

AS AMENDED ON SEPTEMBER 11, 2017
ORDINANCE NO. 2456

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND THE FOLLOWING SECTIONS OF TITLE 15, BUILDINGS AND CONSTRUCTION, OF THE SALISBURY MUNICIPAL CODE: CHAPTER 15.12 - ELECTRICAL STANDARDS, SECTION .040, CHAPTER - 15.21 FORECLOSED PROPERTY REGISTRY, SECTIONS .030A. AND .060A., CHAPTER - 15.22 VACANT BUILDINGS, SECTIONS .030, .040B., .050 AND .080A., CHAPTER 15.24 - HOUSING STANDARDS, SECTIONS .110, .670, .1290, .1340, .1410, .1610A, .1612, .1620 AND .1640, CHAPTER 15.26 - RENTAL OF RESIDENTIAL PREMISES, SECTIONS .030, .040, .050, .060, .080 AND .110, AND CHAPTER 15.27 - PROPERTY MAINTENANCE CHRONIC NUISANCE PROPERTY, SECTIONS .020, .030A. AND .060 BY DELETING THE REFERENCES TO: THE DEPARTMENT OF BUILDING, PERMITTING AND INSPECTIONS, THE DEPARTMENT OF NEIGHBORHOOD SERVICES AND CODE COMPLIANCE, THE DEPARTMENT OF BUILDING, HOUSING AND ZONING AND REPLACING THOSE REFERENCES WITH THE HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT, BY DELETING THE REFERENCES TO NSCC AND REPLACING WITH HCDD, BY DELETING THE REFERENCES TO INTERNAL SERVICES AND REPLACING WITH FINANCE, BY DELETING THE REFERENCE TO THE DEPARTMENT OF PUBLIC WORKS AND REPLACING WITH THE DEPARTMENT OF FIELD OPERATIONS, TO RENUMBER CHAPTER 15.21.060 APPEALS PROCEDURES TO 15.21.070 TO ELIMINATE THE DUPLICATE NUMBERING OF 15.21.060, TO CORRECT THE MISSPELLED TITLE OF THE AMERICANS WITH DISABILITIES ACT IN 15.24.1620.

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 Building, Permitting and Inspections is being eliminated as part of the reorganization structure for the City of Salisbury; and

WHEREAS, the Department of Building, Housing and Zoning no longer exists in the City of Salisbury; and

WHEREAS, the Department of Public Works is being divided into three separate departments, the Department of Infrastructure and Development, the Department of Water Works, and the Department of Field Operations as part of the reorganization structure for the City of Salisbury; and

WHEREAS, the responsibilities for the implementation of the public services to be performed in the City will be handled by the newly created Department of Field Operations; 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, the responsibilities of this department for the enforcement of the building code after the completion of construction will be handled by the Housing & Community Development Department; 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 15.12, 15.21, 15.22, 15.24, 15.26, 15.27 of the City of Salisbury Municipal Code be amended as follows:

Chapter 15.12 – Electrical Standards.

15.12.040 – Inspections – Right of entry – Nonconforming electrical work.

- A. The ~~[[Middle Department Association of Fire Underwriters]]~~approved inspection agency shall, during installation of an electric wiring system, make or cause inspections to be made to assure compliance with the National Electrical Code adopted in this chapter by reference.
- B. The ~~[[Middle Department Association of Fire Underwriters]]~~approved inspection agency shall, within a reasonable time after notice of the completion of electrical wiring, make an inspection of such work and such tests as may be necessary to determine that it conforms with the provisions of such code and shall make a reinspection of an electric wiring installation whenever it deems it necessary in the interest of public safety.
- C. For the purpose of making any inspection, test or report necessary for the proper administration and enforcement of this chapter, the director of the **[[department of building, permitting and inspections]]**Housing and Community Development Department and the Department of Infrastructure and Development or, at ~~[[his]]~~their written direction, the ~~[[Middle Department Association of Fire Underwriters]]~~approved inspection agency shall have the authority, during reasonable hours, to enter in and upon any building or premises, and no person shall prevent, obstruct or interfere with the performance of any inspection or test made pursuant to this chapter.
- D. The director of the **[[department of building, permitting and inspections]]**Housing and Community Development Department and the Department of Infrastructure and Development shall have the power to stop electrical work when ~~[[he is]]~~they are notified by the ~~[[Middle Department Association of Fire Underwriters]]~~approved inspection agency that such work being installed does not conform to such code.
- E. If any existing electric wiring system, upon inspection, is found to be defective and unsafe, upon notification by the director of the **[[department of building, permitting and inspections]]**Housing and Community Development or the Department of the Department of Infrastructure and Development, the licensee or holder of the permit to

