



## CITY OF SALISBURY COUNCIL MEETINGS

Welcome and thank you for attending this public meeting. We appreciate your interest in what is happening in your City. Please familiarize yourself with the meeting procedures below:

### **Presiding Officer**

The Council President is responsible for conducting the meeting and managing any public comment period. When the Council President is not present, the Council Vice President conducts the meeting.

### **Public Participation in City Council Meetings**

1. In accordance with the Maryland Open Meetings Act, the general public is entitled to attend and observe all meetings of the Mayor and Council except in appropriate circumstances when meetings of the public bodies may be closed under the Act.
2. To encourage community engagement, the Council allows public comment using the following guidelines:
  - a. Work Sessions – persons desiring to speak on matters specific to the topics on the agenda may do so for up to three (3) minutes after each topic has been presented.
  - b. Regular Meetings – persons desiring to speak on any matter may do so for up to four (4) minutes during the “Public Comments” portion of the meeting.
  - c. Please fill out a comment form from the table as you enter Council Chambers, and turn it in to the Clerk.
  - d. The Council President will call you up to the podium. For the record, please state your name, whether you are a resident within the corporate limits of Salisbury, and any organization affiliation you are representing.
  - e. Questions posed by the public during the public comment portion will be logged and tracked by the City Clerk. The City Clerk will forward the questions to the appropriate individual or body for a response.
3. Those in attendance shall be courteous to one another, the Council, and to the proceedings while the Council is in session. Side conversations within the Council Chambers should be kept to a minimum and should not be disruptive.
4. The public body may have an individual removed if it is determined that the behavior of the individual is disruptive. Engaging in verbal comments intended to insult or slander anyone may be cause for termination of speaking privileges and/or removal from Council Chambers.
5. Please approach the City Clerk if you have questions or materials for the Council.

\*\*\*Please silence your cellphone.\*\*\*



**SALISBURY CITY COUNCIL  
WORK SESSION AGENDA**

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**MAY 20, 2024**

**Government Office Building, Council Chambers and Zoom Video Conferencing**

PUBLIC COMMENTS WILL BE HEARD AFTER EACH OF THE FOLLOWING ITEMS:

- 4:30 p.m. PRESENTATION- EMS Week Proclamation- Mayor Randolph J. Taylor
- 4:34 p.m. Budget amendment for fuel at Fire Department- Assistant Chief Chris Twilley
- 4:40 p.m. Short Term Rentals- Housing & Community Development Director Muir Boda
- 4:50 p.m. Budget amendment for Special Counsel- City Administrator Andy Kitzrow
- 5:00 p.m. Administration / Council Comments
- 5:10 p.m. Adjournment / Convene in Special Meeting

*Times shown are approximate. Council reserves the right to adjust the agenda as circumstances warrant.*

*The Council reserves the right to convene in Closed Session as permitted under the Annotated Code of Maryland 3-305(b).*

Join Zoom Meeting

<https://us02web.zoom.us/j/88163253286?pwd=K3RtZUhUMHNucDRPU2lHbnROQzZVUT09>

Meeting ID: 881 6325 3286

Passcode: 812389

Phone: 1.301.715.8592



# City of Salisbury

## Memo

To: Andy Kitzrow, City Administrator  
From: Chris O'Barsky, Deputy Chief of Administrative Services  
Date: 5/13/24  
Subject: Budget Amendment Request

The Fire Department is requesting the approval of a budget amendment for \$20,000 to cover a funding shortfall in our gasoline account. This projection will cover us through the end of FY24. The budgeted funds for the gasoline account done annually on the guidance Energy Consultant and the US Department of Energy projected costs. The reason for the needed request is due to increased fuel cost above what was estimated and the increased Fire and EMS calls, which has resulted in more fuel use by the department.

Thank you in advance for your time and consideration on this request. If you should have any questions or need any additional information, please do not hesitate to contact me.

Attachment: Budget Amendment Ordinance



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**ATTEST:**

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**Kimberly R. Nichols, City Clerk**

\_\_\_\_\_  
**D'Shawn M. Doughty, City Council President**

Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
**Randolph J. Taylor, Mayor**



**To: City Council**

**CC: Mayor Randy Taylor, Andy Kitzrow, John Tull, Kim Nichols, Julie English**

**From: Muir Boda, Director of Housing & Community Development**

**Subject: GovOS Short-Term Rental Software**

**Date: May 13, 2024**

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Council,

As discussed in a previous work session, we have prepared legislation for Short-Term Rentals. Our focus is to protect the health and safety of visitors to the City of Salisbury by ensuring that these rentals adhere to the same regulations and requirements as Standard Rentals such as smoke detectors, carbon monoxide detectors, lead paint inspections, and other similar requirements.

