



CITY OF SALISBURY

115 S. Division Street, Salisbury, MD, 21801

WORK SESSION

Government Office Building

125 N Division Street, Room 301, Salisbury, MD, 21801

Monday, October 21, 2024, 4:30 p.m.

D'SHAWN M. DOUGHTY
Council President

ANGELA M. BLAKE
Council Vice President

APRIL R. JACKSON
Councilwoman

MICHELE R. GREGORY
Councilwoman

SHARON DASHIELL
Councilwoman

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

3rd Quarter Statistical Fire Department Review – Presented by Fire Chief Rob Frampton

Here is Home Presentation – City Administrator Andy Kitzrow

Ordinance amending Title 8 of the Salisbury City Code, entitled “Health and Safety,” to allow for electronic communication as an option for warning letters for municipal code violation notices

Ordinance approving an amendment of the City’s budget to accept and appropriate donated funds from the Salisbury Zoo Commission, Inc. for the completion of the Andean Bear Exhibit Design Phase

Ordinance to amend Chapter 12.20 – Chesapeake Bay Critical Area Overlay District – of the Salisbury Municipal Code to reflect changes to the Natural Resources article of the Maryland Annotated Code and to adopt a critical area district map

ADJOURNMENT / CONVENE IN SPECIAL LEGISLATIVE SESSION

Join Zoom Meeting

<https://us02web.zoom.us/j/88163253286?pwd=K3RtZUhUMHNucDRPU2IHbnROQzZVUT09>

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.



Memorandum

To: Salisbury City Council

From: Muir Boda, Director HCDD

Subject: Updating Communication Methods for Corrective Action Letters

Date: 9/18/2024

Council,

The Housing and Community Development Department is transitioning its code enforcement process, rental registration program, and all associated forms and applications to an online platform, OpenGov. This platform will facilitate electronic communication via email for registered users, allowing for the prompt delivery of warning letters regarding municipal code violations.

By utilizing OpenGov, we aim to enhance service to both the City and property owners. This system will ensure timely notifications, giving property owners sufficient opportunity to address any violations before formal municipal infractions are issued.

Once landlords or property owners register and verify their properties, they will receive notifications instantly. In instances where they are registered on OpenGov, physical letters will no longer be mailed. Please note that the Municipal Citation process remains unchanged, as it is governed by court requirements.

If you have any questions, feel free to reach out.

Muir Boda
Director HCDD



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

- 48 1. State that the condition must be removed from the property within ten days of the date of the notice,
49 2. State that the Housing and Community Development Department shall conduct a re-inspection of
50 the property after ten days have passed since the date of the notice.
- 51 E. For a second violation in any calendar year:
- 52 1. State that the condition must be removed from the property within seven days of the date of the
53 notice,
54 2. State that the Housing and Community Development Department shall conduct a reinspection of
55 the property after seven days have passed since the date of the notice.
- 56 F. State that, if during the inspection of the premises, the violation complained of in the warning letter is
57 found, it shall be abated by the city as soon as practicable, and the costs of such abatement shall be specially
58 assessed and shall be deemed a personal debt against the owner and constitute a lien against the property
59 from which abated;
- 60 G. State that upon violation of Section 8.08.010 or 8.08.020, the owner shall be guilty of a municipal
61 infraction, and upon conviction shall be fined twenty-five dollars (\$25.00) for a first offense and fifty dollars
62 (\$50.00) for each day the condition remains unabated up to a maximum of five hundred dollars (\$500.00);
- 63 H. Be served by one of the following methods:
- 64 1. By depositing the notice or order in the United States Post Office, ~~first-class~~ **first-class** postage
65 prepaid, addressed to the owner at his last known address as recorded in the real estate assessment
66 records of the city and by posting a copy of the notice or order in a conspicuous place on the
67 property subject to the order;
68 2. By hand-delivering the notice to the person to be notified;~~;-or~~
69 3. By leaving the notice at the usual residence or place of business of the person to be notified with a
70 person of suitable age and discretion then resident or employed therein;
71 **4. Via electronic means if the owner has a registered account through the City's code enforcement**
72 **software application platform; or**
73 **5. Via email if the owner has a registered e-mail address with the City.**
- 74 I. State that only two warning letters will be issued to the same property owner in any calendar year and
75 that if further violations of this chapter occur, the condition causing a violation may be abated without
76 notice

77 **Section 2.** Section 8.09.030 of the Salisbury City Code of the Salisbury City Code, entitled "Letter
78 of violation" is amended as follows:

79 **8.09.030 Letter of violation.**
80

81 When a violation of Section 8.09.010 occurs, a letter of violation shall be sent to the owner or
82 occupant of the property. This letter of violation shall:
83

- 84 A. Be in writing;
85 B. State the nature of the violation and that such condition constitutes a violation;
86 C. Describe the premises where the violation is alleged to exist;
87 1. State that the condition must be removed from the property within thirty (30) days of the date of
88 the notice,
89 2. State that the Housing and Community Development Department shall conduct a re-inspection of
90 the property after thirty (30) days have passed since the date of the notice.
91 D. State that the condition will be abated by the city if the violation remains uncorrected upon reinspection.
92 E. State that cost of abatement shall be assessed against the property as a lien on the city tax records, and
93 shall be collectible as a real property tax lien.

94 F. State that upon violation of Section 8.09.010, the owner shall be guilty of a municipal infraction, shall
95 be fined one hundred dollars (\$100.00) for a first offense and one hundred dollars (\$100.00) for each day
96 the condition remains unabated up to a maximum of five hundred dollars (\$500.00);

97 G. Service by one of the following methods:

- 98 1. By depositing the notice or order in the United States Post Office, ~~first-class~~ **first-class** postage
99 prepaid, addressed to the owner at his last known address as recorded in the real estate assessment
100 records of the city and by posting a copy of the notice or order in a conspicuous place on the
101 property subject to the order;~~;~~
102 2. By hand-delivering the notice to the person to be notified;~~;~~~~or~~
103 3. By leaving the notice at the usual residence or place of business of the person to be notified with a
104 person of suitable age and discretion then resident or employed therein;~~;~~
105 **4. Via electronic means if the owner has a registered account through the City's code**
106 **enforcement software application platform; or**
107 **5. Via email if the owner has a registered e-mail address with the City.**
108

109 **Section 3.** Section 8.10.030 of the Salisbury City Code of the Salisbury City Code, entitled "Letter
110 of Violation" is amended as follows:

111 **8.10.030 Letter of violation.**

112 When a violation of Section 8.10.010 occurs, a letter of violation shall be sent to the owner or
113 occupant of the property. This letter of violation shall:

- 114 A. Be in writing;
115 B. State the nature of the violation and that such condition constitutes a violation;
116 C. Describe the premises where the violation is alleged to exist;
117 1. State that the condition must be removed from the property within thirty (30) days of the date of
118 the notice,
119 2. State that the Housing and Community Development Department shall conduct a re-inspection of
120 the property after thirty (30) days have passed since the date of the notice.
121 D. State that the condition will be abated by the city if the violation remains uncorrected upon reinspection.
122 E. State that cost of abatement shall be assessed against the property as a lien on the city tax records, and
123 shall be collectible as a real property tax lien.
124 F. State that upon violation of Section 8.10.010, the owner shall be guilty of a municipal infraction, shall
125 be fined one hundred dollars (\$100.00) for a first offense and one hundred dollars (\$100.00) for each day
126 the condition remains unabated up to a maximum of five hundred dollars (\$500.00);
127 G. Service by one of the following methods:
128 1. By depositing the notice or order in the United States Post Office, first class postage prepaid,
129 addressed to the owner at his last known address as recorded in the real estate assessment records
130 of the city and by posting a copy of the notice or order in a conspicuous place on the property
131 subject to the order;~~;~~
132 2. By hand-delivering the notice to the person to be notified;~~;~~~~or~~
133 3. By leaving the notice at the usual residence or place of business of the person to be notified with a
134 person of suitable age and discretion then resident or employed therein;~~;~~
135 **4. Via electronic means if the owner has a registered account through the City's code**
136 **enforcement software application platform; or**
137 **5. Via email if the owner has a registered e-mail address with the City.**
138

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

141 **Section 4.** It is the intention of the Mayor and Council of the City of Salisbury that each provision
142 of this Ordinance shall be deemed independent of all other provisions herein.

143 **Section 5.** It is further the intention of the Mayor and Council of the City of Salisbury that if any
144 section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid,
145 unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication
146 shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other
147 provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

148 **Section 6.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as
149 if such recitals were specifically set forth at length in this Section 6.

150 **Section 7.** This Ordinance shall take effect from and after the date of its final passage.

151 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City
152 of Salisbury held on the __ day of __, 2024 and thereafter, a statement of the substance of the Ordinance
153 having been published as required by law, in the meantime, was finally passed by the Council of the City
154 of Salisbury on the __ day of __, 2024.

