this cost shall be defrayed by that county's proportion  
3 of available state aid for housing code enforcement under the General  
4 Local Health Services appropriation in the annual State operating budget.  
5 Notwithstanding the previous sentence, if a governing body or bodies within  
6 a county comply with Section 3.02 of this Act, the Authority may provide  
7 that governing body with the proportion of state aid that the governing  
8 body would have received from their county if their county would have  
9 complied with Section 3.02 of this Act.

10 3.07 The governing body of any county, city or town that complies with  
11 subsection 3.03 of this Act, may, by appropriate ordinance, impose and  
12 collect fees for inspection of dwellings under the provisions of this  
13 Act.

SECTION IV

ENFORCEMENT: NOTICE OF VIOLATIONS, HEARINGS  
ORDERS, EMERGENCIES, HOUSING BOARD OF REVIEW

VIOLATIONS

1 4.01 Whenever the Authority determines that there has been a violation of  
2 any provision of this Act or applicable rules and regulations issued pursuant  
3 thereto, it shall give notice in writing to the person or persons responsible  
4 therefor and order compliance as hereinafter provided. Such notice and order  
5 shall be in writing and shall include:

- 6 a. Identification of the dwelling or the surrounding premises where  
7 the violation or violations have occurred;
- 8 b. A list of the violations, with reference to the section of the Act  
9 and/or regulations violated, and an order as to the remedial action  
10 required to effect compliance with the Act.
- 11 c. Specification of a reasonable time for the correction of any violations;
- 12 d. Advice concerning the procedure for appeal.

HEARINGS

1 4.02 Any person affected by any notice which has been issued in connection  
2 with the enforcement of any provision of this Act, or any rule or regulation  
3 adopted pursuant thereto, may request and shall be granted a hearing on the  
4 alleged violation before the Housing Board of Review: Provided that such  
5 person shall file in the office of the Housing Board of Review a written  
6 petition requesting such hearing and setting forth a brief statement of  
7 the grounds therefor within 10 days after the day the notice was served.  
8 Upon receipt of such petition the Housing Board of Review shall set a time  
9 and place for such hearing and shall give the petitioner written notice  
10 thereof. At such hearing the petitioner shall be given opportunity to be  
11 heard and to show why such notice should be modified or withdrawn. The  
12 hearing shall be commenced not later than 15 days after the day on which  
13 the petition was filed; Provided that upon application of the petitioner,  
14 the Housing Board of Review may postpone the date of the hearing for a  
15 reasonable time beyond such 15-day period, if in its judgment the petitioner  
16 has submitted a good and sufficient reason for such postponement. The  
17 failure of the petitioner or his representative to appear and to state his  
18 case at such hearing shall have the same effect as if no petition were  
19 filed. After the hearing, the Housing Board of Review by a majority vote,  
20 shall sustain, modify, or withdraw the notice, depending on its findings  
21 as to whether the provisions of this Act or rules and regulations adopted  
22 pursuant to it have been complied with, and the petitioner and the Authority  
23 shall be notified in writing of such findings.

ORDERS

1 4.03 Any notice served pursuant to this Act shall automatically become an  
2 order if a written petition for a hearing is not filed with the Housing  
3 Board of Review within 10 days after such notice is served. All findings

1 of the Housing Board of Review shall become an order and shall be reviewable  
2 in the manner established in the Administrative Procedure Act of Maryland.

EMERGENCIES

1 4.04 Whenever the Authority finds that an emergency exists, it may, without  
2 notice or hearing, issue an order reciting the existence of such an emer-  
3 gency and requiring that such action be taken as it deems necessary to  
4 meet the emergency. Notwithstanding the other provisions of this Act,  
5 such order shall be effective immediately.

HOUSING BOARD OF REVIEW

1 4.05 Each county and Baltimore City shall create a Housing Board of Review  
2 to conduct hearings authorized by this Act in its particular jurisdiction.  
3 Each Housing Board of Review shall consist of a minimum of five members to  
4 be appointed by the governing body of the county or Baltimore City for  
5 terms of three years. Notwithstanding the aforementioned, any governing  
6 body within a county, which complies with subsection 3.03 of this Act,  
7 may establish a Housing Board of Review. The compensation for the members  
8 of the board in all cases shall be set by the legislative body of the  
9 particular jurisdiction.

SECTION V

ADOPTION OF RULES AND REGULATIONS BY  
THE STATE BOARD OF HEALTH AND MENTAL  
HYGIENE

1 5.01 The Authority shall adopt such rules and regulations as may be  
2 necessary for the enforcement of this Act. Such rules and regulations  
3 shall comply with the Administrative Procedures Act, and shall become  
4 effective 60 days following adoption.



