



**SALISBURY CITY COUNCIL  
WORK SESSION AGENDA**

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**SEPTEMBER 7, 2021**

**Government Office Building, Room 306, Salisbury, MD and Zoom Video Conferencing**

- 4:30 p.m. Chesapeake Utilities Corporation- Somerset Natural Gas Project update- Department of Infrastructure and Development (DID) Director Amanda Pollack
- 4:40 p.m. Ordinance- budget amendment for grant match associated with the Zoo Special Events Pavilion Phase 2- DID Director Amanda Pollack
- 4:50 p.m. Ordinance- budget amendment for capital projects funds for the Zoo Administrative Office Space Project- DID Director Amanda Pollack
- 5:00 p.m. Draft Port Feasibility Study- Business Development Director Laura Soper and Eric Oberhart, Senior Consultant with CPCS Transcom
- 5:20 p.m. Fortune Telling License- further discussion
- 5:35 p.m. Administration and Council Remarks
- 5:40 p.m. Adjournment

*Times shown are approximate. Council reserves the right to adjust the agenda as circumstances warrant.  
The Council reserves the right to convene in Closed Session as permitted under the Annotated Code of Maryland 3-305(b).*

Join Zoom Meeting  
<https://us02web.zoom.us/j/5362772908>  
Meeting ID: 536 277 2908  
Phone: 1.301.715.8592

Posted 9/1/21



## August 17, 2021 Somerset Project Update

- **Work completed in past month**
  - Ongoing construction activities:
    - Grading
    - Stringing/welding/fabrication
    - HDD pipeline installation
    - Open trench pipeline installation
- **Work to be completed in next month**
  - Ongoing construction activities at various locations:
    - Restoration
    - Testing and final tie ins
- **Work performed in Salisbury**
  - Ongoing construction activities:
    - Restoration
    - Testing and final tie ins
  - **Approximately 99.9% of pipeline installed within town of Salisbury as of 8/17/21**
- **Anticipated project completion date (Salisbury specific)**
  - Construction completion estimates are weather dependent
  - HDD Complete: 2Q21
  - North Salisbury Tie-ins: 3Q21
  - Restoration to be completed as construction is completed in sections
- **Coordination with Salisbury City Staff on Related Projects**
  - A small Chesapeake Utilities team is working directly with Will White, of the City of Salisbury to see if there are any areas where the trail aligns with our right of way
  - We learned from RailPros that crossing the rail road discussion will need to be coordinated with the Norfolk Southern Public Projects group
  - Chesapeake Utilities Vice President Shane Breakie shared a contact name and phone number was shared with Councilwoman Blake in July
  - Jared Shelton, Commercial & Industrial Manager attended Mayor Day planning meeting 8-10-21



City of  
**Salisbury**  
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator  
From: Amanda H. Pollack, P.E., Director of Infrastructure & Development  
Date: August 5, 2021  
Re: Budget Amendments – Zoo Administrative Office Space and Zoo Pavilion Project

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AP

On behalf of the Department of Field Operations, the Department of Infrastructure & Development is requesting consideration for two budget amendments associated with projects at the Zoo.

The first budget amendment is for the Zoo Pavilion Project Phase 2. FY22 Budget Ordinance No. 2660, Schedule C included a Program Open Space (POS) project titled 'Zoo Special Events Pavilion, Phase 2' in the amount of \$172,357 with a budgeted matching amount of \$0. Additionally, Schedule C included POS projects for Resurfacing of Existing Tennis Courts and New Tennis Complex. Neither of the tennis projects were approved for POS funding therefore the amounts budgeted for the grant match will be unused. The match for the resurfacing of existing tennis courts is \$11,000 and the match for the new tennis complex is \$60,000. Since the Zoo Special Events Pavilion is a multi-phase project and is funded with POS grants, the budget amendment will utilize the unused grant match for the Zoo Special Events Pavilion project.

The second budget amendment is for the Zoo Administrative Office Space project. The project includes providing a new trailer for the Administrative office. The Department of Infrastructure and Development is working with a vendor through a cooperative contract to furnish and install the trailer. The existing budget is not adequate to provide the necessary foundation to comply with the floodplain regulations. Additionally, the budget amendment will fund modifications to the existing fence, site preparation, utility connections and construction of the ADA ramp. The budget amendment will move unallocated interest revenue in the bond pool to the Zoo Administrative Office Space project.

Unless you or the Mayor have further questions, please forward a copy of this memo and the ordinances to the City Council.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT OF THE CITY'S GRANT FUND BUDGET TO REALLOCATE BUDGETED MATCHING FUNDS FROM OTHER GRANT PROJECTS TO THE ZOO SPECIAL EVENTS PAVILION, PHASE 2 PROJECT.

WHEREAS, the FY22 Budget Ordinance No. 2660, Schedule C included a Program Open Space (POS) project titled 'Resurfacing of Existing Tennis Courts' in the amount of \$99,000 with a budgeted matching amount of \$11,000; and

WHEREAS, the 'Resurfacing of Existing Tennis Courts' project was deemed ineligible for POS funding in FY22 by the Maryland Department of Natural Resources (DNR), as those tennis courts will not be eligible to receive additional POS funding until FY23; and

WHEREAS, the Wicomico County Recreation, Parks & Tourism Department has agreed to allow the City to redirect the POS funds that were approved for the 'Resurfacing of Existing Tennis Courts' project to an alternate project – the 'Zoo Special Events Pavilion, Phase 2' project; and

WHEREAS, the FY22 Budget Ordinance No. 2660, Schedule C included a POS project titled 'New Tennis Complex' in the amount of \$540,000 with a budgeted matching amount of \$60,000; and

WHEREAS, the 'New Tennis Complex' project was not approved for POS funding by the Wicomico County Recreation, Parks & Tourism Department; and

WHEREAS, the FY22 Budget Ordinance No. 2660, Schedule C included a POS project titled 'Zoo Special Events Pavilion, Phase 2' in the amount of \$172,357 with a budgeted matching amount of \$0; and

WHEREAS, the Zoo Special Events Pavilion is a multi-phase project, and the Department of Field Operations is seeking to utilize those grant match funds that are no longer required for other POS projects for the Zoo Special Events Pavilion project.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

1. Decrease amount shown for 'Resurfacing of Existing Tennis Courts' project in Grant Match budget (91001-599120) by \$11,000
2. Decrease amount shown for 'New Tennis Complex' project in Grant Match budget (91001-599120) by \$60,000
3. Increase amount shown for 'Zoo Special Events Pavilion, Phase 2' project in Grant Match budget (91001-599120) by \$71,000

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this \_\_\_\_ day of \_\_\_\_\_ 2021, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the \_\_\_\_ day of \_\_\_\_\_, 2021.

**ATTEST:**

\_\_\_\_\_  
Kimberly R. Nichols, City Clerk

\_\_\_\_\_  
John R. Heath, City Council President

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Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jacob R. Day, Mayor

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT OF THE CITY'S GENERAL CAPITAL PROJECT FUND BUDGET TO REALLOCATE FUNDING FOR THE ZOO ADMINISTRATIVE OFFICE SPACE PROJECT.

WHEREAS, the FY2020 Budget Ordinance No. 2539 appropriated \$100,000 for the Zoo Administrative Project; and

WHEREAS, the Infrastructure and Development Department estimates an additional \$64,000 is required for the project; and

WHEREAS, Interest on bond proceeds in the same bond pool are available on to cover the additional funds required; and

WHEREAS, the Department of Field Operations is seeking to move unused interest to the Zoo Administrative Office Space project.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND THAT THE City's Capital Projects Fund Budget be and hereby is amended as follows:

1. Increase the Interest Revenue (98019-456110-43022) budget by \$64,000.00
2. Increase the Zoo Admin Office Space (98119-513026-43022) budget by \$64,000.00

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this \_\_\_\_ day of \_\_\_\_\_ 2021, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the \_\_\_\_ day of \_\_\_\_\_, 2021.

