

**ORDINANCE NO. 2137**

**ORDINANCE PERMIT**

**AN ORDINANCE OF THE MAYOR AND THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND TO AUTHORIZE WORD OF LIFE CENTER TO OPERATE A CHURCH AT 504 DELAWARE AVENUE IN AN INDUSTRIAL DISTRICT AS REQUIRED BY SECTION 17.72.040K OF THE SALISBURY MUNICIPAL CODE.**

**WHEREAS**, the City of Salisbury has received a request in accordance with the provisions of Section 17.72.040K of Title 17, Zoning, of the Salisbury Municipal Code by Word of Life Center/Rev. Roosevelt Toussaint to operate a Church in an existing building at 504 Delaware Avenue in an Industrial District; and

**WHEREAS**, the Mayor and City Council may grant an Ordinance Permit for certain uses as specifically listed in Title 17, Zoning, of the Salisbury Municipal Code particularly Section 17.72.040K, and City Council, Section 17.12.080D; and,

**WHEREAS**, the Salisbury Planning Commission held a public hearing on December 16, 2010, reviewed all information, and gave a favorable recommendation to the Mayor and City Council on the request to operate a Church with a capacity of 189; and,

**WHEREAS**, the City Council has determined that based upon a review of all testimony and evidence presented that the request should be granted pursuant to Section 17.72.040K of Title 17, Zoning, of the Salisbury Municipal Code,

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND**, that the Ordinance Permit authorizing Word of Life Center to operate a Church at 504 Delaware Avenue is hereby granted, subject to the following Conditions of Approval:

**1. Name of Applicant.**

This Ordinance Permit is in the name of Word of Life Center only and shall not be transferred without approval of the City Council.

**2. Nature of Operation.**

This Ordinance Permit specifically authorizes Word of Life Center to operate a Church and associated accessory activities as permitted by the Salisbury Municipal Code seven days a week for 365 days a year as long as this Ordinance Permit is in effect.

**3. Place of Operation.**

The authority granted by the City Council in this Ordinance Permit shall pertain only to the premises known as 504 Delaware Avenue and shall not be relocated to another site requiring an Ordinance Permit without compliance with the Salisbury Municipal Code and approval of the City Council.

**4. Crowd Control.**

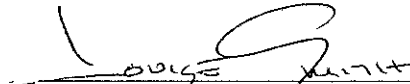
- a. The applicants shall be responsible for maintaining control of all users and visitors on-site including any buildings and adjoining parking and play areas.
- b. In the event that day care center personnel feel there is an eminent danger to any enrollee or employee beyond their control, authorities shall be notified immediately.

**5. Change of Conditions**

No conditions shall be altered or changed by any person other than by Ordinance, approved by the Mayor and City Council.


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

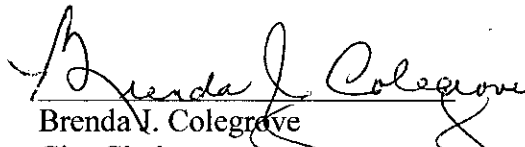
**THE ABOVE ORDINANCE** was introduced at a meeting of the Council on the 14<sup>th</sup> day of February, 2011, and having been published as required by law, in the meantime, was finally passed at its meeting on the 28<sup>th</sup> day of March, 2011.

  
\_\_\_\_\_  
Louise Smith  
President of the City Council of  
The City of Salisbury

Approved by me this \_\_\_\_\_  
day of 29<sup>th</sup> March, 2011

Witness:

  
\_\_\_\_\_  
James Ireton, Jr.  
Mayor of Salisbury

  
\_\_\_\_\_  
Brenda J. Colegrove  
City Clerk

**MAYOR AND CITY COUNCIL  
NOTICE OF PUBLIC HEARING  
ORDINANCE PERMIT**

Word of Life Center, represented by Rev. Roosevelt Toussaint, in accordance with the requirements of Section 17.72.040K of the Salisbury Municipal Code is requesting an Ordinance Permit to operate a Church at 504 Delaware Avenue in an Industrial District.

**A PUBLIC HEARING WILL BE HELD  
ON**

Monday, March 14, 2011, at 6:00 P.M. in the Council Chambers, Room 301, Third Floor, Government Office Building, Route 50 and North Division Street, Salisbury, Maryland to hear opponents and proponents, if there be any.

**The Council reserves the right to close a part of this meeting as authorized by Section 10-508(a) of the Maryland Annotated Code.**

**(FOR FURTHER INFORMATION CALL  
410-548-4860)**

John Pick, City Administrator  
mbs, 2/28, 3/7, '11.



# City of Salisbury - Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOM 203

SALISBURY, MARYLAND 21803-0870

410-548-4860

FAX: 410-548-4955



JAMES IRETON, JR.  
MAYOR

JOHN R. PICK  
CITY ADMINISTRATOR

RICHARD M. POLLITT, JR.  
COUNTY EXECUTIVE

THEODORE E. SHEA, II  
DIRECTOR OF ADMINISTRATION

To: John R. Pick  
City Administrator

From: John F. Lenox  
Planning Director

Re: Ordinance Permit – Word of Life Center – Delaware Avenue

Date: February 8, 2011

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As requested by the City Council at the work session of January 27<sup>th</sup>, I have conferred with the City Attorney regarding scheduling of the subject Ordinance Permit request. Specifically, we addressed the relevant considerations under the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA). In summary, this federal act provided stronger protections for religious freedom in land use.

