

CITY OF SALISBURY

115 S. Division Street, Salisbury, MD, 21801

LEGISLATIVE SESSION

Government Office Building 125 N. Division Street, Room 301, Salisbury, MD, 21801 Monday, September 23, 2024, 6:00 p.m.

D'SHAWN M. DOUGHTY Council President

ANGELA M. BLAKE Council Vice President APRIL R. JACKSON Councilwoman

MICHELE R. GREGORY SHARON DASHIELL Councilwoman

Councilwoman

CALL TO ORDER

WELCOME/ANNOUNCEMENTS/PLEDGE

INVOCATION – Pastor Greg Morris, Parkway Church of God

PRESENTATION AND ADOPTION OF THE LEGISLATIVE AGENDA

CONSENT AGENDA – City Clerk Julie English

- August 5, 2024 Work Session Minutes
- August 5, 2024 Closed Session #1 Minutes

PUBLIC HEARINGS – City Attorney Ashley Bosché

- Charter Amendment Resolution No. 2024-1 to amend § SC1-1 of the City Charter to add that all references to the "City" or "Salisbury" in the City Charter and Municipal Code shall mean the "City of Salisbury," a municipal corporation of the State of Maryland
- Charter Amendment Resolution No. 2024-2 to amend § SC2-2 of the City Charter to further clarify the qualification requirements to run for Council and maintain a seat on Council
- Charter Amendment Resolution No. 2024-3 to amend § SC3-2 of the City Charter to further clarify the qualification requirements to run for the Office of Mayor
- Charter Amendment Resolution No. 2024-4 to amend Section 6 of the City Charter entitled "Elections" to amend § SC6-6 governing nominations and § SC6-9 governing the election of Mayor and Council and adding sections providing the requirements for Write-in Campaigns and Certificates of Withdrawal

ORDINANCES – City Attorney Ashley Bosché

- $\underline{\textbf{Ordinance No. 2889}} 2^{nd} \ reading amending \ Chapter \ 1.08 \ of the \ Salisbury \ City$ Code, entitled "Election Board," to adopt recommendations made by the City of Salisbury Election Board regarding the application for Mail-in Ballots and the canvassing of ballots
- Ordinance No. 2890 2nd reading amending Chapter 1.12 of the Salisbury City Code, entitled "City Election Campaign Advertising and Finance"

• <u>Ordinance No. 2891</u> – 1st reading – authorizing the Mayor to enter into a contract with the Maryland State Arts Council for the purpose of accepting grant funds in the amount of \$41,002 and to approve a budget amendment to the Grant Fund to appropriate these funds for expenses associated with the Maryland Folk Festival

PUBLIC COMMENTS

ADMINISTRATION UPDATES AND COMMENTS

COUNCIL COMMENTS

ADJOURNMENT

Join Zoom Meeting

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

Meeting ID: 881 6325 3286 Passcode: 812389 Phone: 1.301.715.8592

City Council Meetings are conducted in Open Session unless otherwise indicated. All or part of the Council's meetings can be held in Closed Session under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland General Provisions Article § 3-305(b) by vote of the City Council.

1 **CITY OF SALISBURY** 2 **WORK SESSION** 3 **AUGUST 5, 2024** 4 5 **PUBLIC OFFICIALS PRESENT** 6 7 Council President D'Shawn M. Doughty, Council Vice-President Angela M. Blake, Councilwoman April R. 8 Jackson, Councilwoman Michele R. Gregory, Councilwoman Sharon C. Dashiell, Mayor Randolph J. Taylor 9 10 IN ATTENDANCE 11 12 City Administrator Andy Kitzrow, Police Chief Dave Meienschein, City Planner Amanda Rodriguez, 13 County Councilmember Jeff Merritt, Arts, Business & Culture Director Allen Swiger, City Clerk Julie 14 English, City Attorney Ashley Bosché and members of the public 15 16 The City Council convened in Work Session on August 5, 2024 at 4:30 p.m. in the Government 17 Office Building Council Chambers, Room 301, located at 125 N. Division Street. The following is 18 a synopsis of the items discussed. 19 20 Resolution to accept 307R Delaware Avenue 21 Chief Meienschein presented a resolution to accept the donation of 307R Delaware Avenue from the 22 Twilley Non-exempt Residuary Trust U/W. Accepting this donation would allow the Salisbury Police 23 Department to close in their footprint along Burton Street. Chief explained there had been some 24 security issues in the back lot and that closing it in would help with those issues. It was clarified that the 25 property being donated was not suitable for housing and was more of a depression used for drainage. 26 27 Mr. Kitzrow added that the acceptance of the property would also allow the City to close off Burton 28 Street to thru traffic if necessary. 29 30 Having no public comments, unanimous consensus was reached by Council to move the legislation 31 forward to the next legislative agenda. 32 33 Budget amendment to appropriate funds from the recycling of scrap metal 34 Chief Meienschein presented a budget amendment to appropriate the funds received from scrap metal. 35 The Salisbury Police Department gathered brass shell casings from the shooting range, where qualifying 36 takes place, and recycled them. The funds received from the recycled brass would then get appropriated 37 back into the ammunition account for the department. 38 39 There were no public comments. Council reached unanimous consensus to move this forward to 40 legislative session. 41 42 Ordinance to amend Chapter 12.20 - Chesapeake Bay Critical Area Overlay District 43 City Planner Amanda Rodriguez presented an ordinance to amend Chapter 12.20 of the Salisbury 44 Municipal Code to reflect changes to the Natural Resources article of the Maryland Annotated Code and 45 to adopt a Critical Area District Map. She explained that the map previously presented to Council 46 showed the boundary of the critical area. The map that was before them now included the delineations 47 of the intensely and limited development areas and the resource conservation area. Also included in the 48 packet were copies of the public hearing and the draft ordinance. The ordinance, if approved, would 49 adopt the map, delineations and changes to the Code. Ms. Rodriguez summarized, at the request of

President Doughty, that the State previously used wetland maps from the 70s for their data and could now use GIS and field data to more accurately define the critical area boundaries for properties along the water.

There were no public comments. Council reached unanimous consensus to move the legislation forward to legislative agenda.

Presentation – Veteran Banners

Councilwoman April Jackson, County Councilman Jeff Merritt, VFW District #16 Commander Calvin Mitchell, Sr. and Arts, Business & Culture Director Allen Swiger were present to discuss the possibility of having banners hung in Salisbury to honor veterans. Ms. Jackson shared that the purpose of having the banners was to continually honor local veterans who served the nation past, present and future. She felt the banners should be hung indefinitely rather than just during a holiday or for a certain period of time.

Ms. Jackson hoped Mr. Merritt would present this idea to the County Council as well. She referenced other towns and cities where she had seen similar recognition banners for veterans. Mr. Merritt provided a banner size of 18" wide and 3' tall when he referenced banners hung in Hebron and Fruitland. He did not recommend banners smaller than that so people could see them while driving by. He added that most of the banners were taken down after the holiday. Ms. Jackson explained that the City would not pay for the banners. The family or individual would be responsible for the cost of the banner.

Mr. Swiger explained that the City had to be sensitive to every awareness initiative. Downtown Salisbury was set up to display banners and there was a policy in the works. He added that there were only 65 spots downtown for banners. He would like to find a fair and balanced approach. There would be others with an interest in hanging banners as well. Even though there were only 65 spots downtown, other locations would be explored. Ms. Jackson responded that she would like to use the entire City for the banners and the County as well.