This legislation allows for both owner-occupied residences and non-owner occupied residences to operate as a Short-Term Rental.

Legislative actions:

- Enable Short-Term Rental regulation.
  - Define Short-Term Rentals and Standard Rental.
  - Define a Rental Owner's License.
  - Allow for electronic transmission of invoices and license.
  - Set maximum stay guideline (30 days).
  - Set STR Landlord & Unit registration fees in the FY25 Fee Schedule.
  - Set inspection requirements.
  - Require Short-Term Rental liability insurance policy of at least one million dollars.

This legislation will be making changes to Chapter 15.26 of the Salisbury Municipal Code which covers the rental of a residential residence.

Muir Boda  
Director of Housing & Community Development



Housing & Community Development Department  
207 W. Main St, Suite 102 Salisbury, MD 21801



42 "Mailing address" means the mailing address of an owner of a rental dwelling unit as recorded in the  
43 records of the Maryland Department of Assessments and Taxation (MSDAT). The owner is responsible for  
44 maintaining the owner's current mailing address with MSDAT.

45 "New owner" means the owner of a rental dwelling unit that:

- 46 a. Has been annexed into the city;
- 47 b. Has received a use and occupancy permit;
- 48 c. Title to which has been transferred to a new owner; or
- 49 d. Has been converted to rental use.

50 "New rental dwelling unit" means a rental dwelling unit that:

- 51 a. Has been annexed into the city;
- 52 b. Has received a use and occupancy permit;
- 53 c. Title to which has been transferred to a new owner; or
- 54 d. Has been converted to rental use.

55 "Person" means any individual, partnership, firm, corporation, association or other legal entity of  
56 whatsoever kind and nature.

57 **"Rental Owner's License" means a license issued by the Director of HCDD to an individual or**  
58 **legal entity (e.g., individual, partnership, corporation, etc.) which owns a majority interest in one or**  
59 **more dwelling units, that authorizes the individual or legal entity to register dwelling units within the**  
60 **City to rent or lease as standard rental unit(s) and/or as short-term rental unit(s).**

61 **"Standard Rental"** ~~"Rental"~~ means leasing or allowing occupancy or usage of a dwelling unit, either  
62 directly or by an agent, in consideration of value, including personal services, paid or tendered to or for the  
63 use or benefit of the lessor **for periods of (30) thirty consecutive days or longer**. Rental does not include  
64 an owner allowing use of a dwelling unit by immediate family members for no monetary consideration paid  
65 directly to or for the use or benefit of the owner. Payments for government services, taxes, utilities, or  
66 property maintenance items made by the immediate family occupant(s) shall not be deemed to be monetary  
67 consideration paid to or for the use or benefit of the owner.

68 **"Short-term rental" means the offering of lodging accommodations in a residential dwelling**  
69 **unit or accessory building for periods of less than thirty (30) consecutive days to transient guests.**

70 "Tenant" means a person who rents a dwelling unit.

71 "Tenants' rights lease addendum" means the written addendum required by the city which provides  
72 information about legal rights of tenants and maximum occupancy by unrelated individuals.

73 ...

#### 74 **15.26.040 Standard Rental dwelling unit registration.**

75 A. 1. The owner of a **standard** rental dwelling unit(s) shall register each unit by filing a registration form  
76 with the housing and community development department (HCDD) on or before December 31, 2007.

77 2. Registration forms shall be provided by HCDD. A new **standard** rental dwelling shall be  
78 registered within sixty (60) days of becoming a new rental dwelling unit.

79 3. The fee for annual registration of a **standard** rental dwelling unit shall be set by ordinance.

80 B. 1. Annual registration of existing **standard** rental dwelling units shall occur on or before March 1 of  
81 each year with the department of finance (finance).



- 82 2. Invoices for registration fees shall be sent on or before January 15 of each year by mailing an  
83 invoice addressed to the owner's mailing address.