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Kimberly R. Nichols, City Clerk

\_\_\_\_\_  
Jack Heath, President  
Salisbury City Council

APPROVED BY ME THIS \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jacob Day, Mayor



City of  
**Salisbury**  
Jacob R. Day, Mayor

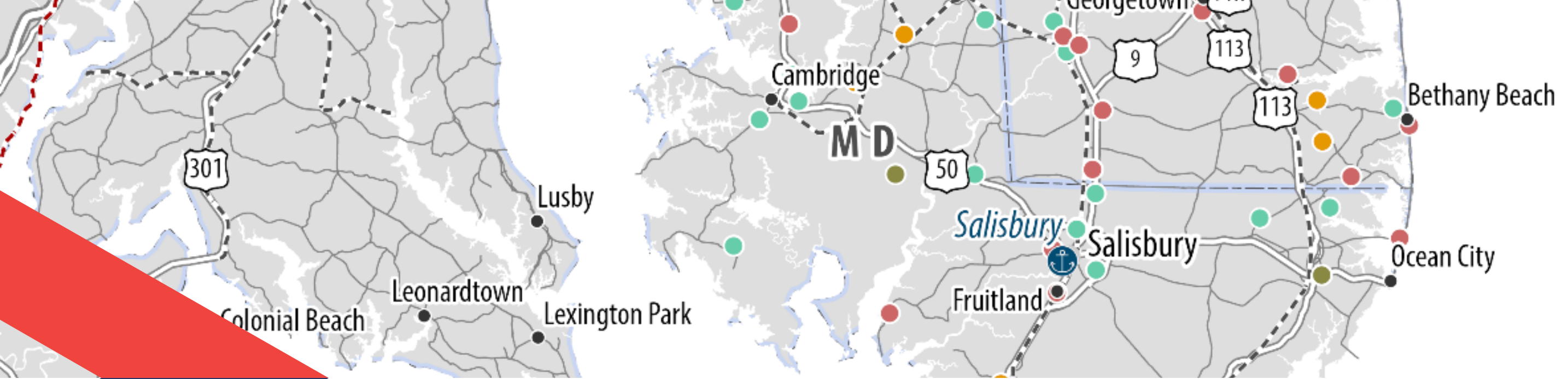
## **Memo**

**To:** City Council  
**From:** Laura Soper  
**Date:** August 31, 2021  
**Subject:** Port Feasibility Study - CPCS Transcom

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In October 2020, the City issued an RFP to study the feasibility of constructing a multi-user port in Salisbury. That study was to assess existing and future land uses, river traffic conditions, and current and proposed development activity in order to increase economic activity and enhance connectivity to other areas in the region and to look at the feasibility, construction estimates, and design of a multi-user port along the Wicomico River.

Over the past few months, the City has worked with CPCS Transcom and Century Engineering and we are thrilled with the work they've done. Included in this presentation is a summary of their research thus far and the Draft Final Study will be made ready for your review in the upcoming weeks. We look forward to your feedback.



