

ORDINANCE NO. 2446

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND THE FOLLOWING SECTIONS OF TITLE 8, HEALTH AND SAFETY, OF THE SALISBURY MUNICIPAL CODE: CHAPTER 8.04 - ALARMS, SECTIONS .020, .030, AND .050C., D., CHAPTER 8.08 - BRUSH, WEEDS AND OBNOXIOUS GROWTH, SECTIONS .030, .050, .060 AND .070, CHAPTER 8.09 - TREE AND PLANT GROWTH TRIMMING AND REMOVAL, SECTIONS .030, .060, .070 AND .080, CHAPTER 8.10 - DEAD OR DAMAGED TREES, SECTIONS .030, .060, .070 AND .080, CHAPTER 8.16 - GARBAGE, YARD WASTE AND REFUSE, SECTIONS .020, .060B., I., .080B., .090 AND .100C., CHAPTER 8.20 - NOISE, SECTION .020I., BY DELETING THE REFERENCE TO NEIGHBORHOOD SERVICES AND ADDING THE HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT, BY DELETING THE REFERENCE TO BUILDING, PERMITTING AND INSPECTIONS AND REPLACING IT WITH THE DEPARTMENT OF INFRASTRUCTURE AND DEVELOPMENT, CHAPTER 8.24 - NUISANCE, SECTION .010 AND CHAPTER 8.28 - ABANDONED REFRIGERATORS, SECTION .020, BY DELETING THE REFERENCE TO PUBLIC WORKS AND REPLACING IT WITH FIELD OPERATIONS AND BY DELETING THE TITLE DIRECTOR OF INTERNAL SERVICES AND REPLACING IT WITH THE TITLE DIRECTOR OF FINANCE.

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 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 name of the Department of Neighborhood Services and Code Compliance was previously changed to the Housing & Community Development Department; and

WHEREAS, the name was not changed in all of the sections of the Salisbury Municipal Code; 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 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 8.04, 8.08, 8.09, 8.10, 8.16, 8.20, 8.24 and 8.28 of the City of Salisbury Municipal Code be amended as follows:

Chapter 8.04 – ALARMS

8.04.020 – License - Required.

- A. It is unlawful for any person or alarm company to conduct business within the City of Salisbury without first having obtained a license from the Director of **[[Internal Services]]Finance**.
- B. The application for an alarm company license shall be signed by the individual proprietor of the business or by a partner or by the proper corporate official as is appropriate for the form of business seeking to register for a license.
- C. The Police Department shall establish standards that an alarm company must meet to obtain an alarm company license. The Police Department shall refuse a license to any alarm company that fails to meet its alarm company standards.
- D. The Police Department shall, within thirty (30) days after receipt of the application, either approve or deny the issuance of a license. In the case of approval, the Director of **[[Internal Services]]Finance** shall notify the applicant in writing of the approval and shall issue a license on a form established by the Director of **[[Internal Services]]Finance**. In the case of denial, the Police Department shall notify the applicant in writing of the denial and the basis for the denial. The notice of denial shall inform the applicant that he may appeal. A procedure for appealing the denial of a license shall be established by the Police Department.

8.04.030 – Application for license – Fees.

Applications shall be made on forms furnished by the Director of **[[Internal Services]]Finance**. The applicant shall pay a one-time registration fee of fifty dollars (\$50.00) and may renew the registration, at no cost, prior to expiration each calendar year. All companies currently conducting business in the city shall re-register and update information before July 1st of each year.

8.04.050 – False alarms – Violations and penalties.

- C. The Chief of Police and the Fire Chief will maintain accurate records of false alarm occurrences. A bill will be sent by mailing said bill to the property owner of record of the subject location, the designated agent, if any, and the occupant of the property if known to the Director of **[[Internal Services]]Finance**. The Director of **[[Internal Services]]Finance** will send the bills for occurrences one to five. The Director of **[[Neighborhood Services and Code Compliance]]Housing and Community Development Department** will send the bills, when the number of occurrences is six or more.
- D. If the false alarm bill remains unpaid for more than ninety (90) days, the Director of **[[Internal Services]]Finance** shall place a lien against the subject real property by forwarding to the last known address of the owner as recorded in the real estate assessment records of the city of Salisbury by written notice, a notice of lien, and such

receipt shall constitute a prima facie evidence of service upon such owner if it is signed either by the owner or by a person of suitable age and discretion located at such address. In the event that delivery of said notice of lien is refused by the property owner or his agent, then valid service may be accomplished by hand delivery of same to either the property owner or a person of suitable age and discretion employed or residing at the subject location or by posting the written notice in a conspicuous place in or about the structure or property affected by such notice.