155
156 ATTEST:

157
158 _____
159 Julie A. English, City Clerk

157
158 _____
159 D'Shawn M. Doughty, City Council President

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163 Approved by me, this _____ day of _____, 2024.

164
165
166 _____
167 Randolph J. Taylor, Mayor



City of Salisbury

MEMORANDUM

To: City Council
From: Allen Swiger, ABCD Director
Subject: Accept Donation from Salisbury Zoo Commission
Date: 10/4/24

The City of Salisbury's Arts, Business and Culture Department has notified the Salisbury Zoo Commission of its desire to obtain \$54,000 in order to complete the design phase of the Andean Bear exhibit at the Salisbury Zoo.

The Salisbury Zoo Commission has offered a donation of \$54,000 to the City of Salisbury in order to complete the design, permitting and development of construction plans for the Andean Bear exhibit.

Thank you for your time and do not hesitate to contact me should you have any questions.

53 APPROVED BY ME THIS _____ day of _____, 2024.

54

55

56

57

Randolph J. Taylor, Mayor



To: Andy Kitzrow, City Administrator
From: Amanda Rodriguez, City Planner *AR*
Date: October 15, 2024
Re: Critical Area Map Adoption Ordinance

In the Spring of 2008, legislation was passed and signed into law that required the State to work cooperatively with local governments to update the Critical Area Maps in all affected jurisdictions. The legislation directed the Department of Natural Resources to prepare a Statewide Base Map that includes a State-determined shoreline and landward boundary of tidal wetlands and a digitally generated, geo-referenced 1,000-foot Critical Area boundary, as appropriate for integration into a Geographic Information System.

In February 2024, Planning Commission held a Public Hearing to adopt the revised maps. The maps were forwarded on to City Council for a work session, where the Council motioned to have to maps sent to legislative session for additional public hearings. At that time, the net gain/net loss maps were brought before the Commission and Council, but the maps detailing the designations of Intensely Developed Area (IDA), Limited Developed Area (LDA), and Resource Conservation Area (RCA) were not included. These designations delineate areas in need of greater protection, and each designation has its own set of development standards and environmental controls. The delineations are crucial to the implementation of the Chesapeake Bay Critical Area Program. At the June 20, 2024 Planning Commission Meeting, the Planning Commission voted favorably to move to a Public Hearing for the proposed Ordinance to adopt both the maps and the delineations at the July 18, 2024 meeting. The Planning Commission held a Public Hearing on July 18, 2024 and forwarded onto City Council for their review.

Should there be no objections, please forward a copy of the Draft Ordinance onto City Council for readings and adoption per City Code.

Attachments: Draft Ordinance, Revised Chesapeake Bay Critical Area Map with Designations

40 **WHEREAS**, at the conclusion of its July 18, 2024 meeting, the Planning Commission
41 recommended, by a vote of XXX, that the map attached hereto as **Exhibit A** entitled “Proposed Critical
42 Area: Salisbury, Maryland” and the text amendments to Chapter 12.20 of the Salisbury City Code be
43 approved by the Mayor and Council; and

44 **WHEREAS**, the Mayor and Council have determined that the map attached hereto as **Exhibit A**
45 entitled “Proposed Critical Area: Salisbury, Maryland” and the text amendments to Chapter 12.20 of the
46 Salisbury City Code shall be adopted as set forth herein.

47 **NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY COUNCIL OF THE CITY**
48 **OF SALISBURY, MARYLAND,**

49 **Section 1.** The map attached hereto as **Exhibit A** entitled “Proposed Critical Area: Salisbury,
50 Maryland” be and hereby is approved and, upon final approval by the Critical Area Commission, shall be
51 the official Critical Area District Zoning Map for the City of Salisbury.

52 **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF**
53 **SALISBURY, MARYLAND,** that the Salisbury City Code is hereby amended by adding the bolded and
54 underlined language and deleting the strikethrough language as follows:

55 **Section 2.** Chapter 12.20.040 – Applicability is hereby amended as follows:

56 **12.20.040 – Applicability**

57 ...