# Salisbury Port Feasibility Study



**Presentation to Salisbury City Council**

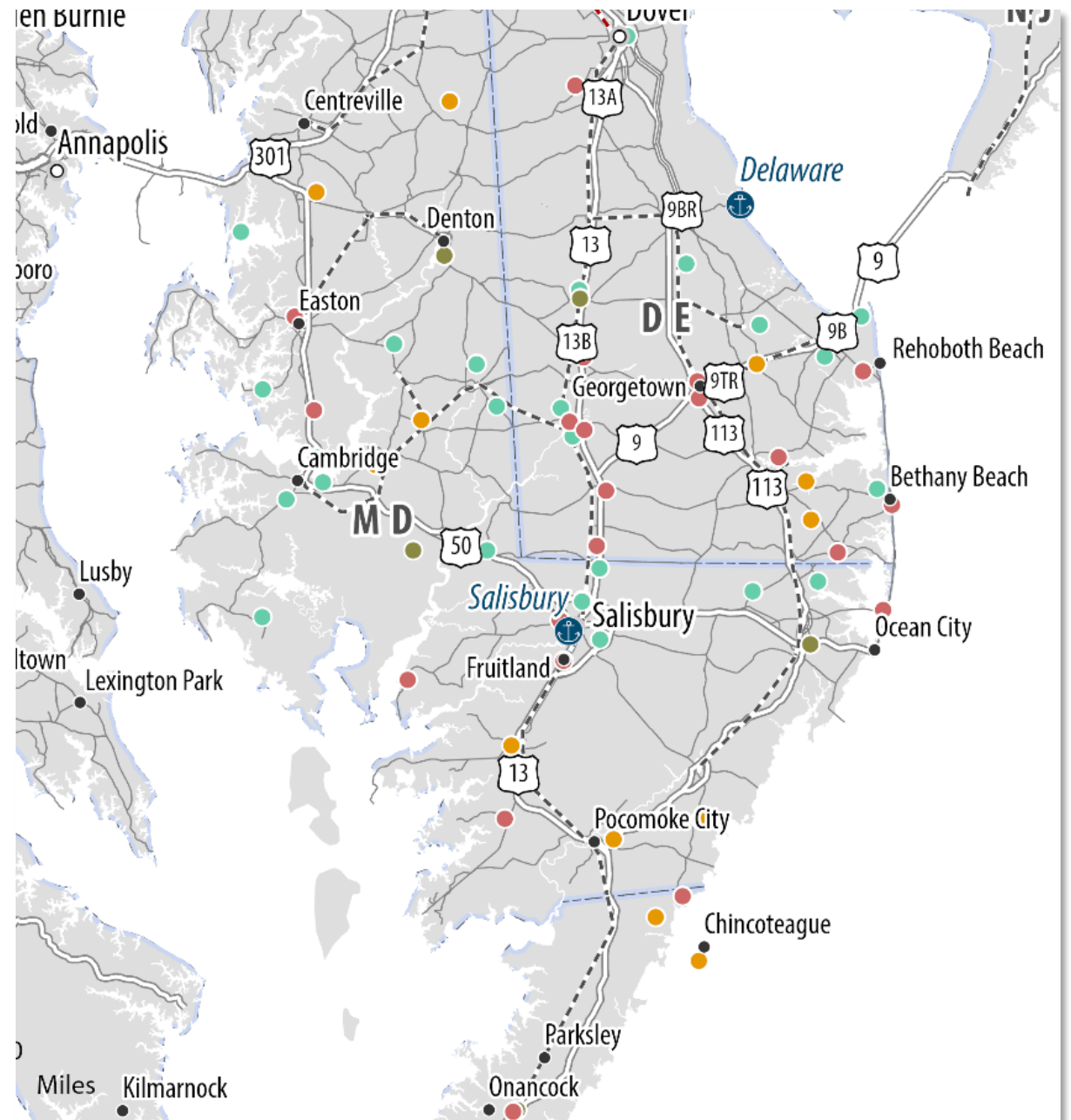
September 7, 2021



# Project Objective

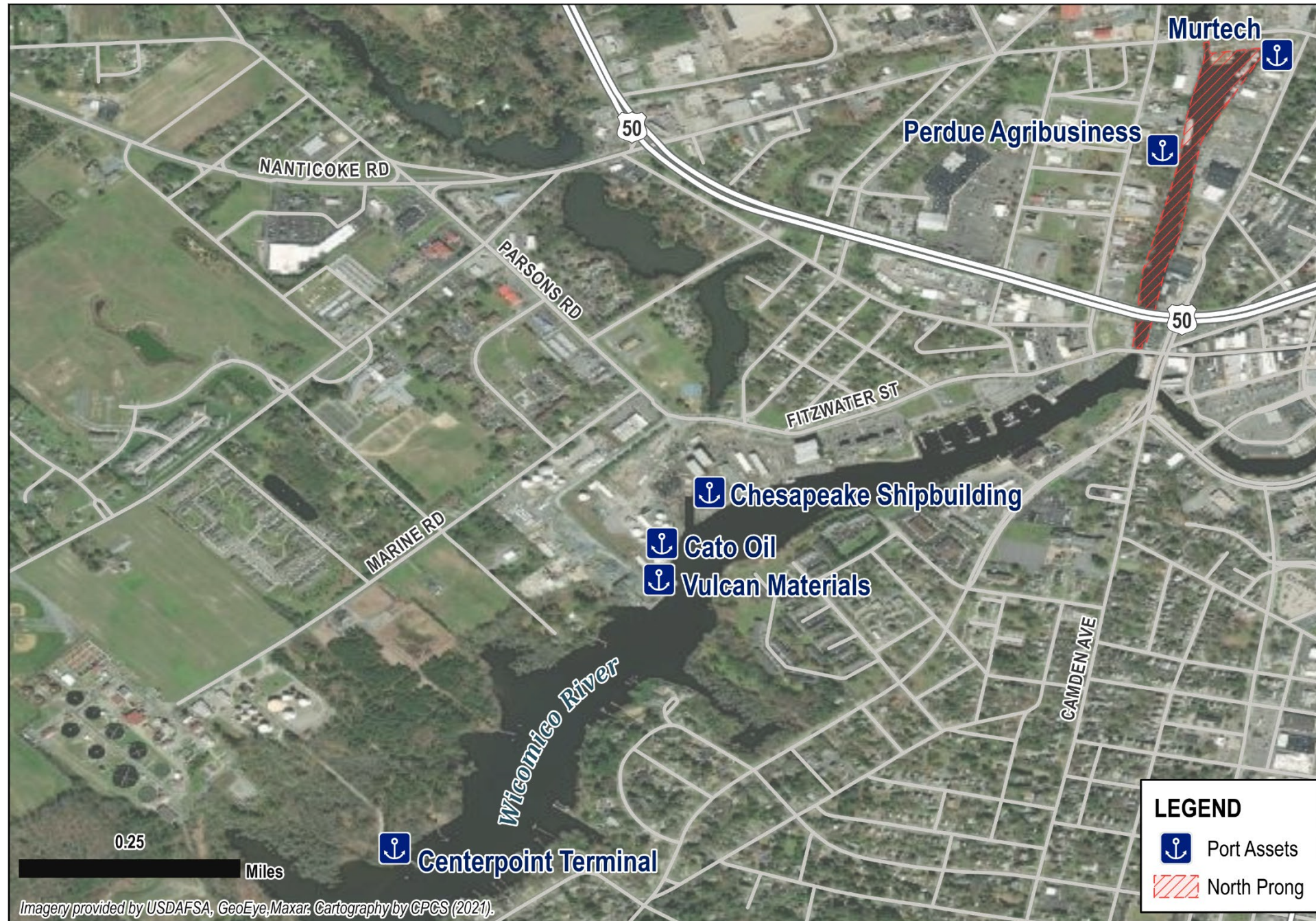
**Is a multi-user port facility economically and physically feasible?**

**If feasible, what are its potential benefits for Salisbury and Delmarva businesses?**





# Port Facilities



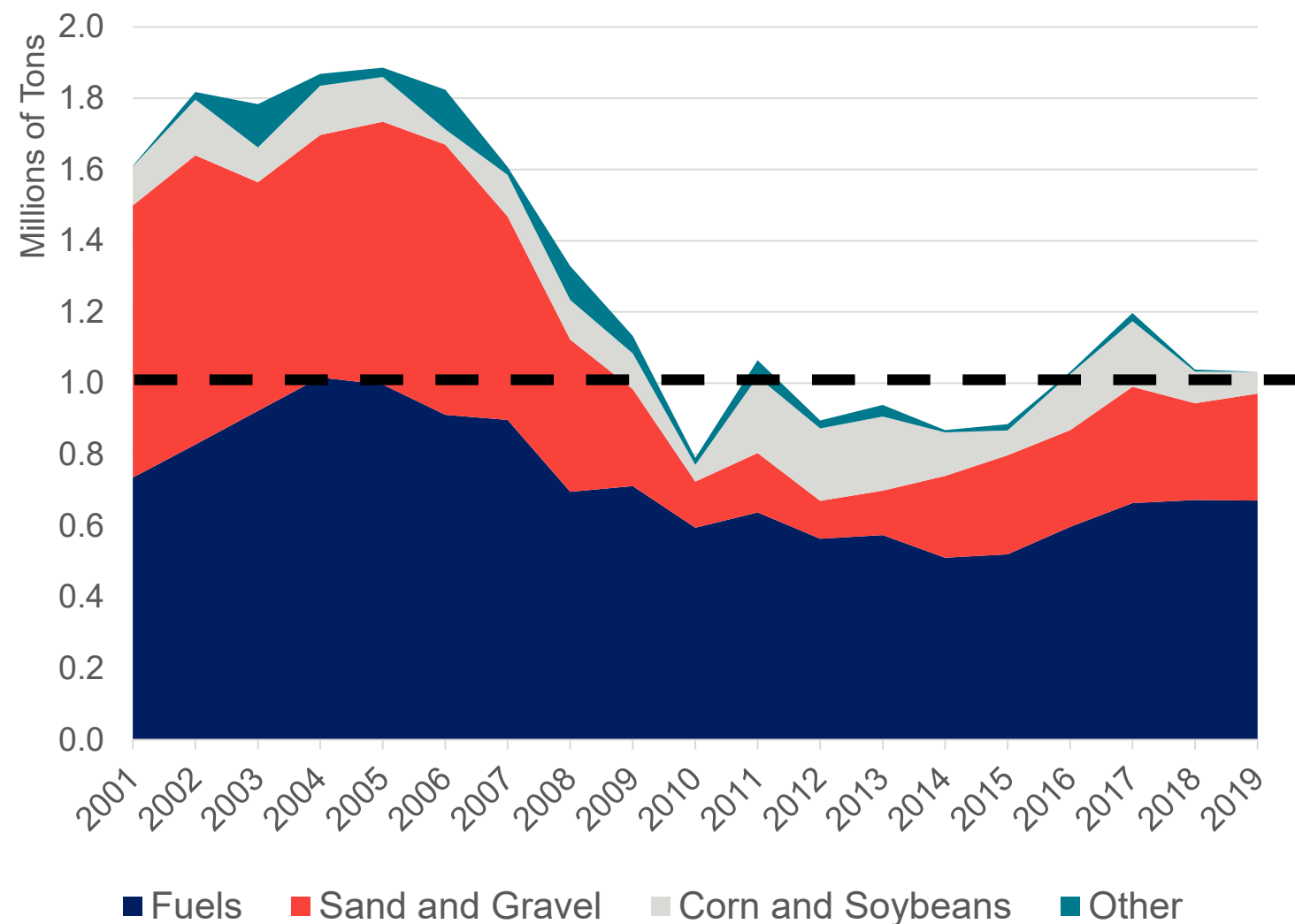




# Port Operations

A significant receiver of fuel, aggregate, and agricultural products for communities across the region

- Barge or water shipping is best for high-volume, lower-value commodities
- 1.03 million tons handled in 2019
- Almost all tonnage (99%+) is inbound
- One million tons is important threshold for US Army Corps of Engineers' dredging support on Wicomico River
- About 1,000 barge or towboat trips in 2019





# Opportunities for Port Development

**Key Opportunity: growth in existing cargoes**  
**Key weakness and threat: need for ongoing dredging support**

Strengths	Weaknesses
<ul style="list-style-type: none"><li>Existing facilities and “captive” traffic base</li><li>Geographic location – centrally located</li></ul>	<ul style="list-style-type: none"><li>Ongoing dredging is required</li><li>Limited vessel size and traffic capacity</li><li>City lacks experience with port development</li></ul>
Opportunities	Threats
<ul style="list-style-type: none"><li>Growth in existing port cargoes</li><li>Relocation of some facilities: opening up North Prong for higher, better uses</li><li>Creating room for shipyard expansion (long term)</li><li>Increased federal funding for infrastructure</li></ul>	<ul style="list-style-type: none"><li>Declining tonnage – loss of dredging support</li><li>Inability to recoup port development costs</li><li>Future development at competitor ports (ex: Seaford)</li></ul>

# Value of Port Engagement for Salisbury

## What port development *can* and *can't* do for Salisbury:

- Port develop **can** provide these public benefits:
  - Enable growth at existing businesses
  - Preserve cost-effective and energy-efficient supply chains for local businesses and residents
  - Preserve activity and employment in other water-related businesses
  - Support community goals, such as North Prong redevelopment
- Port development **should not be expected to** increase the diversity of businesses in Salisbury

