

**ORDINANCE NO. 2789**

**AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND TO SET FEES FOR THE NEWLY CREATED BOARD OF APPEALS AND TO AMEND AND SUPPLEMENT THE FEE SCHEDULE FOR FY 2023.**

**RECITALS**

**WHEREAS**, pursuant to Ordinance No. 2769, the City of Salisbury (“City”) has amended the Salisbury City Code to combine the Housing Board of Adjustment and Appeals, the Building Board of Adjustment and Appeals, and the Board of Zoning Appeals into a new board known as the “Board of Appeals”; and

**WHEREAS**, as further detailed in Ordinance 2769, the fees for matters before the Board of Appeals are to be set from time to time by the Council of the City of Salisbury;

**WHEREAS**, Ordinance 2723 set fees for FY2023 and the City desires to supplement that Ordinance by establishing fees for the newly created Board of Appeals;

**WHEREAS**, the City Department of Infrastructure and Development desires to amend certain provisions of Ordinance 2723 by revising and clarifying certain fees for FY2023;

**WHEREAS**, as detailed on the Exhibit 1, the City Department of Infrastructure and Development recommends revising the language relating to the Development Plan Review Fee to add further clarification and description;

**WHEREAS**, the water meter fee charged by the City Department of Infrastructure and Development reflects the actual cost of the meter. Due to supply chain issues, the cost of water meters has increased. As detailed on the Exhibit 1, the City Department of Infrastructure and Development seeks to amend the water meter fee to ensure the fee is reflective of the market rate;

**WHEREAS**, the water meter setting fee charged by the City Department of Infrastructure reflects the cost for City staff to install the meter. Previously the water meter setting fee and water meter fee were combined. Exhibit 1 creates a distinction between these two fees; and

**WHEREAS**, the Department of Infrastructure and Development recommends that the attached fee schedule be added to Ordinance No. 2723 so the fees may be collected in FY 2023.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF SALISBURY** as follows:

**Section 1.** That the fee amounts included in the attached Exhibit 1 are adopted by the City of Salisbury and the amounts set forth therein shall supersede the prior corresponding fee amounts prescribed in the Salisbury Municipal Code and Ordinance No. 2723 until one or more of the said fees are subsequently amended.

**BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY**, 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 become effective upon final passage.

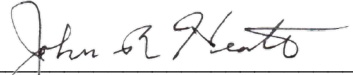
**THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 10<sup>th</sup> day of April, 2023 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the 24<sup>th</sup> day of April, 2023.

ATTEST:

  
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Kimberly R. Nichols, City Clerk

  
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Muir W. Boda, City Council President

Approved by me, this 28th day of April, 2023.


  
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John R. Heath, Acting Mayor

## EXHIBIT 1

<b>Board of Appeals Fees</b>		
Title - 8 Health and Safety Code Appeal	200	Per appeal, plus advertising costs if required.
Title - 12 Streets, Sidewalks and Public Places Code Appeal	200	Per appeal, plus advertising costs if required.
Title - 15.22 Vacant Buildings Code Appeal	250	Per appeal, plus advertising costs if required.
Title - 15.26 Rental Registration	250	Per appeal, plus advertising costs if required.
Title - 15.27 Chronic Nuisance Property	250	Per appeal, plus advertising costs if required.
Title - 15.24.280 Condemnation	250	Per appeal, plus advertising costs if required.
Title - 15.24.325 Plan for Rehabilitation	250	Per appeal, plus advertising costs if required.
Title - 15.24.350 Failure to Comply with Demolition Order	250	Per appeal, plus advertising costs if required.
Title - 15.24.950 Occupancy	250	Per appeal, plus advertising costs if required.
Title - 15.24.1640 Order to Reduce Occupancy	250	Per appeal, plus advertising costs if required.
Title – 17 All requests for variances, special exceptions and other zoning appeals	150	Per appeal/application, plus advertising costs if required.
All other appeals/applications to the Board of Appeals	150	Per appeal/application, plus advertising costs if required.
<b>Development Plan Review Fee (1536)</b>		
Development plans may consist of but not limited to the following: Stormwater Management, Grading, Landscaping, Lighting, Site Layout, Traffic Control, and Utilities.		
Fee for review of development plans	1,000	Plus \$50 per disturbed acre. Subsequent submittals, which generate additional comments, may be charged an additional \$500.
Fee for review of development plans exempt from stormwater management under 13.28.040.B.3 of the code	400	
<b>Water Meter and Setting Fee (Per Code 13.02.070)</b>		
Water meter setting fee for installation of water meter when tap is done by a contractor. Water meter fee is the cost of the meter.		
<b>Meter Setting Fees - In City:</b>		
3/4 Water Meter	125	Per Connection
1" Water Meter	125	Per Connection
1 ½" Water Meter	150	Per Connection
2" Water Meter	150	Per Connection
Larger than 2"	1,000	Per Connection
<b>Meter Setting Fees - Out of City:</b>		
3/4 Water Meter	175	Per Connection
1" Water Meter	175	Per Connection
1 ½" Water Meter	200	Per Connection
2" Water Meter	200	Per Connection
Larger than 2"	1,250	Per Connection
<b>Meter Fees</b>		
3/4 Water Meter	400	
1" Water Meter	500	
1 ½" Water Meter		* Determined by current market price of the meter
2" Water Meter	1,200	
Larger than 2"		* Determined by current market price of the meter



City of  
**Salisbury**  
John "Jack" R. Heath, Mayor

To: Andy Kitzrow, City Administrator  
From: Richard D. Baldwin, Director of Infrastructure and Development   
Date: March 27, 2023  
Re: Fee Schedule Changes

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The attached ordinance to change the fee schedule includes the following:

1. Inclusion of fees for the newly created Board of Appeals from Housing and Community Development
2. Provide clarifying language to the Development Review Fees
3. Split the water meter fees to accommodate for supply chain price increases and add installation cost for meter sizes not currently listed.

Unless you or the Mayor has further questions, please forward a copy of this memo and the attached draft ordinance to the City Council.

Attachments:

- 1 – Draft ordinance