SECTION VI

MINIMUM STANDARDS FOR BASIC  
EQUIPMENT AND FACILITIES

1 6.01 No person shall occupy as owner, occupant, or let to another for  
2 occupancy any dwelling or dwelling unit, for the purpose of living,  
3 sleeping, cooking, or eating therein, which does not comply with the  
4 following requirements:

5 6.01.01 Every dwelling unit shall contain necessary cooking and  
6 baking facilities for food preparation and such facilities shall be  
7 installed by approved methods and shall be kept in a clean and sani-  
8 tary condition.

9 6.01.02 Every dwelling unit shall be provided with necessary approved  
10 and adequate food storage for the temporary preservation of perishable  
11 foods.

12 6.01.03 Every dwelling unit shall contain a kitchen sink in good  
13 working condition and shall be properly connected to a water and  
14 sewer system approved by the Authority.

15 6.01.04 Every dwelling unit shall have access to a non-habitable  
16 room which affords privacy to a person within said room, and which  
17 is equipped with a flush water closet and a lavatory basin in good  
18 working condition and properly connected to a water and sewer  
19 system approved by the Authority.

20 6.01.05 Every dwelling unit shall have access to a non-habitable  
21 room which affords privacy to a person within said room and which  
22 is equipped with a bathtub or shower in good working condition and  
23 properly connected to a water and sewer system approved by the  
24 Authority.

25 6.01.06 Every kitchen sink, lavatory basin, and bathtub or shower  
26 required under the provisions of this act shall be properly connected

1 with both hot and cold water lines, and be supplied with adequate  
2 running water under pressure.

3 NOTE: In certain areas, where water under pressure and approved  
4 water carried sewage cannot be provided, the following may be  
5 substituted:

6 Every dwelling unit shall be provided with a water supply, toilet,  
7 handwashing and bathing facilities that are acceptable to the Authority.

8 6.01.07 Every dwelling unit shall be supplied with adequate rubbish  
9 storage facilities, type and location of which are approved by the  
10 Authority.

11 6.01.08 Every dwelling unit shall have adequate garbage disposal  
12 facilities or garbage storage containers, type and location of which  
13 are approved by the Authority.

14 6.01.09 Every dwelling shall have supplied water-heating facilities  
15 which are properly installed, are maintained in safe and good working  
16 condition, are properly connected with the hot water lines required  
17 under the provisions of this Act, and are capable of heating water  
18 to such a temperature as to permit an adequate amount of water to be  
19 drawn at every required kitchen sink, lavatory basin, bathtub or  
20 shower at a safe and adequate temperature. Such supplied water-  
21 heating facilities shall be capable of meeting these requirements  
22 when the dwelling or dwelling unit heating facilities required under  
23 the provisions of this Act are not in operation.

24 NOTE: In areas where piped water under pressure cannot be provided,  
25 substitute water heating facilities shall be provided which are  
26 approved by the Authority.

27 6.01.10 Every dwelling shall have means of safe, unobstructed  
28 travel to the outside of the building at street or grade level.  
29 Means of egress shall be in accordance with the requirements of

1 the Appropriate Authority.

SECTION VII

MINIMUM STANDARDS FOR LIGHT,  
VENTILATION AND HEATING

1 7.01 No person shall occupy as owner-occupant or let to another for  
2 occupancy any dwelling, for the purpose of living therein, which does  
3 not comply with the following requirements:

4 7.01.01 Every habitable room shall have at least one window or  
5 skylight facing directly to the outdoors, except that a blind  
6 kitchen may be provided with adequate artificial light. The total  
7 window area shall be sufficient to permit adequate natural lighting  
8 during the daylight hours.

9 7.01.02 Every habitable room shall have at least one window or  
10 skylight which can easily be opened, or such other device as will  
11 adequately ventilate the room. The total of openable window area  
12 in every habitable room shall be sufficient to provide adequate  
13 ventilation, except where there is supplied some other device  
14 affording adequate ventilation and approved by the Authority.

15 7.01.03 Every bathroom and water closet compartment shall comply  
16 with the light and ventilation requirements for habitable rooms  
17 except that no window or skylight shall be required in properly and  
18 adequately artificially lighted and ventilated bathrooms and water  
19 closet compartments equipped with a ventilation system which is kept  
20 in continuous operation when the room is in use.

