

AS AMENDED ON JULY 9, 2012 and JULY 23, 2012

ORDINANCE NO. 2209

ORDINANCE PERMIT

AN ORDINANCE OF THE MAYOR AND THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND TO AUTHORIZE THE OPERATION OF A DAY CARE CENTER AT 217 BEAGLIN PARK DRIVE IN A LIGHT BUSINESS AND INSTITUTIONAL DISTRICT AS REQUIRED BY SECTION 17.28.040B OF THE SALISBURY MUNICIPAL CODE.

WHEREAS, the City of Salisbury has received a request in accordance with the provisions of Section 17.28.040B of Title 17, Zoning, of the Salisbury Municipal Code to operate a day care center in an existing building at 217 Beaglin Park Drive in the Light Business and Institutional 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 Sections 17.28.040B and City Council, Section 17.12.080D; and,

WHEREAS, the Salisbury Planning Commission held a public hearing on April 19, 2012, reviewed all information, and gave a favorable recommendation to the Mayor and City Council on the request to establish the day care center with a capacity of children and infants as authorized by State of Maryland regulations; 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 17.28.040B 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 the operation of a day care center at 217 Beaglin Park Drive is hereby granted, subject to the following Conditions of Approval:

1. Premises.

This Ordinance Permit is granted to the subject premises, in accordance with regulations of the State of Maryland.

2. Nature of Operation.

This Ordinance Permit specifically authorizes the number of children and infants authorized by State of Maryland regulations at 217 Beaglin Park Drive 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 217 Beaglin Park Drive and shall not be relocated without compliance with the Salisbury Municipal Code and approval of the City Council.

4. Rules of Operation/Conditions

- a. The Ordinance Permit shall be for children and infants subject to approval of the Office of Child Care Administration and Licensing and Regulations, Maryland Department of Human Resources.
- b. The day care center shall comply with all applicable State and local codes pertaining to licensing, health and safety, including Building, Fire, Plumbing, and Electrical Codes whether or not shown on the Plans approved by the Planning Commission or City Council.

5. 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 imminent danger to any enrollee or employee beyond their control, authorities shall be notified immediately.

6. 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,

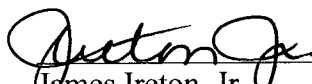

THE ABOVE ORDINANCE was introduced at a meeting of the Council on the 9th day of July, 2012, and having been published as required by law, in the meantime, was finally passed at its meeting on the 23rd day of July, 2012.



Terry E. Cohen
President of the City Council of
The City of Salisbury

Approved by me this 26th
day of July, 2012.

Witness:


James Ireton, Jr.
Mayor of Salisbury
Kimberly R. Nichols
City Clerk