install such wiring shall disconnect such system from service until it has been corrected, made to conform to the requirements of such code and approved by the ~~[[Middle Department Association of Fire Underwriters]]~~ approved inspection agency; provided that, for safety reasons, in making any such disconnection, any wiring on the line side of the service disconnect mains is to be handled by utility company personnel only.

Chapter 15.21 – Foreclosed Property Registry.

15.21.030 – Definitions.

- A. “Director” means the Director of the ~~[[Department of Neighborhood Services and Code Compliance (NSCC)]]~~ Housing and Community Development Department (HCDD).

15.21.~~[[060]]~~.070 – Appeals procedures.

- A. Any person wishing to appeal a determination of the director regarding the provisions of this chapter shall file a written notice of appeal with the ~~[[Department of Neighborhood Services and Code Compliance]]~~ Housing and Community Development Department within twenty-one (21) calendar days after receipt of a notice sent pursuant to the provisions of this chapter. The notice of appeal shall contain a statement of grounds for the appeal. The notice of appeal shall be accompanied by a fee of one hundred dollars (\$100.00). Municipal infraction citations are subject to the jurisdiction of the District Court of Maryland and, once issued, are not subject to the provisions of this chapter.
- B. The director shall refer the appeal to the Housing Board of Adjustments and Appeals for hearing pursuant to Section 15.24.360 of the Salisbury Municipal Code.
- C. Should the decision of the director be reversed by a final appellate decision, the appellant shall receive a refund of the one hundred dollar (\$100.00) application fee within thirty (30) calendar days of the date of the final appellate decision.

Chapter 15.22 – Vacant Buildings.

15.22.030 – Definitions.

The following definitions shall be used in the construction and interpretation of this chapter:

"Director" means the director of the ~~[[department of neighborhood services and code compliance]]~~ Housing and Community Development Department.

"Occupied" means a building shall be deemed to be occupied if one or more persons actually conduct business or reside in all or any part of the building as the legal or equitable owner-occupant(s) or tenant(s) on a permanent, nontransient basis. For purposes of this section, evidence offered to prove that a building is occupied may include, but shall not be limited to, the

regular receipt or delivery of regular mail through the U.S. Postal Service; proof of continual telephone, electric, gas, heating, water and sewer services; or the most recent, federal, state, or city income tax statements indicating that the subject property is the official address of the person or business claiming occupancy.

"Owner" has the meaning set forth in Section 15.24.030 herein.

"Person" means any individual, partnership, firm, corporation, association or other legal entity of whatsoever kind and nature.

"Vacant" means no person or persons actually, currently conduct a lawfully licensed business, or lawfully reside or live in any part of the building as the legal or equitable owner(s) or tenant-occupant(s), on a permanent, nontransient basis.

15.22.040 – Vacant building registration.