21 7.01.04 Where there is electric service reasonably available, every  
22 habitable room of such dwelling shall be provided with adequate  
23 electrical fixtures and outlets. Every such outlet and fixture shall  
24 be installed in accordance with applicable electrical codes, and shall  
25 be maintained in good and safe working condition, and shall be connected

1 to the source of electric power in an approved manner.

2 7.01.05 Every dwelling shall have heating facilities which are properly  
3 installed, vented, and maintained in safe and good working condition,  
4 and are capable of safely and adequately heating all habitable rooms,  
5 bathrooms, and water closet compartments located therein. Whenever  
6 the heating facilities are not under the direct control of the  
7 occupants, the owner shall provide adequate heat at all times during  
8 the heating season.

9 7.01.06 Every public hall and stairway in every multiple dwelling  
10 shall be adequately lighted at all times.

11 7.01.07 During that portion of each year when and under conditions  
12 which the Authority deems it necessary for protection against  
13 mosquitoes, flies, and other insects, every door opening directly  
14 from a dwelling to outdoor space shall have screens and a self-  
15 closing device where appropriate; and every window or other device  
16 with openings to outdoor space, used or intended to be used for  
17 ventilation, shall likewise be supplied with approved screens.

#### SECTION VIII

##### GENERAL REQUIREMENTS RELATING TO THE SAFE AND SANITARY MAINTENANCE OF PARTS OF DWELLINGS

1 8.01 No person shall occupy as owner-occupant or let to another for  
2 occupancy any dwelling for the purpose of living therein, which does  
3 not comply with the following requirements:

4 8.01.01 Every foundation, floor, wall, ceiling, and roof shall be  
5 weathertight, watertight, and rodentproof; shall be capable of  
6 affording privacy; and shall be kept in good repair.

7 8.01.02 Every window, exterior door, and basement or cellar  
8 hatchway shall be weathertight, watertight, and rodentproof, and

1 shall be kept in sound working condition and good repair.

2 8.01.03 Every inside and outside stair, every porch, and every  
3 appurtenance thereto shall be so constructed as to be safe to use  
4 and capable of supporting the load that normal use may cause to be  
5 placed thereon; and shall be kept in sound condition and good repair.

6 8.01.04 All plumbing shall be properly installed and maintained in  
7 good sanitary working condition, free from defects, leaks, and  
8 obstructions.

9 8.01.05 Every water closet compartment floor surface and bathroom  
10 floor surface shall be constructed and maintained so as to be  
11 reasonably impervious to water and so as to permit such floor to  
12 be easily kept in a clean and sanitary condition.

13 8.01.06 Every supplied facility, piece of equipment, or utility  
14 which is required under this Act shall be so constructed or  
15 installed that it will function safely and effectively, and shall  
16 be maintained in satisfactory working condition.

17 8.01.07 No owner, operator, or occupant shall cause any service,  
18 facility, equipment, or utility which is required under this Act  
19 to be removed from or shut off from or discontinued for any occupied  
20 dwelling let or occupied by him, except for such temporary interruption  
21 as may be necessary while actual repairs or alterations are in process,  
22 or during temporary emergencies when discontinuance of service is  
23 approved by the Authority.

24 8.01.08 No owner shall occupy or let to any occupant any vacant  
25 dwelling unit unless it is clean, sanitary, and fit for human  
26 occupancy.

SECTION IX

MINIMUM SPACE, USE, AND LOCATION  
REQUIREMENTS

1 9.01 No person shall occupy or let to another for occupancy any dwelling  
2 for the purpose of living therein, unless the dwelling provides adequate  
3 space and proper location of all habitable rooms for the purposes  
4 intended.

SECTION X

RESPONSIBILITIES OF OWNERS AND  
OCCUPANTS

1 10.01 Every owner of a multiple dwelling shall be responsible for  
2 maintaining the shared or public areas of the dwelling and premises  
3 thereof in a clean and sanitary condition.  
4 10.02 Every occupant of a dwelling shall keep in clean and sanitary  
5 condition that part of the dwelling and premises thereof which he  
6 occupies and controls.  
7 10.03 Every occupant of a dwelling shall place all rubbish in approved  
8 containers and shall dispose of all his rubbish in a clean and sanitary  
9 manner as required by this Act.  
10 10.04 Every occupant of a dwelling shall dispose in a clean and sanitary  
11 manner all his garbage and any other organic waste. All such awaiting  
12 disposal shall be placed in the the garbage storage containers required  
13 by this Act. It shall be the responsibility of the owner to supply such  
14 adequate facilities or containers for all multiple dwellings. In all  
15 other cases it shall be the responsibility of the occupant to furnish  
16 such adequate facilities or containers.  
17 10.05 Every occupant of a dwelling shall be responsible for installing  
18 all screens for that part of the dwelling which he occupies or controls,  
19 whenever the same are required under the provisions of this Act or of

1 any rule or regulation adopted pursuant thereto, except where the owner  
2 has agreed to supply such service.

