

ORDINANCE NO. 2454

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND THE FOLLOWING SECTIONS OF TITLE 13, PUBLIC SERVICES, OF THE SALISBURY MUNICIPAL CODE: CHAPTER 13.12 - SEWER, BY DELETING THE REFERENCES TO THE DEPARTMENT PUBLIC WORKS IN SECTIONS .060B., AND .100B.1., AND REPLACING WITH THE DEPARTMENT OF INFRASTRUCTURE AND DEVELOPMENT, BY DELETING THE OF POSITION CITY ENGINEER IN SECTION .050A. AND REPLACING IT WITH THE DIRECTOR OF THE DEPARTMENT OF INFRASTRUCTURE AND DEVELOPMENT, AND BY DELETING THE REFERENCES TO PUBLIC WORKS IN SECTIONS .060B., .080D.5., .100B.1., .200C.2. AND .220D., AND REPLACING THOSE REFERENCES WITH WATER WORKS.

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 responsibilities for the operation and maintenance of the public water and sewer systems will be handled by the newly created Department of Water Works; and

WHEREAS, the responsibilities 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 13.12 of the City of Salisbury Municipal Code be amended as follows:

Title 13 – PUBLIC SERVICES

Chapter 13.12 – Sewer.

13.12.050 – Use of public sewers required.

- A. Connections to the public sewers shall be made only as approved by the **[[city engineer]]***Director of the Department of Infrastructure and Development.*

13.12.060 – Building sewers and connections.

- B. Permits for connections to the public sewers shall be obtained from the department of **[[public works]]***infrastructure and development* and shall be made on forms provided by the department of **[[public works]]***infrastructure and development*. In all applications involving industrial waste, as defined in this chapter, additional information, plans specifications or other pertinent information will be required for review and approval by the director of **[[public works]]***water works*.

13.12.080 – Pretreatment of wastewater.

- D. Accidental Discharge/Slug Control Plans. To provide protection from accidental/slug discharge of prohibited materials or other substances regulated by this chapter, the superintendent may require any industrial user to develop and implement an accidental discharge/slug control plan. At least once every two years, the superintendent shall evaluate whether each significant industrial user needs such a plan. Any industrial user required to develop and implement an accidental discharge/slug control plan shall submit a plan which addresses, at a minimum, the following:

5. Written notification of an accidental/slug discharge shall be within five days following the event. Written notification shall be submitted to the city of Salisbury department of **[[public works]]***water works* wastewater pretreatment program. Included in the written notification shall be a description of the accidental/slug discharge, corrective and cleanup measures and measures initiated to prevent similar future occurrences.

Notification by the industrial user to the city shall not relieve the industrial user of any expense, loss, damage or other liability which may be incurred as a result of damage to the WTW or WWTP, fish kills or any other damage to person or property, nor shall such notification relieve the user of any fines, civil penalties or other liability which may be imposed by this chapter or other applicable federal, state or local regulations and/or laws.

13.12.100 – Wastewater discharge permit eligibility and application.

- B. Wastewater Discharge Permit Requirement.
1. It is unlawful to discharge wastewater to any city sanitary sewer without first completing an application with the city department of **[[public works]]***infrastructure and development* for service and paying applicable tapping fees, charges and assessments. It is also unlawful for any industrial user to discharge to any city sewer without first completing an application for and obtaining a wastewater discharge permit with the city department of **[[public works]]***water works* wastewater pretreatment program. Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this chapter and subjects the wastewater discharge permittee to the sanctions set out in Section 13.12.200 of this chapter. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all federal and state pretreatment standards or requirements or with any other requirements of federal, state and local law.

13.12.200 – Enforcement.

C. Show Cause Hearing.

2. The city council may itself conduct the hearing and take the evidence, or may designate any of its members or any officer or employee of the **[[public works]]** department *of water works* to:
 - a. Issue in the name of the city council notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;
 - b. Take the evidence;
 - c. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the city council for action thereon.

13.12.220 – Best management practices for controlling discharges of silver process wastewater to the city's sewerage system.

- D. Implementation Effect. This section is in addition to any requirements presently established or as may be established from time to time by ordinance, resolution or policy of the city council of the city of Salisbury, department of **[[public works]]** *water works* or other offices, boards, commissions, agencies, divisions or departments of the city of Salisbury and all other sections of this chapter are in full force and effect, regardless of the numbering of this section or location in the chapter.

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.

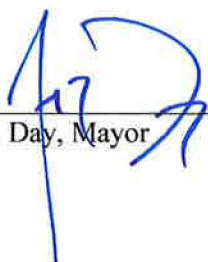
THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 11th day of September, 2017 and thereafter, a statement of the substance of the ordinance having been published as required by law, in the meantime, was finally passed by the Council on the 9th day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



MEMORANDUM

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.