



**SALISBURY CITY COUNCIL  
WORK SESSION AGENDA**

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**(TUESDAY) FEBRUARY 22, 2022**

**Zoom Video Conferencing**

- 4:30 p.m. Red Light Camera Program- Police Chief Barbara Duncan, Colonel David Meienschein
- 4:50 p.m. Anne Street Pallet Shelter Project- Department of Infrastructure & Development Director Amanda Pollack, Department of Housing and Community Development Director Ron Strickler
- 5:15 p.m. Administration and Council Remarks
- 5:25 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/88186172560>  
Meeting ID: 881 8617 2560  
Phone: 1.301.715.8592



# City of Salisbury

Salisbury Police Department

## Red-Light Camera Program Work Session presentation

In an effort to reduce motor vehicle crashes, change motorist's behavior and augment traditional enforcement, the Salisbury Police Department is seeking approval to piggy-back off of an existing service contract currently held by the Howard County Police Department for the installation and use of automated red-light traffic cameras. Howard County's program began in 1998 and operated by its Police Department. The service provider for the project is Verra Mobility Corporation DBA American Traffic Solutions, 1150 N. Alma School Road, Mesa AZ.

Howard County currently supports eleven (11) partners in six (6) Maryland counties through the vendor, American Traffic Solutions, Inc. Each partner has a memoranda of understanding (MOU) with Howard County and agreements to piggy-back off of the service contract with the vendor. This process allows for use of the competitive bid process with the vendor and eliminates the individual Request For Proposal (RFP) process. Howard County's experience and quality control of the program are added benefits. Howard County uses a Uniform Standards Guide for its program which all partners adhere to.

Howard County also conducts training for partners on how to use the vendor's software, and testify in court. Howard County also provides training for new District Court Judges on the camera system and processing of data and citations. Howard County is responsible for vendor oversight and ensures vendor responds to concerns or equipment problems.

On the local level, each department reviews violations and determines whether or not to issue a citation. Howard County will then review all citations as a quality control measure before they are mailed to determine whether or not citations meet the minimum clarity standards for issuance according to the Uniform Standards Guide. Vendor personnel must pass a background investigation, work out of a Howard County facility and report to Howard County administrator. Howard County reports that 1-2% of citations are 'spoiled in the post-print review due to image or clarity reasons.'

Howard County reports that "Roughly 0.5% of issued Howard County red light camera citations result in a court hearing request in recent years. However, during the program's early years hearing requests were as high as 3% to 5% of issued citations. Howard County has seen guilty/liable court dispositions in 90+% of its scheduled hearings since its beginning in 1998. In recent years, with supplemental video evidence and high-resolution imagery, 99% guilty/liable dispositions are standard in Howard County. Perhaps notable to this statistic, Howard County does not enforce right turn on red with its red-light cameras although its partners may at their discretion."



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# City of Salisbury

Salisbury Police Department

There are some financial and logistical considerations associated with this project:

- Each camera costs \$2,450 per month to lease,
- Each camera has a management fee of \$165.00 per camera per month,
- There is a citation fee (based on 50 citations per month) of \$11.00 per camera (based upon 20 cameras) at \$75.00 per citation.
- Each intersection under State Highway Administration control will require approval from SHA for installation of cameras

Thank you for your consideration in this matter and please advise of any questions.

Barbara Duhean



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

To: Julia Glanz, City Administrator  
From: Amanda Pollack, P.E., Director of Infrastructure and Development  
Date: February 10, 2022  
Re: Anne Street Village enabling legislation

AP

Per Ordinance No 2701, funding has been allocated for a "Tiny Homes for Homeless" project. There are three legislative items that are needed to enable the development of the Anne Street Village project. All three are being introduced together at the February 22, 2022 work session. The zoning code text amendment requires a Planning Commission Public Hearing and Planning Commission approval prior to the City Council's Public Hearing and approval. The other two legislative items require only City Council approval. A summary of the three items is below and the proposed legislation is attached. All of the legislation has been prepared by the City Attorney.

1. Ordinance for a text amendment to Zoning Code in Title 17 Zoning.
  - a. Amending Section 17.04.04 of the Salisbury City Code, entitled "Method Of Regulation," to add language exempting Federal, State And Local Governments from Title 17.
  - b. The amendment will clarify confusing language in the existing code. Wicomico County has similar exemption language.
  - c. This language was being added as part of the comprehensive rezoning process, however the Anne Street Village project is accelerating the need for the amendment.
2. Ordinance for a text amendment to the Building Code in Title 13 Public Services:
  - a. Amend Section 13.16 of the Salisbury City Code, entitled "Sanitary Facilities", to add an exemption for facilities owned or operated by the City of Salisbury for the purpose of providing temporary housing for homeless persons.
  - b. Section 13.16 currently requires all building or structures that are used for human habitation must have interior sanitary facilities.
3. Resolution authorizing the establishment of a temporary housing facility.
  - a. Defines the need for the facility.
  - b. Defines the services provided and the shared facilities provided.
  - c. Authorizes the City Administration to develop eligibility criteria, a selection process, and rules and regulations.