Chapter 8.08 – Brush, Weeds and Obnoxious Growth.

8.08.030 – Warning letter of violation.

[[A.]] When a violation of Section 8.08.010 or 8.08.020 of this chapter occurs, a warning letter of violation shall be sent to the owner or occupant of the property. This warning letter of violation shall:

1. Be in writing;
2. State the nature of the violation and that such condition constitutes a violation;
3. Describe the premises where the violation is alleged to exist;
4. For a first violation in any calendar year:
 - a. State that the condition must be removed from the property within ten days of the date of the notice,
 - b. State that the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* shall conduct a re-inspection of the property after ten days have passed since the date of the notice.
5. For a second violation in any calendar year:
 - a. State that the condition must be removed from the property within seven days of the date of the notice,
 - b. State that the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* shall conduct a reinspection of the property after seven days have passed since the date of the notice.
6. State that, if during the inspection of the premises, the violation complained of in the warning letter is found, it shall be abated by the city as soon as practicable, and the costs of such abatement shall be specially assessed and shall be deemed a personal debt against the owner and constitute a lien against the property from which abated;
7. State that upon violation of Section 8.08.010 or 8.08.020 of this chapter, the owner shall be guilty of a municipal infraction, and upon conviction shall be fined twenty-five dollars (\$25.00) for a first offense and fifty dollars (\$50.00) for each day the condition remains unabated up to a maximum of five hundred dollars (\$500.00);
8. Be served by one of the following methods:

- a. By depositing the notice or order in the United States Post Office, first class postage prepaid, addressed to the owner at his last known address as recorded in the real estate assessment records of the city of Salisbury and by posting a copy of the notice or order in a conspicuous place on the property subject to the order,
 - b. By hand-delivering the notice to the person to be notified, or
 - c. By leaving the notice at the usual residence or place of business of the person to be notified with a person of suitable age and discretion then resident or employed therein.
9. State that only two warning letters will be issued to the same property owner in any calendar year and that if further violations of this chapter occur, the condition causing a violation may be abated without notice.

8.08.050 – Abatement by city.

- A. In the event of failure, neglect or refusal of any owner duly notified pursuant to Section 8.08.030 of this chapter, to cut, destroy or remove such excessive growth of grass, weeds, brush or plant growth from his property or any growth on his respective curb, gutter or sidewalk within the applicable time period specified in the notice, the director of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* may cause the condition to be abated by appropriate means.
- B. The director of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* shall send only two warning letters to the same property owner in any calendar year. If further violations of this chapter occur, the condition causing a violation may be abated without notice.

8.08.060 – Costs of removal to constitute lien on property-Interest-Collection.

- A. If the director of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* causes a condition to be abated under this chapter, the cost or expense of such abatement, plus one hundred dollars (\$100.00) for the cost of administering the provisions of this chapter, shall be assessed, and the director of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* shall issue a notice to the property owner. The notice shall be in writing and shall state the following:
 1. The amount of the fees due as of the date of the notice;
 2. That if the owner fails to pay the fees due within thirty (30) days after billing, the director of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* shall cause to be recorded in the department of **[[internal services]]***finance* the amount of fees due and owing, and such amount will be carried on the records of the city of Salisbury and shall be collectible in the same manner as real estate taxes are collected;
 3. The owner's right to appeal and method for appeal under Section 8.08.070 of this chapter.
- B. If the full amount of any fees due to the city is not paid by the owner within thirty (30) days after billing and the property owner does not file a timely appeal, the director of the **[[department of neighborhood services and code compliance]]***Housing and*

Community Development Department shall cause to be recorded in the department of **[[internal services]]***finance* the amount of fees due and owing, and such amount will be carried on the records of the city of Salisbury and shall be collectible in the same manner as real estate taxes are collected, including the accrual of interest.