- B. Registration. Each such owner of a vacant building shall file a registration form with the **[[Department of Neighborhood Services and Code Compliance]]***Housing and Community Development Department*. The registration form shall include the street address of each such vacant building, the names and addresses of all owners, as hereinafter described, and any other information deemed necessary by the director. The registration fee(s) as required by subsection C. shall be billed by the **[[Department of Neighborhood Services and Code Compliance]]***Housing and Community Development Department* and shall be paid by June 1st of each year.
1. If the owner is a corporation, the registration statement shall provide the names and residence addresses of all officers and directors of the corporation;
 2. If the owner is an estate, the registration shall provide the name and business address of the personal representative of the estate;
 3. If the owner is a trust, the registration shall provide the names and address of all trustees, grantors and beneficiaries;
 4. If the owner is a partnership, the registration shall provide the names and residence addresses of all partners with an interest of ten percent or greater;
 5. If the owner is any other form of unincorporated association, the registration shall provide the names and residence addresses of all principals with an interest of ten percent or greater;
 6. If the owner is an individual person, the registration shall provide the name and address of that individual person;
 7. If none of the persons listed in subsections B.1. through B.6. has an address in this state, the registration statement also shall provide the name and address of a person who resides within the state and who is authorized to accept service of process on behalf of the owner(s) and who shall be designated as a responsible, local party or agent, both for purposes of notification in the event of an emergency affecting the public health, safety or welfare and as herein authorized and connection herewith.

15.22.050 – Transfer.

To transfer a vacant building registration from one property owner to another, the owner shall give written notice, including the name and address of the transferee to the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* at least forty-eight (48) hours prior to any transfer of the registered property. The transferee must make application to the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* and pay the required fee for a transfer of a registration within thirty (30) days after the transfer of the property.

15.22.080 – Appeals procedure.

- A. Any person wishing to appeal a determination of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* shall file a written notice of appeal with the director within thirty (30) days after the department's action. The notice shall contain a statement of the grounds for the appeal. The notice of appeal shall be accompanied by a fee of one hundred dollars (\$100.00).

Chapter 15.24 – Housing Standards.

15.24.110 – Periodic area search.

From time to time the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* may designate certain specific areas of the city in need of inspection. These searches shall be based upon, but not limited to, the following factors:

1. The passage of time since the last inspection of the structure or premises;
2. The age of the structures in the area;
3. Condition of the structures in the surrounding area;
4. Evidence of blighted conditions in the surrounding area;
5. Evidence of past violations in the structures.

15.24.670 – Rubbish storage facilities.

A city-approved trash receptacle shall be provided for each dwelling unit or building containing more than one dwelling unit. Apartment complexes or other multifamily dwellings which contract with a privately recognized trash collection agency are not subject to this section. In the event that this provision creates a hardship, the property owner may request an exception from the director of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department*.

15.24.1290 – Authorization.

The city of Salisbury, its officers, employees, agents or contractors, are hereby authorized to enter upon any real property within the city of Salisbury to remove such rubbish and to do any

and all other matters upon such property as are reasonably necessary and proper to enforce this chapter. In the event that such removal is done by the city of Salisbury **[[department of public works']]***Department of Field Operation's* employees, or its agents, then this chapter shall supersede and be an exception to the provisions of Section 8.16.020(B) of this code.

15.24.1340 – Removal of rubbish by city.

Upon failure, neglect or refusal of any owner so notified to remove or properly dispose of such rubbish within ten days after service of notice, as provided for in this chapter, the city of Salisbury's housing official is authorized and empowered to cause such condition to be corrected by removing and disposing of such rubbish and is hereby authorized and empowered to pay for the disposing of such rubbish or to order to disposal by the city of Salisbury's **[[department of public works']]***Department of Field Operations*.

15.24.1410 – Removal of abandoned property.

Upon the failure, neglect or refusal of any owner so notified to remove or properly dispose of such abandoned property within two business days after service of notice, as provided for in this article, the city of Salisbury's housing official is authorized and empowered to cause such condition to be corrected by removing and disposing of such abandoned property and is hereby authorized and empowered to pay for the disposing of such abandoned property or to order its disposal by the city of Salisbury's **[[department of public works']]***Department of Field Operations*.

15.24.1610 – Dwelling unit registration – Four persons.

