

CITY OF SALISBURY  
ORDINANCE NO. 2129

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SALISBURY  
AMENDING CHAPTER 15.24, SECTION 15.24.040, REFERENCED  
STANDARDS, AND 15.24.050, APPLICABILITY OF PROVISIONS, OF THE  
SALISBURY MUNICIPAL CODE

WHEREAS, the Mayor and City Council have requested that the Department of  
Neighborhood Services and Code Compliance periodically review Chapter 15; and

WHEREAS, the ongoing application, administration and enforcement of Title 15,  
Buildings and Construction of the Salisbury Municipal Code, demonstrates a need for its  
periodic review, evaluation and amendment to keep Chapter 15 current; and

WHEREAS, the City Council previously amended Chapter 15, Building and  
Construction, pursuant to the authority granted in SC 2-25 and SC 12-501, et seq. of the *Public  
Safety Article*, Maryland Annotated Code and related COMAR Regulations; and

WHEREAS, the Department of Neighborhood Services and Code Compliance does  
recommend approval of these proposed Code changes.

NOW, THEREFORE, be it enacted and ordained by the Council of the City of Salisbury,  
Maryland, that Chapter 15.24, Section 15.24, 040 and Section 15.24.050, be amended as follows:

**CHAPTER 15.24  
HOUSING STANDARDS**

**15.24.040 Referenced standards.**

A. Where the following codes are referenced within this code, they shall be considered part  
of the requirements of this code to the prescribed extent of each such reference:

- ~~1. International Building Code, 2006 Edition;~~
- ~~2. International Mechanical Code, 2006 Edition;~~
- ~~3. State of Maryland Fire Prevention Code, 2006 Edition;~~
- ~~4. International Residential Code, 2006 Edition;~~
- ~~5. Maryland State Plumbing/Gas Code.~~

1. International Building Code (2009)

The following additions and deletions are made to the International Building Code  
(2009):

A. Chapter one (1) Section 101.2.1 Appendix and replace with the following: Paragraph 101.2.1 Appendix provisions on Appendix I, Patio Covers, and Appendix B, Board of Appeals are adopted as part of the IBC.

B. Chapter one (1) delete Section 101.4.1 Gas.

C. Chapter one (1) delete Section 101.4.3 Plumbing.

D. Chapter one (1) delete Section 101.4.4 Property Maintenance.

E. Chapter one (1) delete Section 101.4.5 Fire Protection

F. Chapter one (1) delete Section 105.2 Work exempt from permit:

2. Fences not over six feet (6') high and replace the following:

105.2 Work exempt from permit.

2. Fences less than fifty (50) lineal feet.

G. Chapter one (1) add Section 105.2 Work exempt from permit:

14. "Replacement windows, doors, vinyl/aluminum siding and custom trim."

Exception: Windows being replaced in bedrooms shall not be reduced in size or shall comply with the minimum requirements of Section 102.6 Existing Structures.

I. Chapter one (1) delete Section 110.3.5 Lath and Gypsum Board Inspection.

2. International Residential Code (2009)
3. International Energy Conservation Code (2009)
4. International Mechanical Code (2006)
5. International Existing Building Code (2009)
6. Maryland Accessibility Code
7. National Electric Code (2009)
8. National Fuel Gas Code 2009 Edition

9. National Fire Protection Association (NFPA) 101 Life Safety Code (2009) is incorporated by reference, and is adopted with state amendments with the exception of COMAR 20.06.04 – Fees for Fire Prevention Services.

10. National Fire Protection Association (NFPA) Fire Code (2009) is incorporated by reference, and is adopted with state and local amendments. The local amendments are:

A. The Board of Appeals shall be the Building Board of Adjustments & Appeals.

B. Any person who fails to comply with the provisions of the Code or who fails to carry out an order made pursuant to this Code or violates any condition attached to a permit approval, or certificate may be subject to a municipal infraction not to exceed \$500.00 each day the violation continues.

C. Failure to comply with the time limits of an abatement notice or other corrective notice issued by the authority having jurisdiction may result in municipal infractions not to exceed \$500.00 each day the violation/s continues and the jurisdiction shall have authority as provided by law to evacuate, vacate and order such building or structure to be closed to the public.

D. Amend Section 10.11 Open Flame, Candles, Open Fires and Incinerators, to read: Open burning is prohibited within the City.

11. State of Maryland Fire Protection Code (2009)

B. Where differences occur between provisions of this code and referenced standards, this code shall apply. Additionally, nothing herein shall be construed to repeal, modify or set aside any provisions of the city's zoning code.

#### **15.24.050 Applicability of provisions.**

A. No building, structure or premises, or any part thereof, shall be used or designed, intended or maintained for human habitation unless it shall conform to the provisions of this code.

B. This code establishes minimum standards for occupancy and does not replace or modify standards otherwise established for construction, replacement or repair of buildings.

C. Any alteration, repair or rehabilitation work shall conform to the requirements of the International Residential Code, 2006 2009 Edition; and/or the International Building Code, 2006 2009 Edition.

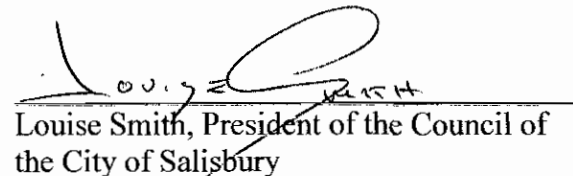
D. Any violation of this code shall be considered to be a nuisance condition affecting the health, safety and welfare of the public.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that this Ordinance shall take effect from and after the date of its passage.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury, Maryland held on the 8<sup>th</sup> day of November, 2010, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the 13<sup>th</sup> day of December, 2010.

ATTEST:

  
Brenda J. Colegrove, City Clerk

  
Louise Smith, President of the Council of  
the City of Salisbury

Approved by me this

15<sup>th</sup> day of December, 2010

  
James Ireton, Jr.  
Mayor of the City of Salisbury

# Memo

**To:** John Pick  
**From:** Tom Stevenson  
**Date:** 10/26/2010  
**Re:** Revisions to the Salisbury Property Maintenance Code

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Attached please find an ordinance that will have the effect of amending Chapter 15.24 of the Salisbury Municipal Code. This amendment will remove the current 2006 Model Codes references within the Salisbury Property Maintenance Code and replace them with indications of the recently adopted 2009 editions.

Unless you have any questions please forward this memorandum to the Mayor and City Council.