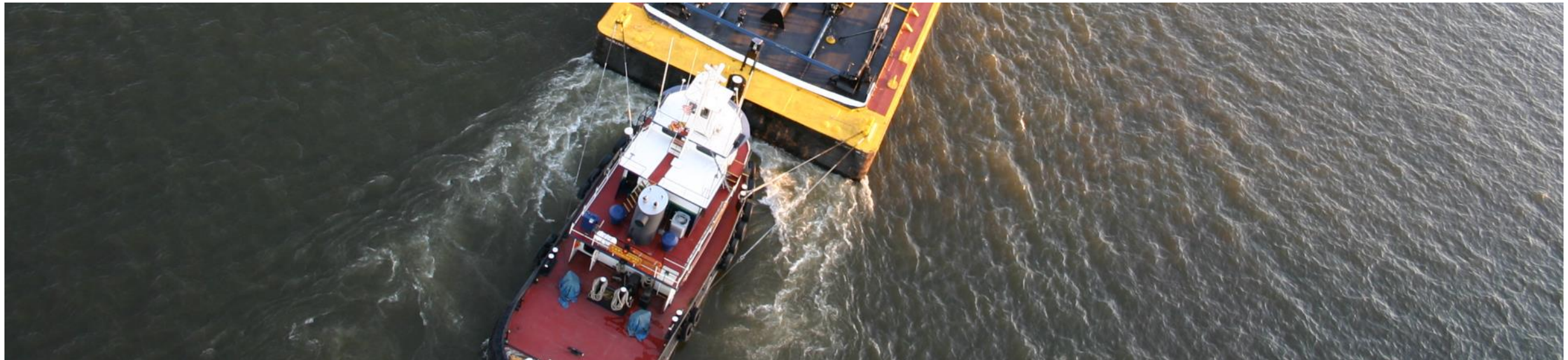


Source: Envision Salisbury Downtown Master Plan

# Barriers to Port Development

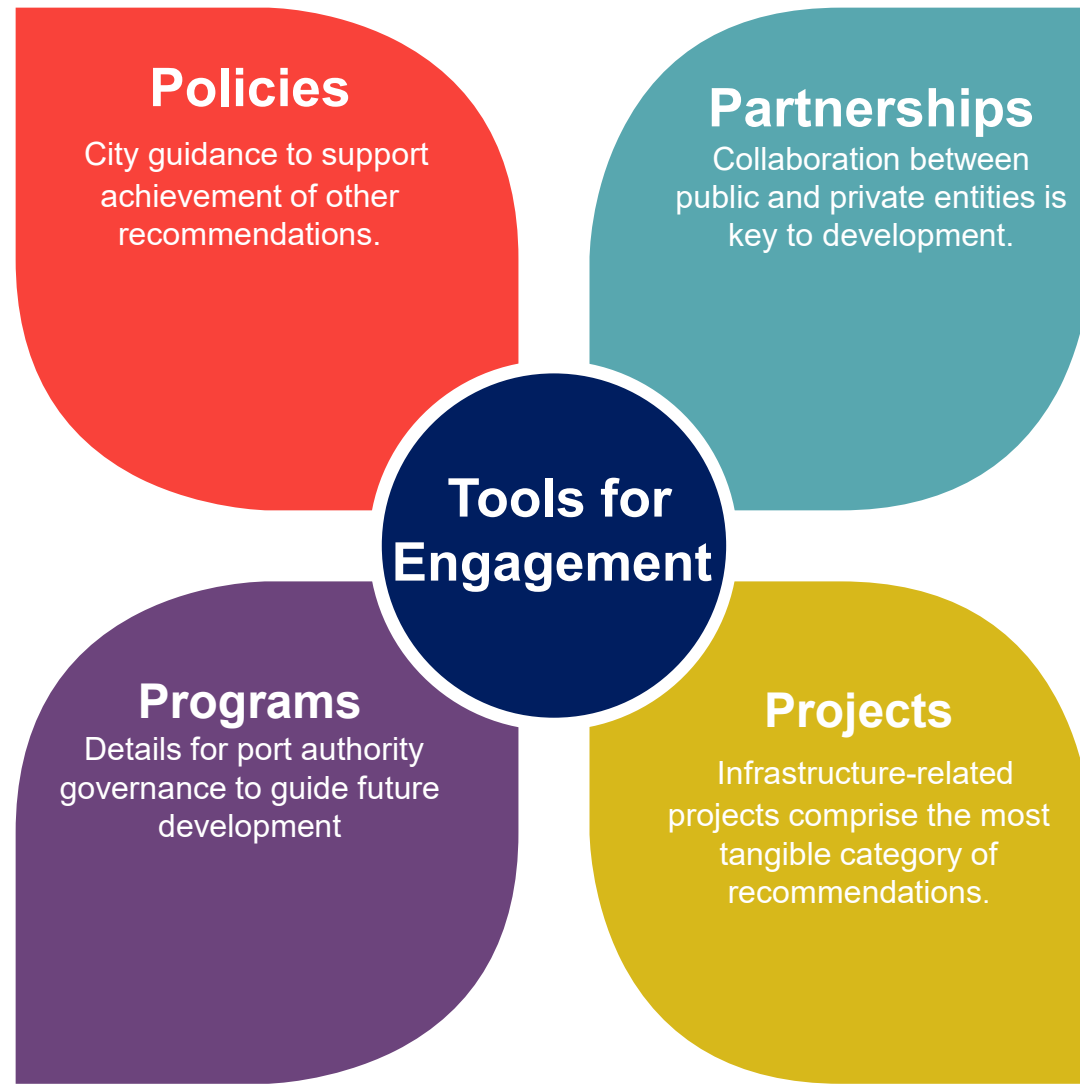
Development needs information and coordination to be realized

- Private parties have not engaged port development because of **uncertainty**:
  - Low return on individual firms' private investments
  - Lack of cooperation or communication between stakeholders
  - Uncertainty about city's plans for port development or port areas
- The City can play a role in **information sharing and coordination** - reducing obstacles for private port stakeholders





# How can Salisbury Support Port Development?



**Based on the public benefits, the City of Salisbury should support port development in four ways:**



## Policies

Salisbury should adopt a **formal maritime policy** that clearly defines the City's role in supporting the maritime system in Salisbury and the goals that its actions are intended to achieve.



## Partnerships

Salisbury should **create a port administration** or authority organization and **provide sponsorship** to private companies applying for state or federal grants.



## Programs

A multi-user marine facility accessible to all users requires public ownership, which also then mandates **development of a port administration** to manage the infrastructure and coordinate between users.



