



# City of Salisbury

## SALISBURY PROPERTY AFFIDAVIT

### **TO BE FILED WITH SALISBURY INTERNAL SERVICES OFFICE PRIOR TO DEED STAMPING**

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_ TO WIT:

I HEREBY CERTIFY, that on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before, me, the subscriber, a Notary Public for the state and county aforesaid, personally appeared \_\_\_\_\_ who made oath in due form of law as follows:

1. I am competent to be a witness in a judicial proceeding, am over 18 years of age and have personal knowledge of the facts asserted herein.

2. I am owner of the property located at

\_\_\_\_\_  
Salisbury, Maryland (hereinafter referred to as "Property").

3. I understand that City of Salisbury codes may affect my Property, including, but not limited to:

- City of Salisbury Municipal Code
- City of Salisbury Property Maintenance Code
- 2015 International Commercial Building Code
- 2015 International Residential Building Code
- City of Salisbury Plumbing Code
- National Fire Prevention Code

PROPERTY AFFIDAVIT effective 7/9/09

*Revised 11/28/2023*



4. The proposed use of the Property will be: (select one)
- Owner-occupied residential
  - Rental Dwelling Unit(s)
  - Commercial Use
  - Care home, group domiciliary care facility, group home, recovery residence, halfway house or other residential facility providing housing, care, treatment and/or rehabilitation services to persons with mental or substance related disorders in a single or multi family dwelling
  - Other (Explain)\_\_\_\_\_

5. I understand that, if I choose to rent the Property, I must register the rental unit and obtain a rental unit owners license within 60 days of ownership or of it becoming a rental. The registration and license must be renewed annually. Failure to do so will result in a fine of \$500, increased registration and license fees, and designation as a delinquent owner and delinquent rental dwelling unit. "Rental" means leasing or allowing occupancy or usage of a dwelling unit, either directly or by an agent, in consideration of value, including personal services, paid or tendered to or for the use or benefit of the lessor. "Rental" includes recovery residences, group domiciliary care facilities and other similar residential care facilities that do not provide treatment services. Please refer to Chapter 15.26 of the Salisbury Municipal Code for specific provisions.

6. I understand that occupancy limitations exist throughout the City of Salisbury. I acknowledge that I have received a copy of the "Family Definition" as it appears in Chapters 15 and 17 of the Salisbury Municipal Code. Further, I understand that violating the occupancy limitations may result in Municipal Citations of up to \$500.00 (five hundred dollars). Each day a violation exists is a separate offence and is subject to the aforementioned penalty.



7. I understand that, if the Property is situated within one of three historic districts located inside the city's corporate limits, before any changes can be made that will affect the exterior appearance of the property, a certificate of approval must be obtained from the Salisbury Historic District Commission (SHDC). Municipal citations may be written up to \$500.00 for each separate violation of this requirement.

Salisbury's designated historic districts are:

Camden Historic District

Newtown Historic District

Downtown Historic District



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I DO SOLEMNLY AFFIRM under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.

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Owner

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Title/Position

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Owner's Phone Number

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E-mail Address

SUBSCRIBED AND SWORN to before me, this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

Notary Public

My Commission Expires:

**15.24.490 General Definitions.**

**FAMILY DEFINITION**

“Family” means and includes, subject to the exceptions stated below:

1. A core consisting of one person living alone or one of the following groups living as a single housekeeping unit:
  - a. Two or more persons who are related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship, such as foster children, placed by an agency licensed to operate in Maryland;
  - b. Up to a maximum of four persons who are not so related, hereinafter referred to as “unrelated persons” provided, however, that:
    - i. (A) Any existing lawful occupancy, in any dwelling or dwelling unit, including an apartment, in an R-5, R-8 or R-10 district, or in Spring Chase PRD No. 1, the maximum shall be two unrelated persons, not including the children of either of them, after December 16, 2002, subject to the occupancy permitted by subsections (1)(b)(i)(B) and (C) of this section.
    - (B) Any existing lawful occupancy, in any dwelling or dwelling unit, including an apartment in an R-5, R-8 or R-10 district, or Spring Chase PRD No. 1, the maximum shall be three unrelated persons, not including the children of either of them, if the dwelling or dwelling unit was occupied by three unrelated persons, during a period of one year, prior to December 16, 2002. The occupancy may continue as a nonconforming use. In an apartment, the maximum occupancy shall not exceed the number of unrelated persons set forth in subsection (1)(b)(ii) of this section.
    - (C) Any existing lawful occupancy, in any dwelling or dwelling unit, including an apartment in an R-5, R-8 or R-10 district, or Spring Chase PRD No. 1, the maximum shall be four unrelated persons, not including the children of either of them, if the dwelling or dwelling unit was occupied by four unrelated persons, during a period of one year, prior to December 16, 2002, and meets the requirements of Section 15.24.1600. The occupancy may continue as a nonconforming use. In an apartment, the maximum occupancy shall not exceed the number of unrelated persons set forth in subsection (1)(b)(ii) of this section.



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(D) The following lots are exempt from the occupancy restriction set forth in subsection (1)(b)(i)(A) of this section: all dwelling units shown on an approved final comprehensive development plan; and where the total land area shown thereon is subject to a special exception granted by the board of zoning appeals prior to December 23, 2002; and for which the director of building, housing and zoning has determined that the units were proposed and constructed primarily for student housing.

ii. In any district other than an R-5, R-8 or R-10 district, in an apartment or any attached dwelling unit, except a townhouse or duplex dwelling, the maximum shall be the following number of unrelated persons not including the children of any of them:

Two—in an efficiency or one bedroom unit;

Three—in a unit having two or more bedrooms; or

Four—in any unit constructed after November 25, 2002 (effective date of Ordinance No. 1864) having two or more bedrooms, if the entire parcel or tract of land on which it is located complies with the off-street parking requirement in effect when it was completed.

All dwelling units shall comply with parking code requirements.

c. A group of not more than four persons who are approved by the department of neighborhood services and code compliance pursuant to Section 15.24.1620 as a “functional family.”

2. In addition to its core member(s) a family may include:

a. One or more persons who provide health care or assisted living services to any core member of the family that are essential to the health, safety or general well-being of such core member, by performing such services at least eight hours each day.

b. One or more domestic servants who perform personal or household services at the dwelling or dwelling unit at least eight hours each day.

c. In the case of an owner-occupied dwelling unit in an R-5, R-8 or R-10 district, one person who is not a core member of a related family, not including any permitted provider of health care or assisted living services, may reside in the dwelling.

3. A “family” may not include or consist in whole or in part of:



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- a. Any society, club, fraternity, sorority, association, lodge, federation, or like organization.
  - b. Occupants of a rooming house or boarding house.
  - c. Persons whose association as a group is temporary or seasonal in nature.
  - d. Persons living in a group arrangement as a result of criminal conduct.
4. The “family” definition shall be applied to occupancy in accordance with the requirements of state and federal law.