As discussed, an Ordinance Permit for a church is specifically provided for by the City within the Industrial Zone. Please be advised that both Mr. Wilber and I support the scheduling of this matter for First Reading. This will then allow for the Public Hearing referenced in City Code, and a decision at Second Reading consistent with applicable guidelines.

cc: Paul Wilber



**CITY OF SALISBURY - WICOMICO COUNTY  
DEPARTMENT OF PLANNING, ZONING  
AND COMMUNITY DEVELOPMENT**



Tel: 410-548-4860


Fax: 410-548-4955

Planning & Zoning Commission  
Historic District Commission  
Metropolitan Planning Organization

Wicomico County Board of Appeals  
Salisbury Board of Zoning Appeals  
Agricultural Land Preservation Advisory Board

January 4, 2011

**TO:** John Pick, City Administrator

**FROM:** John F. Lenox, Director of Planning and Zoning 

**SUBJECT: PUBLIC HEARING – ORDINANCE PERMIT – WORD  
OF LIFE CENTER – 504 DELAWARE AVENUE –  
INDUSTRIAL DISTRICT**

**I. SUMMARY OF REQUEST.**

On December 16, 2010, the Salisbury Planning and Zoning Commission held a public hearing to review a request by Rev. Roosevelt Toussaint/Word of Life Center to establish a church on property located at 504 Delaware Avenue in the Industrial District. The Code requires City Council approval of an Ordinance Permit for all churches in the Industrial District. The required Ordinance is attached for this request.

**II. RECOMMENDATION:**

The Salisbury Planning Commission forwards a **Favorable** recommendation to the City Council for approval of the requested Ordinance permit, subject to Conditions. (See Attachments A and B.)

**III. BACKGROUND:**

During their review, the Commission noted that this request is occupying one building of the three buildings located on the site. The property owner is willing to allow the church to utilize the amount of parking required to meet the minimum Code requirements for the seating capacity of the church.

The applicant is working with various City and County departments to correct deficiencies in the building to bring it up to Code including addressing life safety issues.



**CITY OF SALISBURY - WICOMICO COUNTY  
DEPARTMENT OF PLANNING, ZONING  
AND COMMUNITY DEVELOPMENT**



Tel: 410-548-4860

Fax: 410-548-4955

Planning & Zoning Commission  
Historic District Commission  
Metropolitan Planning Organization

Wicomico County Board of Appeals  
Salisbury Board of Zoning Appeals  
Agricultural Land Preservation Advisory Board

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**STAFF REPORT**

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(REVISED)  
MEETING OF DECEMBER 16, 2010

CASE NO: OP-1001  
APPLICANT: Word of Life Center, represented by  
Rev. Roosevelt Toussaint  
PROPERTY  
OWNER: Hebrew St. Fleur  
LOCATION: Northerly side of Delaware Avenue; 504  
Delaware Avenue  
State City Tax Map #104  
Parcel #1867; Grid #19  
ZONING: Industrial District  
REQUEST: **PUBLIC HEARING – Ordinance  
Permit – Church – Recommendation  
to City Council**

**I. SUMMARY OF REQUEST:**

The applicant proposes continued operation of a Church in this existing building on Delaware Avenue. Section 17.72.040K of the Salisbury Municipal Code requires approval of an Ordinance Permit in order to operate a Church in the Industrial District. The Planning Commission is required to review the request at a public hearing and make a recommendation to the City Council. The City Council will then review the request at a public hearing. Only the City Council can grant approval of an Ordinance Permit. **(See Attachment #1.)**

**II. ACCESS TO THE SITE AREA:**

The site has access on the northwesterly side of Delaware Avenue and the easterly side of West Road.

**Attachment A**

### **III. DESCRIPTION OF PROPERTY:**

This 1.85 acre property is located on the northwesterly side of Delaware Avenue and easterly side of the West Road. The site contains 12,722 sq. ft. building space in three buildings. On a site plan provided in 2002, the applicants indicated that 25 parking spaces could be provided near the church. (See Attachment #2.)

### **IV. DESCRIPTION OF SURROUNDING AREA/NEIGHBORHOOD:**

The area surrounding the property is a mixture of City and County uses and zoning districts. Other uses nearby include the former Campbell Soup/Mountaire plant, the State Highway Administration, and the City Maintenance Yard.

### **V. DISCUSSION OF REQUEST:**

In 2002, the same applicant appeared before the Planning & Zoning Commission and the City Council proposing a text change to include provisions for Church by Ordinance Permit in the Industrial District. (See Attachment #5.) A church was subsequently established at this location; however, an Ordinance Permit was never requested. The applicant now requests approval of an Ordinance Permit for a Church that would occupy an existing building on this site. A site plan provided in 2002 indicates that 25 parking spaces can be provided. This number would accommodate a congregation of only 75 parishioners.

The Site drawing does not indicate any landscaping islands at the ends of the parking bays and does not indicate the provision of any landscaping along the side or rear property lines.