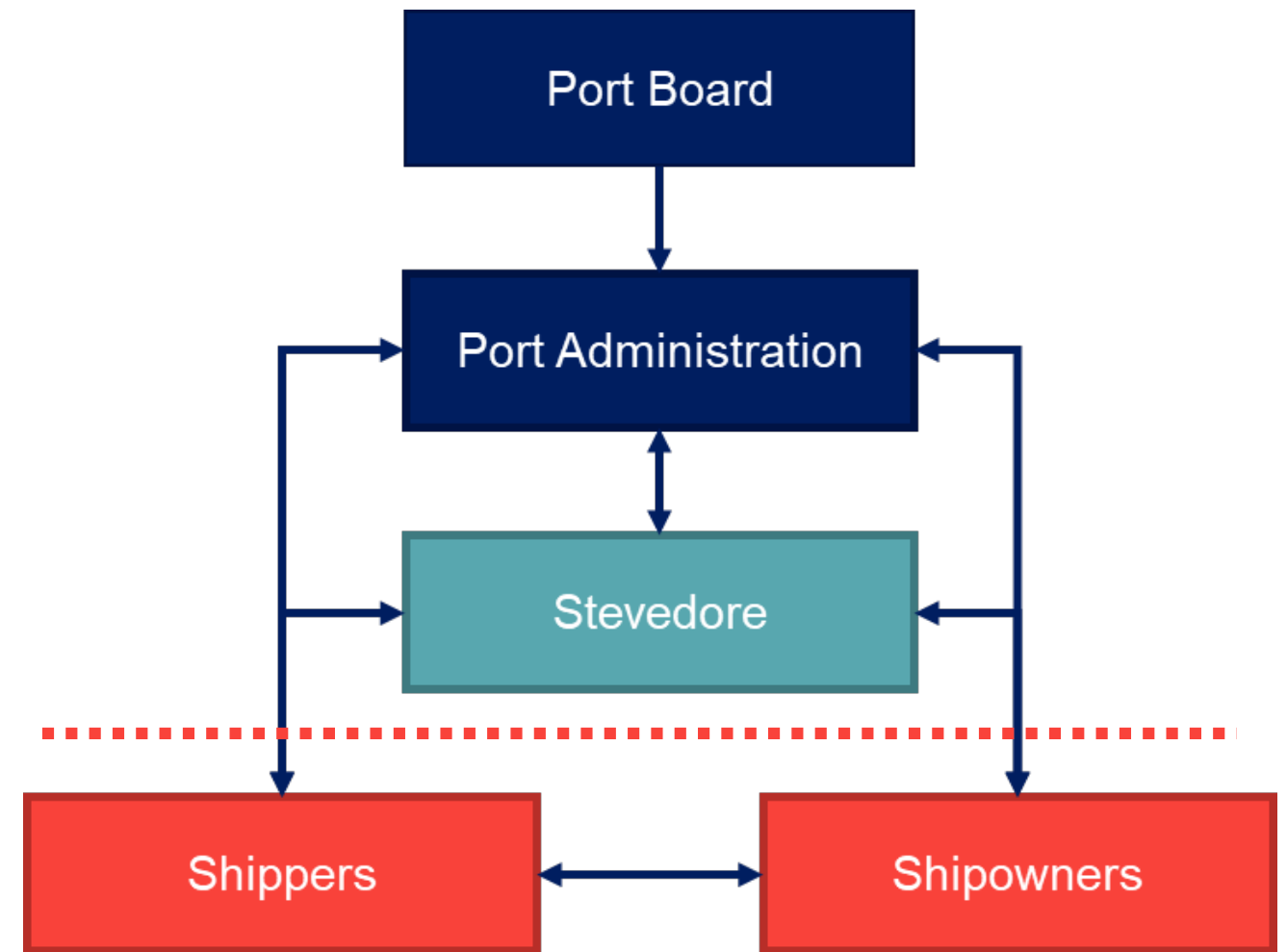
## Projects

**Secure grant support and private agreements** to support construction of cargo handling, site, and access road improvements at site on Marine Road.

# Port Authority Concept

**Authority guides port development and operations, prevents conflicts of interest**

- **Port Board:** paid or volunteer advisory panel, subject matter experts in maritime operations, engineering, economic development, environmental policy, etc..
- **Administration:** 1-2 paid staff to manage port operations and conduct business development
- **Stevedore:** probably not necessary in this situation, port tenants would conduct own cargo handling
- **Firewall** between board, and users/carriers. No users or elected officials on board.
- **Potential revenue sources:**
  - Long and short-term storage leases/fees
  - Port Dues and Docking Fees: 1x per call
  - Wharfage: cost per ton of cargo





# Proposed Facility

Multi-user port facility to support aggregates and agricultural products

## ➤ Site Improvements

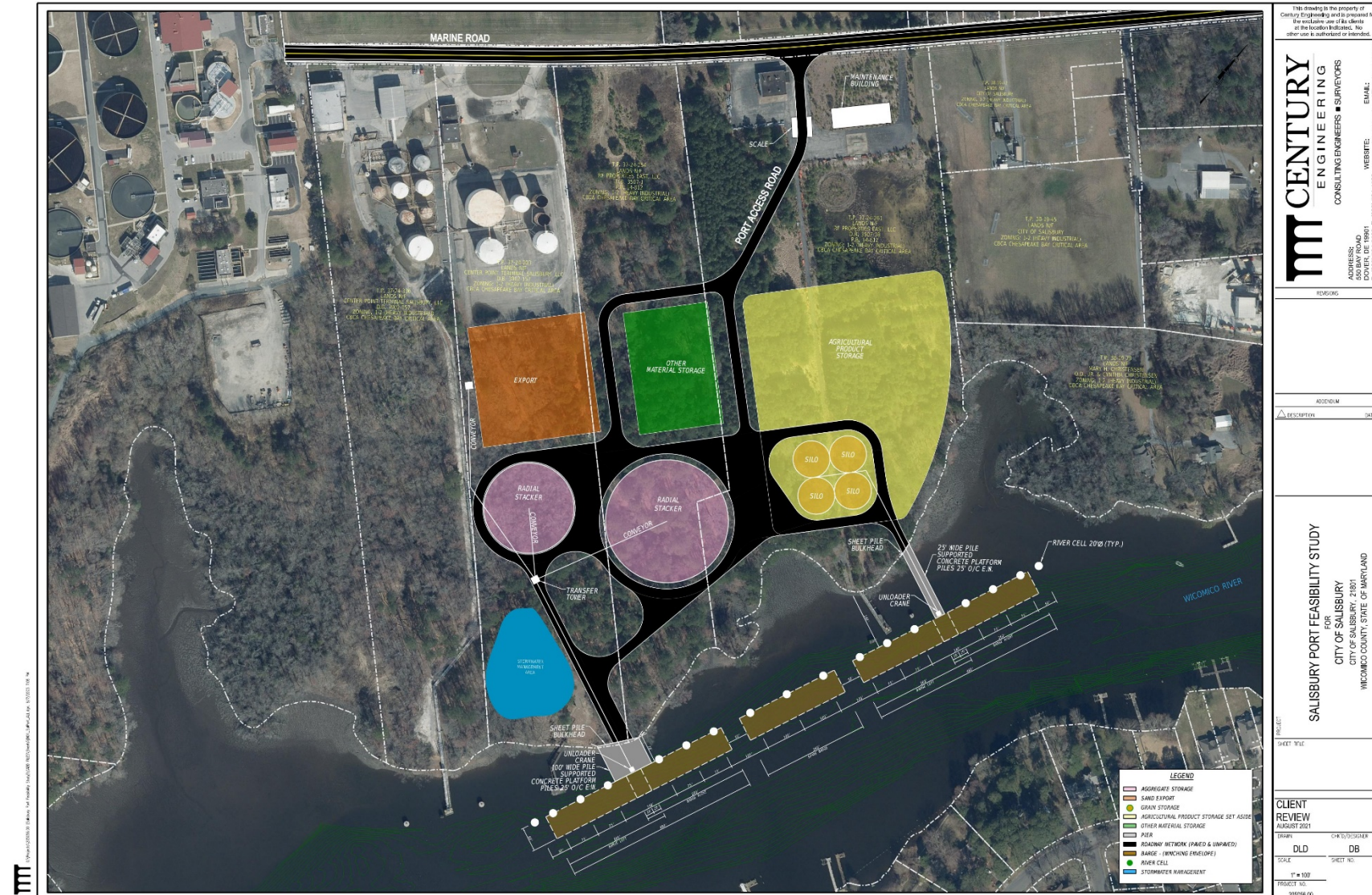
- Grading
- Roadway and Access
- Admin Building
- Scales
- Maintenance Building
- No Material Handling Equipment