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

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

**AN ORDINANCE OF THE CITY OF SALISBURY AMENDING SECTION 17.04.040 OF THE SALISBURY CITY CODE, ENTITLED “METHOD OF REGULATION”, TO ADD CONFIRMATORY LANGUAGE EXEMPTING FEDERAL, STATE AND LOCAL GOVERNMENTS FROM TITLE 17 OF THE SALISBURY CITY CODE.**

**WHEREAS**, the ongoing application, administration and enforcement of Title 17 (Zoning) of the City Code of the City of Salisbury (the “**Salisbury City Code**”) demonstrates a need for its periodic review, evaluation and amendment, in order to keep the provisions of Title 17 current, comply with present community standards and values, and promote the public safety, health and welfare of the citizens of the City of Salisbury (the “**City**”);

**WHEREAS**, the Mayor and Council of the City of Salisbury (the “**Mayor and Council**”) are authorized by MD Code, Local Government, § 5-202 to adopt such ordinances, not contrary to the Constitution of Maryland, public general law or public local law, as the Mayor and Council deem necessary to assure the good government of the municipality, to preserve peace and order, to secure persons and property from damage and destruction, and to protect the health, comfort and convenience of the citizens of the City;

**WHEREAS**, the Mayor and Council may amend Title 17 (Zoning) of the Salisbury City Code pursuant to the authority granted by MD Code, Land Use, § 4-102, subject to the provisions set forth in § 17.228.020 of the Salisbury City Code;

**WHEREAS**, it is widely accepted in Maryland that a local government, when it owns, leases, or otherwise controls property in that locality and puts the property to public use, is not subject to its own zoning laws, absent an explicit legislative provision manifesting an intent that the local government be subject to those laws;

**WHEREAS**, the Mayor and Council find that the health, safety and general welfare of the citizens of the City will be furthered by amending Section 17.04.040 of the Salisbury City Code to add confirmatory language that Federal, State and Local governments are exempt from Title 17;

**WHEREAS**, pursuant to § 17.228.020 of the Salisbury City Code, any amendment to the Salisbury Zoning Code requires the recommendation of the Salisbury Planning and Zoning Commission (the “**Planning Commission**”) prior to the passage of an ordinance amending Chapter 17.04;

**WHEREAS**, a public hearing on the proposed amendment was held by the Planning Commission in accordance with the provisions of § 17.228.020 of the Salisbury City Code on \_\_\_\_\_;

**WHEREAS**, at the conclusion of its \_\_\_\_\_ meeting, the Planning Commission recommended, by a vote of \_\_\_\_\_-0, that the amendment to Section 17.04.040 of the Salisbury City Code set forth herein be approved by the Mayor and Council; and

**WHEREAS**, the Mayor and Council have determined that the amendment to Section 17.04.040 of the Salisbury City Code set forth shall be adopted as set forth herein.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY COUNCIL OF THE CITY OF SALISBURY, MARYLAND**, that Title 17 of the Salisbury City Code is hereby amended by adding the bolded and underlined language and deleting the strikethrough language as follows:

**Section 1.** By amending Section 17.04.040 of the Salisbury City Code, entitled “Method of regulation” as follows:

The method to be used for carrying out the legislative intent shall be by ordinance of the city council dividing the city into districts of such number, shape and area as may be deemed necessary to carry out the purpose of the grant of powers in ~~Article 66B~~ **the Land Use Article** of the Annotated Code of Maryland to promote health, safety, morals and the general welfare of the community. Within such districts the city may regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land. All such regulations shall be uniform for each class or kind of buildings throughout each district, but the regulations in one district may differ from those in other districts. The regulations herein are intended to carry out the mandate of the Acts and Articles expressed in the legislative authority above.



**This Title (Title 17) shall not apply to land, buildings or other structures owned by or leased solely to the Federal Government, the State of Maryland, Wicomico County, or the City of Salisbury, provided that such land, buildings or other structures are used for a public purpose.**

**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.

**THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022 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 \_\_\_\_\_, 2022

**ATTEST:**

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

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

Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

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

**AN ORDINANCE OF THE CITY OF SALISBURY AMENDING SECTION 13.16 OF THE SALISBURY CITY CODE, ENTITLED “SANITARY FACILITIES”, TO ADD AN EXEMPTION FOR FACILITIES OWNED OR OPERATED BY THE CITY OF SALISBURY FOR THE PURPOSE OF PROVIDING TEMPORARY HOUSING FOR HOMELESS PERSONS.**