8.08.070 – 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.
- C. When hearing appeals under this chapter, the board shall follow the procedures set forth in Chapter 15.24 of the Salisbury Municipal Code.

Chapter 8.09 – Tree and Plant Growth Trimming and Removal.

8.09.030 – Letter of violation.

[[A.]] When a violation of Section 8.09.010 of this chapter occurs, a letter of violation shall be sent to the owner or occupant of the property. This letter of violation shall:

- 1. Be in writing;
- 2. State the nature of the violation and that such condition constitutes a violation;
- 3. Describe the premises where the violation is alleged to exist;
 - a. State that the condition must be removed from the property within thirty (30) days of the date of the notice,
 - b. State that the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* shall conduct a re-inspection of the property after thirty (30) days have passed since the date of the notice.
- 4. State that the condition will be abated by the city if the violation remains uncorrected upon reinspection.
- 5. State that cost of abatement shall be assessed against the property as a lien on the city tax records, and shall be collectible as a real property tax lien.
- 6. State that upon violation of Section 8.09.010 of this chapter, the owner shall be guilty of a municipal infraction, shall be fined one hundred dollars (\$100.00) for a first offense and one hundred dollars (\$100.00) for each day the condition remains unabated up to a maximum of five hundred dollars (\$500.00);

7. Service by one of the following methods:
 - a. By depositing the notice or order in the United States Post Office, first class postage prepaid, addressed to the owner at his last known address as recorded in the real estate assessment records of the city of Salisbury and by posting a copy of the notice or order in a conspicuous place on the property subject to the order,
 - b. By hand-delivering the notice to the person to be notified, or
 - c. By leaving the notice at the usual residence or place of business of the person to be notified with a person of suitable age and discretion then resident or employed therein.

8.09.060 – Abatement by city.

- A. In the event of failure, neglect or refusal of any owner duly notified pursuant to Section 8.09.010 of this chapter, to trim or remove such nuisance tree or plant growth from the property within the applicable time period specified in the notice, the director of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* may cause the condition to be abated by appropriate means.
- B. In the event that the housing official or his designee determines imminent danger pursuant to Section 8.09.050, the housing official or his designee shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

8.09.070 – Costs of removal to constitute lien on property-Interest-Collection.

- A. If the director of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* causes a condition to be abated under this chapter, the cost or expense of such abatement, plus one hundred dollars (\$100.00) for the cost of administering the provisions of this chapter, shall be assessed, and the director of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* shall issue a notice to the property owner. The notice shall be in writing and shall state the following:
 1. The amount of the fees due as of the date of the notice;
 2. That if the owner fails to pay the fees due within thirty (30) days after billing, the director of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* shall cause to be recorded in the department of **[[internal services]]***finance* the amount of fees due and owing, and such amount will be carried on the records of the city of Salisbury and shall be collectible in the same manner as real estate taxes are collected;
- B. If the full amount of any fees due to the city is not paid by the owner within thirty (30) days after billing and the property owner does not file a timely appeal, the director of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* shall cause to be recorded in the department of **[[internal services]]***finance* the amount of fees due and owing, and such amount will be carried on the records of the city of Salisbury and shall be collectible in the same manner as real estate taxes are collected, including the accrual of interest.

8.09.080 – 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 for hearing pursuant to Section 15.24.360 of the Salisbury Municipal Code.
- C. Should the decision of the housing official be overturned by the housing board of adjustments and appeals, the appellant shall receive a full refund of the one hundred dollars (\$100.00) appeal application fee within thirty (30) days of the date of the decision of the board.

Chapter 8.10 – Tree and Plant Growth Trimming and Removal.

8.10.030 – Letter of violation.