Councilwoman Dashiell agreed with Ms. Jackson in that the banners should stay up indefinitely. If the banners were opened up into the County it would provide a larger venue.

Mr. Kitzrow reminded everyone that there were other groups interested in having banners hung for awareness. The City needed to be sensitive to others who would ask to recognize other things. If there were "forever" locations, that would not allow others the opportunity to use those locations. Mr. Kitzrow also added that it would need to be determined who would be responsible for the upkeep of the banners as well.

 Ms. Dashiell mentioned that she and Ms. Jackson discussed the option to have specific areas, Unity Square for example, designated for banners that would be displayed to provide awareness and could be changed out. She also thanked Mr. Kitzrow for pointing out the upkeep as she had not thought about that.

President Doughty asked how much time would be needed to complete the draft policy for the banners and to determine what the footprint beyond the downtown area would be. Mr. Swiger stated the fees would need to be added to the fee schedule and that he and Mr. Merritt would need to take a drive to determine possible locations. Mr. Swiger believed they could accomplish those goals in a month.

Mr. Merritt added that there were 191 names listed on the Wicomico County War Memorial whose home of record was Wicomico County. Mr. Kitzrow noted that when you make something permanent, whether to memorialize or celebrate someone, you will eventually run out of space. Whether it was a bench or a tree, you would hit a cap. He agreed that people needed to be honored and celebrated but wanted everyone to understand what would happen further along in the process.

Mr. Swiger mentioned that there could be specific poles designated for certain causes and those banners could be rotated out monthly.

Commander Calvin Mitchell, Sr. spoke in support of the banners. He stated that it had been 50 years since they had been recognized. That was when the law passed to establish Veteran's Day. The banners would be another way to show veterans that the City cared about them.

The following Public Comment was given:

The Speaker was grateful for the conversation about the banners and she did not feel enough publicity was given to the veterans. She spoke of her uncle who passed away in April. He was buried in Hurlock and as his family left the gravesite, they noticed the banners honoring veterans and it gave them a sense of honor from the Town of Hurlock after grieving the loss of their family member. She also spoke of her uncle, a Bridgeville resident, who wanted to see a banner hung in Salisbury to honor his brother who loved the City of Salisbury.

ADMINISTRATION COMMENTS

Mr. Kitzrow reminded everyone that National Night Out would be the following evening at 6:00 p.m. at the Salisbury City Park. He thanked the police department and city staff for helping make it happen and invited all to attend.

Mayor Taylor thanked the Department of Field Operations for their work following a storm. There were a lot of trees down that they had to deal with. He asked for the public's patience as they work around the City to get things cleaned up.

COUNCIL COMMENTS

Ms. Dashiell thanked Sgt. Hitty for heading up the National Night Out event. She welcomed Ms. Jackson back to the meetings (in-person) and acknowledged City Clerk Julie English for her new position. Ms. Dashiell thanked Commander Mitchell and Mr. Merritt for their service. Lastly, she expressed her enjoyment in the Doverdale neighborhood during the Neighborhood Walk and thanked Rachel Manning for her work with those events.

Ms. Jackson thanked Commander Mitchell, the members of Post 10159, and Ms. Aundra Roberts for supporting the veteran banners. She thanked Mr. Merritt and Mr. Swiger for their efforts with the banners. She announced Unity Day at the VFW on the upcoming Saturday and asked all to come. Lastly, Ms. Jackson shared an upcoming event by the West Men Society. They would be holding their annual concert on August 17th at the Lake Street playground.

Ms. Dashiell invited everyone to the Slam Dunk Contest – 3 Point Shootout.

146 Ms. Gregory also welcomed Ms. English in her new capacity. She shared that retired City Clerk Kim 147 Nichols had a great retirement party and wished her well. She highlighted the upcoming Business Expo 148 for National Black Business Month at the Civic Center and encouraged businesses and the public to 149 attend. 150 151 Ms. Blake welcomed Ms. Jackson back and also acknowledged Ms. English. She gave a special thanks to 152 Ms. Dashiell and Ms. Gregory for assisting with Ms. Nichols farewell party. She again asked for those 153 healthy enough to donate blood and/or plasma. 154 155 President Doughty encouraged everyone to attend National Night Out. He shared about the Business 156 After Hours for We Are Limitless. He mentioned the Housing Action Committee meeting, Junior Fire 157 Academy, Unity Day, and the Black Excellence Community Fund dinner and awards. He also 158 acknowledged the 'Back to School' events and giveaways. 159 160 With no further business to discuss, the Work Session adjourned at 5:13 p.m. 161 MOTION TO CONVENE IN CLOSED SESSION 162 163 164 President Doughty called for a motion and second to convene in closed session to consult with Attorney 165 Patel to obtain legal advice regarding and to consult with staff regarding the Wicomico County Circuit 166 Court's recent decision in the matter of Salisbury Town Center Apartments, LLC as it relates to the city 167 and to consult with staff, consultants, or other individuals about pending or potential litigation as 168 authorized by the State Government Article § 3-305(b)(7) and (8). 169 170 After the public left the Council Chambers, the Closed Session began at 5:15 p.m.

1	CHARTER AMENDMENT RESOLUTION NO. 2024-1
2 3	A RESOLUTION TO AMEND § SC1-1 OF THE CITY CHARTER TO ADD
4	THAT ALL REFERENCES TO THE "CITY" OR "SALISBURY" IN THE
5	CITY CHARTER AND MUNICIPAL CODE SHALL MEAN THE "CITY
6	OF SALISBURY," A MUNICIPAL CORPORATION OF THE STATE OF
7	MARYLAND.
8 9	WHEREAS, the ongoing application, administration, and enforcement of the City Charter
10	demonstrates a need for its periodic review, evaluation, and amendment to keep the provisions of
11	the Charter current; and
12	the Charter Current, and
13	WHEREAS, the Mayor and Council of the City of Salisbury (the "Mayor and Council")
14	are authorized by MD Code, Local Government, § 4-301 et seq., as amended, and § SC21-2 of
15	the Charter to amend the Charter, not contrary to the Constitution of Maryland, public general
16	law or public local law, as the Mayor and Council deem necessary to assure the good government
17	of the municipality; and
18	
19	WHEREAS, the Mayor and Council find that an amendment to § SC1-1 of the Charter is
20	desirable to clarify the Charter; and
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22	WHEREAS, on August 8, 2024, the City of Salisbury Election Board convened in public
23	session to review potential amendments to the Charter and to offer advice and recommendations
24	to the Mayor and Council; and
25	
26	WHEREAS, on August 19, 2024, the Mayor and Council convened in public session to
27	review this proposed Charter amendment; and
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29	WHEREAS, the Mayor and Council have determined that this amendment to § SC1-1
30	shall be adopted as set forth herein; and
31	
32	NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
33 34	SALISBURY by virtue of the authority granted in Article XI-E of the Maryland Declaration of Rights, §§ 4-301 <i>et seq.</i> of the Local Government Article of the Code of Maryland, and Article
35	XXI of the City Charter as follows:
36	AAT of the City Charter as follows.
37	Section 1. It is proposed and recommended that § SC1-1 be amended to add the
38	underscored and italicized language:
39	The inhabitants of the City of Salisbury, in Wicomico County, Maryland, are hereby
40	constituted a body corporate by the name of the "City of Salisbury," and by that name
41	shall have perpetual succession, sue and be sued, have and use a common seal which may
42	be altered at pleasure and have all powers and privileges incident to or that may attach to

a municipal corporation. The repealing of the former Section 258 of Article 23 of the Code of Public Local Laws of Maryland (1930 Edition) and the enactment of this new section shall not be construed as terminating the existence of the corporation known as the "Mayor and Council of Salisbury" and creating a new corporation by the name of the "City of Salisbury," but shall be construed as continuing the existence of the corporation known as the "Mayor and Council of Salisbury" and changing its name to that of the "City of Salisbury." All references to the "City," "city," or "Salisbury" in this Charter or the Salisbury Municipal Code shall mean the "City of Salisbury."

