

## **ORDINANCE NO. 2439**

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND THE FOLLOWING SECTIONS OF TITLE 1, GENERAL PROVISIONS, OF THE SALISBURY MUNICIPAL CODE: CHAPTER 1.04 - CODE ADOPTION, SECTION .200, AND CHAPTER 1.16.100 - WAIVER OF FINES—AUTHORITY TO ISSUE CITATIONS—VIOLATIONS AND PENALTIES—REPEALER, BY UPDATING THE REFERENCE TO ARTICLE 23A WITH THE CURRENT REFERENCE IN THE LOCAL GOVERNMENT ARTICLE, BY DELETING THE REFERENCES TO THE DEPARTMENT OF BUILDING, PERMITTING AND INSPECTION AND REPLACING IT WITH THE DEPARTMENT OF INFRASTRUCTURE & DEVELOPMENT, DELETING THE REFERENCE TO THE DEPARTMENT OF NEIGHBORHOOD SERVICES AND CODE COMPLIANCE AND REPLACING IT WITH THE HOUSING & COMMUNITY DEVELOPMENT DEPARTMENT, DELETING THE REFERENCES TO PUBLIC WORKS, ADDING THE FIRE MARSHAL, AND ADDING THE FIRE PREVENTION CODE.

WHEREAS, the Mayor and Council of the City of Salisbury desire to re-organize the departmental structure of the City of Salisbury; and

WHEREAS, the Department of Public Works is being divided into three separate departments, the Department of Infrastructure and Development, the Department of Water Works, and the Department of Field Operations as part of the reorganization structure for the City of Salisbury; and

WHEREAS, the name of the Department of Neighborhood Services and Code Compliance was previously changed to the Housing & Community Development Department; and

WHEREAS, the Fire Marshal is currently a part of the Department of Building, Permitting and Inspections; and

WHEREAS, the Fire Marshal will be part of the Fire Department as part of the reorganization structure; and

WHEREAS, the Fire Marshal will have the authority to issue fines and citations to enforce the Fire Prevention Code; and

WHEREAS, the Salisbury City Council has concluded that it is in the best interest of the City to amend the City Code to accomplish the reorganization plan, which will not result in increased costs under the City's current budget and will allow the Departments to operate in a more efficient manner;

NOW, THEREFORE, be it enacted and ordained by the City of Salisbury, that Chapters 1.04.200 and 1.16.100 of the City of Salisbury Municipal Code be amended as follows:

Chapter 1.04 – Code Adoption.

1.04.200 – Exemption from county legislation.

Pursuant to the authority granted by **[[Article 23A, § 2B(a)(3)]***Local Government Article §4-111* of the Annotated code of Maryland, **[[as enacted by Chapter 398 of the Laws of Maryland 1983,]]** **[[the mayor and council]]** of the City of Salisbury, a municipal corporation, exempts itself from all legislation heretofore or hereafter enacted by Wicomico County, Maryland, relating to any subject upon which the mayor and council of the city of Salisbury has heretofore or is hereafter granted legislative authority either by public general law or by the Charter of the City of Salisbury.

## Chapter 1.16 – Infractions and Civil Violations.

### 1.16.100 – Waiver of fines-Authority to issue citations—Violations and penalties—Repealer.

- A. Those directors of departments authorized to administer and enforce this chapter have the privilege to waive any fine contained herein not imposed by any court if it can be established by uncontroverted evidence that the citation for the offense was issued erroneously.
- B. The following persons shall have the authority to issue citations for municipal infractions or civil zoning violations:
1. Director of the department of-**[[building, permitting and inspection]]***Infrastructure & Development and any designee of the Director;*
  2. Director of the **[[department of neighborhood services and code compliance]]***Housing & Community Development Department and any designee of the Director;*
  3. *Director of the department of Water Works and any designee of the Director;*
  4. Housing supervisor;
  5. Building inspector;
  6. Housing inspector;
  7. Zoning administrator;
  8. Plan examiner;
  9. Plumbing inspector;
  10. All city police officers;
  11. **[[Director, public works;]]***Director of the Department of Field Operations and any designee of the Director;*
  12. **[[Deputy director public works;]]***Traffic superintendent;*
  13. Operations and maintenance **[[supervisor]]***superintendent;*
  14. Sanitation superintendent;
  15. *Safety Manager;*
  16. Chief or deputy chief of the Salisbury fire department;**[[.]]**
  17. *Fire Marshal.*
- C. The violations of the following codes and ordinances are declared to be an infraction, and the penalty for such violation shall not exceed five hundred dollars (\$500.00) for each

initial offense and shall not exceed one thousand dollars (\$1,000.00) for each repeat offense, and each day the violation continues shall constitute a separate offense:

1. International Building Code (2015) (IBC);
2. International Residential Code (2015) (IRC);
3. International Energy Conservation Code (2015) (IECC);
4. International Mechanical Code (2015) (IMC);
5. International Plumbing Code (2015) (IPC);
6. International Fuel Gas Code (2015) (IFGC); and
7. International Existing Building Code (2015) (IEBC).
8. *City of Salisbury Fire Prevention Code.*

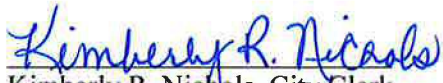
**EXPLANATION:**

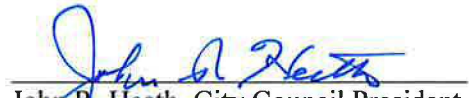
\* *ITALICIZED PRINT INDICATES MATERIAL ADDED TO EXISTING LAW.*  
Deleted material from the existing Code is indicated by bold double bracketed [ [ ] ] language.

AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND, that the Ordinance shall take effect upon final passage.


THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 11<sup>th</sup> day of September, 2017 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 on the 9<sup>th</sup> day of October, 2017.

ATTEST:

  
Kimberly R. Nichols, City Clerk

  
John R. Heath, City Council President

Approved by me, this 10<sup>th</sup> day of OCT, 2017.

  
Jacob R. Day, Mayor



City of  
**Salisbury**  
Jacob R. Day, Mayor

## MEMORANDUM

**To:** City Council  
**From:** Julia Glanz, City Administrator  
**Subject:** Reorganization- Charter and Code Changes  
**Date:** August 2, 2017

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During the FY18 Budget Process, the Mayor and I proposed a plan to reorganize the departments within our City government in order to more appropriately align them with the City's goals and objectives.

Substantial changes that constitute this reorganization include: a one-stop-shop for all development projects, the consolidation of our code enforcement officers by relocating them all to one department, a reworking and division of the legacy structure of our Public Works department, a new focus on GIS in all City departments, an independent Procurement department, and the revocation of a previous arrangement that placed Parking under Procurement's purview. This reorganization will be evident in the functionality of our City government and will have a minimal impact on the FY18 Budget.

To further explain this reorganization, all proposed City Code and Charter changes are attached for your review, as well as the ordinance necessary to accept those changes.