**WHEREAS**, the ongoing application, administration and enforcement of the City of Salisbury Municipal Code (the “**Salisbury City Code**”) demonstrates a need for its periodic review, evaluation and amendment, in order to comply with present community standards and values, and promote the public safety, health and welfare of the citizens of the City of Salisbury (the “**City**”);

**WHEREAS**, the Mayor and Council of the City of Salisbury (the “**Mayor and Council**”) are authorized by MD Code, Local Government, § 5-202 to adopt such ordinances, not contrary to the Constitution of Maryland, public general law or public local law, as the Mayor and Council deem necessary to assure the good government of the municipality, to preserve peace and order, to secure persons and property from damage and destruction, and to protect the health, comfort and convenience of the citizens of the City;

**WHEREAS**, the Mayor and Council may amend Section 13.16 of the Public Services Title of the Salisbury City Code pursuant to the authority granted in § SC 2-15 of the Salisbury City Charter;

**WHEREAS**, the Mayor and Council find that the health, safety and general welfare of the citizens of the City will be furthered by amending Section 13.16 of the Salisbury City Code to add an exemption for facilities owned or operated by the City of Salisbury for the purpose of housing homeless individuals; and

**WHEREAS**, the Mayor and Council have determined that the amendments to Section 13.16 of the Salisbury City Code set forth shall be adopted as set forth herein.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY COUNCIL OF THE CITY OF SALISBURY, MARYLAND**, that Section 13.16 of the Public Services Title of the Salisbury City Code is hereby amended by adding the bolded and underlined language and deleting the strikethrough language as follows:

**Section 1.** By amending Section 13.16 of the Salisbury City Code of the Salisbury City Code, entitled “Sanitary Facilities” as follows:

**Chapter 13.16 SANITARY FACILITIES**

**13.16.010 Sanitary and water facilities required.**

**Except as provided in 13.16.050, No no** building or other structure located within the corporate limits of the city to which city water service and city sewer service are available may be occupied as a place of human habitation unless such building or other structure is furnished with an inside sanitary toilet, in good operating condition, connected with the city sanitary sewer system and one water tap equipped with a sink, all in good operating condition, connected with the city water supply system. Such toilet and water tap shall be readily available to each occupant of such building or other structure. (Ord. 1983 (part), 2006)

**13.16.020 Private sewage disposal systems.**

**Except as provided in 13.16.050, No no** building or other structure located within the corporate limits of the city to which city water service and city sewer service are not available may be occupied as a place of human habitation unless such building or other structure is furnished with a private sewage disposal system constructed in accordance with the provisions of this chapter or other ordinance of the city regulating such matters. Such private sewage disposal systems shall be maintained in a sanitary condition and shall be adequate for and available to each occupant of such building or other structure. (Ord. 1983 (part), 2006)

1 **13.16.030 Occupation of buildings unequipped with required sanitary facilities.**

2 Except as provided in 13.16.050, Any any person occupying a building or other structure located within the  
3 corporate limits of the city as a place of human habitation which is not equipped with the sanitary facilities  
4 required by Sections 13.16.010 and 13.16.020 of this chapter shall be deemed guilty of a misdemeanor. (Ord.  
5 1983 (part), 2006)

6 **13.16.040 Owners permitting occupation of unequipped buildings.**

7 Except as provided in 13.16.050, Any any owner or owner's agent, permitting any person to occupy a building  
8 or other structure located within the corporate limits of the city as a place of human habitation not equipped  
9 with the sanitary facilities required by Sections 13.16.010 and 13.16.020 of this chapter shall be deemed guilty  
10 of a misdemeanor. (Ord. 1983 (part), 2006)

11 **13.16.050 Facilities owned or operated by the City of Salisbury.**

12 The provisions of 13.16.020 – 13.16.040 shall not apply to any facility owned or operated by the City of  
13 Salisbury for the purpose of providing temporary housing for homeless persons. Such facilities may  
14 provide community sanitary and water facilities and sewage disposal systems which shall be readily  
15 accessible to occupants, but need not be located within the same building or structure which is used for  
16 human habitation.

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

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

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

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

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

29  
30 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury  
31 held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022 and thereafter, a statement of the substance of the Ordinance having  
32 been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the  
33 \_\_\_\_\_ day of \_\_\_\_\_, 2022

34 **ATTEST:**

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37 **Kimberly R. Nichols, City Clerk**

38 **John R. Heath, City Council President**

39 Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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42 **Jacob R. Day, Mayor**



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**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF SALISBURY AUTHORIZING  
THE ESTABLISHMENT OF A TEMPORARY HOUSING  
FACILITY FOR HOMELESS PERSONS, TO BE KNOWN AS  
“ANNE STREET VILLAGE”.**