Section 2. With the aforementioned proposed Charter amendment, § SC1-1 of the Charter

would read:

The inhabitants of the City of Salisbury, in Wicomico County, Maryland, are hereby constituted a body corporate by the name of the "City of Salisbury," and by that name shall have perpetual succession, sue and be sued, have and use a common seal which may be altered at pleasure and have all powers and privileges incident to or that may attach to a municipal corporation. The repealing of the former Section 258 of Article 23 of the Code of Public Local Laws of Maryland (1930 Edition) and the enactment of this new section shall not be construed as terminating the existence of the corporation known as the "Mayor and Council of Salisbury" and creating a new corporation by the name of the "City of Salisbury," but shall be construed as continuing the existence of the corporation known as the "Mayor and Council of Salisbury" and changing its name to that of the "City of Salisbury." All references to the "City," "city," or "Salisbury" in this Charter or the Salisbury Municipal Code shall mean the "City of Salisbury."

Section 3. Pursuant to MD Code, Local Government, § 4-304, a public hearing on this Resolution, providing for the amendment of the City of Salisbury's Charter as set forth herein, shall be and hereby is scheduled for September 23, 2024 at 6:00 p.m.

Section 4. Pursuant to the City of Salisbury's Charter § SC21-2 and MD Code, Local Government, § 4-304, the City shall post a complete and exact copy of this Charter Amendment at the City Government Building for at least forty (40) days after the passage of this Resolution and advertise a fair summary of this Resolution in a newspaper of general circulation in the City at least four times at weekly intervals and within forty days after the Resolution has been adopted.

<u>Section 5.</u> The title of this Resolution shall be deemed a fair summary of the amendments provided herein for public and all other purposes.

75	AND, BE IT FURTHER RESOLVE	D BY THE COUNCIL OF THE CITY OF
76	SALISBURY:	
77	Section 6. This Resolution shall take es	ffect on the fiftieth day after the Resolution is
78	adopted, subject to the right of referendum.	
79	AND, BE IT FURTHER RESOLVE	D BY THE COUNCIL OF THE CITY OF
80	SALISBURY:	
81	Section 7. It is the intention of the Counc	il of the City of Salisbury that each provision of
82	this Resolution shall be deemed independent of a	all other provisions herein.
83	Section 8. It is further the intention of t	he Council of the City of Salisbury that if any
84	section, paragraph, subsection, clause, or provisi	on of this Resolution shall be adjudged invalid
85	unconstitutional, or otherwise unenforceable un	nder applicable Maryland or federal law, such
86	adjudication shall apply only to the section, 1	paragraph, subsection, clause, or provision so
87	adjudged and all other provisions of this Resolu	tion shall remain and shall be deemed valid and
88	enforceable.	
89	Section 9. The Recitals set forth herein	above are incorporated into this section of this
90	Resolution as if such recitals were specifically so	et forth at length in this Section 9.
91	THE ABOVE RESOLUTION was in	ntroduced and read and passed at the regular
92	meeting of the Council of the City of Salisbury h	neld on this 23 day of September, 2024.
93		
94		
95	Julie A. English,	D'Shawn M. Doughty,
96	City Clerk	City Council President
97		
98 99	APPROVED BY ME THIS day of	_, 2024.
100 101		
102	Randolph J. Taylor, Mayor	_

1	CHARTER AMENDMENT RESOLUTION NO. 2024-2
2 3 4 5	A RESOLUTION TO AMEND § SC2-2 OF THE CITY CHARTER TO FURTHER CLARIFY THE QUALIFICATION REQUIREMENT TO RUN FOR COUNCIL AND MAINTAIN A SEAT ON COUNCIL.
6	
7	WHEREAS, the ongoing application, administration, and enforcement of the City Charter
8	demonstrates a need for its periodic review, evaluation, and amendment to keep the provisions of
9	the Charter current; and
10	
11	WHEREAS, the Mayor and Council of the City of Salisbury (the "Mayor and Council")
12	are authorized by MD Code, Local Government, § 4-301 et seq., as amended, and § SC21-2 of
13	the Charter to amend the Charter, not contrary to the Constitution of Maryland, public general
14	law or public local law, as the Mayor and Council deem necessary to assure the good government
15	of the municipality; and
16	WHERE A CALL A COLUMN A COLUMN A COLUMN A COLUMN A COLUMN A CALL
17	WHEREAS, the Mayor and Council find that an amendment to § SC2-2 of the Charter is
18	desirable to clarify the qualifications necessary to run for Council and maintain a seat on Council;
19	and
20 21	WHEREAS on August 9 2024 the City of Solighum Flortion Board convened in public
22	WHEREAS , on August 8, 2024, the City of Salisbury Election Board convened in public session to review potential amendments to the Charter and to offer advice and recommendations
23	to the Mayor and Council; and
23 24	to the Mayor and Council, and
25	WHEREAS, on August 19, 2024, the Mayor and Council convened in public session to
26	review this proposed Charter amendment; and
27	review this proposed charter amendment, and
28	WHEREAS, the Mayor and Council have determined that this amendment to § SC2-2
29	shall be adopted as set forth herein; and
30	
31	NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
32	SALISBURY by virtue of the authority granted in Article XI-E of the Maryland Declaration of
33	Rights, §§ 4-301 et seq. of the Local Government Article of the Code of Maryland, and Article
34	XXI of the City Charter as follows:
35	
36	Section 1. It is proposed and recommended that § SC2-2 be amended to repeal the
37	language in double bold brackets and adding the underscored and italicized language:
38	Councilmembers [[shall have resided]] must have been domiciled in the City of Salisbury
39	for at least one (1) year immediately preceding their election and the Councilmembers
40	from each District shall [[reside]] be domiciled in the boundaries of the District from
41	which they are to be elected on the date of filing for election and must continue to
42	[[reside]] <u>be domiciled</u> therein during the term to which they are elected, must be at least

