

ORDINANCE NO. 2372

ORDINANCE PERMIT

AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND, TO AUTHORIZE JOY BROMLEY/BUNDLES OF JOY, INC. TO EXPAND AN EXISTING DAY CARE CENTER TO THE ADJOINING PROPERTY AT 1405 SOUTH DIVISION STREET IN A NEIGHBORHOOD BUSINESS DISTRICT AS REQUIRED BY TITLE 17, SECTION 17.84.030A OF THE SALISBURY MUNICIPAL CODE.

WHEREAS, the City of Salisbury has received a request in accordance with the provisions of Section 17.32.040A of Title 17, Zoning, of the Salisbury Municipal Code, on behalf of Joy Bromley/Bundles of Joy, Inc. to expand an existing day care center to include the property located at 1405 South Division Street in a Neighborhood Business 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 17.32.040A, and City Council, Section 17.12.080D, and

WHEREAS, the Salisbury Planning and Zoning Commission held a Public Hearing on January 21, 2016, reviewed all information, and gave a favorable recommendation to the Mayor and City Council on the request to expand the day care center to include this property; 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 17.32.040A of Title 17, Zoning, of the Salisbury Municipal Code,

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND, that the Ordinance Permit authorizing Joy Bromley/Bundles of Joy, Inc. to expand an existing day care center to include the property at 1405 South Division Street is hereby granted, subject to the following Conditions of Approval and those imposed by the Salisbury Planning Commission on January 21, 2016:

1. Name of Applicant.

This Ordinance Permit is in the name of Joy Bromley/Bundles of Joy, Inc. only and shall not be transferred without approval of the City Council.

2. Nature of Operation.

This Ordinance Permit specifically authorizes the applicant to operate a duly licensed Day Care Center for the number of children and infants authorized by

State of Maryland Regulations at 1405 South Division Street 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 1405 South Division Street and shall not be relocated without compliance the Salisbury Municipal Code and approval of the City Council.

4. Rules of Operation/Conditions.

- a. This site shall be expanded in accordance with the approved Revised Site Plan submitted January 21, 2016.
- b. This Ordinance Permit shall be for children and infants subject to approval by the Office of Child Care Administration and Licensing and Regulations, Maryland Department of Human Resources.
- c. 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.
- d. A fence not less than four (4) feet in height shall be provided around the play area, in accordance with the Code.

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 company personnel feel there is an imminent danger to any enrollee or employee beyond their control, authorities are to be notified immediately.

6. Council Review.

- a. The Mayor and City Council hereby reserves the right to conduct a periodic review of the operation of the day care center in order to assure compliance with these conditions.
- b. The City Council shall be the sole determiner of compliance with these Conditions; and further reserves the right to revoke this permit upon its finding of non-compliance.

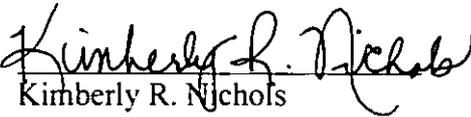
7. Change of Conditions.

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 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 1 day of February 2016, and thereafter, and having been published as required by law, in the meantime, was finally passed by the Council on the 16 day of February, 2016.

ATTEST:

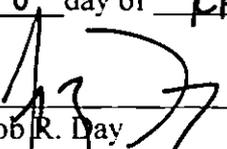


Kimberly R. Nichols
City Clerk



John R. Heath, President
Salisbury City Council

Approved by me this
18th day of FEBRUARY, 2016.



Jacob R. Day
Mayor of the City of Salisbury