

**ORDINANCE NO. 2461**

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND  
CHAPTER 15.26-RENTAL OF RESIDENTIAL PREMISES, SECTION  
15.26.030-DEFINITIONS TO INCLUDE A DEFINITION OF IMMEDIATE  
FAMILY AND EXCLUDE FROM THE LICENSING REQUIREMENT IN  
CERTAIN SITUATIONS USE OF A DWELLING UNIT BY IMMEDIATE  
FAMILY MEMBERS

WHEREAS, the ongoing application, administration and enforcement of Chapter  
15.26 of the Salisbury Municipal Code, demonstrates a need for periodic review,  
evaluation and amendment; and

WHEREAS, there is no definition for immediate family in that section of the  
current Code; and

WHEREAS, the addition of the definition of immediate family will strengthen the  
enforcement mechanism of the landlord licensing laws that the Housing & Community  
Development Department currently has in place; and

WHEREAS, the Housing & Community Development Department does  
recommend approval of this proposed Code change.

NOW, THEREFORE, be it enacted and ordained by the Council of the City of  
Salisbury, that Chapter 15.26-Rental of Residential Premises, Section 15.26.030-  
Definitions, be amended as follows:

**15.26.030 - Definitions.**

The following definitions shall be used in the construction and interpretation of this  
chapter:

"Director" means the director of the ~~department of neighborhood services and code compliance~~ **Housing and Community Development Department**.

"Dwelling unit" means a single unit providing living facilities for one or more persons, including permanent provision for living, sleeping and sanitation.

**"Immediate Family" means a parent, spouse, sibling or child of the property owner that is related by blood or legally recognized as such as shown on submitted appropriate legal documentation.**

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

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

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

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

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

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

"Rental" means leasing or allowing occupancy or usage of a dwelling unit, either directly or by an agent, in consideration of value, including personal services, paid or tendered to or for the use or benefit of the lessor. **Rental does not include an Owner allowing use of a dwelling unit by Immediate Family members for no monetary consideration paid directly to or for the use or benefit of the Owner. Payments for government services, taxes, utilities, or property maintenance items made by the Immediate Family occupant(s) shall not be deemed to be monetary consideration paid to or for the use or benefit of the Owner.**

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

"Tenants' Rights Lease Addendum" means the written addendum required by the City which provides information about legal rights of tenants and maximum occupancy by unrelated individuals.


**BOLD** language signifies language added to the Code.

~~Strikeout~~ signifies language deleted from the Code.

AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY COUNCIL OF 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 25<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, Council President

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

  
Jacob R. Day, Mayor  
City of Salisbury

# Memo

**To:** Julia Glanz  
**From:** Susan Phillips  
**Date:** 10/9/2017  
**Re:** Immediate Family Definition

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Attached you will find an amendment to section of 15.26 Definitions, adding the definition of "immediate family". Adding this definition will help improve the enforcement of the landlord licensing legislation.

Please let me know if you have any further questions.