



City of Salisbury

CITY COUNCIL AGENDA



Monday, November 25, 2013
Government Office Building

6:00 p.m.
Room 301

Times shown for agenda items are estimates only.

- 6:00 p.m. CALL TO ORDER
- 6:01 p.m. WELCOME/ANNOUNCEMENTS
- 6:03 p.m. INVOCATION/MEDITATION AND PLEDGE OF ALLEGIANCE
- 6:05 p.m. PRESENTATION - Mayor James P. Ireton, Jr. and Salisbury Fire Department
- Women Supporting Women
- 6:10 p.m. COMMUNITY ORGANIZATION PRESENTATION
- Decorating Delmarva – Mark Cathell
- 6:15 p.m. ADOPTION OF LEGISLATIVE AGENDA
- 6:17 p.m. CONSENT AGENDA – Assistant City Clerk Diane Nelson
- November 12 2013 regular meeting minutes 1a
 - Resolution No. 2349 - accepting funds awarded through a grant from the Maryland Heritage Areas Authority for the purpose of window replacement for the Poplar Hill Mansion. 1b
- 6:19 p.m. AWARD OF BIDS – Assistant Director of Internal Services – Procurement & Parking Jennifer L. Miller 2
- Change Order #2 to Contract No. RFP 04-10 – Engineering Services for Caustic Chemical Storage Building and Feed System
- 6:22 p.m. ORDINANCES – City Attorney Mark Tilghman
- Ordinance No. 2269 – 2nd reading - amending section 15.040.010 of Chapter 15.04 Building Code of the Salisbury Municipal Code to update the reference to the International Energy Conservation Code to the 2012 Edition 3a
 - Ordinance No. 2270 – 2nd reading - modifying the language of the Garbage, Rubbish and Refuse Code in accordance with Chapter 8.16 of the City Code 3b
 - Ordinance No. 2271 – 1st reading – to establish a mechanical permit fee 3c
- 6:30 p.m. PUBLIC COMMENTS
- 6:35 p.m. ADJOURNMENT

**Copies of the agenda items are available for review
in the City Clerk's Office
Room 305 – City/County Government Office Building
410-548-3140
or
on the City's web site
www.ci.salisbury.md.us**

City Council meetings are conducted in open session unless otherwise indicated. All or part of the Council's meetings can be held in closed session under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland 10-508(a), by vote of the City Council.

Proposed agenda items for December 9, 2013 (subject to change)

- Ordinance No. 2271 – 2nd reading - establishing a mechanical permit fee
- Resolution No. ____ - accepting a donation from the Delmarva Zoological Society for the Salisbury Zoological Park

Posted: November 21, 2013 (*revised 11/22/13 – revision in italics*)

1 **CITY OF SALISBURY, MARYLAND**

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3 **REGULAR MEETING**

NOVEMBER 12, 2013

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5 **PUBLIC OFFICIALS PRESENT**

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Council President Jacob R. Day Council Vice President Laura Mitchell
Mayor James P. Ireton, Jr. (left 6:10 p.m.) Councilwoman Eugenie P. Shields
Councilwoman Terry E. Cohen Councilman Timothy K. Spies

IN ATTENDANCE

City Clerk Kimberly R. Nichols, CMC, City Attorney Mark Tilghman, Building, Permitting, and Inspections Director Bill Holland, Public Works Director Mike Moulds, Public Works Deputy Director Amanda Pollack, Internal Services Director Keith Cordrey, Deputy Director Internal Services – Procurement Jennifer Miller, interested citizens, and members of the press

MEDITATION – PLEDGE OF ALLEGIANCE

The City Council met in regular session at 6:00 p.m. in Council Chambers. Council President Day called the meeting to order; a moment of silent mediation was held followed by the Pledge of Allegiance.

PROCLAMATION – presented by Mayor James P. Ireton, Jr.

Mayor Ireton presented a proclamation to partner with Maryland Municipal League in promoting the awareness and interest in the City of Salisbury’s local government by proclaiming November, 2013 as Municipal Government Works Month in the City of Salisbury.

