

ORDINANCE NO. 2813

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND CHAPTER 8.11 OF THE SALISBURY CITY CODE, ENTITLED “THE FIRE PREVENTION CODE”, GRANTING THE AUTHORITY TO ISSUE PERMITS FOR THE INSTALLATION, MODIFICATION, OR REMOVAL FROM SERVICE OF ANY PRIVATE FIRE SERVICE WATER MAINS AND THEIR APPURTENANCES, AND PRESCRIBING PENALTIES FOR SPECIFIC VIOLATIONS.

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 has adopted the State Fire Prevention Code subject to local amendments; and

WHEREAS, pursuant to that Code, the City of Salisbury desires to grant the authority to issue permits for the installation, modification, or removal from service of any private fire service water mains and their appurtenances to the Fire Marshal; and

WHEREAS, the City of Salisbury also desires to prescribe penalties for specific violations of the fire prevention code.

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

Section 1. Chapter 8.11 of the Salisbury City Code, entitled “The Fire Prevention Code”, § 8.11.020 (6) be and is hereby amended by repealing the crossed-out language and adding the bolded and underlined language as follows:

6. Permits from the Fire Marshal are required for the following:
 - a. Installation/Modification of fire alarm and detection systems;
 - b. Installation/Modification of sprinkler or water spray systems;
 - c. Installation/Modification of standpipe systems;
 - d. Installation/Modification fire pumps;
 - e. Installation/Modification of water storage tanks for fire protection;
 - f. Installation/Modification of gaseous and chemical extinguishing systems;
 - g. Installation/Modification of foam systems;
 - h. Installation/Modification of smoke control systems;
 - i. Installation/Modification of flammable and combustible liquid storage tanks;
 - j. Installation/modification of emergency generators for fire protection systems.;
 - k. Installation, modification, or removal from service of any private fire ~~hydrants~~ **service mains and their appurtenances in accordance with NFPA 24;**
 - i. No permit is required for:**
 - A) Mains and their appurtenances under the control of a water utility;**

- B) Mains and their appurtenances providing fire protection and/or domestic water that are privately owned but are operated as a water utility;**
 - C) Underground mains serving sprinkler systems designed and installed in accordance with NFPA 13R that are less than 4 in. (100 mm) in nominal diameter; or**
 - D) Underground mains serving sprinkler systems designed and installed in accordance with NFPA 13D.**
- ii. This permit does not include the connection from the street main to a point in the public sidewalk area covered by Title 13, Chapter 13.08, § 13.08.050 of this Code.**
- l. Fireworks displays;
 - m. To store, transport on site, dispense, use, or handle hazardous materials;
 - n. To perform any fire hydrant or fire pump water flow test; and
 - o. To sell consumer fireworks.

Section 2. Chapter 8.11 of the Salisbury City Code, entitled “The Fire Prevention Code”, be and is hereby amended by adding the bolded and underlined language as follows:

8.11.070 Violations and penalties for specific violations.

Operating an assembly occupancy while overcrowded, beyond the posted occupant load.

- A. First offense. Any owner, manager, employee, corporation, firm, partnership association, organization operating an assembly occupancy while overcrowded shall be guilty of a municipal infraction and shall be subject to a fine of five hundred dollars (\$500.00);**
- B. Second and subsequent offense(s). Within one thousand ninety-five days of a like offense, any owner, manager, employee, corporation, firm, partnership association, organization operating an assembly occupancy while overcrowded shall be guilty of a misdemeanor, and upon conviction thereof; shall be subject to a fine of one thousand dollars (\$1,000.00), or imprisonment for not more than ninety (90) days, or both.**

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

Section 3. 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 4. 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.

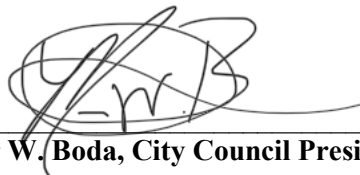
Section 5. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

Section 6. This Ordinance shall take effect from and after the date of its final passage.

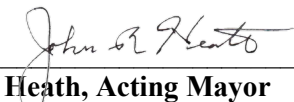
THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 10th day of July, 2023 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the 31st 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 Fire Chief O'Barsky
From: Fire Marshal Cramer
Subject: Ordinance to Amend Chapter 8.11
Date: June 2, 2023

Please see the attached ordinance, for your review and comment, amending Chapter 8.11 of the City Municipal Code, updating permit requirements and prescribing penalties for specific violations. Should you find it favorable, kindly forward to the City Council for consideration.