43 44 45	twenty-one (21) years of age and shall be qualified registered voters of the City. The City of Salisbury Election Board shall be the judge of the qualifications of candidates for City Council.
46	Section 2. With the aforementioned proposed Charter amendment, § SC2-2 of the Charter
47	would read:
48 49 50 51 52 53 54	Councilmembers must have been domiciled in the City of Salisbury for at least one (1) year immediately preceding their election and the Councilmembers from each District shall be domiciled in the boundaries of the District from which they are to be elected on the date of filing for election and must continue to be domiciled therein during the term to which they are elected, must be at least twenty-one (21) years of age and shall be qualified registered voters of the City. The City of Salisbury Election Board shall be the judge of the qualifications of candidates for City Council.
55	Section 3. Pursuant to MD Code, Local Government, § 4-304, a public hearing on this
56	Resolution, providing for the amendment of the City of Salisbury's Charter as set forth herein,
57	shall be and hereby is scheduled for September 23, 2024 at 6:00 p.m.
58	Section 4. Pursuant to the City of Salisbury's Charter § SC21-2 and MD Code, Local
59	Government, § 4-304, the City shall post a complete and exact copy of this Charter Amendment
60	at the City Government Building for at least forty (40) days after the passage of this Resolution
61	and advertise a fair summary of this Resolution in a newspaper of general circulation in the City
62	at least four times at weekly intervals and within forty days after the Resolution has been adopted.
63	Section 5. The title of this Resolution shall be deemed a fair summary of the amendments
64	provided herein for public and all other purposes.
65	AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF
66	SALISBURY:
67	Section 6. This Resolution shall take effect on the fiftieth day after the Resolution is
68	adopted, subject to the right of referendum.
69	AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF
70	SALISBURY:

71	Section 7. It is the intention of the Council of the City of Salisbury that each provision of
72	this Resolution shall be deemed independent of all other provisions herein.
73	Section 8. It is further the intention of the Council of the City of Salisbury that if any
74	section, paragraph, subsection, clause, or provision of this Resolution shall be adjudged invalid,
75	unconstitutional, or otherwise unenforceable under applicable Maryland or federal law, such
76	adjudication shall apply only to the section, paragraph, subsection, clause, or provision so
77	adjudged and all other provisions of this Resolution shall remain and shall be deemed valid and
78	enforceable.
79	Section 9. The Recitals set forth hereinabove are incorporated into this section of this
80	Resolution as if such recitals were specifically set forth at length in this Section 9.
81	THE ABOVE RESOLUTION was introduced and read and passed at the regular
82	meeting of the Council of the City of Salisbury held on this 23 day of September, 2024.
83	
84	
85	Julie A. English, D'Shawn M. Doughty,
86	City Clerk City Council President
87	
88	APPROVED BY ME THIS day of, 2024.
89 90	
91	
92 93	Randolph J. Taylor, Mayor
, ,	

1	CHARTER AMENDMENT RESOLUTION NO. 2024-3
2 3	A RESOLUTION TO AMEND § SC3-2 OF THE CITY CHARTER TO
4	FURTHER CLARIFY THE QUALIFICATION REQUIREMENTS TO RUN
5	FOR THE OFFICE OF MAYOR.
6	
7	WHEREAS, the ongoing application, administration, and enforcement of the City Charter
8	demonstrates a need for its periodic review, evaluation, and amendment to keep the provisions of
9	the Charter current; and
10	
11	WHEREAS, the Mayor and Council of the City of Salisbury (the "Mayor and Council")
12	are authorized by MD Code, Local Government, § 4-301 et seq., as amended, and § SC21-2 of
13	the Charter to amend the Charter, not contrary to the Constitution of Maryland, public general
14 15	law or public local law, as the Mayor and Council deem necessary to assure the good government of the municipality; and
15 16	of the municipanty, and
17	WHEREAS, the Mayor and Council find that an amendment to § SC3-2 of the Charter is
18	desirable to clarify the qualifications necessary to run for the Office of Mayor; and
19	desirable to clarify the quantications necessary to run for the office of iviayor, and
20	WHEREAS, on August 8, 2024, the City of Salisbury Election Board convened in public
21	session to review potential amendments to the Charter and to offer advice and recommendations
22	to the Mayor and Council; and
23	
24	WHEREAS, on August 19, 2024, the Mayor and Council convened in public session to
25	review this proposed Charter Amendment; and
26	
27	WHEREAS, the Mayor and Council have determined that amendments to § SC3-2 shall
28	be adopted and set forth herein; and
29	
30	NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
31 32	SALISBURY by virtue of the authority granted in Article XI-E of the Maryland Declaration of Rights, §§ 4-301 <i>et seq.</i> of the Local Government Article of the Code of Maryland, and Article
33	XXI of the City Charter as follows:
34	7211 of the City Charter as follows.
35	Section 1. It is proposed and recommended that § SC3-2 be amended to repeal the
36	language in double bold brackets and adding the underscored and italicized language:
37	The Mayor must have [[resided]] been domiciled in the City of Salisbury for at least one
38	(1) year immediately preceding his <u>or her</u> election, must be at least twenty-one (21) years
39	of age and must be a qualified <u>registered</u> voter of the city.

40	Section 2. With the aforementioned proposed Charter amendment, § SC3-2 of the Charter
41	would read:
42 43 44	The Mayor must have been domiciled in the City of Salisbury for at least one (1) year immediately preceding his or her election, must be at least twenty-one (21) years of age and must be a qualified registered voter of the city.
45	Section 3. Pursuant to MD Code, Local Government, § 4-304, a public hearing on this
46	Resolution, providing for the amendment of the City of Salisbury's Charter as set forth herein,
47	shall be and hereby is scheduled for September 23, 2024 at 6:00 p.m.
48	Section 4. Pursuant to the City of Salisbury's Charter § SC21-2 and MD Code, Local
49	Government, § 4-304, the City shall post a complete and exact copy of this Charter Amendment
50	at the City Government Building for at least forty (40) days after the passage of this Resolution
51	and advertise a fair summary of this Resolution in a newspaper of general circulation in the City
52	at least four times at weekly intervals and within forty days after the Resolution has been adopted.
53	Section 5. The title of this Resolution shall be deemed a fair summary of the amendments
54	provided herein for public and all other purposes.
55	AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF
56	SALISBURY:
57	Section 6. This Resolution shall take effect on the fiftieth day after the Resolution is
58	adopted, subject to the right of referendum.
59	AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF
60	SALISBURY:
61	Section 7. It is the intention of the Council of the City of Salisbury that each provision of
62	this Resolution shall be deemed independent of all other provisions herein.
63	Section 8. It is further the intention of the Council of the City of Salisbury that if any
64	section, paragraph, subsection, clause, or provision of this Resolution shall be adjudged invalid,