58 B. This Chapter shall only apply to the City of Salisbury critical area, hereafter referred to as
59 the "Critical Area District." The critical area district shall include all lands and waters within one
60 thousand (1,000) feet beyond the landward boundaries of State or private wetlands and the heads of
61 tides designated under Title ~~9 of the Natural Resources~~ **16 of the Environment** Article of the Annotated
62 Code of Maryland, as adopted by the Critical Area Commission and the Mayor and City Council. (Prior
63 code § 149-4)

64 **Section 3.** Chapter 12.20.050 - Official Critical Area Overlay District Zoning Map is hereby
65 amended as follows:

66 **12.20.050 - Official Critical Area Overlay District Zoning Map**

67 A. Map Delineation.

68 The City of Salisbury critical area shall be delineated on official Critical Area Overlay District Zoning
69 Map, prepared as part of the City of Salisbury Critical Area Program and attached to the Ordinance codified
70 in this Chapter. The Critical Area District Zoning Map shall be maintained in force as an official map of
71 the City of Salisbury. The map shall delineate the extent of the critical area district in the City of Salisbury
72 as defined in Section 12.20.040(B).

73 1. The Official Critical Area Overlay District Zoning Map is maintained in force as part of the Official
74 Zoning Map for the City of Salisbury. The Official Critical Area Zoning Map delineates the extent
75 of the Critical Area Overlay District that shall include:

- 76 a. ~~All waters of and lands under the Chesapeake Bay and its tributaries to the head of tide as~~
77 ~~indicated on the State wetland maps, and all State and private wetlands designated under~~
78 ~~Title 16 of the Environment Article of the Annotated Code of Maryland~~ **All waters of**
79 **and lands under the Chesapeake Bay and its tributaries to the head of tide;**

- 80 b. ~~All land and water areas within 1,000 feet beyond the landward boundaries of State or~~
81 ~~private wetlands and the heads of tides designated under Title 16 of the Environment~~
82 ~~Article of the Annotated Code of Maryland. All State and private wetlands designated~~
83 ~~under Title 16 of the Environment Article of the Annotated Code of Maryland; and~~
84 c. ~~All land and water areas within 1,000 feet beyond the landward boundaries of the~~
85 ~~resources identified under paragraphs a. and b. of this subsection.~~
86 2. Within the designated Critical Area Overlay District, all land shall be assigned one of the following
87 land management and development area classifications, and be consistent (unless approved
88 otherwise by the Critical Area Commission as established in § 8-1809 of the Natural
89 Resources Article of the Annotated Code of Maryland) with those found in the official
90 Maryland Department of Natural Resources Statewide Base Map:
91 a. Intensely Developed Area (IDA).
92 b. Limited Development Area (LDA).
93 c. Resource Conservation Area (RCA).

94

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

97 **Section 4.** It is the intention of the Mayor and Council of the City of Salisbury that each provision
98 of this Ordinance shall be deemed independent of all other provisions herein.

99 **Section 5.** It is further the intention of the Mayor and Council of the City of Salisbury that if any
100 section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid,
101 unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication
102 shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other
103 provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

104 **Section 6.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as
105 if such recitals were specifically set forth at length in this Section 6.

106 **Section 7.** This Ordinance shall take effect from and after the date of its final passage.

107 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City
108 of Salisbury held on the ___ day of October, 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 November, 2024.