### **VI. CODE REQUIREMENTS:**

The Salisbury Municipal Code requires the following for Churches:

1. **Setbacks.** The Code requires a 50-ft. front setback and 75 ft. from the side and rear property lines. This is an irregularly shaped property. The drawing provided indicates the side yard setback for this building to be 38.2 ft. on the westerly side, 10.9 ft. from another existing building on the northerly side and 21 ft. from the southerly property line. The distance from the front property line along Delaware Avenue is 52. ft.
2. **Parking.** The Code requires 1 per 3 seats in the church. The applicant has indicated that there are 100 in the congregation. Therefore, at a minimum, parking for 34 cars needs to be provided.

However, the Wicomico County Fire Protection Division office has indicated that the architect working for the applicants is using 189 as the seating capacity of the "sanctuary" and it is possible that seating for 210 persons could be achieved here. Therefore, the parking that should be provided to meet the Code requirements is 63 to 70 parking spaces.



**On December 16, 2010 a Revised Site Plan was provided indicating that 37 additional parking spaces can be provided nearby on this property bringing the total number of available parking spaces to 63.**

3. **Landscaping/screening.** The Code requires a ten- (10) foot landscaping/screening area along the side and rear property lines. There is currently no landscaping/screening along the easterly or northerly property lines of this site.
4. **Signage.** The applicant has not indicated any signage for this use.

#### **VII. PLANNING STAFF COMMENTS/CONCERNS:**

The applicant has provided a Revised Site Plan indicating that the minimum parking requirements of the Code for use of this building as a church can be met on this site.

The City, through the Neighborhood Services and Code Compliance Department and the Building, Permits and Inspections Department, has been working with this property to address life-safety issues for a place of assembly. The Planning Staff has been advised that a building permit has been issued to install a 2-hour fire wall between the business use in the building and the place of assembly.

On December 22, 2010, the Wicomico County Fire Protection Division office indicated that the 18 Code violations previously cited at this property have been satisfactorily addressed. (See Attachment #7.)

A Field Correction Notice was issued by Steve Smith, Inspector with the Department of Building, Permits and Inspections on January 8, 2010. No evidence has been submitted by the applicant that the issues cited have been corrected. (See Attachment #4.) **Building, Permits and Inspections Director William Holland indicated at the Commission's December 16 meeting that his department is working with the applicant to address Code issues at this site and work is underway under a Building Permit issued by his department.**

#### **VIII. RECOMMENDATION:**

The Planning Staff recommends that the Planning Commission forward a **Favorable** recommendation to the Mayor and City Council, subject to the following Conditions:

1. Submission of a formal Site Plan showing the buildings and all of the parking proposed for use by the Church.
2. Completion of all repairs and/or building modification to correct life-safety issues as cited by the Department of Building, Permits and

Inspections and/or the Wicomico County Fire Protection Division Office.

3. Submission of a letter from the property owner indicating that he is willing to allow the Church use of all of the parking areas necessary to meet the minimum parking standards required for a church with seating for 189 parishioners.

COORDINATOR: Gloria Smith, Planner

REVISION DATE: January 4, 2011



Phone: 410-219-3035

Email: [rwolc@comcast.net](mailto:rwolc@comcast.net)

October 25, 2010

Ref: **Ordinance #1850-Salisbury Municipal Code Text Amendment  
For the Word of Life Center Church**

PLANNING DEPARTMENT  
**RECEIVED**  
DATE 10/28/10 BY gr

Salisbury-Wicomico County Department  
Planning, Zoning and Community Development  
Salisbury, Maryland 21801

Dear Sir/Madam,

Persuing the approval of the ordinance Permit #1850 for our church Word of Life Center located at 504 Delaware Avenue Salisbury, Maryland, I am writing this letter to describe the nature of the organization, the use and the operation of the building.

We are a church/religious organization incorporated in Maryland since 1994 and we are also a 501 (c) (3) organization recognized by the Internal Revenue Service. We have been using the building to hold religious services on Sundays, Bible Studies on Tuesdays, and English Classes on Saturdays. The existing parking lot is well suitable to accommodate our 100 members' congregation. In addition to the sketch provided which describes the main parking lot, the fence yard next to the building which measures approximately 228sqf X 150sqf has given us more than enough parking for our use.

I would also like to bring to your attention that the building was inspected by Inspector Thomas Stevenson from the City of Salisbury and a Field Correction Notice was approved and signed by him on 01/08/2010; a copy is attached for your review. I made several attempts to contact the Fire Marshall Department for a certifying inspection letter and left them several messages, but they have not returned my calls.

I hope this letter has met your expectation and should you need any further information, you may contact me either my mail or by cell phone, the number is 443-783-0554.

Sincerely,

Rev. Roosevelt Toussaint  
Overseer of the Word of Life Center Ministries

**Attachment #1**





# City of Salisbury

Department of Building, Housing & Inspections

125 N. Division Street

Salisbury, MD 21801-4940

(410) 548-3130 • FAX (410) 548-3183

## FIELD CORRECTION NOTICE

LOCATION: 504 DELAWARE AVE. PERMIT NO: N/A

ISSUED TO: HEBREW ST. PLEUR  
Permit holder and/or all responsible parties

NOTICE DELIVERED TO: MR. ETZER CASIMIR

Upon inspection, violations of the \_\_\_\_\_ Sec. \_\_\_\_\_ were in evidence.