[[A.]] When a violation of Section 8.10.010 of this chapter occurs, a letter of violation shall be sent to the owner or occupant of the property. This letter of violation shall:

1. Be in writing;
2. State the nature of the violation and that such condition constitutes a violation;
3. Describe the premises where the violation is alleged to exist;
 - a. State that the condition must be removed from the property within thirty (30) days of the date of the notice,
 - b. State that the **[[department of neighborhood services and code compliance]]Housing and Community Development Department** shall conduct a re-inspection of the property after thirty (30) days have passed since the date of the notice.
4. State that the condition will be abated by the city if the violation remains uncorrected upon reinspection.
5. State that cost of abatement shall be assessed against the property as a lien on the city tax records, and shall be collectible as a real property tax lien.
6. State that upon violation of Section 8.10.010 of this chapter, the owner shall be guilty of a municipal infraction, shall be fined one hundred dollars (\$100.00) for a first offense and one hundred dollars (\$100.00) for each day the condition remains unabated up to a maximum of five hundred dollars (\$500.00);
7. Service by one of the following methods:
 - a. By depositing the notice or order in the United States Post Office, first class postage prepaid, addressed to the owner at his last known address as recorded in the real estate assessment records of the city of Salisbury and

by posting a copy of the notice or order in a conspicuous place on the property subject to the order,

- b. By hand-delivering the notice to the person to be notified, or
- c. By leaving the notice at the usual residence or place of business of the person to be notified with a person of suitable age and discretion then resident or employed therein.

8.10.060 – Abatement by city.

- A. In the event of failure, neglect or refusal of any owner duly notified pursuant to Section 8.10.010 of this chapter, to trim or remove such dead tree, portion of a dead tree, or damaged tree from the property within the applicable time period specified in the notice, the director of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* may cause the condition to be abated by appropriate means.

8.10.070 – Costs of removal to constitute lien on property-Interest-Collection.

- A. If the director of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* causes a condition to be abated under this chapter, the cost or expense of such abatement, plus one hundred dollars (\$100.00) for the cost of administering the provisions of this chapter, shall be assessed, and the director of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* shall issue a notice to the property owner. The notice shall be in writing and shall state the following:
 - 1. The amount of the fees due as of the date of the notice;
 - 2. That if the owner fails to pay the fees due within thirty (30) days after billing, the director of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* shall cause to be recorded in the department of **[[internal services]]***finance* the amount of fees due and owing, and such amount will be carried on the records of the city of Salisbury and shall be collectible in the same manner as real estate taxes are collected;
- B. If the full amount of any fees due to the city is not paid by the owner within thirty (30) days after billing and the property owner does not file a timely appeal, the director of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* shall cause to be recorded in the department of **[[internal services]]***finance* the amount of fees due and owing, and such amount will be carried on the records of the city of Salisbury and shall be collectible in the same manner as real estate taxes are collected, including the accrual of interest.

8.10.080 – 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 for hearing pursuant to Section 15.24.360 of the Salisbury Municipal Code.

Chapter 8.16 – Garbage, Yard Waste and Refuse.

8.16.20 – Service standards for residential properties.

- A. It shall be the responsibility of the Department of **[[Public Works]]***Field Operations* to provide a weekly collection of residential Refuse.
- B. Collection shall be rendered at the curb, roadside or City alley abutting the residential property. Hardship cases due to advanced age, disability or infirmity, when confirmed by the Sanitation Superintendent as designated by the Director of **[[Public Works]]***Field Operations* may be afforded the special service of Refuse container carryout. **[[Public Works]]***Field Operations* employees or agents shall not enter private property to collect Refuse, except as noted above.
- C. It shall be the responsibility of the Department of **[[Public Works]]***Field Operations* to protect the property of residents from unnecessary damage or abuse resulting from any Refuse collection activity. Claims for damage to premises or containers must be supported by sufficient evidence to receive consideration for replacement or reimbursement.
- D. The City may, at its option, provide bulk collection service where residences are concentrated in high-density. In these cases, the appropriate management organization shall be officially notified of the details of the service to be rendered. It shall be the responsibility of the **[[Public Works]]** Department of *Field Operations* to make agreements with the appropriate management organization for the placement of bulk containers on either public, private or common ownership property. The standard of service shall be sanitary, and containers shall be maintained in a non-offensive manner.
- E. Nothing in this chapter shall preclude the provision of contractual collection services as opposed to collection by municipal employees and equipment.
- F. The City assumes no responsibility for collection of Refuse from Nonresidential Property. Notwithstanding the above, the City may assume responsibility for collection of Refuse from Nonresidential Property located within the City that is used exclusively as a church or other bona fide charitable, religious, social welfare or recreational nonprofit organization, except medical waste generators, hospitals, non-City governmental property or organizations and schools, public or private. Such church or other bona fide nonprofit organization must provide substantial social services to the community. A church or other bona fide nonprofit organization must apply for collection to the Department of **[[Public Works]]***Field Operations*, setting forth the name and address of the organization, the volume of Refuse estimated to be generated, the social services provided to the community and such other information as may be required by the Department. The Department will then determine whether the church or other bona fide nonprofit

