

ORDINANCE NO. 1908

ORDINANCE PERMIT

AN ORDINANCE OF THE MAYOR AND THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND TO AUTHORIZE BRUCE BYRD TO OPERATE A DAY CARE CENTER AT 220 PHILLIP MORRIS DRIVE IN A LIGHT BUSINESS AND INSTITUTIONAL DISTRICT AS REQUIRED BY SECTION 17.28.040B OF THE SALISBURY MUNICIPAL CODE.

WHEREAS, the City of Salisbury has received a request in accordance with the provisions of Section 17.28.040B of Title 17, Zoning, of the Salisbury Municipal Code on behalf of Bruce Byrd to operate a day care center in the existing residence at 220 Phillip Morris Drive in a Light Business and Institutional District; and

WHEREAS, the Mayor and City Council may grant an Ordinance Permit for certain uses as specifically listed in Title 17, Zoning, of the Salisbury Municipal Code particularly Section 17.28.040B, and City Council, Section 17.12.080D; and,

WHEREAS, the Salisbury Planning Commission held a public hearing on May 20, 2004, reviewed all information, and gave a favorable recommendation to the Mayor and City Council on the request to establish the day care center with a capacity of children and infants as authorized by State of Maryland regulations; and,

WHEREAS, the City Council has determined that based upon a review of all testimony and evidence presented that the request should be granted pursuant to Section 17.28.040B of Title 17, Zoning, of the Salisbury Municipal Code,

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that the Ordinance Permit authorizing Bruce Byrd to operate a day care center at 220 Phillip Morris Drive is hereby granted, subject to the following Conditions of Approval:

1. Name of Applicant.

This Ordinance Permit is in the name of Bruce Byrd only and shall not be transferred without approval of the City Council.

2. Nature of Operation.

This Ordinance Permit specifically authorizes Bruce Byrd for the number of children and infants authorized by State of Maryland regulations at 220 Phillip Morris Drive seven days a week for 365 days a year as long as this Ordinance Permit is in effect.

3. Place of Operation.

The authority granted by the City Council in this Ordinance Permit shall pertain only to the premises known as 220 Phillip Morris Drive and shall not be relocated without compliance with the Salisbury Municipal Code and approval of the City Council.

4. Rules of Operation/Conditions

- a. The Ordinance Permit shall be for children and infants subject to approval of the Office of Child Care Administration and Licensing and Regulations, Maryland Department of Human Resources.
- b. The day care center shall comply with all applicable State and local codes pertaining to licensing, health and safety, including Building, Fire, Plumbing, and Electrical Codes whether or not shown on the Plans approved by the Planning Commission or City Council.

5. Crowd Control.

- a. The applicants shall be responsible for maintaining control of all users and visitors on-site including any buildings and adjoining parking and play areas.
- b. In the event that day care center personnel feel there is an eminent danger to any enrollee or employee beyond their control, authorities shall be notified immediately.

6. Change of Conditions

No conditions shall be altered or changed by any person other than by Ordinance, approved by the Mayor and City Council.

AND BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that this Ordinance shall take effect from and after the date of its final passage; and,

THE ABOVE ORDINANCE was introduced at a meeting of the Council on the ____ day of _____, 2004, and having been published as required by law, in the meantime, was finally passed at its meeting on the ___ day of _____, 2004.

Michael Dunn
President of the City Council of
The City of Salisbury

Approved by me this _____
day of _____, 2004.

Witness:

Barrie Parsons Tilghman
Mayor of Salisbury

Brenda J. Colegrove
City Clerk