84 C. An owner shall notify the city when a **standard** rental dwelling unit is converted to a nonrental use.

85 **15.26.041 Short-Term Rental (STR) dwelling unit registration.**

86 **A. 1. The owner of a STR rental dwelling unit(s) shall register each unit by filing a**  
87 **registration form with the housing and community development department (HCDD)**  
88 **on or before March 1, 2025.**

89 **2. Registration forms shall be provided by HCDD. A new STR rental dwelling shall be**  
90 **registered within sixty (60) days of becoming a new rental dwelling unit.**

91 **3. The fee for annual registration of a STR rental dwelling unit shall be set by ordinance.**

92 **B. 1. Annual registration of existing STR rental dwelling units shall occur on or before**  
93 **March 1 of each year with the department of finance.**

94 **2. Invoices for registration fees shall be sent on or before January 15 of each year by**  
95 **mailing an invoice addressed to the owner's mailing address.**

96 **C. An owner shall notify the City when a STR rental dwelling unit is converted to a nonrental**  
97 **use.**

98 **D. All owners of any occupied and/or advertised short-term rental dwelling units shall have a**  
99 **valid, unrevoked Rental Owner's License issued by HCDD. Once a Rental Owner's License**  
100 **is received, an owner must register all short-term rental dwelling units with the HCDD and**  
101 **pass an annual external and internal inspection of the property by HCDD to register the**  
102 **rental dwelling unit.**

103 **E. As part of the registration, a short-term rental owner must:**

104 **1. Provide documentation and a signed declaration of compliance attesting to**  
105 **compliance with subsections (2) through (10) below.**

106 **2. Comply with all applicable city, state, and federal laws.**

107 **a. If the property was built before 1978, a lead paint certification with the**  
108 **Maryland Department of the Environment must be submitted during the**  
109 **registration process.**

110 **3. Provide a statement as to whether the proposed STR is the Property Owner's primary**  
111 **residence, a second home residence, or a secondary residence on the property.**

112 **4. Ensure that all dwelling units have approved working smoke alarms and carbon**  
113 **monoxide alarms in every bedroom and on every level of the home in accordance with**  
114 **state and local law.**

115 **5. Post the following information in a conspicuous place within each dwelling unit used**  
116 **as a short-term rental:**

117 **a. Emergency contact information.**

118 **b. Contact information for the short-term rental host or authorized agent.**

119 **c. Street address.**

120 **d. Floor plan indicating fire exits and escape routes.**

121 **e. Housing and Community Development Department contact information –**  
122 **address and email.**

- 123 f. City and association rules regarding parking, noise, and trash.
- 124 6. Maintain and provide proof of a minimum short-term rental liability insurance policy
- 125 of at least one million dollars (\$1,000,000.00).
- 126 7. Maintain and keep readily available for inspection, a guest registry that includes at a
- 127 minimum:
- 128 a. The name of each guest.
- 129 b. Check in/out dates.
- 130 c. Rent paid.
- 131 8. Post a valid rental license number on all listings advertising the short-term rental
- 132 dwelling unit.
- 133 9. Remit all applicable local taxes and required fees.
- 134 10. Submit written confirmation from any applicable home owners' association or
- 135 condominium association that the use of the property as a short-term rental is
- 136 permitted and that all common ownership community fees are no more than thirty
- 137 (30) days past due.

138 ...

139 **15.26.050 Annual Rental Owner's License ~~License for rental dwelling unit owners.~~**

140 A. 1. Each legal entity, e.g., individual, partnership, corporation, which owns a majority interest in a

141 rental dwelling unit(s) shall obtain a Rental Owner's License ~~license~~ from HCDD. A new owner

142 of a rental dwelling unit(s) shall obtain a Rental Owner's License ~~license~~ from HCDD within sixty

143 (60) days of becoming a new owner.

144 2. A Rental Owner's License ~~license~~ form shall be provided by HCDD.

145 3. The annual license fee shall be set by ordinance.

146 B. 1. Annual renewal of existing licenses shall occur on or before March 1 of each year with Finance.

147 2. An invoice for a license fee shall be sent on or before January 15 of each year, ~~by mailing~~

148 ~~an invoice addressed to the licensed owner at the owner's mailing address.~~

149 **3. The invoice shall be mailed to the address of the licensed owner or upon confirmation**

150 **of the owner, electrically transmitted through the software application process the license**

151 **and registration, which the owner has access through their registered account or through**

152 **the owner's registered e-mail address with the City.**

153 **15.26.060 Failure to register or renew a standard or short-term rental dwelling unit or obtain Rental**

154 **Owner's License ~~owner license.~~**

155 A. 1. Failure of the owner of a standard or short-term rental dwelling unit(s) to renew a Rental Owner's

156 License ~~rental dwelling unit owner license~~ or on or before March 1<sup>st</sup> of each calendar year, shall cause

157 the owner to be designated ~~designation~~ as a noncompliant owner and to be assessed a noncompliant

158 rental dwelling unit owner license fee, which shall be set by ordinance for each license renewed on or

159 before July 1 of each calendar year.