**WHEREAS**, as set forth in the Maryland Code, Housing and Community Development Article, Section 4-2202, the General Assembly has declared that 1) an increasing number of people in the State are homeless, 2) homeless people have been ignored by State units; 3) current State-operated programs do not adequately address the problem; and 4) as a result, there is a lack of quality emergency public or private housing available for homeless people; and

**WHEREAS**, the U.S. Department of Housing and Urban Development (HUD) requires that recipients of federal funds in the form of homeless assistance grants conduct an annual count of the people in their locality who are experiencing homelessness, to be taken on a single night in the last week of January, known as a “Point-in-Time” count; and

**WHEREAS**, the homeless assistance grant applicable to the City of Salisbury is jointly shared and distributed amongst subdivisions in the tri-county area consisting of Wicomico, Worcester and Somerset Counties, and accordingly, HUD requires the Point-in-Time count to include homeless persons in all three counties; and

**WHEREAS**, on the night of the 2020 Point-in-Time count, 310 people in the Tri-County area, consisting of Wicomico, Worcester and Somerset Counties, were experiencing homelessness, most of whom were located in Wicomico County; and

**WHEREAS**, a Point-in-Time count was unable to be completed in 2021 as a result of the closure of homeless shelters due to the COVID pandemic; and

**WHEREAS**, the Point-in-Time count of 2020 was higher than at any other time in the past 5 years; and

**WHEREAS**, in the last 5 years, the number of people experiencing homelessness in Maryland has increased while shelter and housing resources have decreased, a situation significantly worsened by the housing shortages created by the COVID pandemic; and

**WHEREAS**, there are approximately 25 locations or “encampments” in the City of Salisbury, and Wicomico County at large, where persons reside either in a tent, a car, or other place not meant for human habitation; and

**WHEREAS**, clearing such encampments displaces vulnerable populations and causes homeless people to disperse throughout the community, breaking their connections with support services and increasing the potential for unsafe health and hygiene conditions, including but not limited to, impediments to the provision of emergency services, impaired access to behavioral health resources, improper disposal of sanitary waste, and the spread of infectious disease; and

**WHEREAS**, in efforts to better serve the homeless population within its corporate limits and the greater County area, the City of Salisbury desires to establish a temporary housing facility, consisting of a number of transitional dwelling units (“TDUs”) and related shared facilities (meeting/gathering areas, toilets, handwashing basins, showers) in a community setting specifically geared toward providing services

necessary to transition its residents into permanent housing and providing solutions to the aforementioned health and hygiene conditions of homelessness; and

**WHEREAS**, the City of Salisbury proposes to locate this temporary housing facility within municipal limits on City-owned property in the area of the intersection of Anne and Short Streets; and

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

**Section 1.** The City of Salisbury formally recognizes the shortage of homeless shelters and housing resources within its municipal limits and declares the City in need of temporary housing for homeless persons.

**Section 2.** A temporary housing facility, consisting of a number of transitional dwelling units (“TDUs”) and related shared facilities, including but not limited to meeting rooms, gathering areas, toilets, handwashing basins, and showers, may be located within municipal limits on City-owned property in the area of the intersection of Anne and Short Streets, to be known as “Anne Street Village”.

**Section 3.** The purpose of this temporary housing facility is to provide services necessary to transition its residents into permanent housing and to prevent harmful health and hygiene conditions of homelessness such as impediments to the provision of emergency services, impaired access to behavioral health resources, improper disposal of sanitary waste, and the spread of infectious disease. Transitional services offered at Anne Street Village may include support services such as case management, access to dental and health care, behavioral health, workforce development, and access to transportation.

**Section 4.** City Administration is hereby authorized to develop eligibility criteria, a selection process, and rules and regulations applicable to residency in the Anne Street Village.

**Section 5.** The Housing and Community Development Department shall provide an annual report to the City Council summarizing the number of inhabitants, average length of residency and other relevant metrics specific to Anne Street Village. This report shall be provided within thirty (30) days of the annual Point-in-Time count.

**AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY AS FOLLOWS:**

**Section 6.** It is the intention of the Council of the City of Salisbury that each provision this Resolution shall be deemed independent of all other provisions herein.

**Section 7.** It is further the intention of the Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Resolution 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 Resolution shall remain and shall be deemed valid and enforceable.

**Section 8.** The Recitals set forth hereinabove are incorporated into this section of this Resolution as if such recitals were specifically set forth at length in this Section 8.

103           **THIS RESOLUTION** was introduced, read and passed at the regular meeting of the Council of the  
104 City of Salisbury held on the \_\_\_\_ day of \_\_\_\_\_, 2022.  
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106 ATTEST:

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

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

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112 APPROVED BY ME THIS:

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114 \_\_\_\_\_ day of \_\_\_\_\_, 2022  
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116 \_\_\_\_\_  
117 Jacob R. Day, Mayor  
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