

## ORDINANCE NO. 2812

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND CHAPTER 2.16 OF THE SALISBURY CITY CODE, ENTITLED “FIRE DEPARTMENT”, FOR GRANTING THE AUTHORITY TO ENFORCE ALL LAWS AND ORDINANCES OF THE CITY OF SALISBURY AND STATE OF MARYLAND PERTAINING TO FIRE, TO IMPLEMENT FIRE SAFETY PROGRAMS, AND TO ISSUE PERMITS AND LICENSES TO THE CITY FIRE MARSHAL.

WHEREAS, the ongoing application, administration and enforcement of the Salisbury City Code demonstrates the need for periodic review, evaluation and amendment; and

WHEREAS, the City of Salisbury desires to grant the responsibility to enforce all City and State laws pertaining to fire and fire prevention to the Fire Marshal; and

WHEREAS, the City of Salisbury desires to grant the responsibility to implement fire and safety programs within the City to minimize fire hazards and disasters and loss of life and property from these causes to the Fire Marshal; and

WHEREAS, the City of Salisbury desires to grant the responsibility to issue various permits and licenses as required by the City Fire Prevention Code to the Fire Marshal.

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

**Section 1.** Chapter 2.16, Section .020 (H.), of the Salisbury City Code, entitled “Fire Department”, be and is hereby amended by repealing the crossed-out language and adding the bolded and underlined language as follows:

H. Duties and Responsibilities of the Fire Marshal. The Fire Marshal shall: ~~be a uniformed firefighter. The Fire Marshal conducts plan reviews, and performs pre-occupancy inspections to enforce the City Fire Prevention Code (Section 8.11). The Fire Marshal, under the authority of the Fire Chief, is the City of Salisbury's primary and key point of contact for expertise and guidance on any and all fire prevention issues or concerns. 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.~~

- 1. Enforce all laws of the State of Maryland and ordinances of the City of Salisbury pertaining to:**
  - a. the prevention of fire;**
  - b. the installation and maintenance of equipment of all sorts intended for fire control, detection and extinguishment;**
  - c. the means and adequacy of exits in case of fire from buildings and all other places in which people work, live or congregate from time to time for any purpose, except buildings used wholly as a dwelling house containing no more than two dwelling units; and**
  - d. the investigation of the origin, cause and circumstances of fire and explosion or the attempt to cause fire or explosion.**
- 2. Implement fire safety programs within the City to minimize fire hazards and disasters and loss of life and property from these causes, including:**
  - a. the establishment and enforcement of fire safety practices throughout the City;**
  - b. preventive inspection and correction activities;**
  - c. coordination of fire safety programs with other Fire Department personnel and other City departments exercising enforcement aspects; and**

d. critical analysis and evaluation of City fire loss statistics to determine problems and solutions.

3. Issue permits and licenses as required under chapter 8.11 of this code.

4. Keep accurate records of all fire responses of the Fire Department.

**BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND,** 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.

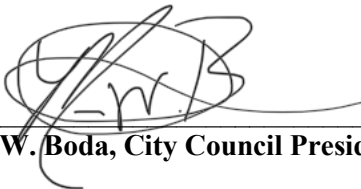
**Section 4.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

**Section 5.** This Ordinance shall take effect from and after the date of its final passage.

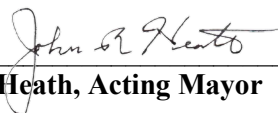
**THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 10<sup>th</sup> day of July, 2023 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the 31<sup>st</sup> day of July, 2023.

**ATTEST:**

  
Kimberly R. Nichols, City Clerk

  
Muir W. Boda, City Council President

Approved by me, this 18th day of August, 2023.

  
John R. Heath, Acting Mayor



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

**To: Deputy Chief O'Barsky**  
**From: Fire Marshal Cramer**  
**Subject: Municipal Code Amendment - Chapter 2.16**  
**Date: June 2, 2023**

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Attached is an ordinance amending Chapter 2.16, § .020 (H) of the City Municipal Code updating and defining the actual duties and responsibilities of the City Fire Marshal.

If acceptable, please forward to the City Council for legislative action.