## ➤ Marine Work

- 2 Piers
- River Cells
- Larger Pier on West End for Additional Materials

## ➤ Marine Road Work

- Roadway Widening
- Drainage
- Accommodates On-Street Parking



# Investment, Impacts, and Opportunities

Investments and Impacts	Benefits and Opportunities
<p>➤ <b>Cost of investment</b></p> <ul style="list-style-type: none"><li>• \$22.8 million for infrastructure</li><li>• \$271,000/year for port administration</li><li>• Operating costs and some capital cost would be recouped from terminal users</li><li>• Grant support for initial infrastructure investment</li></ul> <p>➤ <b>Expected tonnage increase</b></p> <ul style="list-style-type: none"><li>• Low: + 50,000 tons inbound</li><li>• High: + 125,000 tons inbound</li></ul> <p>➤ <b>Expected truck traffic increase</b></p> <ul style="list-style-type: none"><li>• Low: + 2,000 local truck trips</li><li>• High: + 4,700 local truck trips</li></ul>	<p>➤ <b>Sustain dredging support</b> – avoid shutdown impacts</p> <ul style="list-style-type: none"><li>• Barge service replaces 38,000 – 40,700 longer-distance truck trips each year.</li><li>• Higher emissions, spill rates, infrastructure damage, and shipping costs for truck/rail</li><li>• \$4 million/year in dredging support from USACE</li></ul> <p>➤ <b>Preserve employment</b> at water-related firms</p> <p>➤ <b>Provide expansion opportunities</b> for local businesses</p> <p>➤ <b>Redevelopment of North Prong</b></p> <ul style="list-style-type: none"><li>• Up to \$12.8 million in property value increase, or</li><li>• ~\$100,000 in additional tax revenue.</li></ul>



