

AS AMENDED ON SEPTEMBER 11, 2017
ORDINANCE NO. 2441

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND CHAPTER 2.12 DEPARTMENT OF BUILDING, PERMITTING AND INSPECTIONS OF THE SALISBURY CITY CODE BY DELETING THE REFERENCES TO THE DEPARTMENT OF BUILDING, PERMITTING AND INSPECTIONS AND REPLACING THOSE REFERENCES WITH THE DEPARTMENT OF INFRASTRUCTURE AND DEVELOPMENT, ADDING LANGUAGE TO ESTABLISH THE RESPONSIBILITY OF BUILDING CODE ENFORCEMENT BY THE HOUSING & COMMUNITY DEVELOPMENT DEPARTMENT, AND ADDING LANGUAGE FOR THE REVIEW AND OVERSIGHT OF FIRE LANES.

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 responsibilities of this department for the planning, permitting and licensing will be handled by the newly created Department of Infrastructure and Development; 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 Chapter 2.12 of the City of Salisbury Municipal Code be amended as follows:

Chapter 2.12 – Department of ~~[[Building, Permitting and Inspections]]~~*Infrastructure & Development.*

2.12.010 – Establishment – Purpose.

There is established a department of ~~[[building, permitting and inspections]]~~*infrastructure and development, in part*, for the purpose of enforcement of the city's building, electrical, gas, ~~[[and]]~~ plumbing, ~~[[and]]~~ zoning, *fire, mechanical and existing building codes* and the performance of all functions of the city as provided in such ~~[[building, electrical, gas, and plumbing and zoning]]~~ codes.

2.12.020 – Director of department of **[[building, permitting and inspections]]***infrastructure and development.*

There shall be a department of **[[building, permitting and inspections]]***infrastructure and development* headed by a director. The director of **[[building, permitting and inspections]]***infrastructure and development* shall be appointed by the mayor with the advice and consent of a majority of the full council and shall serve continuously unless terminated pursuant to Section SC2-10. The compensation for the director shall be determined by a majority of the full council. All subordinate personnel shall be appointed as provided in Section SC3-4.C of the City Charter.

2.12.030 – Powers and duties of director and department.

Under the authority of the mayor and the **[[direct]]** supervision of the city administrator, the director of the department of **[[building, permitting and inspections]]***infrastructure and development* is directed to enforce the city's building, electrical, gas, plumbing, zoning, fire, mechanical and existing building codes and to carry out and perform all functions of the city as provided by such building, electrical, gas, plumbing, zoning, fire, mechanical and existing building codes. ~~The Director of the Department of Infrastructure and Development shall have oversight of the fire plan review and pre-occupancy functions of the City Fire Marshal. The City Fire Marshal shall report the results of the fire plan reviews and pre-occupancy functions to the~~ Director of the Department of Infrastructure and Development. The department of **[[building, permitting and inspections]]***infrastructure and development* shall have all the power and authority necessary to carry out its duties.

2.12.040 – Director responsible to mayor – Inspections – Issuance of warrants for violations.

The director of the department of **[[building, permitting and inspections]]***infrastructure and development* shall be responsible and report directly to the *deputy* city administrator under the authority of the mayor. The department of **[[building, permitting and inspections]]***infrastructure and development* shall make all necessary inspections to determine whether the building, electrical, gas, **[[or]]** plumbing, **[[or]]** zoning, *fire, mechanical or existing building codes* have been or are being violated. ~~Upon issuance of the certificate of occupancy, the Housing & Community Development Department shall make all necessary inspections to determine whether the building codes have been or are being violated.~~

2.12.050 – Department procedure – Hearings.

The director of the department of **[[building, permitting and inspections]]***infrastructure and development* shall follow such procedures, including conducting formal or informal hearings for persons alleged to have violated either the building, electrical, gas, **[[or]]** plumbing, **[[or]]** zoning, *fire, mechanical or existing building codes*, as shall best promote efficient administration, justice and good order and shall not be inconsistent with law of the Charter of the city.

2.12.060 – Establishment of rules and regulations – Recommendations to mayor.

The director of the department of **[[building, permitting and inspections]]***infrastructure and development* shall establish such rules and regulations as shall, from time to time, be necessary to the performance of the duties and functions of the department of **[[buildings, permitting and inspections]]***infrastructure and development* pursuant to this chapter. The director of the department of **[[building, permitting and inspections]]***infrastructure and development* shall recommend necessary changes which he deems desirable in the provisions of this chapter; other provisions of law; the Charter; the building, electrical, gas, heating, **[[and]]** plumbing, **[[and]]** zoning, *fire, mechanical and existing building* codes; and ordinances or resolutions affecting the department of **[[building, permitting and inspections]]***infrastructure and development*. for submission to and approval by the mayor.

2.12.070 – Assignment of additional duties.

In addition to its duties as provided in Sections 2.12.030 and 2.12.040 of this chapter, the department of **[[building, permitting and inspections]]***infrastructure and development* shall perform any and all other duties which may be assigned to it by the mayor, in writing or otherwise, and the director of the department of **[[building, permitting and inspections]]***infrastructure and development* shall have all power and authority necessary to carry out such additional assigned duties.

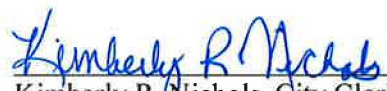
EXPLANATION:

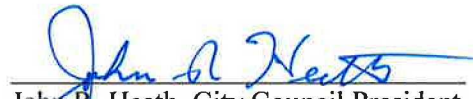
* *ITALICIZED PRINT INDICATES MATERIAL ADDED TO EXISTING LAW.*
Deleted material from the existing Code is indicated by bold double bracketed **[[]]** language.

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.