109

110 ATTEST:

112 _____

113 Julie A. English, City Clerk

114

D'Shawn M. Doughty, City Council President

115 Approved by me, this _____ day of _____, 2024

116

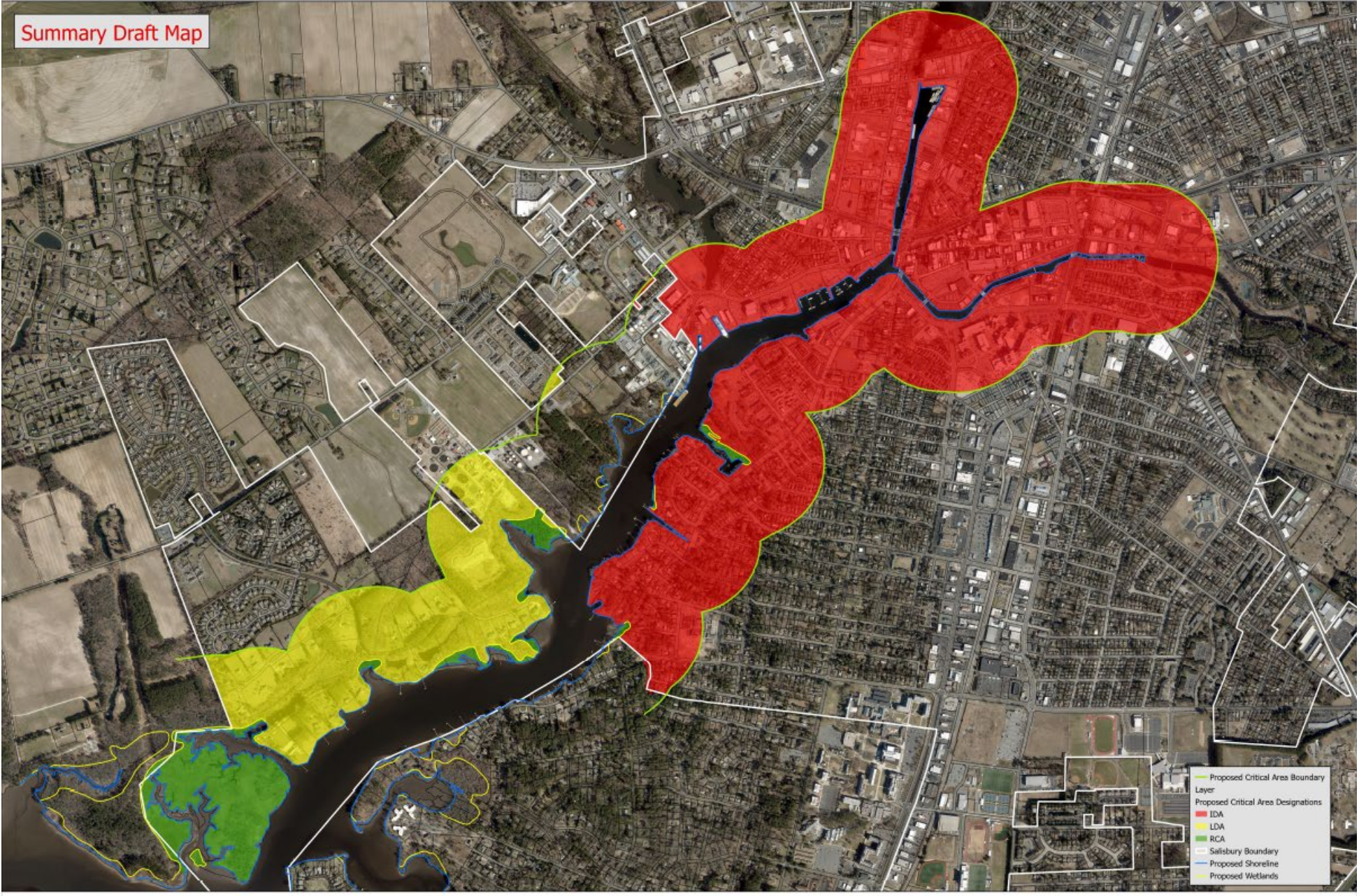
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118

119 _____

Randolph J. Taylor, Mayor

Summary Draft Map



— Proposed Critical Area Boundary Layer
— Proposed Critical Area Designations
— IDA
— LDA
— RCA
— Salisbury Boundary
— Proposed Shoreline
— Proposed Wetlands

IMPORTANT INFORMATION ABOUT THIS MAP:
 This Working Draft Map for the City of Salisbury Critical Area shows the proposed Critical Area designations. This map is the Summary Draft Map for the jurisdiction, and is currently being reviewed in preparation for formal adoption by the local government. This map is not intended for official use at this time because it has not been approved by the governing body in the Town or by the Critical Area Commission.
 The aerial photography is from 2016 Maryland State Highway Administration contract. All imagery for the project was captured at a nominal flying altitude of 4800 AMLT, with a minimum 30% side-lap to achieve a 4" ortho-product. The imagery was processed to meet or exceed NIMA standards for 1" = 100' map products. Supplemental data and imagery used to create the Critical Area Boundary were also produced at a scale of 1:1200 or 1" = 100'.

Proposed Critical Area: Salisbury, Maryland

Lawrence J. Hogan, Jr.
 Governor
 Boyd K. Sutherford
 Mayor
 John C. Wadsworth
 Planning

Department of General Services
 500 Taylor Ave.
 Annapolis, MD 21401
 410-260-6267
www.dgs.state.md.us

Critical Area Commission
 9804 West Street, Suite 100 Annapolis, MD 21401
 410-260-9900
commission@salisbury.org

Department of Information Technology
 85 Calvert Street, Annapolis, MD 21401
 300 West Street, Suite 600, Salisbury, MD 21801
 Tel: 410-326-7000
<http://www.cityofsalisbury.org>

ES&S
 Salisbury Division
 212 W. Poplar St., Suite 300
 Salisbury, MD 21801
 410-871-7200
www.esandm.com

Map Created: February, 2022