# Thank You!

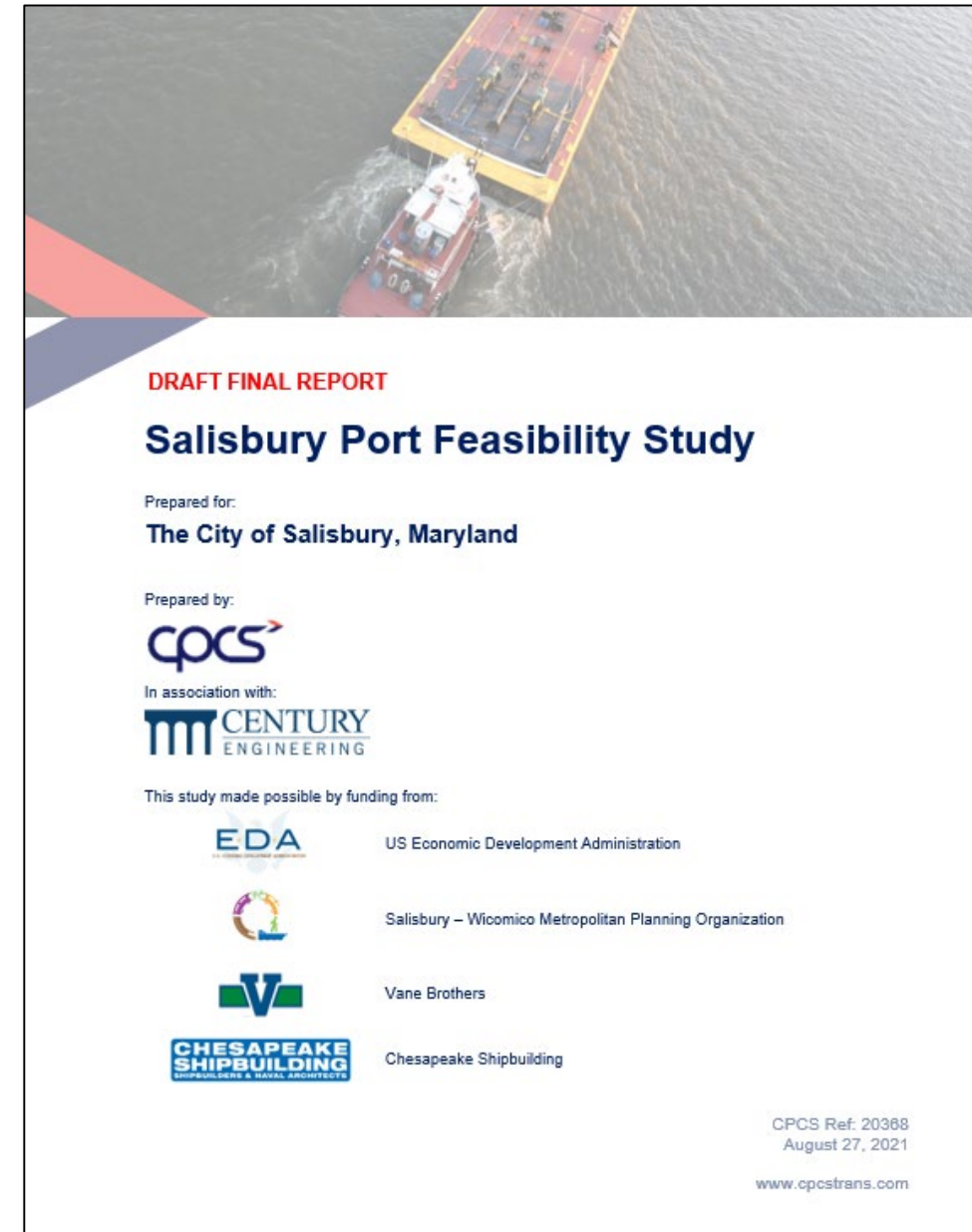
## Contact Information



**Eric Oberhart**  
[eoerhart@cpcstrans.com](mailto:eoerhart@cpcstrans.com)



**Kristen Hartpence**  
[khartpence@cpcstrans.com](mailto:khartpence@cpcstrans.com)

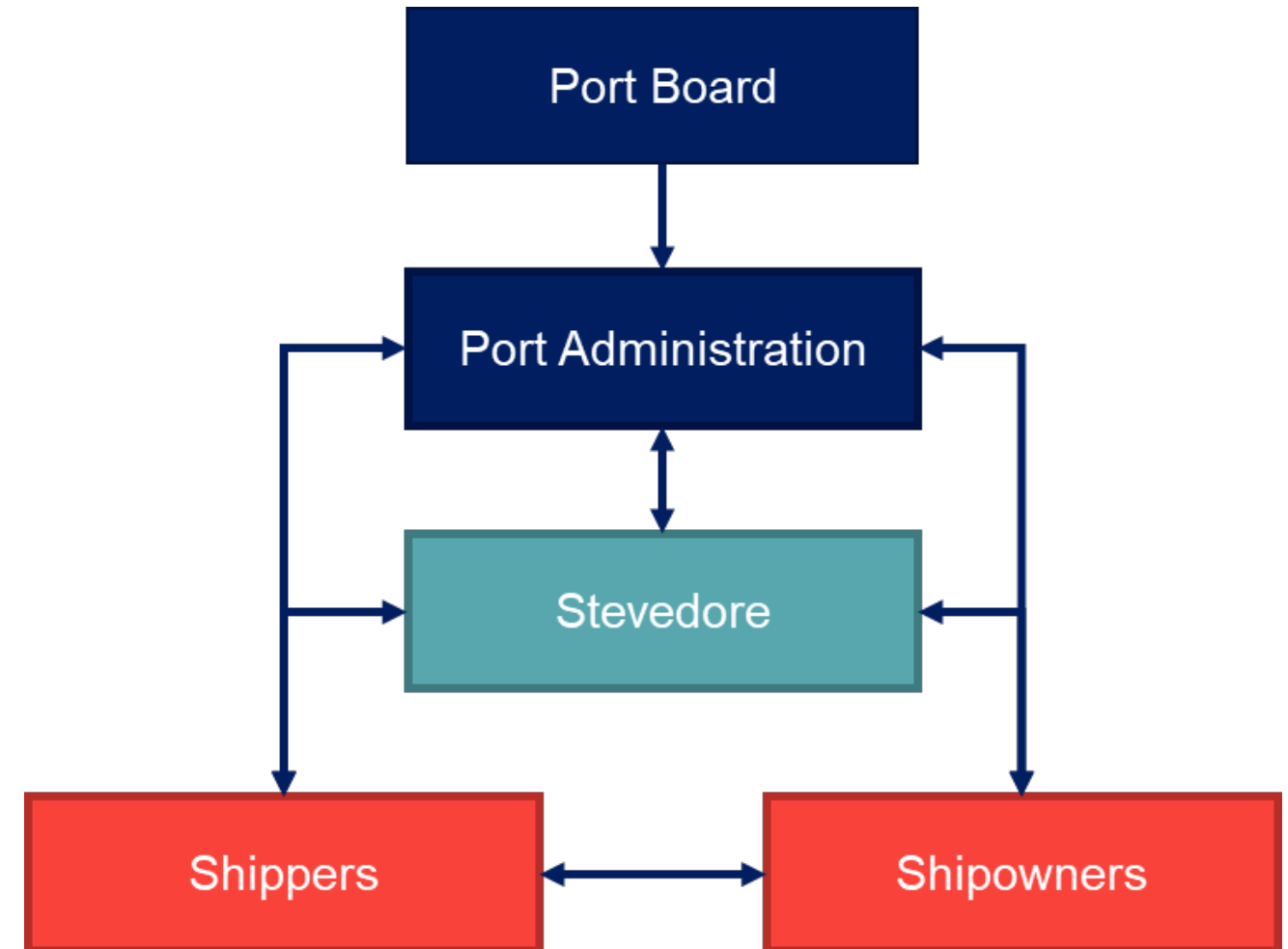




# Extra Slides

# Estimated Port Administration Costs

Expense	Amount
General Manager Salary	\$90,000
Assistant Salary	\$40,000
Staff Benefits (20%)	\$26,000
Insurance (Terminal Operation Liability)	\$12,000
Insurance (D&O)	\$2,000
Utilities	\$40,000
Cleaning	\$10,000
Garbage	\$7,500
Office	\$8,500
Travel Expense and Representation	\$10,000
Security	Users pay
Board of Directors	Volunteer
Maintenance	TBD, Users?
Consultation Fees (Legal, Engineering)	\$25,000
Total	\$271,000



# Summary of high-level costs

~\$22.8 million needed for new terminal development, majority for marine infrastructure:

Expense	Amount
Site Improvements	\$3,062,582.87
Marine Work	\$17,402,525.00
Marine Road Improvements	\$2,328,661.36
Total ROM Construction Costs	\$22,793,769.23

## ➤ Site Improvements

- Grading
- Roadway and Access
- Admin Building
- Scales
- Maintenance Building
- No Material Handling Equipment

## ➤ Marine Work

- 2 Piers
- River Cells
- Larger Pier on West End for Additional Materials

## ➤ Marine Road Work

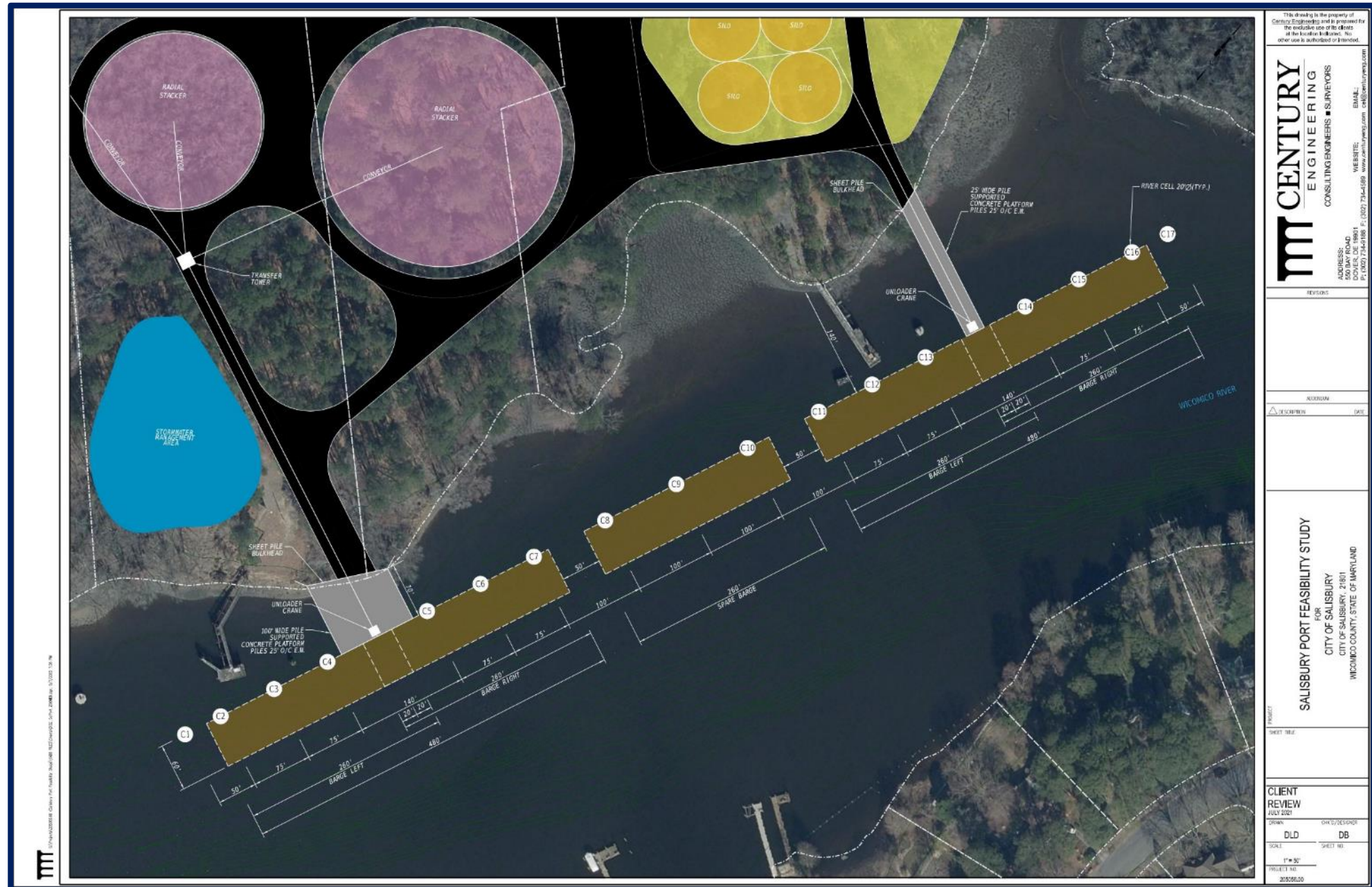
- Roadway Widening
- Drainage
- Accommodates On-Street Parking



# Summary of high-level costs: Marine Layout

## ➤ Marine Work

- 2 Piers
- River Cells
- Larger Pier on West End for Additional Materials





# Summary of high-level costs: Marine Road

- Marine Road Work
  - Roadway Widening
  - Drainage
  - Accommodates On-Street Parking





# Truck, Rail, and Barge Emission Impacts (grams per mile)

GHG/ Pollutant	Truck Equivalent Impacts		Rail Equivalent Impacts		Barge Impacts	
	Low	High	Low	High	Low	High
No-Port Scenario						
NOx	76,960	82,435	450,162	482,187	13,705	14,680
PM	35,844	38,394	12,651	13,551	234,042	250,692
CO <sub>2</sub>	151,810,992	162,610,992	23,193,346	24,843,346	17,395,010	18,632,510
Growth Scenario						
NOx	3,650	9,125	21,350	53,375	650	1,625
PM	1,700	4,250	600	1,500	11,100	27,750
CO <sub>2</sub>	7,200,000	18,000,000	1,100,000	2,750,000	825,000	2,062,500



# Potential Benefits

Many benefits are related to *prevented* impacts or creation of new opportunities to be leveraged later:

- **Preserving maritime access through sustained tonnage:** maintaining maritime tonnage preserves federal funding for dredging, which is a substantial cost saving to the City and port users (up to \$ 4 million per year).
- **Avoiding roadway and environmental impacts from loss of navigation**
  - Barge service replaces 38,000 to 40,700 medium-long distance truck trips in area each year
  - Shipping equivalent tonnages by truck or railroad would generate substantially higher air emissions in region, as well as increased likelihood for petroleum spills.
- **Impacts on land use:** Relocation of existing port facilities would free up the North Prong for further redevelopment or preservation, which could lead to increased land values and tax revenues.
  - Up to \$12.8 million in property value increase, or
  - ~\$100,000 in additional tax revenue.
- **Preservation of employment:** Limited direct new job creation (1-10), but preserves current waterborne-related employment, and greater opportunities for long-term job creation at Chesapeake Shipbuilding related to shipyard expansion



## **Memo**

To: City Council  
From: Hannah Prugh, Mayor's Office Intern  
Laura Soper, Director of Business Development  
Date: 9/1/21  
Subject: Changes to Chapter 5.28 - Fortune Telling

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Under Chapter 5.28 of the City Code, anyone who is looking to perform acts of Fortune Telling within City limits are required to get a Fortune-telling permit from the City. The multi-step process of getting this license is typically lengthy and expensive. It has been brought to our attention by a community member that this extensive process, along with the outdated language should be updated for the benefit of our citizens and community as a whole. In addition to abridging the multi-step process and using more inclusive verbiage, we propose reducing required fees, as well as charges and penalties for violations. These revisions will provide a better opportunity for members of our community who seek a career in fortune-telling practices to pursue their aspirations as well as express Chapter 5.28 of the City Code in a fair, inclusive, and professional manner.

