

ORDINANCE NO. 2448

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND THE FOLLOWING SECTIONS OF TITLE 10, VEHICLES AND TRAFFIC, OF THE SALISBURY MUNICIPAL CODE: CHAPTER 10.04 – GENERAL PROVISIONS, SECTIONS .050, .070, AND .080, CHAPTER 10.08 – GENERAL TRAFFIC AND REGULATION, SECTION .020B., CHAPTER 10.24 – PARKING METERS, SECTIONS .050, AND .060, CHAPTER 10.28 – PARKING RESTRICTIONS IN RESIDENTIAL DISTRICTS, SECTION .010A.3. AND CHAPTER 10.40 – REMOVAL AND IMPOUNDMENT OF VEHICLES, SECTION .080, BY DELETING THE REFERENCES TO INTERNAL SERVICES AND REPLACING THOSE REFERENCES WITH FINANCE AND TO CORRECT A TYPOGRAPHICAL ERROR.

WHEREAS, the Mayor and Council of the City of Salisbury desire to re-organize the departmental structure of the City of Salisbury; and

WHEREAS, the Department of Internal Services is being divided into two separate departments, the Department of Finance and the Department of Procurement as part of the reorganization structure for the City of Salisbury; and

WHEREAS, Title 10 of the current Salisbury City Code refers to the Director of Internal Services that will be eliminated under the reorganization and replaced with the Director of Finance; and

WHEREAS, the Salisbury City Council has concluded that it is in the best interest of the City to amend the City Code to accomplish the reorganization plan, which will not result in increased costs under the City's current budget and will allow the Departments to operate in a more efficient manner;

NOW, THEREFORE, be it enacted and ordained by the City of Salisbury, that Chapters 10.04.050, 10.04.070, 10.04.080, 10.08.020B., 10.24.0050, 10.24.060, 10.28.010A.3. and 10.40.080 of the City of Salisbury Municipal Code be amended as follows:

Title 10 - VEHICLES AND TRAFFIC

Chapter 10.04 – General Provisions.

10.04 050– Payments for parking violations.

Each owner of a vehicle to which is attached a notice, in accordance with the provisions of Section 10.04.040, may, within thirty (30) days of the time when such notice was attached to such vehicle, pay at the department of ~~[[internal services]]~~*finance*, to the person in charge thereof, as a penalty and in full satisfaction of the violation because of which such notice was attached to the vehicle in question, the full amount which is set forth on the notice as being payable in respect thereof. Such amount, for each such notice, shall be the amount designated therefor by the mayor, from time to time, with the approval of the council, provided that any

proposed change in the amount shall be publicly posted by the mayor at the city hall for not less than fifteen (15) days prior to the effective date of the change.

10.04.070 – Failure to make payments.

The failure of the owner of a vehicle to which is attached a notice, in accordance with the provisions of Section 10.04.040, to make payment at the office of the director of **[[internal services]]finance** within thirty (30) days as provided for in Section 10.04.050 shall render such owner subject to a payment of twenty-five dollars (\$25.00) as a penalty for nonpayment. The failure to make payment of said twenty-five dollars (\$25.00) plus the original ticket amount shall render such owner subject to a punishment, upon conviction of each said parking violation, by a fine not exceeding thirty-five dollars (\$35.00) or by imprisonment for a period not to exceed five days, or by both such fine and imprisonment.

10.04.080 – Reports and notices.

The report and notice referred to in Section 10.04.040 shall bear corresponding serial numbers. All reports issued under such section shall be accounted for by the police officer or authorized enforcement personnel to the director of **[[internal services]]finance**. The director of **[[internal services]]finance** shall render a written report thereof to the council as often as the council may require.

10.08.020 – Trial – Collateral – Disposition of fines.

B. All fines, penalties and forfeitures imposed, fined or declared by the judge of the district court for the county shall be disposed of in accordance with **[[Section 104 of Article 52]] Courts and Judicial Proceedings Article § 7-302 of the Maryland Code Annotated [(1957 Edition)]** and, upon receipt thereof by the director of **[[internal services]]finance**, shall be credited by him to the general fund of the city.