- A. The owner of dwelling units in an R-5, R-8 and R-10 or in any detached or duplex single-family dwelling or townhouse in any district or in Spring Chase PRD No. 1, shall request approval by the director of the **[[department of neighborhood services and code compliance']]***Housing and Community Development Department* for an occupancy by four unrelated persons, not including the children of either of them, by the following procedure:
1. Filing a registration form with the **[[department of neighborhood services and code compliance']]***Housing and Community Development Department* on or before March 1 of 2006.
 2. Paying a registration fee set by resolution of the council.
 3. Providing a copy of the deed and an affidavit together with a copy of a lease, if available, attesting to the occupancy by four unrelated individuals, not including the children of either of them, during the one year period prior to December 16, 2002.
 4. The **[[department of building, housing and zoning']]***Housing and Community Development Department* shall inspect the dwelling unit and approve or disapprove the registration on or before July 1, 2006.
 5. The dwelling unit shall comply with the following standards prior to approval:
 - a. The dwelling unit was occupied by four unrelated persons, not including the children of either of them, prior to December 16, 2002;

- b. The dwelling unit contained four bedrooms prior to December 16, 2002;
 - c. The dwelling unit complies with parking code provisions; and
 - d. The dwelling unit complies with the property maintenance code at the time of inspection or is brought into compliance within the time limits established by the code following notice of violation.
6. After the filing of the registration form, the **[[department of building, housing and zoning]]***Housing and Community Development Department* shall post notification of the filing on the subject property and on the city's website. Owners of neighboring properties may present affidavits regarding occupancy of the subject property to the **[[department of building, housing and zoning]]***Housing and Community Development Department* within fifteen days of the date of posting.
 7. The **[[department of building, housing and zoning]]***Housing and Community Development Department* shall consider all affidavits and inspection results when approving or disapproving the registration.
 8. If the registration of the property is disapproved, then the owner may appeal pursuant to Section 15.24.360 of this chapter. An affiant may appeal the decision of the **[[department of building, housing and zoning]]***Housing and Community Development Department* pursuant to Section 15.24.360. All persons submitting affidavits shall be notified of the date, time and place of the appeal hearing.

15.24.1612 – Dwelling unit registration.

The owner of a dwelling unit in an R-5, R-8 and R-10 district, or in Spring Chase PRD No. 1, which was occupied by three unrelated individuals, not including the children of either of them, during the one year period prior to December 16, 2002, shall file a registration form with the **[[department of building, housing and zoning]]***Housing and Community Development Department* on or before March 1, 2006.

15.24.1620 – Determination of functional family.

1. Upon application of a group of not more than four persons, the **[[Department of Neighborhood Services and Code Compliance]]***Housing and Community Development Department* shall make a determination of whether a "functional family" exists. Each of the following criteria shall be met:
 - A. Share a permanent personal bond and commitment to one another;
 - B. Not dependent upon or supported by someone who does not maintain legal domicile at the particular dwelling unit and reside therein (not including any alimony or child support payments made to or for the benefit of any members of the group);
 - C. Maintain legal domicile at the particular dwelling unit;
 - D. Share a single household budget;
 - E. Share in the repair and maintenance of the dwelling unit and its grounds, if any;
 - F. Prepare and eat meals together on a regular basis;

- G. Share in legal ownership or tenancy of the dwelling unit, as evidenced on a deed or lease.
- 2. In the case of an application by persons who are disabled pursuant to the terms of the Americans with Disabilities Act, the **[[Department of Neighborhood Services and Code Compliance]]***Housing and Community Development Department* shall make a determination of whether a "functional family" exists under 15.24.1620(1). When making that determination, the **[[Department of Neighborhood Services and Code Compliance]]***Housing and Community Development Department* shall make any necessary and reasonable accommodations, including the modification of conditions required by subsection (1) of this section and the allowance of more than four unrelated individuals in the same household, when necessary to comply with applicable federal and state laws regarding fair housing and persons with disabilities.

15.24.1640 – Violation of occupancy provisions.