Included is the amended legislation that reflects the edits requested by City Council at the meeting on August 9, 2021.

ORDINANCE No. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND CHAPTER 5.28 OF THE SALISBURY CITY CODE, ENTITLED "FORTUNE-TELLING", BY DELETING CHAPTER 5.28 IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 5.28.**

**RECITALS**

**WHEREAS**, the ongoing application, administration and enforcement of the City of Salisbury Municipal Code demonstrates the need for periodic review, evaluation and amendment; and

**WHEREAS**, the City of Salisbury desires to amend Chapter 5.28 to update the requirements and process by which fortune-telling is permitted.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND**, as follows:

**Section 1.** Chapter 5.28 of the Salisbury City Code, entitled "Fortune-Telling", be and is hereby repealed in its entirety and is replaced with the bolded and underlined language as follows:

**Chapter 5.28 - FORTUNE-TELLING**

**5.28.010 - Definitions.**

**For the purpose of this chapter, the following terms shall have the meanings indicated:**

**"Fortune-telling" means the telling of fortunes, forecasting of futures, or reading the past, by means of any occult, psychic power, faculty, force, clairvoyance, cartomancy, psychometry, phrenology, spirits, tea leaves, tarot cards, scrying, coins, sticks, dice, sand, coffee grounds, crystal gazing or other such reading, or through mediumship, seership, prophecy, augury, astrology, palmistry, necromancy, mindreading, telepathy or other craft, art, science, talisman, charm, potion, magnetism, magnetized article or substance, or by any such similar thing or act for pay or compensation.**

**5.28.020 - License required.**

**Any person desiring to operate or conduct a fortune-telling business within the corporate limits of the City shall be required to first obtain a license under this chapter from the Department of Business Development. One license issued under this chapter will be required in the case of a corporation, firm, partnership or association, which shall hold the person who procures the license responsible for all of the corporation's, firm's, partnership's or association's agents engaging in the business of fortune-telling.**

**5.28.030 - Application for license—Contents—Filing.**

**A. An application for a fortune-telling license pursuant to this chapter shall be made in writing and signed on a form supplied by the Department of Business Development. The application for a fortune-telling license shall be filed with the Business Development Director. The application for a fortune telling license under this chapter shall require the following information be provided:**

- 1. The name, local and permanent address, telephone number, age, weight, height, and color of hair and eyes of the person to be licensed under this chapter.**
- 2. The address of the location at which the applicant will operate or conduct the fortune-telling business.**

**3. A statement that the applicant shall agree to:**

**(a) Conform to the provisions of this chapter and other ordinances of the City and other applicable rules and regulations adopted by the City, from time to time, governing fortune-telling;**

**(b) Permit such examinations and inspections as may be deemed necessary by the Business Development Director; and,**

**(c) The revocation of the fortune-telling license issued under this chapter, at any time, for failure to comply with the provisions of this chapter and other ordinances of the City and other applicable rules and regulations adopted by the City, from time to time, governing fortune-telling.**

**5.28.040 – Investigation – Issuance of fortune-telling license – Determination of threat to health, safety and welfare.**

**A. Upon receipt of an application filed under Section 5.28.030, the Business Development Director shall contact the city police and fire departments and may contact any other agency of the city government as he or she deems necessary in connection with any investigation under this chapter.**

**B. Unless after investigation of the applicant under Section 5.28.040(A) the Business Development Director finds that the person making the application for a fortune-telling license has not complied with this chapter, or the Business Development Director, chief of police, or chief of the fire department determines that the person being licensed under this chapter may be a threat to the health, safety and welfare of the citizens of the city, the Business Development Director shall issue a fortune-telling license to the applicant. No fortune-telling license shall be issued to any holder of a license previously issued under this chapter within one year of a revocation of such previous license.**

**C. In determining if the person making an application for a fortune-telling license under this chapter may be a threat to health, safety and welfare of the citizens of the city, the Business Development Director shall consider the reputation of the applicant, the applicant's criminal record, if any, and license history in this or other jurisdictions as reported to the Business Development Director by the police department, fire department, or any other department or agency of the city government. In reaching a decision on whether an applicant for a fortune-telling license under this chapter may be a threat to health, safety and welfare of the citizens of the city, emphasis shall be given to convictions of the applicant for crimes of violence, sex offenses, violations of the gaming, narcotic and alcoholic beverage laws and/or fraud.**

**D. An applicant for a fortune-telling license under this chapter shall submit proof of an inspection of the premises at which the applicant will conduct fortune-telling, and approval thereof by the City Fire Marshal showing compliance with the City's fire prevention code prior to the issuance of a license under this chapter.**

**5.28.050 - Fee for Application.**

**A nonrefundable license fee of one hundred dollars (\$100.00) shall be paid to the Business Development Director when a new application for a license under this chapter is filed.**

**5.28.060 - Recording of licenses issued.**

**The Business Development Director shall keep a permanent record of the issuance of all fortune-telling licenses issued under this chapter.**

**5.28.070 - Information required on license.**

**Each fortune-telling license issued under this chapter shall be signed by the Business Development Director that issued the license, and each such license shall show the name, address and photograph of the person issued the license, the purpose for which the license is issued, the amount of the license fee paid, and the date of issuance and the length of time for which the license shall be valid.**

**5.28.080 – Expiration of license; Renewal of license.**

**A. A fortune-telling license issued under this chapter shall expire one year from the date the license is issued.**

**B. A fortune-telling license issued under this chapter may be renewed for a period of one year subject to the same terms and conditions provided in Section 5.28.030 and Section 5.28.040 and payment of the license fee set forth in 5.28.050.**

**5.28.090 - Revocation of license.**

**A. The Business Development Director may suspend, revoke or refuse to renew any license upon a finding that the person licensed under this chapter engaged in fraud or willful misrepresentation, violated any provision of this chapter or committed any unlawful act.**

**B. Upon revocation of a license issued under this chapter, the person issued the fortune-telling license shall immediately return the license to the Business Development Director, and, upon failing to do so, the Business Development Director may request and direct the license to be confiscated.**

**C. Any revocation of a license issued under this chapter shall be accompanied by written notice to the person identified in Section 5.28.030(A)(1) by certified mail. The notice shall contain a reason for the revocation of the license.**

**5.28.100 - Exhibition of license.**

**Each person issued a license under this chapter shall prominently exhibit the fortune-telling license within the premises at which the licensed person conducts fortune-telling.**

**5.28.110 - Unauthorized practice of fortune-telling prohibited; Violations - Penalties.**

**A. A person who engages in fortune-telling without a valid license issued under this chapter or otherwise violates any provision of this chapter, shall be guilty of a municipal infraction and shall be subject to a fine not to exceed one hundred dollars (\$100.00) for each offense. Each day a violation continues shall be considered a separate offense.**

**B. Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation of the provisions of this chapter.**

**BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:**

**Section 2.** It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

**Section 3.** It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

**Section 4.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

**Section 5.** This Ordinance shall take effect from and after the date of its final passage.

***[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]***

***[SIGNATURES APPEAR ON THE PAGE THAT FOLLOWS]***

**THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the \_\_\_\_\_ day of \_\_\_\_\_, 2021 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 of the City of Salisbury on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**ATTEST:**

\_\_\_\_\_  
**Kimberly R. Nichols, City Clerk**

\_\_\_\_\_  
**John R. Heath, City Council President**

Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
**Jacob R. Day, Mayor**