The following orders are hereby issued for their correction:

- ① REMOVE ~~EXIT~~ <sup>SIGN</sup> FROM WORSHIP HALL AND SWITCH OUT WITH EXIT SIGN & EM LT. PACK ON FRONT EXIT.
- ② MAINTAIN AISLE SPACE TO REAR EXIT.
- ③ REMOVE DOORS IN REAR OF WORSHIP HALL TO REAR EXIT.
- ④ CLOSE DOOR TO OFFICE SPACE & BATHROOM.
- ⑤ CREATE & MAINTAIN PATH THRU SUNDAY SCHOOL AREA TO REAR EXIT. 60"
- ⑥ CREATE & MAINTAIN CLEAR PATH FROM WORSHIP HALL TO REAR EXIT.

PLEASE CALL FOR INSPECTION WHEN CORRECTIONS HAVE BEEN COMPLETED. ACCEPTANCE AND APPROVAL BY AN INSPECTOR OF THIS DEPARTMENT IS REQUIRED AND MUST BE CORRECTED ON OR BEFORE \_\_\_\_\_

DATE 01/08/2010 BY Steve Smith  
INSPECTOR

- ⑦ UNLOCK GATE IN REAR EXIT AREA & OPEN

**Chapter 17.72**

**INDUSTRIAL DISTRICT**

Sections:

- 17.72.010 Purpose.**
- 17.72.020 Permitted uses.**
- 17.72.030 Uses permitted by special exception.**
- 17.72.040 Uses permitted by ordinance permit.**
- 17.72.050 Accessory uses.**
- 17.72.060 Development standards.**

**17.72.010 Purpose.**

The purpose of the industrial district is to recognize those areas of industrial development which have developed historically along the rivers and portions of rail lines in or close to the central part of the city and to provide additional areas along the river and rail lines for location of industries dependent, to a great extent, upon these facilities for transport of materials used in their operation. These uses also require large sites and good access to major highways. To protect surrounding areas and assure compatibility of development within the district those uses which may create excessive external noise, vibration, smoke, dust, lint, odor, heat, glare or which use explosive, toxic or otherwise hazardous materials are permitted only by special exception upon approval of the board of zoning appeals. The following uses, standards and area regulations have been developed in accordance with this purpose, which is in accord with findings and recommendations of the City's adopted land use element of the Metro Core Comprehensive Plan. (Prior code Section 150-82)

**17.72.020 Permitted uses.**

Permitted uses shall be as follows:

- A. Auto body repair;
- B. Building supply and lumber yard;
- C. Contractor's construction equipment, supplies, plant or storage yard;
- D. Dry-cleaning plant;
- E. Foundry and forge shop;
- F. Ice manufacture, sales and distribution;
- G. Machine and welding shop;
- H. Marina and marine supplies;
- I. Outdoor advertising structure, in accordance with Chapter 17.216;

- J. Planing, sawmill and chipping mill;
- K. Public or private utility buildings and uses;
- L. Recycling plant and collection center;
- M. Shipyard or boat building;
- N. Stone aggregate storage and distribution;
- O. Stone monument cutting and polishing;
- P. Structural steel fabrication;
- Q. Truck terminal;
- R. Vehicle manufacture and assembly;
- S. Warehousing;
- T. Wharves, piers and landing facilities for waterborne traffic and commerce;
- U. Any industrial or manufacturing use permitted in the light industrial district requiring outdoor storage of raw materials, in-process materials, supplies or waste material from manufacturing. (Prior code Section 150-83)
- V. Offices and office buildings. [Added 8/26/02 by Ord. No. 1854.]

**17.72.030 Uses permitted by special exception.**

Uses permitted by special exception shall be as follows

- A. Food processing and storage frozen and nonfrozen;
- B. Junkyard;
- C. Poultry processing plant;
- D. Slaughterhouse;
- E. Stone crusher;
- F. Wrecked vehicle storage;
- G. Day-care center or nursery school in accordance with Chapter 17.220. (Prior code Section 150-84)
- H. Group Home. [Added 10/23/2000 by Ord. No. 1786]

**17.72.040 Uses permitted by ordinance permit.**

Uses permitted by ordinance permit shall be as follows:

- A. Animal shelter;



- B. Asphalt plant;
- C. Communications tower in accordance with Chapter 17.220;
- D. Concrete batching plant;
- E. Concrete products, brick and terra cotta manufacturing, sales and distribution;
- F. Grain and feed milling, storage and distribution;
- G. Industrial auction;
- H. Manufacture and storage of fertilizer, paint, oil, varnish, lacquer, shellac, turpentine or plastics;
- I. Petroleum and gas products, storage and distribution;
- J. Vehicle dismantling, salvaging and wrecking yard, including dismantling and salvaging of parts. (Prior code Section 150-85)
- K. Church. [Added 7/8/02 by Ord. No. 1850]
- L. Training Center. [Added 7/8/02 by Ord. No. 1850]

**17.72.050 Accessory uses.**

Accessory uses shall be as follows:

- A. Living quarters for resident watchmen and caretakers employed on the premises;
- B. Gasoline pumps for servicing vehicles owned or used in the conduct of a business;
- C. On-site offices serving the principal use;
- D. Cafeteria or other eating facilities, lecture halls, recreation facilities and day-care services, for employees or students;
- E. Communication towers for broadcasting and receiving, not exceeding seventy-five (75) feet in height;
- F. Other accessory uses and structures clearly incidental to, customary to and associated with the permitted uses. (Prior code Section 150-86)

**17.72.060 Development standards.**

Development standards for the industrial district shall be as follows:

- A. Minimum Lot Requirements. All lots hereafter established shall meet the following minimum requirements:
  - 1. Lot area: twenty thousand (20,000) square feet;

2. Interior lot width: one hundred (100) feet;
  3. Corner lot width: one hundred twenty (120) feet.
- B. Minimum yard requirements shall be as follows:
1. Front: fifty (50) feet;
  2. Rear: thirty (30) feet; fifty (50) feet where adjoining a residential district;
  3. Side: twenty-five (25) feet; fifty (50) feet where adjoining a residential district;
  4. Wicomico River: no yard required from the property line adjoining the river;
  5. Corner, side: same as front yard.
- C. The height limitation shall be ninety (90) feet.
- D. Parking, Loading and Unloading. See Chapter 17.196.
- E. Access. Direct access onto a public street may be reduced or eliminated wherever the City Department of Public Works determines that alternate or unified points of access are available to a site resulting in better traffic flow and less traffic congestion. Service drives and loading and unloading areas shall be located so that in the process of loading or unloading no truck will block the passage of other vehicles on the service drive or extend into any public street or private drive used for traffic circulation.
- F. Lighting. Lighting shall be designed so as not to throw glare onto surrounding properties.
- G. Signs. See Chapter 17.216.
- H. Landscaping. In addition to the requirements of Chapter 17.220, the following shall apply:
1. Prior to development of a tract, lot, parcel or any part of the district, a landscaping and screening plan shall be submitted to the Planning Commission for review and approval for the purpose of minimizing adverse effects of noise, dust and unsightly appearance of outside storage and work areas on adjoining properties and surrounding development.
  2. The landscaping plan shall show the following:
    - a. Landscaping, as defined in Section 17.04.120, of all areas not devoted to buildings, required parking, outside storage and work areas;

- b. Screening in the form of trees, fencing or evergreens, a minimum of six feet in height at time of planting, or any combination thereof, along side and rear property lines, except where the property line adjoins the Wicomico River;
- c. Where the property line adjoins the Wicomico River, trees or evergreens, at least six feet in height at the time of planting, shall be shown in areas not utilized for loading or unloading. Where such property lies across the river from existing residential development or an area planned for residential development, the Commission may require additional screening in all areas adjoining the Wicomico River which are not used for loading and unloading to minimize shielding of unsightly industrial development from residential view of the river. (Prior code Section 150-87)

**Hebrew Quality Investments, LLC.**  
**504 Delaware avenue**  
**Salisbury, MD 21801**  
**Phone: (410)-860-1613**  
**Fax: (410)-860-0519**

**PLANNING DEPARTMENT**  
**RECEIVED**

DATE 12/30/10 BY gs

December 30, 2010

Dear Sir/Madam,

We, Hebreux and Jeanne St Fleur, owners of Hebrew Quality Investment have provided additional parking for the church Word of Life Center on the vacant lot shown on the site plan. The church has been authorized to use this lot owned by us with no problem.

A site plan is being provided for your review, if you need any further information, you may contact my office at 410-860-1613 or my cell phone 443-497-2531.

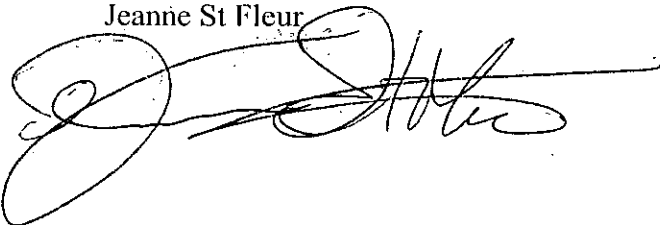
It is a noble cause to support the community.

Sincerely,

Hebreux St Fleur



Jeanne St Fleur





## Inspection Report

### Fire Safety Inspection

Wicomico County Fire Protection Division  
P.O. Box 968  
Salisbury, MD 21803  
Phone: 410-548-4994  
Fax: 410-860-2032

Activity Date: 12/21/2010 10:30:00AM  
Activity Number: I-wrig-10-0070.A  
Activity Cause: License-Permit  
Inspector Name: Kevin Wright  
Inspector Email: kwright@wicomicoounty.org

#### Project Name

#### Word of Life Center

504 Delaware Ave  
Salisbury, MD 21801

Occupancy Type: Assembly

Property Use: Church

Total Violation: 18

Corrected Violation: 17

Hours: 2.00

Total Fees: \$0.00

Occupant: Rev. Roosevelt Toussaint

A Fire Safety Inspection of the above referenced location was conducted on the date noted. As a result, the following violations of the Wicomico County and/or Municipal Fire Prevention Code are noted for your immediate attention and compliance. A reinspection will be conducted on/within 30 days unless noted below. Violations specifically noted otherwise in the violations below will be inspected on/within the time frame indicated in the violation.

### Violations

No New Violations

### Pre-existing Violations Not Cited Above

Original Activity Date: 11/3/2010 2:30:00PM

**1** Ref. Number: NFPA101 (2006) 7.2.2.4.1.1 Handrails.

Stairs and ramps shall have handrails on both sides, unless otherwise permitted in 7.2.2.4.1.5 or 7.2.2.4.1.6.

**Corrected on: 12/21/2010**

**Comment:** A handrail is provided on one side only due to the narrow width of the existing stairs and the close proximity of an exit ramp.

