

ORDINANCE NO. 2895

AN ORDINANCE OF THE CITY OF SALISBURY AMENDING SUBCHAPTER 10.04.040, ENTITLED “ENFORCEMENT OFFICERS”, OF THE SALISBURY CITY CODE TO CLARIFY WHICH CITY PERSONNEL ARE AUTHORIZED TO ACT AS ENFORCEMENT OFFICERS.

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**”);

WHEREAS, the Mayor and Council of the City of Salisbury (the “**Mayor and Council**”) are authorized by MD Code, Local Government, § 5-202 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;

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;

WHEREAS, the Mayor and Council find that amendments to Subchapter 10.04.040 of the Salisbury City Code are desirable to update the Code to clarify which city personnel are authorized to act as “enforcement officers”; and

WHEREAS, the Mayor and Council have determined that the amendments to Subchapter 10.04.040 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 Subchapter 10.04.040 of the Salisbury City Code is hereby amended by adding the bolded and underlined language and deleting the strikethrough language as follows:

Section 1. Subchapter 10.04.040 of the Salisbury City Code, entitled “Enforcement officers” is amended as follows:

10.04.040 Enforcement officers.

A. ~~Except with regard to parking meter violations, it~~ **It** shall be the duty of ~~the police officers, or other authorized parking enforcement personnel, of the city~~ **authorized employees of the Salisbury Police Department, Housing and Community Development Department, Salisbury Fire Department, Department of Field Operations or any other department of the City of Salisbury as authorized by the Chief of Police, who shall be referred to as “Enforcement Officer” in this subchapter** with reference to vehicles parked, operated or driven in violation of this chapter or rules and regulations adopted pursuant thereto, to report:

1. The state license number of any such vehicle;
2. The nature of the violation and the time and place thereof;
3. Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.

B. In the case of a parking violation, ~~each police officer, authorized parking enforcement personnel, of the city~~ **an Enforcement Officer** making such a report also shall attach to such vehicle or deliver to the operator thereof, if present in the vehicle, a notice to the owner or operator thereof that such vehicle has been illegally parked and instructing such owner or operator where and when he may make payment of the penalty for such violation and the amount of the penalty for such violation; in case of any other violation, ~~each police officer, authorized parking enforcement personnel, of the city~~ **Enforcement Officer** making such a report also shall deliver to the operator or driver of such vehicle a notice that such vehicle has been operated or driven in violation of this chapter and instructing such operator or driver to appear at the district court for the county at the time and on the date specified in such notice with regard to such violation.

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

Section 3. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

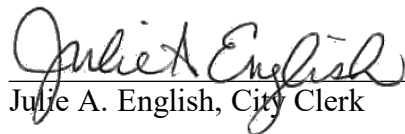
Section 4. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.


Section 5. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 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 City of Salisbury held on the 14 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 21 day of October, 2024

ATTEST:


Julie A. English, City Clerk


D'Shawn M. Doughty, City Council President

Approved by me, this 10 day of OCT, 2024.


Randolph Taylor, Mayor