65	unconstitutional, or otherwise unenforceable under applicable Maryland or federal law, such
66	adjudication shall apply only to the section, paragraph, subsection, clause, or provision so
67	adjudged and all other provisions of this Resolution shall remain and shall be deemed valid and
68	enforceable.
69	Section 9. The Recitals set forth hereinabove are incorporated into this section of this
70	Resolution as if such recitals were specifically set forth at length in this Section 9.
71	THE ABOVE RESOLUTION was introduced and read and passed at the regular
72	meeting of the Council of the City of Salisbury held on this 23 day of September, 2024.
73	
74	
75	Julie A. English, D'Shawn M. Doughty,
76	City Clerk City Council President
77	
78 78	APPROVED BY ME THIS day of, 2024.
79 80	
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82	Randolph J. Taylor, Mayor
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1	CHARTER AMENDMENT RESOLUTION NO. 2024-4
2 3	A RESOLUTION TO AMEND SECTION 6 OF THE CITY CHARTER
4	ENTITLED "ELECTIONS" TO AMEND § SC6-6 GOVERNING
5	NOMINATIONS AND § SC6-9 GOVERNING THE ELECTION OF
6	MAYOR AND COUNCIL AND ADDING SECTIONS PROVIDING THE
7	REQUIREMENTS FOR WRITE-IN CAMPAIGNS AND CERTIFICATES
8	OF WITHDRAWAL.
9	WHEN A COLUMN AND A
10	WHEREAS, the ongoing application, administration, and enforcement of the City Charter
11	demonstrates a need for its periodic review, evaluation, and amendment to keep the provisions of
12	the Charter current; and
13	WITEDEAS the Mayor and Council of the City of Solichway (the "Mayor and Council?)
14 15	WHEREAS, the Mayor and Council of the City of Salisbury (the "Mayor and Council") are authorized by MD Code, Local Government, § 4-301 et seq., as amended, and § SC21-2 of
16	the Charter to amend the Charter, not contrary to the Constitution of Maryland, public general
17	law or public local law, as the Mayor and Council deem necessary to assure the good government
18	of the municipality; and
19	of the municipanty, and
20	WHEREAS, the Mayor and Council find that amendments to Section 6 of the Charter as
21	set forth herein are desirable to update and clarify the Charter and to conform with state law; and
22	set forth herein are destructe to appeare and charity the Charter and to comorni with state law, and
23	WHEREAS, on August 8, 2024, the City of Salisbury Election Board convened in public
24	session to review potential amendments to the Charter and to offer advice and recommendations
25	to the Mayor and Council; and
26	to the Mayor and Council, and
27	WHEREAS, on August 19, 2024, the Mayor and Council convened in public session to
28	review the proposed Charter Amendments to Article VI governing Elections; and
29	to the proposed charter randominents to random 12 go verning Executed, and
30	WHEREAS, the Mayor and Council have determined that amendments to Article VI of
31	the Charter shall be adopted as set forth herein; and
32	•
33	NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
34	SALISBURY by virtue of the authority granted in Article XI-E of the Maryland Declaration of
35	Rights, §§ 4-301 et seq. of the Local Government Article of the Code of Maryland, and Article
36	XXI of the City Charter as follows:
37	
38	Section 1. It is proposed and recommended that § SC6-6 be amended to repeal the
39	language in double bold brackets and adding the underscored and italicized language:
40	§SC6-6. – Nomination.

41 42 43 44 45 46 47 48	No person shall be a candidate for any public office in the government of the City of Salisbury unless he or she shall file a certificate of nomination with the City Clerk on or before 4:30 p.m. on the eleventh Tuesday prior to the date for the general election. The certificate of nomination <i>shall be filed under oath and</i> shall contain the person's name, address, the name of the office the person is seeking, a statement that the person is qualified to be a candidate for that office and the signature of the person. No person shall file a nomination to more than one (1) elective city office or hold more than one (1) elective city office at one time.
49	Section 2. With the aforementioned proposed Charter amendment, § SC6-6 of the Charter
50	would read:
51 52 53 54 55 56 57 58	No person shall be a candidate for any public office in the government of the City of Salisbury unless he or she shall file a certificate of nomination with the City Clerk on or before 4:30 p.m. on the eleventh Tuesday prior to the date for the general election. The certificate of nomination shall be filed under oath, and shall contain the person's name, address, the name of the office the person is seeking, a statement that the person is qualified to be a candidate for that office and the signature of the person. No person shall file a nomination to more than one (1) elective city office or hold more than one (1) elective city office at one time.
59	Section 3. It is proposed and recommended that § SC6-9 be amended to add the
60	underscored and italicized language:
61	§ SC6-9. – Election of Mayor and Council.
62 63 64 65 66	The voters of the City shall, on the first Tuesday in November in the year 2023 and in each fourth year thereafter, elect a Mayor, whose term of office shall be for four (4) years and until his or her successor is elected and qualified, and five Councilmembers, whose terms of office shall be for four years until their successors are elected and qualified.
67 68 69	All elections shall be held and conducted in accordance with the provisions of this Charter, the City Code, and applicable ordinances, which may include provisions for early voting, <i>and in accordance with Maryland State law and regulations</i> .
70	Section 4. With the aforementioned proposed Charter amendment, § SC6-9 of the Charter
71	would read:
72 73 74	The voters of the City shall, on the first Tuesday in November in the year 2023 and in each fourth year thereafter, elect a Mayor, whose term of office shall be for four (4) years and until his or her successor is elected and qualified, and five

75 76	Councilmembers, whose terms of office shall be for four years until their successors are elected and qualified.
77 78 79	All elections shall be held and conducted in accordance with the provisions of this Charter, the City Code, and applicable ordinances, which may include provisions for early voting, and in accordance with Maryland State law and regulations.
80	Section 5. It is proposed and recommended that Article VI of the Charter be amended to
81	add a new section designated "§ SC6-16 Write-in Campaigns" by adding the following
82	underscored and italicized language:
83 84	§ SC6-16 Write-in Campaigns.
85 86 87 88 89	An individual who seeks election for any public office in the government of the City of Salisbury as a write-in candidate shall file a certificate of nomination with the City Clerk in the form and by the deadline as required by Maryland State law and regulation. Any write-in campaign and voting for a write-in candidate shall be governed by Maryland State law and regulation.
90	Section 6. It is proposed and recommended that Article VI of the Charter be amended to
91	add a new section designated "§ SC6-17 Certificates of Withdrawal" by adding the following
92	underscored and italicized language:
93 94	§ SC6-17. – Certificates of Withdrawal
95 96	An individual who has filed a certificate of nomination may withdraw the candidacy by filing a Certificate of Withdrawal on the form prescribed by the City of Salisbury Election
97	Board within the time prescribed by the board.
98	
99	Section 7. Pursuant to MD Code, Local Government, § 4-304, a public hearing on this
100	Resolution, providing for the amendment of the City of Salisbury's Charter as set forth herein,
101	shall be and hereby is scheduled for September 23, 2024 at 6:00 p.m.
102	Section 8. Pursuant to the City of Salisbury's Charter § SC21-2 and MD Code, Local
103	Government, § 4-304, the City shall post a complete and exact copy of this Charter Amendment
104	at the City Government Building for at least forty (40) days after the passage of this Resolution

105	and advertise a fair summary of this Resolution in a newspaper of general circulation in the City
106	at least four times at weekly intervals and within forty days after the Resolution has been adopted.
107	Section 9. The title of this Resolution shall be deemed a fair summary of the amendments
108	provided herein for public and all other purposes.
109	AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF
110	SALISBURY:
111	Section 10. This Resolution shall take effect on the fiftieth day after the Resolution is
112	adopted, subject to the right of referendum.
113	AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF
114	SALISBURY:
115	Section 11. It is the intention of the Council of the City of Salisbury that each provision
116	of this Resolution shall be deemed independent of all other provisions herein.
117	Section 12. It is further the intention of the Council of the City of Salisbury that if any
118	section, paragraph, subsection, clause, or provision of this Resolution shall be adjudged invalid,
119	unconstitutional, or otherwise unenforceable under applicable Maryland or federal law, such
120	adjudication shall apply only to the section, paragraph, subsection, clause, or provision so
121	adjudged and all other provisions of this Resolution shall remain and shall be deemed valid and
122	enforceable.
123	Section 13. The Recitals set forth hereinabove are incorporated into this section of this
124	Resolution as if such recitals were specifically set forth at length in this Section 13.
125	THE ABOVE RESOLUTION was introduced and read and passed at the regular
126	meeting of the Council of the City of Salisbury held on this 23 day of September, 2024.