160 2. a. i. If a Rental Owner's License ~~rental dwelling unit license~~ is not renewed on or before July

161 1 of each calendar year, then the rental dwelling unit owner shall be designated a delinquent

162 owner and the owner's rental dwelling unit owner license is revoked.

- 163                   ii. If a new owner of a rental dwelling unit(s) fails to complete a license form provided by  
164                   HCDD and pay a license fee within sixty (60) days of becoming a new owner, then the new  
165                   owner shall be designated as a delinquent owner.
- 166                   b. HCDD shall notify the owner of such designation by mailing a notice addressed to the owner  
167                   at the owner's mailing address. If applicable, the notice shall inform the owner that the rental  
168                   dwelling unit owner license is revoked and all rental dwelling units shall be vacated within  
169                   sixty (60) days. Any security deposit shall be returned to the tenant pursuant to provisions of  
170                   the Annotated Code of Maryland, Real Property Article, Title 8.
- 171                   3. To remove delinquent owner status and to comply with the license requirements of this chapter,  
172                   a delinquent owner shall pay a delinquent rental dwelling unit owner license fee, which shall be  
173                   set by ordinance together with the required owner license fee for the current calendar year.
- 174 B. 1. Failure of the owner of a **standard or short-term** rental dwelling unit(s) to register rental dwelling  
175                   unit(s) on or before March 1 of each calendar year, shall cause the rental dwelling unit to be designated  
176                   as a noncompliant rental dwelling unit and shall cause the owner to be assessed a noncompliant rental  
177                   dwelling unit fee for each rental dwelling unit registered on or before July 1 of each calendar year  
178                   according to a fee schedule, which shall be set by ordinance:
- 179                   a. If the rental dwelling unit is not registered on or before July 1 of each calendar year, then the  
180                   rental dwelling unit shall be designated as a delinquent rental dwelling unit.
- 181                   b. If a new rental dwelling unit is not registered within sixty (60) days of becoming a new rental  
182                   unit, then the new rental dwelling unit shall be designated as a delinquent rental dwelling unit.
- 183                   2. HCDD shall notify the owner of such designation by mailing a notice addressed to the owner at  
184                   the owner's mailing address. The notice shall inform the owner that the rental dwelling unit is a  
185                   delinquent rental dwelling unit, and the owner shall vacate any tenant occupying that rental  
186                   dwelling unit within sixty (60) days. Any security deposit shall be returned to the tenant pursuant  
187                   to provisions of Annotated Code of Maryland, Real Property Article, Title 8.
- 188                   3. To remove delinquent rental dwelling unit status and to comply with the registration  
189                   requirements of this chapter, the owner of a delinquent rental dwelling unit shall pay a delinquent  
190                   rental dwelling unit registration fee, which shall be set by ordinance together with the required  
191                   registration fees for the current year.
- 192 C. All licensing and registration fees set forth herein shall be effective during the calendar year 2011 and  
193                   thereafter.
- 194 D. If an owner desires to register a delinquent **standard or short-term** rental dwelling unit, the rental  
195                   dwelling unit shall be subject to an inside and outside inspection by HCDD. All violations must be  
196                   corrected before the rental dwelling unit is registered. If the delinquent rental dwelling unit changes  
197                   ownership to a legal entity which is not owned or controlled by the delinquent owner, and the new  
198                   owner complies with all provisions of this chapter, the delinquent owner designation then terminates.  
199                   If the new owner fails to timely register a rental dwelling unit, then the delinquent rental dwelling unit  
200                   designation shall continue.
- 201 E. If the full amount of any fees due to the city is not paid by a delinquent owner within forty-five (45)  
202                   days of July 1 of each calendar year after billing, finance shall cause to be recorded in the city records  
203                   the amount of fees due and owing, and the full amount of any fees due to the city shall be collectible  
204                   in the same manner as real estate taxes are collected.
- 205 (Ord. No. 2163, 7-25-2011; Ord. No. 2456, 10-9-2017 )
- 206 ...