If the **[[Department of Neighborhood Services and Code Compliance]]***Housing and Community Development Department* determines that the number of unrelated occupants in a dwelling violates the occupancy provisions established by this code, the number of unrelated occupants, not including the children of either of them, shall be permanently reduced to the maximum allowed for the applicable conforming use, with no additional occupants permitted pursuant to the dwelling's status as a nonconforming use. The application of this section is subject to the City's policy directive on this issue, as approved by resolution of the Council.

Chapter 15.26 – Rental of Residential Premises.

15.26.030 – Definitions.

The following definitions shall be used in the construction and interpretation of this chapter:

“Director” means the director of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department*.

15.26.040 – Rental dwelling unit registration.

- A.
 - 1. The owner of a rental dwelling unit(s) shall register each unit by filing a registration form with the **[[neighborhood services and code compliance department (NSCC)]]***Housing and Community Development Department (HCDD)* on or before December 31, 2007.
 - 2. Registration forms shall be provided by **[[NSCC]]***HCDD*. A new rental dwelling shall be registered within sixty (60) days of becoming a new rental dwelling unit.
 - 3. The fee for annual registration of a rental dwelling unit shall be set by ordinance.
- B.
 - 1. Annual registration of existing rental dwelling units shall occur on or before March 1 of each year with the department of **[[internal services (Internal Services)]]***finance (Finance)*.
 - 2. Invoices for registration fees shall be sent on or before January 15 of each year by mailing an invoice addressed to the owner’s mailing address.

- C. An owner shall notify the city when a rental dwelling unit is converted to a nonrental use.

15.26.050 – Annual license for rental dwelling unit owners.

- A. 1. Each legal entity, e.g., individual, partnership, corporation, which owns a majority interest in a rental dwelling unit(s) shall obtain a license from **[[NSCC]]HCDD**. A new owner of a rental dwelling unit(s) shall obtain a license from **[[NSCC]]HCDD** within sixty (60) days of becoming a new owner.
2. A license form shall be provided by **[[NSCC]]HCDD**.
3. The annual license fee shall be set by ordinance.
- B. 1. Annual renewal of existing licenses shall occur on or before March 1 of each year with **[[Internal Services]]Finance**.
2. An invoice for a license fee shall be sent on or before January 15 of each year by mailing an invoice addressed to the licensed owner at the owner's mailing address.

15.26.060 – Failure to register rental dwelling unit or obtain owner license.

- A. 1. Failure of the owner of a rental dwelling unit(s) to renew a rental dwelling unit owner license on or before March of each calendar year, shall cause the owner to be designation as a noncompliant owner and to be assessed a noncompliant rental dwelling unit owner license fee, which shall be set by ordinance for each license renewed on or before July 1 of each calendar year.
2. a. i. If a rental dwelling unit license is not renewed on or before July 1 of each calendar year, then the rental dwelling unit owner shall be designated a delinquent owner and the owner's rental dwelling unit owner license is revoked.
- ii. If a new owner of a rental dwelling unit(s) fails to complete a license form provided by **[[NSCC]]HCDD** and pay a license fee within sixty (60) days of becoming a new owner, then the new owner shall be designated as a delinquent owner.
- b. **[[NSCC]]HCDD** shall notify the owner of such designation by mailing a notice addressed to the owner at the owner's mailing address. If applicable, the notice shall inform the owner that the rental dwelling unit owner license is revoked and all rental dwelling units shall be vacated within sixty (60) days. Any security deposit shall be returned to the tenant pursuant to provisions of the Annotated Code of Maryland, Real Property Article, Title 8.
3. To remove delinquent owner status and to comply with the license requirements of this chapter, a delinquent owner shall pay a delinquent rental dwelling unit owner license fee, which shall be set by ordinance together with the required owner license fee for the current calendar year.
- B. 1. Failure of the owner of a rental dwelling unit(s) to register rental dwelling unit(s) on or before March 1 of each calendar year, shall cause the rental dwelling unit to

be designated as a noncompliant rental dwelling unit and shall cause the owner to be assessed a noncompliant rental dwelling unit fee for each rental dwelling unit registered on or before July 1 of each calendar year according to a fee schedule, which shall be set by ordinance:

- a. If the rental dwelling unit is not registered on or before July 1 of each calendar year, then the rental dwelling unit shall be designated as a delinquent rental dwelling unit.
 - b. If a new rental dwelling unit is not registered within sixty (60) days of becoming a new rental unit, then the new rental dwelling unit shall be designated as a delinquent rental dwelling unit.
2. **[[NSCC]]HCDD** shall notify the owner of such designation by mailing a notice addressed to the owner at the owner's mailing address. The notice shall inform the owner that the rental dwelling unit is a delinquent rental dwelling unit, and the owner shall vacate any tenant occupying that rental dwelling unit within sixty (60) days. Any security deposit shall be returned to the tenant pursuant to provisions of Annotated Code of Maryland, Real Property Article, Title 8.
 3. To remove delinquent rental dwelling unit status and to comply with the registration requirements of this chapter, the owner of a delinquent rental dwelling unit shall pay a delinquent rental dwelling unit registration fee, which shall be set by ordinance together with the required registration fees for the current year.
- C. All licensing and registration fees set forth herein shall be effective during the calendar year 2011 and thereafter.
 - D. If an owner desires to register a delinquent rental dwelling unit, the rental dwelling unit shall be subject to an inside and outside inspection by **[[NSCC]]HCDD**. All violations must be corrected before the rental dwelling unit is registered. If the delinquent rental dwelling unit changes ownership to a legal entity which is not owned or controlled by the delinquent owner, and the new owner complies with all provisions of this chapter, the delinquent owner designation then terminates. If the new owner fails to timely register a rental dwelling unit, then the delinquent rental dwelling unit designation shall continue.
 - E. If the full amount of any fees due to the city is not paid by a delinquent owner within forty-five (45) days of July 1 of each calendar year after billing, **[[internal services]]finance** shall cause to be recorded in the city records the amount of fees due and owing, and the full amount of any fees due to the city shall be collectible in the same manner as real estate taxes are collected.

15.26.080 – Transfer of title.

Prior to transfer of title for a residential dwelling unit, the transferee shall file a registration form, under oath, with the department of **[[internal services]]finance**, stating the residential occupancy status of the property and agreeing to comply with city occupancy and registration provisions.

15.26.110 – Denial, nonrenewal, revocation or suspension of license or registration.

If after any period for compliance with this chapter has expired, the **[[NSCC]]HCDD** determines that a rental dwelling unit or a rental dwelling unit owner fails to comply with any of the licensing or registration standards set forth herein or with the occupancy provisions of this code, **[[NSCC]]HCDD** shall initiate an action to deny, revoke, suspend, or not renew a registration or license and mail the owner a notice of denial, nonrenewal, revocation, or suspension of the license or registration. The notice shall state:

- A. That **[[NSCC]]HCDD** has determined that the rental dwelling unit fails to comply with the standards for rental dwelling units in this chapter, and/or the owner has failed to comply with the Maryland Department of Environment lead abatement reporting requirements;
- B. The specific reasons why the rental dwelling unit fails to meet the required standards, including copies of applicable inspection reports, or notices sent to a licensee about the rental dwelling unit;
- C. That the director will deny, refuse to renew, revoke, or suspend the license or registration unless the owner appeals the determination within twenty-one (21) days after receipt of the notice, in the manner provided in Section 15.26.120;
- D. That after denial, nonrenewal, revocation or suspension, the rental dwelling unit shall be vacated within sixty (60) days, and shall not be reoccupied until all violations are corrected and a license and/or registration is granted by **[[NSCC]]HCDD** pursuant to provisions of Annotated Code of Maryland, Real Property Article, Title 8;
- E. The notice shall describe how an appeal may be filed under Section 15.26.120;
- F. The director shall cause a notice to tenants to be mailed or delivered to each registered rental dwelling unit and prominently posted on the building. The notice shall indicate that the rental dwelling unit registration or owner license for the rental dwelling unit has been denied, revoked, not renewed or suspended, whichever is applicable; that the action will become final on a specific date unless the rental dwelling unit owner appeals and requests a hearing; that tenants may be required to vacate the building when the action becomes final; that further information can be obtained from **[[NSCC]]HCDD**.