3 10.06 Every owner of a dwelling or multiple dwelling shall be responsible  
4 for the extermination of insects, rodents, vermin, and other pests whenever  
5 infestation exists in more than two dwelling units, or in the shared or  
6 public parts of the structure. The occupant of a dwelling unit in a  
7 dwelling or multiple dwelling shall be responsible for such extermination  
8 within the unit occupied by him whenever his dwelling unit is the only  
9 unit in the building that is infested. Notwithstanding the foregoing  
10 provisions, whenever infestation of rodents is caused by failure of the  
11 owner to maintain any dwelling or multiple dwelling in a rodent-proof  
12 condition, extermination of such rodents shall be the responsibility of  
13 the owner.

14 10.07 Every occupant of a dwelling unit shall keep all plumbing fixtures  
15 therein in a clean and sanitary condition and shall be responsible for  
16 the exercise of reasonable care in the proper use and operation thereof.

SECTION XI

ROOMING HOUSE, DORMITORY ROOMS,  
ROOMING UNITS

1 No person shall operate a rooming house, or shall occupy or let to another  
2 for occupancy any dormitory room or rooming unit in any rooming house,  
3 which is not in compliance with the provisions of every section of this  
4 Act except the provisions of Section VI and Section X. No owner or other  
5 person shall occupy or let to another person any rooming unit or dormitory  
6 room unless it is clean and sanitary, and complies with all applicable  
7 requirements of the appropriate authority including the following:

8 11.01 No person shall operate a rooming house unless he holds a valid  
9 rooming house permit issued by the authority in the name of the operator  
10 and for the specific dwelling. This permit shall be displayed in a

1 conspicuous place within the dwelling at all times. No such permit shall  
2 be transferable. All such permits shall be renewed annually unless sus-  
3 pended or revoked.

4 11.02 An adequate number of flush water closets, urinals, lavatory basins,  
5 and bathtubs or showers properly connected to a water and sewer system  
6 approved by the Authority and in good working condition, shall be supplied,  
7 provided:

8 11.02.01 That all such facilities shall be so located within the  
9 dwelling as to be reasonably accessible from a common hall or  
10 passageway to all persons sharing such facilities.

11 11.02.02 That every lavatory basin and bathtub or shower shall be  
12 supplied with heated and unheated water under pressure at all times.

13 11.03 The following provision shall apply in all rooming houses:

14 11.03.01 Cooking in dormitory rooms and rooming units is prohibited.

15 11.03.02 Communal cooking and dining facilities in a rooming house  
16 is prohibited, except as approved in writing by the authority.

17 11.03.03 Access doors to all rooming units shall have operating  
18 locks to insure privacy.

19 11.04 Unless exempted by the authority in writing, the operator of every  
20 rooming house shall supply and change bed linen and towels therein at  
21 least once a week, in each occupied room and prior to the letting of any  
22 room to any occupant and the operator shall be responsible for the  
23 maintenance of all supplied bedding in a clean and sanitary manner.

24 11.05 Every room in a rooming house used for living and sleeping purposes  
25 shall comply with all the requirements of this Act pertaining to a  
26 habitable room.

27 11.06 Structurally sound hand rails shall be provided on any steps con-  
28 taining five risers or more. If steps are not enclosed hand rails and



1 approved balusters shall be provided. Porches or balconies, more than three  
2 feet higher than the adjacent areas, shall have approved hand rails and  
3 properly spaced balusters or enclosure.

SECTION XII

DESIGNATION OF UNFIT DWELLINGS

1 12.01 The designation of any dwelling, or any part thereof, as unfit  
2 for human habitation and the procedure for the designation and placarding  
3 of such unfit dwelling or part thereof shall be carried out in compliance  
4 with Section IV of this Act and the following requirements:

5 12.01.01 Any dwelling or part thereof which shall be found to have  
6 any of the following defects shall be declared as unfit for human  
7 habitation and shall be so designated and placarded by the Authority:

8 (a) One which is so damaged, decayed, dilapidated, insanitary,  
9 unsafe, or vermin infested that it creates a serious hazard to  
10 the health or safety of the occupants or of the public.