**Corrective Action:** Provide handrails on both sides of the front exit steps of the church.

Original Activity Date: 11/3/2010 2:30:00PM

**2** Ref. Number: NFPA101 (2006) 7.2.2.4.1.1 Handrails.

Stairs and ramps shall have handrails on both sides, unless otherwise permitted in 7.2.2.4.1.5 or 7.2.2.4.1.6.

**Corrected on: 12/21/2010**

**Comment:** Handrail has been provided on both sides.

**Corrective Action:** Provide handrail for rear exit stairs on both sides of the stairway.

Original Activity Date: 11/3/2010 2:30:00PM

**3** Ref. Number: NFPA101 (2006) 7.2.2.4.1.1 Handrails.

Stairs and ramps shall have handrails on both sides, unless otherwise permitted in 7.2.2.4.1.5 or 7.2.2.4.1.6.

**Corrected on: 12/21/2010**

**Comment:** Handrails have been installed on both sides of the ramp.

**Corrective Action:** Handrails need to be provided on both sides of the exit ramp at the front exit of the church.

**Project Name**  
**Word of Life Center**

504 Delaware Ave  
Salisbury, MD 21801

Occupancy Type: Assembly  
Property Use: Church  
Total Violation: 18  
Corrected Violation: 17  
Hours: 2.00  
Total Fees: \$0.00

Original Activity Date: 11/3/2010 2:30:00PM

**4** Ref. Number: NFPA101 (2006) 7.2.2.4.5.2 Guard Details.

Guards shall be not less than 1065 mm (42 in.) high, except as permitted by one of the following: (1) Existing guards within dwelling units shall be permitted to be not less than 915 mm (36 in.) high. (2) The requirement of 7.2.2.4.5.2 shall not apply in assembly occupancies where otherwise provided in Chapter 12 and Chapter 13. (3)\*Existing guards on existing stairs shall be permitted to be not less than 760 mm (30 in.) high.

**Corrected on: 12/21/2010**

**Comment:** Guardrails have been extended to 42".

**Corrective Action:** Guardrails provided need to be no less than 42" above the walking surface.

Original Activity Date: 11/3/2010 2:30:00PM

**5** Ref. Number: NFPA101 (2006) 7.9.1.2 General.

For the purposes of 7.9.1.1, exit access shall include only designated stairs, aisles, corridors, ramps, escalators, and passageways leading to an exit. For the purposes of 7.9.1.1, exit discharge shall include only designated stairs, ramps, aisles, walkways, and escalators leading to a public way.

**Corrected on: 12/21/2010**

**Comment:** Emergency lighting has been provided outside the main entrance/exit door.

**Corrective Action:** Provide for the front exit discharge area. Remote head needs to be installed on the outside of the main entrance/exit door.

Original Activity Date: 11/3/2010 2:30:00PM

**6** Ref. Number: NFPA101 (2006) 7.9.1.2 General.

For the purposes of 7.9.1.1, exit access shall include only designated stairs, aisles, corridors, ramps, escalators, and passageways leading to an exit. For the purposes of 7.9.1.1, exit discharge shall include only designated stairs, ramps, aisles, walkways, and escalators leading to a public way.

**Corrected on: 12/21/2010**

**Comment:** Emergency lighting has been installed on the outside of the rear entrance/exit door.

**Corrective Action:** Provide emergency lighting for the rear exit discharge area. Remote head needs to be installed on the outside of the rear entrance/exit door.

Original Activity Date: 11/3/2010 2:30:00PM

**7** Ref. Number: NFPA101 (2006) 12.2.2.2.3 Doors.

Any door in a required means of egress from an area having an occupant load of 100 or more persons shall be permitted to be provided with a latch or lock only if the latch or lock is panic hardware or fire exit hardware complying with 7.2.1.7, unless otherwise permitted by the following: (1) This requirement shall not apply to delayed-egress locks as permitted in 12.2.2.2.5. (2) This requirement shall not apply to access-controlled egress doors as permitted in 12.2.2.2.6.

**Corrected on: 12/21/2010**

**Comment:** Panic hardware has been installed on the front entrance/exit door.

**Corrective Action:** Provide panic hardware for the front entrance/exit door.

Original Activity Date: 11/3/2010 2:30:00PM

**8** Ref. Number: NFPA101 (2006) 12.2.2.2.3 Doors.

Any door in a required means of egress from an area having an occupant load of 100 or more persons shall be permitted to be provided with a latch or lock only if the latch or lock is panic hardware or fire exit hardware complying with 7.2.1.7, unless otherwise permitted by the following: (1) This requirement shall not apply to delayed-egress locks as permitted in 12.2.2.2.5. (2) This requirement shall not apply to access-controlled egress doors as permitted in 12.2.2.2.6.

**Corrected on: 12/21/2010**

**Comment:** Panic hardware has been installed on the rear entrance/exit door.

**Corrective Action:** Provide panic hardware for the rear entrance/exit door.

Original Activity Date: 11/3/2010 2:30:00PM

**9** Ref. Number: NFPA101 (2006) 12.2.2.2.3 Doors.

Any door in a required means of egress from an area having an occupant load of 100 or more persons shall be permitted to be provided with a latch or lock only if the latch or lock is panic hardware or fire exit hardware complying with 7.2.1.7, unless otherwise permitted by the following: (1) This requirement shall not apply to delayed-egress locks as permitted in 12.2.2.2.5. (2) This requirement shall not apply to access-controlled egress doors as permitted in 12.2.2.2.6.