The application of this section with regard to occupancy is subject to the City's policy directive on this issue, as approved by resolution of the Council.

Chapter 15.27 – Property Maintenance Chronic Nuisance Property.

15.27.020 – Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

"Call for Service" means an inspection (upon receipt of a complaint or discovered during routine patrol) performed by the **[[Department of Neighborhood Services and Code Compliance (NSCC)]]Housing and Community Development Department (HCDD)** which results in the issuance of a notice of violation, corrective action letter or municipal citation.

"Chronic nuisance property owner" means any person owning a property within the city limits, that generates five (5) or more of the following events in any combination within the same calendar year with regard to one property: a call for service to the **[[Department of Neighborhood Services and Code Compliance (NSCC)]]Housing and Community**

Development Department (HCDD), the payment of a fine assessed by **[[NSCC]]***HCDD* or a finding of guilt for violating Chapters 15.24. 15.26 or Title 17.

"Person" means any individual, partnership, firm, corporation, association or other legal entity.

"Property" means any parcel of land~~[[.]]~~, developed or undeveloped, improved or unimproved, within the city limits.

15.27.030 – Property.

- A. The owner of any property that becomes chronic nuisance property shall permit the housing official to perform a full comprehensive inspection of the chronic nuisance property at least two (2) times during the twelve (12) months following the chronic nuisance property designation on a schedule to be determined by **[[NSCC]]***HCDD* and shall be assessed a fee to be set by ordinance.

15.27.060 – Appeal.

- A. Any person wishing to appeal a determination of the Director of the **[[Department of Neighborhood Services and Code Compliance]]***Housing and Community Development Department* regarding the provisions of this chapter shall file a written notice of appeal with the **[[Department of Neighborhood Services and Code Compliance]]***Housing and Community Development Department* within twenty-one (21) days after receipt of a notice sent pursuant to the provisions of this chapter. The notice of appeal shall contain a statement of grounds for the appeal. The notice of appeal shall be accompanied by a fee of one hundred dollars (\$100.00).
- B. The Director of the **[[Department of Neighborhood Services and Code Compliance]]***Housing and Community Development Department* shall refer the appeal to the Housing Board of Adjustments and Appeals. The board shall meet monthly, or more frequently at the call of the chair, to hear appeals. The board shall notify the owner in writing of the time and place of the hearing, pursuant to the rules of the Housing Board of Adjustments and Appeals.
- C. When hearing appeals under this chapter, the board shall follow the procedures set forth in Chapter 15.24 of the Salisbury Municipal Code.
- D. If the board overturns the decision of the housing official, the owner shall be refunded the one hundred dollar (\$100.00) appeal fee.

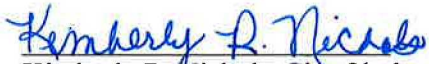
EXPLANATION:

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

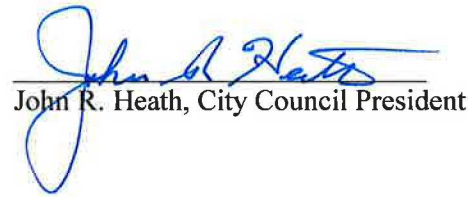
AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND, that the Ordinance shall take effect upon final passage.

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:

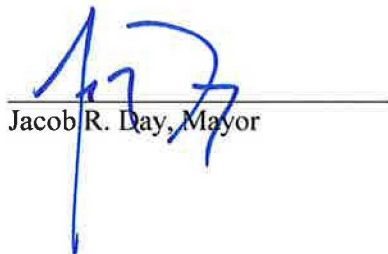


Kimberly R. Nichols, City Clerk



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.