Julie A. English,	D'Shawn M. Doughty,
City Clerk	City Council President
APPROVED BY ME THIS day of	, 2024.
Dandalah I Tarilan Marran	
Randolph J. Taylor, Mayor	

ORDINANCE NO. 2889

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AN ORDINANCE OF THE CITY OF SALISBURY AMENDING CHAPTER 1.08 OF THE SALISBURY CITY CODE, ENTITLED "ELECTION BOARD," TO ADOPT RECOMMENDATIONS MADE BY THE CITY OF SALISBURY ELECTION BOARD REGARDING THE APPLICATION FOR MAIL-IN BALLOTS AND THE CANVASSING OF BALLOTS.

WHEREAS, the ongoing application, administration and enforcement of the City of Salisbury Municipal Code (the "Salisbury City Code") demonstrates a need for its periodic review, evaluation and amendment, in order to comply with present community standards and values, and promote the public safety, health and welfare of the citizens of the City of Salisbury (the "City"); and

WHEREAS, the Mayor and Council of the City of Salisbury (the "Mayor and Council") are authorized by MD Code, Local Government, § 5-202, as amended, to adopt such ordinances, not contrary to the Constitution of Maryland, public general law or public local law, as the Mayor and Council deem necessary to assure the good government of the municipality, to preserve peace and order, to secure persons and property from damage and destruction, and to protect the health, comfort and convenience of the citizens of the City; and

WHEREAS, the Mayor and Council may amend the Salisbury City Code pursuant to the authority granted in § SC 2-15 of the Salisbury City Charter; and

WHEREAS, the Mayor and Council find that amendments to Chapter 1.08 of the Salisbury City Code are desirable to update and clarify the Code with respect to the application for mail-in ballots and canvassing of ballots; and

WHEREAS, on August 8, 2024, the City of Salisbury Election Board convened in public session to review potential amendments to Chapter 1.08 of the Salisbury City Code to offer advice and recommendations the with respect to such amendments to the Mayor and Council; and

WHEREAS, on August 19, 2024, the Mayor and Council convened in public session to review potential amendments to Chapter 1.08 of the Salisbury City Code resulting from the advice and recommendations of the City of Salisbury Election Board; and

WHEREAS, the Mayor and Council have determined that the amendments to Chapter 1.08 of the Salisbury City Code set forth below shall be adopted as set forth herein.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that Chapter 1.08 of the Salisbury City Code is hereby amended by adding the bolded and underlined language and deleting the strikethrough language as follows:

Section 1. Chapter 1.08.020 of the Salisbury City Code, entitled "Duties of city board" is amended as follows:

1.08.020 - Duties of the city board.

The city board shall generally supervise the conduct of the system of appointment and registration, nomination by petition, general and special elections, and other petitions in accordance with the provisions of the City Charter and Code ordinances of the council, and shall enforce the provisions of the City Charter and Code governing elections, qualifications for office, and campaign advertising and

52 <u>finance.</u>; specifically including the following duties The duties of the city board shall include, but are not limited to:

- A. Observe Observing polls;
- B. Observe Observing opening of mail-in ballots;
- C. Hearing contests concerning voting and the validity of any ballot; and
- D. Ensure Ensuring compliance with campaign advertising and finance as described in Chapter 1.12 of the Code- and
- E. <u>Hearing complaints of alleged violations of the City Charter and Code governing elections</u>, qualifications for office, and campaign advertising and finance.

<u>Section 2</u>. Chapter 1.08.220 of the Salisbury City Code, entitled "Application for mail-in ballots." is amended as follows:

1.08.220 - Application for mail-in ballots.

Except as provided in Section 1.08.190, a qualified voter desiring to vote at any election as a mail-in voter shall make application in writing for to the county board for a mail-in ballot, which application must be received not later than the Tuesday preceding the election deadline set by current Maryland State law and regulation for mail-in ballots to be received by mail, fax, or Internet. The application shall contain an affidavit, which need not be under oath but which shall set forth such information, under penalty of perjury, as may be required by the county board.

<u>Section 3</u>. Chapter 1.08.280 of the Salisbury City Code, entitled "Canvassing of ballots." is amended as follows:

1.08.280 Canvassing of ballots.

- A. Opening or Unfolding Ballots. The county board shall not open or unfold any mailin ballot at time prior to the closing of the polls.
- B. Duties of County Board.
 - 1. Subject to the provisions of subsection (B)(2) of this section, at any time after four p.m. ten a.m. on the Wednesday following election day and not later than the canvass of the votes cast at the regular voting places in the city at any election, the county board shall meet at the usual offices of the county board and shall proceed to count, certify and canvass the mail-in ballots contained in the ballot envelopes. Each board of canvassers shall keep the ballots safe from tampering until the canvass is completed. The county board shall take all appropriate and feasible steps to protect the privacy of all mail-in ballots.
 - 2. The canvass may not be completed until all mail-in ballots that have been received timely have been counted.
- C. Timely Receipt and Ballot.
 - 1. Except as provided in subsection D of this section, a ballot shall be considered as received timely, provided:
 - a. It has been received by the county board prior to closing of the polls on election day; or

95			b.	It was mailed on or before election day; or
96 97 98 99			c.	The United States Postal Service, an army post office, a fleet post office, or the postal service of any other county, has provided verification of that fact by affixing a mark so indicating on the covering envelope; and
100 101 102			d.	The county board receives the ballot from the United States Postal Service not later than four p.m. ten a.m. on the second Friday following election day.
103 104		2.	_	provided in subsection D of this section, any ballot received after ne established in this subsection may not be counted.
105	D.	Ballots	Received	from Locations Outside United States.
106 107		1.	_	ary, general or special election, a ballot received from a location e United States shall be considered as received timely provided:
108 109 110		a.	Service	been received by the county board from the United States Postal e not later than four p.m. ten a.m. on the second Friday following etion day; and
111		b.	It was 1	mailed before election day; and
112 113 114			office,	he United States Postal Service, an army post office, a fleet post or the postal service of any other country, has provided verification fact by affixing a mark so indicating on the covering envelope.
115 116		2.	•	at received by mail after the deadline established in this subsection be counted.
117 118		3.		mencement of the counting and canvassing process may not be await receipt of ballots under this subsection.
119 120 121 122 123		4.	the District Islands buthe Pacific	arposes of this subsection, "United States" includes several states, et of Columbia, the Commonwealth of Puerto Rico and the Virgin at does not include American Samoa, Guam, the Trust Territory of c Islands, any other territory or possession of the United States, and office address or a fleet post office address.
124 125 126 127	E.	affidavi	it that the b	For the purposes of subsections C and D of this section, a voter's pallot was completed and mailed before election day shall suffice if of the country from which the ballot was mailed does not provide a pallot.
128	F.	Procedu	ıre Genera	lly.
129 130		1.		nay not be rejected by the city board except by the unanimous vote ire city board.
131 132		2.		ent of the voter is not clearly demonstrated, only the vote for that question shall be rejected.
133 134		3.		rd of canvassers determines a ballot is intentionally marked with an g mark the entire ballot shall not be counted.

Any ballot received by mail after the deadlines established in subsections C

and D of this section may not be counted.

