

ORDINANCE NO. 2453

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND THE FOLLOWING SECTIONS OF TITLE 13, PUBLIC SERVICES, OF THE SALISBURY MUNICIPAL CODE: CHAPTER 13.08 - WATER, BY DELETING THE REFERENCES TO PUBLIC WORKS, CITY ENGINEER, AND BUILDING, PERMITTING AND INSPECTIONS IN SECTIONS .060, .050, .100 AND .110, AND REPLACING THOSE REFERENCES WITH INFRASTRUCTURE AND DEVELOPMENT, BY DELETING THE REFERENCES TO THE DIRECTOR OF PUBLIC WORKS AND CITY ENGINEER IN SECTIONS .010D AND .030, AND REPLACING THOSE REFERENCES WITH THE DIRECTOR OF WATER WORKS, AND BY DELETING THE REFERENCE TO INTERNAL SERVICES IN SECTION .040 AND REPLACING WITH 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 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 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 13.08 of the City of Salisbury Municipal Code be amended as follows:

Title 13 – PUBLIC SERVICES

Chapter 13.08 – Water.

13.08.010 – Tampering or destruction of water meters and fire hydrants – Compliance - Violations.

- D. The violation of any part of this section is declared to be a misdemeanor. In addition, if wastage of water or use of unmetered water results from a violation, the violator shall be responsible in damages and for restitution for the cost of water wasted or used, based on a gallonage estimate by the director of **[[public works]]** *water works*, at the current rate charged to bona fide consumers.

13.08.030 – Installation and testing of meters – Costs.

The **[[city engineer]]** *Director of Water Works* is authorized and directed to install meters of appropriate sizes on water connections serving all properties. If the accuracy of any meter is questioned by the property owner, it shall be removed and tested. If the test shows an error in excess of five percent, the percentage in excess of five percent shall be applied on two previous readings, and the property owner's account credited accordingly. In this case, the entire cost of the test shall be borne by the water department. The city may, if requested to check water meters more frequently than once each year at any given location, make an appropriate charge for this service.

13.08.040 – Payment of water charges – Nonpayment – Discontinuance and resumption of service.

- A. Property owners are responsible for payment of all water charges, and if any bill rendered for water charges shall not be paid within forty-five (45) days after the close of the billing period for which such bill was rendered, a penalty of five percent of the amount of such bill shall be payable in addition to the amount of said bill. If any such bill shall not be paid within sixty (60) days after the close of the billing period for which same is rendered, water service shall be discontinued. The director of **[[internal services]]** *finance* is directed to issue one written notice by postcard or other appropriate means to the property owner at any time during such sixty (60) day period warning him that the water service will be discontinued unless payment is made as herein provided.
- B. Fees. All fees adopted by resolution by the council under authority of this chapter and all other fees currently in effect shall remain so unless changed at a future date by the Salisbury city council.

13.08.050 – Installation of fire service connections.

Sprinkler or fire service connections shall be constructed by the city from the street main to a point in the public sidewalk area at the property owner's request and expense, such cost to be determined by the **[[city engineer]]** *Director of Infrastructure and Development*. No fire service connection shall be installed without the submission of plans and the approval thereof by the director of the department of **[[building, permits and inspections and the city engineer]]** *Infrastructure and Development*.

13.08.060 – Connections to comply with applicable regulations.

All connections made to the city's water supply shall be in conformity with the plumbing code of the city or any subsequent amendments thereof and in accordance with all rules and regulations of the **[[public works]]** *department of infrastructure and development*.*

- A. Prohibited Connection of Outside Irrigation Systems. Outside underground irrigation systems shall not be connected to the city's water supply system, either in the city limits

or in any urban service district. Any outside underground irrigation system connected to the city's water supply system prior to the date of the final passage of this chapter shall be permitted to remain connected to the city's water supply system.

- B. Variance. If, in the opinion of the director of the department of **[[public works]]***infrastructure and development*, the construction of a groundwater well to service an underground irrigation system would be impractical and would constitute a hardship, then in that event, a variance may be granted by the director of the department of **[[public works]]***infrastructure and development* permitting connection to the city water supply system. Such variance may carry conditions deemed necessary to comply with any health or water supply considerations.
- C. Front-foot Assessments. Annual front-foot assessments are due July 1st each year at which time interest and penalties are added and collected using the same method as real estate taxes. If they remain unpaid, the property then may be sold at tax sale in the same manner as real estate taxes.

13.08.100 – Refusal to permit inspections.

Should any property owner or occupant of property connect with the water supply system of the city refuse to permit an inspection of such property, then such property shall be disconnected from the water supply system of the city and shall not be reconnected thereto until the inspection of the property has been completed and a reconnection fee of twenty-five dollars (\$25.00) is paid to the city. Before disconnecting any property under the provisions hereof, the director of the department of **[[building, permits and inspections]]***infrastructure and development* shall give five days' written notice by letter addressed to the person refusing to permit such inspection, notifying such person that water service shall be discontinued unless the inspection provided for herein is permitted.

13.08.110 – Inspections authorized – Records _ Penalty for refusal to permit inspection.

All properties connected with the water supply system of the city may be inspected from time to time by the director of the department of **[[building, permits and inspections]]***infrastructure and development* or his authorized representative. Complete records of the inspections provided for herein shall be compiled and maintained by the department of **[[building, permits and inspections]]***infrastructure and development*. An owner or occupant of a property connected with the water supply system of the city who shall refuse to permit an inspection of any such property shall be guilty of a misdemeanor and, upon conviction thereof by the trial magistrate of the county of the Circuit Court for the county, shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) or by imprisonment for not less than ten days nor more than thirty (30) days.

EXPLANATION:

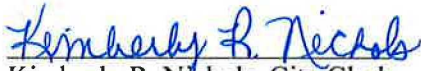
* *ITALICIZED PRINT INDICATES MATERIAL ADDED TO EXISTING LAW.*

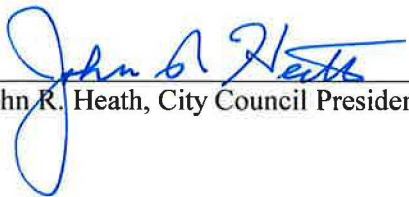
Deleted material from the existing Code is indicated by bold double bracketed [[]] language.

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

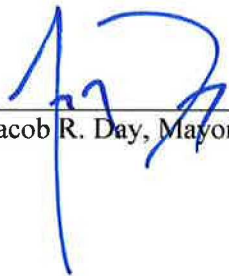
THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 11th day of September, 2017 and thereafter, a statement of the substance of the ordinance having been published as required by law, in the meantime, was finally passed by the Council on the 9th day 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.