11 (b) One which lacks illumination, ventilation, or sanitation  
12 facilities adequate to protect the health or safety of the  
13 occupants or the public.

14 (c) One which because of its general condition or location is  
15 insanitary, or otherwise dangerous, to the health or safety of  
16 the occupants or of the public.

17 12.01.02 Any dwelling or part thereof declared as unfit for human  
18 habitation, and so designated and placarded by the Authority, shall  
19 be vacated within a reasonable time as ordered by the Authority.

20 12.01.03 No dwelling or part thereof which has been declared and  
21 placarded as unfit for human habitation shall again be used for  
22 human habitation until written approval is secured from, and such  
23 placard is removed by, the Authority. The Authority shall remove

1 such placard whenever the defect or defects upon which the unfit  
2 declaration and placarding action were based have been eliminated.

3 12.01.04 No person, other than the Authority, shall deface or remove  
4 the placard from any dwelling or part thereof which has been declared  
5 as unfit for human habitation and placarded as such.

6 12.01.05 Any person affected by any notice or order relating to the  
7 designation and placarding of a dwelling or part thereof as unfit  
8 for human habitation may request and shall be granted a hearing on  
9 the matter before the Authority, under the procedure set forth in  
10 Section IV of this Act.

11 12.02 If any dwelling or its premises shall be found, in the opinion  
12 of the Authority, to constitute an immediate danger to the public health  
13 or safety, the Authority may proceed to have the same condemned and may,  
14 after compliance with Section IV of this Act, order such structure made  
15 safe by appropriate means or demolished by the responsible party. If  
16 the responsible party does not comply with such order, the Authority may  
17 proceed to make safe or demolish such dangerous structures utilizing  
18 such public or private resources required and available. Costs incurred  
19 for such action will become a lien upon the property collectable in the  
20 same manner as delinquent real estate taxes, upon certification of the  
21 Authority

### SECTION XIII

#### DEFERRAL IN CERTAIN CASES

1 13.01 Hardship to the occupant--Relocation housing unavailable.

2 13.01.01 The Authority is authorized to defer compliance in whole or  
3 in part with this Act where a dwelling and premises cannot reasonably  
4 be made to comply with all provisions of this Act, without the vacating  
5 of such dwelling and premises, and it is found that no other adequate

1 housing at a cost which the occupants can afford is at that time  
2 available in the area. Nothing in this subsection, however, is to  
3 be construed to prevent the reasonable enforcement of this Act in  
4 such dwelling and premises, to put same in as sanitary and healthful  
5 condition as the circumstances permit. Every such deferral shall be  
6 reviewed every 90 days until compliance is achieved or the occupants  
7 relocated.

8 13.02 HARDSHIP

9 13.02.01 The Authority is authorized in particular cases to defer  
10 full compliance with all the terms and provisions of this Act in  
11 special circumstances, including unusual hardship, where there is  
12 not an immediate and present danger to the health of the occupants  
13 or to public; provided, however, that in such cases deferral shall  
14 not be for an indefinite time but the Authority shall establish a  
15 reasonable time to bring such dwelling into compliance with the  
16 provisions of this Act.

SECTION XIV

PENALTIES

1 Any person who shall violate any provision of this Act, or any provision  
2 of any rule or regulation adopted by the Authority pursuant to the authority  
3 granted by this Act, and after notice as provided for in Section IV, shall  
4 upon conviction be punished by a fine of not more than \$500.00 or by  
5 imprisonment for not more than 30 days, or both. Each day's failure to  
6 comply with any such provision shall constitute a separate violation.

SECTION XV

CONFLICT OF ORDINANCES: EFFECT OF  
PARTIAL INVALIDITY

1 15.01 Where a provision of this Act is found to be in conflict with a  
2 provision of any other Act or code of the State of Maryland existing  
3 on the effective date of this Act which establishes a lower standard for  
4 the promotion and protection of the health and safety of the people, the  
5 provisions of this Act shall be deemed to prevail, and the provisions of such  
6 other Acts or codes which establish such lower standards are hereby declared  
7 to be repealed to the extent that they are found to be in conflict with this  
8 Act.

9 15.02 If any section, subsection, paragraph, sentence, clause, or phrase of  
10 this act should be declared invalid for any reason whatsoever, such decision  
11 shall not affect the remaining portions of this Act, which shall remain in  
12 full force and effect; and to this end the provisions of this Act are  
13 hereby declared to be severable.

SECTION XVI

EFFECTIVE DATE

1 This Act shall be effective on and after the