organization qualifies for collection. An appeal of the decision of the Department may be made in writing to the City Council.

8.16.060 – Collection rules and regulations.

- B. Items too bulky for placement in an approved container may be offered for collection on a weekly basis and on a schedule as set by the Department of **[[Public Works]]***Field Operations*. Tree and shrubbery limbs, as well as other Yard Waste, will be collected, provided that they are cut into lengths not exceeding four (4) feet and securely tied in bundles not exceeding forty (40) pounds in weight. Plastic or biodegradable bags with a capacity of thirty (30) gallons or less and maintaining complete closed integrity may be used for non-bundled Yard Waste. However, it shall be the Owner's responsibility to maintain these bags until they are collected by City collection crews. Yard Waste pickup normally occurs on Mondays. The Owner shall contact the City Service Center by six (6) a.m. on Monday to schedule Yard Waste pickup (excluding holidays) for that week.
- I. Bulk pickup service is available to residential locations. To receive pickup of large, bulky items, a Person must first pay the required fee to the **[[Internal Services]]** Department of *Finance*. Once the fee is paid, the **[[Internal Services]]** Department of *Finance* will notify the Department of **[[Public Works]]***Field Operations* and an appointment will be made for pickup.

8.16.080 – Violations-Penalties.

- B. Violations under this chapter, unless otherwise noted, shall be deemed municipal infractions pursuant to the City Code and state law, and fines levied hereunder shall be payable to the City of Salisbury and mailed to the Department of **[[Internal Services]]***Finance* within twenty (20) days of service of the municipal infraction citation. Notice and service of a citation shall be as directed under the Local Government Article of the Maryland Annotated Code § 6-101, et seq. and § SC5-1(38), as amended, concerning municipal infractions.

8.16.090 – Monthly disposal fee.

- A. Each Residential Unit (including churches and other bona fide nonprofit organizations) to which City Refuse collection services are provided shall be charged a disposal fee in an amount established annually in the City budget ordinance. The disposal fee shall be billed quarterly and be made a part of the City water and sewer bill. A five-percent (5%) penalty shall be added after forty-five (45) days if the fee is unpaid. No Residential Unit within the City of Salisbury shall be exempt from payment of the fees described herein regardless of whether the services are used.
- B. The Owner of each Residential Unit shall purchase a City-approved Refuse container.
- C. If the Department of **[[Public Works]]***Field Operations* determines that a Residential Unit regularly produces collectible Refuse requiring two or more Refuse containers, then the Owner of the Residential Unit shall be required to purchase and use additional Refuse containers.

- D. A multi-family residential building with a central Refuse collection area utilizing Refuse containers larger than three hundred thirty (330) gallons may be approved by the Department of **[[Public Works]]***Field Operations* for exclusion from the requirements of 8.16.060A.
- E. The Owner of a Residential Unit who violates the provisions of this section shall be issued a written notice of the violation, which shall be delivered via first class U.S. mail, postage prepaid, to the Owner's last known address on file with the City. If the Owner of a Residential Unit does not comply within seven (7) days of the written notice, the Owner shall be guilty of a municipal infraction and shall be subject to a fine pursuant to the City Code and state law, and fines levied hereunder shall be payable to the City of Salisbury and mailed to the Department of **[[Internal Services]]***Finance* within twenty (20) days of service of the municipal infraction citation. Notice and service of a citation shall be as directed under the Local Government Article of the Maryland Annotated Code § 6-101, et seq. and § SC5-1(38), as amended, concerning municipal infractions.