207 **15.26.110 Denial, nonrenewal, revocation or suspension of license or registration.**

208 If after any period for compliance with this chapter has expired, the HCDD determines that a **standard**  
209 **or short-term** rental dwelling unit or a rental dwelling unit owner fails to comply with any of the licensing  
210 or registration standards set forth herein or with the occupancy provisions of this code, HCDD shall initiate  
211 an action to deny, revoke, suspend, or not renew a registration or license and mail the owner a notice of  
212 denial, nonrenewal, revocation, or suspension of the license or registration. The notice shall state:

- 213 A. That HCDD has determined that the rental dwelling unit fails to comply with the standards for  
214 rental dwelling units in this chapter, and/or the owner has failed to comply with the Maryland  
215 Department of Environment lead abatement reporting requirements;
- 216 B. The specific reasons why the rental dwelling unit fails to meet the required standards, including  
217 copies of applicable inspection reports, or notices sent to a licensee about the rental dwelling  
218 unit;
- 219 C. That the director will deny, refuse to renew, revoke, or suspend the license or registration unless  
220 the owner appeals the determination within twenty-one (21) days after receipt of the notice, in  
221 the manner provided in Section 15.26.120;
- 222 D. That after denial, nonrenewal, revocation or suspension, the rental dwelling unit shall be vacated  
223 within sixty (60) days, and shall not be reoccupied until all violations are corrected and a license  
224 and/or registration is granted by HCDD pursuant to provisions of Annotated Code of Maryland,  
225 Real Property Article, Title 8;
- 226 E. The notice shall describe how an appeal may be filed under Section 15.26.120;
- 227 F. The director shall cause a notice to tenants to be mailed or delivered to each registered rental  
228 dwelling unit and prominently posted on the building. The notice shall indicate that the rental  
229 dwelling unit registration or owner license for the rental dwelling unit has been denied, revoked,  
230 not renewed or suspended, whichever is applicable; that the action will become final on a specific  
231 date unless the rental dwelling unit owner appeals and requests a hearing; that tenants may be  
232 required to vacate the building when the action becomes final; that further information can be  
233 obtained from HCDD.

234 The application of this section with regard to occupancy is subject to the city's policy directive on this  
235 issue, as approved by resolution of the council.

236 **15.26.115 Tenants' rights lease addendum.**

237 Every new lease or renewed lease **of a standard rental dwelling unit**, whether written or verbal, shall  
238 incorporate a written copy of the Tenants' Rights Lease Addendum, as amended from time-to-time, signed  
239 by both the landlord or landlord's agent and all tenants of majority age. This addendum shall be made  
240 available for inspection upon request of the housing official.

241 ...

242 **15.26.130 Vacation of rental dwelling units.**

243 When an application for rental **owner's** license has been denied, ~~or~~ a **standard** rental dwelling  
244 registration, **or short-term rental unit registration** has been revoked, suspended, or not renewed, the  
245 director shall order the rental dwelling unit vacated within sixty (60) days pursuant to provisions of  
246 Annotated Code of Maryland, Real Property Article, Title 8. **In the case of a short-term rental dwelling**  
247 **units, the dwelling unit must be vacated within 48 hours.**

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

250 **Section 2.** It is the intention of the Mayor and Council of the City of Salisbury that each provision  
251 of this Ordinance shall be deemed independent of all other provisions herein.

252 **Section 3.** It is further the intention of the Mayor and Council of the City of Salisbury that if any  
253 section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid,  
254 unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication  
255 shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other  
256 provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

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

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

260 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City  
261 of Salisbury held on the \_\_ day of \_\_, 2024 and thereafter, a statement of the substance of the Ordinance  
262 having been published as required by law, in the meantime, was finally passed by the Council of the City  
263 of Salisbury on the \_\_ day of \_\_, 2024.

264

265 ATTEST:

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268 \_\_\_\_\_  
269 Kimberly R. Nichols, City Clerk

\_\_\_\_\_ D'Shawn M. Doughty, City Council President

270 Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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273 \_\_\_\_\_  
Randolph J. Taylor, Mayor



# City of Salisbury

TO: City Council  
FROM: Andy Kitzrow  
DEPT: Mayor's Office  
DATE: 5/1/24  
SUBJECT: Budget Amendment – Special Counsel for Labor Relations

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Saul Ewing (Daniel Altcheck) was selected to represent the City of Salisbury negotiations with the three bargaining units. The City Council approved an initial allocation of \$50,000 for these services via Budget Amendment Ordinance 2823.

Now that we have finalized our agreements and concluded negotiations, the projected total cost for these services is \$175,000. We are seeking an additional \$125,000 for account 17000-513302 (Other Attorney) to fulfill our obligations for the remainder of the fiscal year.



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**THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024 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 \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**ATTEST:**

\_\_\_\_\_  
**Kimberly R. Nichols, City Clerk**

\_\_\_\_\_  
**D'Shawn M. Doughty, City Council President**

Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
**Randolph J. Taylor, Mayor**