10.24.050 – Duty of enforcement officer – Payment of penalty – Trial.

In all cases of parking violations, the police officer or authorized parking enforcement personnel who discovers the vehicle illegally parked shall deliver to the operator or, if the vehicle be unattended, attach a citation to the vehicle in a conspicuous place. In the absence of the operator, the registered owner shall be presumed to be the person receiving the citation. A copy of the citation shall be retained by the officer or authorized parking enforcement personnel and shall bear his certification, under penalty of perjury, attesting to the truth of the matter therein set forth. The recipient of a citation may make payment for the violation directly to the director of **[[internal services]]finance**'s office or, if he desires to stand trial for said offense, may elect to do so by notifying the director of **[[internal services]]finance** parking ticket clerk of his intention to stand trial, at least five days prior to the payment date set forth in the citation. At the time the notice of intention to stand trial is given, the person receiving the citation must also notify the finance department parking ticket clerk that he desires the presence of the person who

issued the citation. If the person receiving the citation does not notify the finance department parking ticket clerk that he desires the presence of the person who issued the citation at the trial, it shall not be necessary that the person who issued the citation appear, and the copy of the citation bearing the certification of the issuing person shall be prima facie evidence of the matter therein set forth.

10.24.060

The continued failure of the person receiving a parking citation or the owner of a vehicle to which a citation is attached, in accordance with the provisions of Section 10.24.050, to make payment to the director of **[[internal services]]finance** shall cause the department to notify the state motor vehicle administration to refuse registration or transfer of registration of the subject vehicle until such time that the charge has been satisfied.

10.28.010 – Notices of restricted parking – Issuance of permits.

3. General.

- [[a. Permits shall be color-coded with the color changing yearly,]]**
- [[b.]]a.** Permits shall be renewed each year with the change effective July 1st,
- [[c.]]b.** Permits shall be street specific,
- [[d.]]c.** There shall be no charge for parking permits for owners or renters,
- [[e.]]d.** Only one permit per each licensed driver per residence, or, one permit per registered vehicle per residence (proof of vehicle registration will be required).

10.40.080 – Department of **[[internal services]]finance** to collect fines and penalties.

The director of **[[internal services]]finance** is responsible for the collection of all fines and penalties. The director of **[[internal services]]finance** will furnish to the person paying said fines and penalties a receipt which shall be presented to the police department. Upon presentation of said receipt, the duty officer will sign a vehicle release form authoriz**[[ed]]**ing the release of the impounded vehicle.

EXPLANATION:

* *ITALICIZED PRINT INDICATES MATERIAL ADDED TO EXISTING LAW.*
Deleted material from the existing Code is indicated by bold double bracketed **[[]]** language.

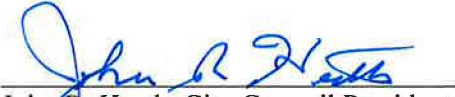
AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND, that the Ordinance shall take effect upon final passage.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 11th day of September, 2017 and thereafter, a statement of the substance of the ordinance having been published as required by law, in the meantime, was finally passed by the Council on the 9th day of October, 2017.

ATTEST:




Kimberly R. Nichols, City Clerk



John R. Heath, City Council President

Approved by me, this 10th day of OCTOBER, 2017.



Jacob R. Day, Mayor



To: City Council
From: Julia Glanz, City Administrator
Subject: Reorganization- Charter and Code Changes
Date: August 2, 2017

During the FY18 Budget Process, the Mayor and I proposed a plan to reorganize the departments within our City government in order to more appropriately align them with the City's goals and objectives.

Substantial changes that constitute this reorganization include: a one-stop-shop for all development projects, the consolidation of our code enforcement officers by relocating them all to one department, a reworking and division of the legacy structure of our Public Works department, a new focus on GIS in all City departments, an independent Procurement department, and the revocation of a previous arrangement that placed Parking under Procurement's purview. This reorganization will be evident in the functionality of our City government and will have a minimal impact on the FY18 Budget.

To further explain this reorganization, all proposed City Code and Charter changes are attached for your review, as well as the ordinance necessary to accept those changes.