**Corrected on: 12/21/2010**

**Comment:** Door has been removed due to the rated corridor.

**Corrective Action:** Provide panic hardware for the door installed in the rear exit pathway that leads to the rear exterior exit door.

**Project Name**  
**Word of Life Center**

504 Delaware Ave  
Salisbury, MD 21801

Occupancy Type: Assembly  
Property Use: Church  
Total Violation: 18  
Corrected Violation: 17  
Hours: 2.00  
Total Fees: \$0.00

Original Activity Date: 11/3/2010 2:30:00PM

**10** Ref. Number: NFPA101 (2006) 7.7.1\* Exit Termination.

Exits shall terminate directly, at a public way or at an exterior exit discharge, unless otherwise provided in 7.7.1.2 through 7.7.1.4.

**Corrected on: 12/21/2010**

**Comment:** Gate at the rear exit discharge area has been propped open.

**Corrective Action:** Rear exit needs to lead to an area that goes directly to the public way. Locked gate needs to be removed to ensure the exit from the building leads directly to the public way.

Original Activity Date: 11/3/2010 2:30:00PM

**11** Ref. Number: NFPA101 (2006) 12.2.9.1 Emergency Lighting.

Emergency lighting shall be provided in accordance with Section 7.9.

**Corrected on: 12/21/2010**

**Comment:** Emergency lighting has been installed in all areas of the church.

**Corrective Action:** Emergency lighting shall be provided so that all areas of the church facility are covered when the power is out.

Original Activity Date: 11/3/2010 2:30:00PM

**12** Ref. Number: NFPA101 (2006) 12.7.8.1.1 Secured Seating.

Seats in assembly occupancies accommodating more than 200 persons shall be securely fastened to the floor, except where fastened together in groups of not less than three and not exceeding seven and as permitted by 12.7.8.2.

**Corrected on: 12/21/2010**

**Comment:** All chairs located in the sanctuary are interlocking chairs.

**Corrective Action:** All chairs in the sanctuary room shall be fastened or hooked together in groups of at least 3.

## **Severe but corrected**

Original Activity Date: 11/3/2010 2:30:00PM

**13** Ref. Number: NFPA101 (2006) 6.1.14.4.1 Separated Occupancies.

Where separated occupancies are provided, each part of the building comprising a distinct occupancy, as described in this chapter, shall be completely separated from other occupancies by fire-resistive assemblies as specified in 6.1.14.4.2, 6.1.14.4.3, and Table 6.1.14.4.1, unless separation is provided by approved existing separations.

**Corrected on: 12/21/2010**

**Comment:** A 2 hour fire rated barrier wall has been built between the two occupancy types.

**Corrective Action:** Both occupancies located in this building are not separated from each other with any type of fire rated construction. The table referred to in the above code section requires that the business and church uses be separated by fire rated construction that has a 1 hour fire resistance rating. An architect needs to be involved in creating and designing the fire rated separation required for this building.

Original Activity Date: 11/3/2010 2:30:00PM

**14** Ref. Number: NFPA101 (2006) 7.1.3.1 Exit Access Corridors.

Corridors used as exit access and serving an area having an occupant load exceeding 30 shall be separated from other parts of the building by walls having not less than a 1-hour fire resistance rating in accordance with Section 8.3, unless otherwise permitted by the following: (1) This requirement shall not apply to existing buildings, provided that the occupancy classification does not change. (2) This requirement shall not apply where otherwise provided in Chapter 12 through Chapter 42.

**Corrected on: 12/21/2010**

**Comment:** A 1 hour fire rated corridor has been constructed that leads to the rear exit of the building. All doors accessing this corridor are now fire rated as well.

**Corrective Action:** Provide a 1-hr fire rated corridor from the sanctuary exit door to the rear exterior exit door of the building.

Original Activity Date: 11/3/2010 2:30:00PM

**15** Ref. Number: NFPA101 (2006) 7.5.1.2 General.

Corridors shall provide exit access without passing through any intervening rooms other than corridors, lobbies, and other spaces permitted to be open to the corridor, unless otherwise provided in 7.5.1.2.1 and 7.5.1.2.2.

**Corrected on: 12/21/2010**

**Comment:** The 1 hour fire rated corridor that has been constructed has corrected this violation.

**Corrective Action:** The exit access from the sanctuary to the exterior of the building shall not pass through adjoining rooms or hallways. A separated corridor shall be provided from the sanctuary to the exterior of the building. (See this requirement in next violation)

**Project Name**  
**Word of Life Center**

504 Delaware Ave  
Salisbury, MD 21801

Occupancy Type: Assembly  
Property Use: Church  
Total Violation: 18  
Corrected Violation: 17  
Hours: 2.00  
Total Fees: \$0.00

Original Activity Date: 11/3/2010 2:30:00PM

**16** Ref. Number: NFPA 1 (2006) 11.1.2 Electrical Fire Safety.

All electrical appliances, fixtures, equipment, or wiring shall be installed and maintained in accordance with NFPA 70, National Electrical Code.

**Corrected on: 12/21/2010**

**Comment:** Electrical inspections have been completed and stickers have been placed in the panel box.

**Corrective Action:** Occupant shall provide proof of inspections for the electrical work done.

Original Activity Date: 11/3/2010 2:30:00PM

**17** Ref. Number: NFPA 1 (2006) 11.1.5 Electrical Fire Safety.

Extension cords shall not be used as a substitute for permanent wiring.