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Mail-in ballots may not be separately disclosed or reported by precinct. 6. All voters' applications, affidavits, certifications, ballot envelopes and ballots shall be kept separate and apart from ballots cast at the regular voting places and retained after the date of election at which they were cast for the time required by federal law, unless prior to that time, the county board is ordered by a court of competent jurisdiction, to keep the same for any longer period. The county board may appoint such numbers of temporary judges as it may deem necessary to adequately and promptly carry out the provisions of this section.

- G. Ballot Voted for Person Who Has Ceased to Be a Candidate. Any mail-in ballot voted for a person who has ceased to be a candidate shall not be counted for such candidate but such vote shall not invalidate the remainder of such ballot.
- H. Ballot Delivered to Wrong Board. If a mail-in ballot envelope is delivered to the wrong board, such board shall immediately send said ballot envelope unopened, unmarked and unchanged in any way to the proper board or to the city clerk.
- I. Voter Dying Before Election Day. Whenever the county board determines from proof or investigation that any person who has marked and transmitted or deposited in person with the board a mail-in ballot, under the provisions of this chapter, has died before election day, the county board shall not count the ballot of the deceased voter.
- J. Place Ballot in Ballot Box and Entry in Registry—More than One Ballot in Envelope—Marking Ballots.
 - 1. If the county board determines that the provisions for filling out and signing the oath on the outside of the ballot envelope have been substantially complied with and that the person signing the voter's oath is entitled to vote under this chapter in any city election and has not already voted therein on election day, it shall open the ballot envelope and remove the ballot therefrom and the ballot shall be placed by the county board in a secure place to which the public has no access.
 - 2. If there be more than one ballot in the ballot envelope, all shall be rejected except when two elections are held on the same day and a voter is voting in both elections and the voter returns both mail-in ballots in the ballot envelope provided.
 - 3. Mail-in ballots may be marked by the pencil taped on the mail-in ballot.
- K. More than One Ballot Received from Same Person. If the county board receives from the same person prior to the deadline for receipt of mail-in ballots more than one mailin ballot, it shall count, certify and canvass only the mail-in ballot contained in the ballot envelope on which the voter's oath was first executed and if the oath on two or more of the ballot envelopes containing mail-in ballots are dated the same, or if both are undated, none of the ballots received from such person shall be counted.

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

- <u>Section 4</u>. 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.
- <u>Section 5</u>. 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

182 183	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.		
184 185	<u>Section 6</u> . 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 6.		
186	Section 7. This Ordinance shall take effect from and after the date of its final passage.		
187 188 189 190	THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 9 day of September, 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 23 day of September 2024.		
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192	ATTEST:		
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194 195 196	Julie A. English, City Clerk	D'Shawn M. Doughty, City Council President	
197 198	Approved by me, thisday of	, 2024.	
199 200	Randolph J. Taylor, Mayor		

ORDINANCE NO. 2890

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AN ORDINANCE OF THE CITY OF SALISBURY AMENDING CHAPTER 1.12 OF THE SALISBURY CITY CODE, ENTITLED "CITY ELECTION CAMPAIGN ADVERTISING AND FINANCE".

WHEREAS, the ongoing application, administration and enforcement of the City of Salisbury Municipal Code (the "Salisbury City Code") demonstrates a need for its periodic review, evaluation and amendment, in order to comply with present community standards and values, and promote the public safety, health and welfare of the citizens of the City of Salisbury (the "City"); and

WHEREAS, the Mayor and Council of the City of Salisbury (the "Mayor and Council") are authorized by MD Code, Local Government, § 5-202, as amended, to adopt such ordinances, not contrary to the Constitution of Maryland, public general law or public local law, as the Mayor and Council deem necessary to assure the good government of the municipality, to preserve peace and order, to secure persons and property from damage and destruction, and to protect the health, comfort and convenience of the citizens of the City; and

WHEREAS, the Mayor and Council may amend the Salisbury City Code pursuant to the authority granted in § SC 2-15 of the Salisbury City Charter; and

WHEREAS, the Mayor and Council find that amendments to Chapter 1.12 of the Salisbury City Code are desirable to update and clarify the Code with respect to city campaign advertising and finance; and

WHEREAS, on August 8, 2024 the City of Salisbury Election Board convened in public session to review potential amendments to Chapter 1.12 of the Salisbury City Code to offer advice and recommendations with respect to such amendments to the Mayor and Council; and

WHEREAS, on August 19, 2024 the Mayor and Council convened in public session to review potential amendments to Chapter 1.12 of the Salisbury City Code resulting from the advice and recommendations of the City of Salisbury Election Board; and

WHEREAS, the Mayor and Council have determined that the amendments to Chapter 1.12 of the Salisbury City Code set forth below shall be adopted as set forth herein.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that Chapter 1.12 of the Salisbury City Code is hereby amended by adding the bolded and underlined language and deleting the strikethrough language as follows:

Section 1. Chapter 1.12 of the Salisbury City Code, entitled "City Election Campaign Advertising and Finance" is amended as follows:

1.12.010 Advertising.

- A. A person, candidate, campaign manager, treasurer, partisan organization or political committee, including political clubs, or party committee may not expend any money for printing, publication or broadcasting of any political matter whatsoever, unless the matter purports on its face to be paid political advertisement and printed, published or broadcast by authority of the person, campaign manager or treasurer for the named candidate, partisan organization, party committee or political committee, including political clubs.
- B. Requirements of subsection A of this section shall apply to any individual, group, or committee promoting passage or defeat of any petition for a referendum or the passage or defeat of a referendum submitted to a vote at any city election.

1.12.020 Books, records and receipts.

- A. Every candidate for the office of mayor or city council for the city or any group promoting the passage or defeat of a petition or referendum shall appoint a treasurer who shall have the responsibility of maintaining detailed, full and accurate accounts in a proper book or books to be called "account books." The account books shall contain a detailed record of contributions, monies, loans (including personal contributions, loans and monies) or valuable things received, including the date each contribution was received and the name and address of each contributor. The account books shall also contain a detailed record of all disbursements made by the candidate or his or her representative acting on his or her behalf, or group, as the case may be.
- B. Account books shall be maintained by the candidate or his or her representative for at least one year following the date of the general election.
- C. All campaign funds must be deposited into one account opened with a financial institution and such funds shall not be commingled with any other funds or accounts and shall not be used for any personal use, which is an obligation or expense of any person that would exist irrespective of the campaign of a candidate.

1.12.030 Campaign contributions.

- A. <u>A campaign contribution may be a gift, money, loan that is forgiven or anything of value given to influence an election by either supporting or defeating a candidate.</u> No candidate for mayor or for member of the city council shall receive campaign contributions in excess of two hundred fifty dollars (\$250.00) five hundred dollars (500.00) per individual or entity per campaign in cash and/or for in-kind services of a commercial nature.
- B. The contributions or loans of a candidate or the candidate's spouse to the candidate's own campaign are not subject to the limitations of subsections A and C, but must pass through the hands of the candidate's treasurer and be reported as required in other provisions of this chapter. Personal expenses of the candidate for filing fees, telegrams, telephoning, travel and board, shall not be considered contributions if paid for by the candidate or the candidate's spouse.