8.16.100 – Recycling.

- C. The Managing Authority of any residential dwelling unit located in the Multi-Family Sector shall allow its residents to participate in the City's recycling program. The City shall provide the Managing Authority with a recycling container for each unit. Alternatively, the Managing Authority may provide a centralized location and containers as approved by the Recycling Coordinator, as designated by the Director of **[[Public Works]]***Field Operations*.

Chapter 8.20 – Noise.

8.20.020 – Prohibited noises enumerated.

- I. **Construction or Repairing of Buildings.** The erection (including excavation), demolition, alteration or repair of any building other than between the hours of seven a.m. and six p.m. on Monday through Friday, between the hours of nine a.m. and six p.m. on Saturday, and between the hours of twelve p.m. and six p.m. on Sunday, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the department of **[[Building, Permitting and Inspections]]***Infrastructure and Development* which permit may be granted for a period not to exceed three days while the emergency continues and which permit may be renewed for periods of three days or less while the emergency continues. If the department of **[[Building, Permitting and Inspections]]***Infrastructure and Development* should determine that the public health and safety will not be impaired by the erection, excavation, demolition, alteration or repair of any building at times other than the hours set forth herein, and if it shall further determine that loss or inconvenience would result to any party in interest, the department may grant permission for such work to be done during the hours when it is otherwise prohibited upon application being made at the time that the permit for work is awarded or during the progress of the work.

Chapter 8.24 – Nuisance.

8.24.010 – Investigation of nuisance complaint – Notice to abate.

A nuisance complaint that any of the following is in a condition that injures any adjacent property or that is dangerous to human health:

1. Any watercourse, well, spring, open ditch, gutter, cesspool, drain, outhouse, or other place;
2. Any accumulation or deposit of offensive or noxious matter;
3. Any house, building, trade establishment or manufacturing place;
4. Any water in which mosquito larva breed, shall be investigated by the Wicomico County Health Department and/or City of Salisbury Departments of **[[Building, Permitting and Inspections]]***Infrastructure and Development*, **[[Neighborhood Services and Code Compliance]]***Housing and Community Development* or the Salisbury Police Department, and if the complaint is substantiated then the Wicomico County Health Department and/or City of Salisbury Departments of **[[Building Permitting and Inspections]]***Infrastructure and Development*, **[[Neighborhood Services and Code Compliance]]***Housing and Community Development* or the Salisbury Police Department shall give notice to the occupant of the premises on which the nuisance arises or exists requiring him to abate such nuisance within a time to be specified in the notice and to execute such works and do such things as may be necessary for that purpose. Should the occupant of any such premises be a person other than the owner, such notice shall be given to both the occupant and the owner. The notice required by this section shall be issued by either the Wicomico County Health Department and/or the Departments of **[[Neighborhood Services and Code Compliance]]***Housing and Community Development*, **[[Building, Permitting and Inspections]]***Infrastructure and Development* or the Salisbury Police Department, and may be served by mailing it to the occupant and owner, either or both, as the case may be, of the premises whereon such nuisance may exist, or such notice may be served personally upon such owner or occupant by the Wicomico County Health Department and/or the Departments of **[[Neighborhood Services and Code Compliance]]***Housing and Community Development*, **[[Building Permitting and Inspections]]***Infrastructure and Development*, or the Salisbury Police Department.

Chapter 8.28 – Abandoned Refrigerators.

8.28.020 – Enforcement.

From and after the effective date of this chapter, the director of the **[[department of neighborhood services and code compliance]]***Housing and Community Development Department* shall issue notice directing compliance with Section 8.28.010 of this chapter within twelve (12) hours after discovery by him of the existence or maintenance of each icebox or other similar appliance or enclosure as referred to in Section 8.28.010. If any such notice shall not be complied within twenty-four (24) hours, it shall be the duty of the chief of police to enter the

premises and render harmless the icebox or other similar appliance or enclosure by any one of the three means specified in Section 8.28.010. The selection of such means shall be in the sole discretion of the chief of police, and the execution thereof shall be at the expense of the person failing to comply with such notice.

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.