**Corrected on: 12/21/2010**

**Comment:** Extension cord has been removed.

**Corrective Action:** Extension cord shall not be used for permanent applications and needs to be removed.

Original Activity Date: 11/3/2010 2:30:00PM

**18** Ref. Number: NFPA101 (2006) 12.3.3.3 Interior Finish.

Interior wall and ceiling finish materials complying with Section 10.2 shall be Class A or Class B in general assembly areas having occupant loads of more than 300 and shall be Class A, Class B, or Class C in assembly areas having occupant loads of 300 or fewer.

**Comment:** Sanctuary room has wood paneling installed on the ceiling and wall areas on the left side (looking towards the platform) of the room.

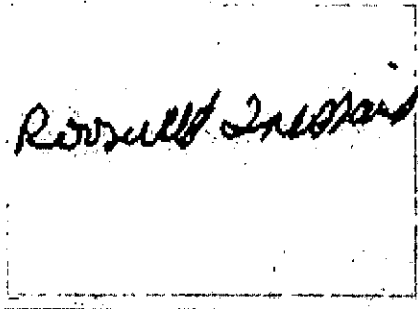
**Corrective Action:** Wood paneling does not meet the interior finish requirements for an assembly occupancy and needs to be removed or covered with drywall or other approved material.

**12-21-10,** A fire rated primer has been installed but a top coat needs to be applied as well to complete the fire retardant coating process.

**Comments:**

Only one violation (#18) has not been corrected. See violation section above for details on correcting this violation.

This occupancy is ready for a CO from fire protection standpoint.



Roosevelt Toussaint







**CITY OF SALISBURY - WICOMICO COUNTY  
DEPARTMENT OF PLANNING, ZONING  
AND COMMUNITY DEVELOPMENT**



Tel: 410-548-4860

Fax: 410-548-4955

Planning & Zoning Commission  
Historic District Commission  
Metropolitan Planning Organization

Wicomico County Board of Appeals  
Salisbury Board of Zoning Appeals  
Agricultural Land Preservation Advisory Board

December 20, 2010

Rev. Roosevelt Toussaint  
Word of Life Center  
P.O. Box 245  
Fruitland, MD 21826

**FILE**

**RE: #SP-1001 – PUBLIC HEARING – ORDINANCE PERMIT – To Permit a Church  
in the Industrial District – 504 Delaware Avenue.**

Dear Rev. Toussaint:

The Salisbury Planning Commission, at its meeting of December 16, 2010 granted a **FAVORABLE** recommendation to the Salisbury Mayor and City Council for the proposed Ordinance Permit for a Church at 504 Delaware Avenue in the Industrial District. This favorable recommendation is subject to the following:

1. Submission of a formal Site Plan showing the buildings and all of the parking proposed for use by the Church.
2. Completion of all repairs and/or building modification to correct life-safety issues as cited by the Department of Building, Permits and Inspections and/or the County Fire Safety Office.
3. Submission of a letter from the property owner indicating that he is willing to allow the Church use of all of the parking areas necessary to meet the minimum parking standards required for a church with seating for 189 parishioners.

Upon completion of the above items, this matter will be forwarded to the Salisbury Mayor and City Council for scheduling for a public hearing. Additional advertising fees will be required for that hearing.

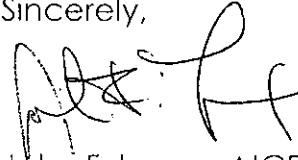
**Attachment B**

Rev. Roosevelt Toussaint  
December 20, 2010

Page 2

If you have any questions concerning this matter, please don't hesitate to contact Gloria Smith at 410-548-4860.

Sincerely,

A handwritten signature in black ink, appearing to read "John F. Lenox".

John F. Lenox, AICP  
Director

Salisbury/Wicomico Planning &

Zoning

JFL:gs

cc: Teresa Gardner, Director of City Public Works Department  
Bill Holland, Director of Building, Permits and Inspections Department  
Assessments



# City of Salisbury - Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOM 203

SALISBURY, MARYLAND 21803-0870

410-548-4860

FAX: 410-548-4955



JAMES IRETON, JR.  
MAYOR

JOHN R. PICK  
CITY ADMINISTRATOR

RICHARD M. POLLITT, JR.  
COUNTY EXECUTIVE

THEODORE E. SHEA, II  
DIRECTOR OF ADMINISTRATION

To: John R. Pick  
City Administrator

From: John F. Lenox  
Planning Director

Re: Ordinance Permit – Word of Life Center – Delaware Avenue

Date: February 8, 2011

\*\*\*\*\*

As requested by the City Council at the work session of January 27<sup>th</sup>, I have conferred with the City Attorney regarding scheduling of the subject Ordinance Permit request. Specifically, we addressed the relevant considerations under the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA). In summary, this federal act provided stronger protections for religious freedom in land use.

As discussed, an Ordinance Permit for a church is specifically provided for by the City within the Industrial Zone. Please be advised that both Mr. Wilber and I support the scheduling of this matter for First Reading. This will then allow for the Public Hearing referenced in City Code, and a decision at Second Reading consistent with applicable guidelines.

cc: Paul Wilber