- No loan may be made to the campaign of a candidate or accepted on behalf of the campaign, without express written consent of the candidate. Written consent constitutes the personal guaranty of the candidate for repayment of the loan, only if it expressly so provides. The aggregate amount of all outstanding loans to the campaign of a candidate shall not exceed five hundred dollars (\$500.00) one thousand dollars (\$1,000.00) per campaign. A loan shall not be forgiven in an amount in excess of two hundred fifty dollars (\$250.00) five hundred dollars (\$500.00). A loan to a candidate that is forgiven is considered a campaign contribution and is subject to the maximum contribution limit. Any loan that is not forgiven shall be repaid by the deadline for filing the final campaign finance report as set forth in 1.12.040.B. Subsection B is an exclusion to the requirements of this subsection.
- D. Contributions of in-kind services of a commercial nature shall be valued at a rate commensurate with the cost of purchasing similar materials or services.
- E. All campaign contributions shall be received by the date of the general election. Any campaign contributions received after the date of the general election shall be returned to the contributor.

1.12.35 <u>Campaign transfers.</u>

A transfer is a monetary contribution made by one political committee to another. A political committee shall not transfer more than \$500 to another political committee per campaign.

1.12.040 Campaign finance report to be filed by the candidate or treasurer.

- A. The candidate and/or treasurer shall file a complete and accurate campaign finance report detailing the contents of the account books no later than seven twenty-one days prior to the general election. The campaign finance report shall include, but not be limited to, the name, address, amount of contribution and the date all contributions were received. Contributions of in-kind materials or services shall be valued as stated in Section 1.12.020(B). Each campaign finance report filed shall also contain a full and complete record of expenses and list any expenses incurred by not yet paid.
- B. A final disclosure statement campaign finance report shall be filed no later than forty-five (45) days after the date of the general election. After payment of all campaign expenditures, any surplus funds shall be paid by the treasurer to either:
 - 1. The City of Salisbury to help defray the expenses of the election;
- 2. A charitable organization as defined in the Annotated Code of Maryland, Business Regulation Article, Title 6 as amended from time-to-time; or
- 3. A political club, committee, or party of the candidate's choice.

- C. No campaign finance report shall be required if the contributions received total less than six hundred dollars (\$600.00) for the election; however, a statement under oath shall be filed by the candidate and treasurer that no campaign finance report is required pursuant to this section. Such statement, if applicable, shall be filed seven days prior to the general election.
- Each campaign finance report shall include a representation certifying under oath that the contents of the statement are true and correct and shall be signed by the candidate and treasurer.
 - **<u>D.</u>** The foregoing provisions shall also apply to unsuccessful candidates.

1.12.050 Enforcement.

It shall be the duty of the city board to enforce this chapter and to ensure that it is complied with by all candidates for city office.

1.12.060 Late filing of campaign finance report.

- A. There shall be a late filing fee for each campaign finance report which is not filed within the time prescribed or when filing is not complete or accurate as required by Chapter 1.12.040. The fine shall be twenty dollars (\$20.00) per day for the first five days and ten dollars (\$10.00) per day thereafter for each date that the report is overdue. The maximum fine to apply to any one report shall be two hundred fifty dollars (\$250.00). Weekends and holidays shall be excluded in the above time computations.
- B. Any fines assessed pursuant to this chapter shall be the personal responsibility of the candidate and treasurer and may not be paid for by using campaign funds.

1.12.070 Perjury.

Any willfully false, fraudulent or misleading statement or entry made by any candidate or treasurer in any statement or account under oath required by this chapter shall constitute the crime of perjury and shall be punishable by such according to the laws of this state.

1.12.080 Penalty.

The penalty for violation of this chapter, except for late filing as provided for above, shall be a fine of up to four hundred dollars (\$400.00) as determined by the city board.

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

<u>Section 2</u>. 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.

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.82 .83	<u>Section 3</u> . 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
84	invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law,
.85	such adjudication shall apply only to the section, paragraph, subsection, clause or provision so
186	adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and
.87	enforceable.
.67 .88	CHIOICCAUIC.
89	Section 4. The recitals set forth hereinabove are incorporated into this section of the
190	Ordinance as if such recitals were specifically set forth at length in this Section 4.
91	Ordinance as it such feetials were specifically set form at length in this section 4.
92	Section 5. This Ordinance shall take effect from and after the date of its final passage.
93	
94	THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of
95	the City of Salisbury held on the 9 day of September, 2024 and thereafter, a statement of the
96	substance of the Ordinance having been published as required by law, in the meantime, was finally
97	passed by the Council of the City of Salisbury on the day of, 2024.
98	
.99	ATTEST:
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202	Julie A. English, City Clerk D'Shawn M. Doughty, City Council President
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205	Approved by me, thisday of, 2024.
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209	Randolph J. Taylor, Mayor
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Memorandum

To: City Council

From: Derek Jarmon, Economic Development Manager, & Allen Swiger, ABCD Director

Subject: Ordinance to accept funds from the Maryland State Arts Council

Date: 8/29/2024

Attached is an Ordinance to accept funding from the Maryland State Arts Council Grant for Operations (GFO) program. The purpose of the GFO is to provide operating support to non-profit and tax-exempt organization, including some government organizations, to present ongoing arts programming that is open to the public.

This funding, in the amount of \$41,002.00, will be utilized to provide funding for the Maryland Folk Festival.

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.

1	ORDINANCE NO. 2891	
2 3 4 5 6 7	AN ORDINANCE OF THE CITY OF SALISBURY AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE MARYLAND STATE ARTS COUNCIL FOR THE PURPOSE OF ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$41,002 AND TO APPROVE A BUDGET AMENDMENT TO THE GRANT FUND TO APPROPRIATE THESE FUNDS FOR EXPENSES ASSOCIATED WITH THE MARYLAND FOLK FESTIVAL.	
8 9 10	WHEREAS, the City of Salisbury submitted an application to the Maryland State Arts Council for financial assistance in carrying out community development arts activities; specifically, to include assistance with the Maryland Folk Festival; and	
11 12	WHEREAS, the City has been awarded funds in the amount of \$41,002 through the Grant for operating expenses; and	
13 14	WHEREAS , the City of Salisbury must enter into a grant agreement with the Maryland State Arts Council defining how these funds must be expended; and	
15 16	WHEREAS, § 7-29 of the Salisbury City Charter prohibits the City from entering into a contract that requires an expenditure not appropriated or authorized by the Council of the City of Salisbury; and	
17 18	WHEREAS , appropriations necessary to execute the purpose of this grant must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.	
19 20	NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:	
21 22 23	Section 1 . Mayor Randolph J. Taylor is hereby authorized to enter into a grant agreement with the Maryland States Art Council, on behalf of the City of Salisbury, for the City's acceptance of grant funds in the amount of \$41,002.00.	
24 25	BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:	
26	Section 2. The City of Salisbury's Grant Fund Budget be and hereby is amended as follows:	
27	(a) Increase MSAC Revenue Account No. 10500–424105–XXXXX by \$41,002.00.	
28	(b) Increase Operating Account No. 10500-546006-XXXXX by \$41,002.00.	
29 30	BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:	
31 32	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.	
33 34 35	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.

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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 5.						
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 of Salisbury held on the 23 day of September, 2024 and thereafter, a statement of the substance of Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on theday of, 2024.						
ATTEST:						
Julie A. English, City Clerk	D'Shawn M. Doughty, City Council President					
Approved by me, thisday of	, 2024.					
	Section 6. This Ordinance shall take THIS ORDINANCE was introduced of Salisbury held on the 23 day of Septer Ordinance having been published as required of the City of Salisbury on the day of ATTEST: Julie A. English, City Clerk					