COMMUNITY ORGANIZATION PRESENTATION – Public Access Channel 14 (PAC14)
- presented by PAC14 Executive Director Creig Twilley

Mr. Creig Twilley joined Council at the podium to share a video produced by PAC14 on things the organization is involved in and services available to the public. He gave the new website address (PAC14.org), discussed Video on Demand, Community Calendar, 3rd Friday, SWAC events, and spoke about donations to the Community Foundation of the Eastern Shore to ensure the future of PAC14. Mr. Twilley reminded the public that PAC14 publicizes local non-profit organizations and is always on the lookout for local producers and training people to produce shows.

ADOPTION OF LEGISLATIVE AGENDA

On a motion and seconded by Ms. Cohen and Mrs. Shields, respectively, the legislative agenda was unanimously adopted as presented.

43 **CONSENT AGENDA** – presented by City Clerk Kim Nichols

44
45 *The Consent Agenda, consisting of the following items, was unanimously approved on a motion by*
46 *Mrs. Mitchell that was seconded by Ms. Cohen:*

- 47
48
 - October 21, 2013 work session minutes
 - October 21, 2013 closed session minutes
 - October 28, 2013 regular meeting minutes
 - November 4, 2013 work session minutes

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53 **AWARD OF BIDS** – presented by Deputy Director Internal Services – Procurement Jennifer Miller

54
55 *The Award of Bids, consisting of the following items, was unanimously approved on a motion by*
56 *Mrs. Mitchell and seconded by Mrs. Shields:*

- 57
58
 - *Lease Services for Refuse Truck Contract RFP 01-14 - \$261,629.65*
 - *Purchase of Refuse Truck - \$247,062.93*

59
60
61 *Ms. Miller noted that the account number 86085-57725 for the purchase of the Refuse Truck in the*
62 *award of bids was incorrect, and provided 32061-57725 as the correct account number.*

63
64 **CHARTER RESOLUTION/PUBLIC HEARING** – presented by Interim City Administrator
65 *Tom Stevenson*

- 66
67
 - Resolution No. 2348 – to amend the Charter of the City of Salisbury, Maryland by
68 *establishing a Small Business, including Veteran-Owned Small Businesses and Service-*
69 *Disabled Veteran-Owned Small Businesses, Procurement Preference to the Charter of the*
70 *City of Salisbury under § SC16-3*

71
72 *Ms. Cohen moved and Mrs. Mitchell seconded to approve Charter Resolution No. 2348.*

73
74 *President Day opened the public hearing for Resolution No. 2348. There being no members*
75 *of the public wishing to speak, Mr. Day then closed the public hearing.*

76
77 *Mr. Stevenson presented Charter Resolution No. 2348, but recommended to Council to*
78 *return the resolution to Work Session to discuss the establishment of a cap for the*
79 *percentage.*

80
81 *Ms. Cohen moved, Mr. Spies seconded, and the vote was unanimous to return Charter*
82 *Resolution No. 2348 to the November 18, 2013 Work Session.*

83
84 **ORDINANCES** – presented by City Attorney Mark Tilghman

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 - Ordinance No. 2263 – 2nd reading – approving an amendment of the FY14 General Fund
87 *budget to revise positions in the Internal Services Department*

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Ms. Cohen moved, Mrs. Mitchell seconded, and the vote was unanimous to approve Ordinance No. 2263 for second reading.

- *Ordinance No. 2265 – 2nd reading – amending Chapter 15.27 Property Maintenance Habitual Offender of the Salisbury Municipal Code. These amendments strengthen the original legislation by lowering the threshold by which a property owner can be designated a chronic nuisance property owner.*

Ms. Cohen moved and Mrs. Shields seconded to approve Ordinance No. 2265 for second reading.

Mr. Spies moved, Ms. Cohen seconded and the vote was unanimous to amend Line 110 as follows:

- *strike “as”, insert “in which”*
- *strike “city”, insert “real estate”*
- *insert “are collected” after “taxes”*

Line 110 was amended to read “manner in which real estate taxes are collected.”

Mrs. Mitchell moved, Mr. Spies seconded, and the vote was unanimous to amend Line 194 by striking the period and inserting “, and shall take effect January 1, 2014.”

Mrs. Mitchell moved, Mrs. Shields seconded, and the vote was unanimous to amend the ordinance with the following:

- *Line 98 – strike “owner of the”*
- *Line 104 – after “writing” insert “, within five (5) business days”*

Mrs. Mitchell moved, Ms. Cohen seconded, and the vote was 0-5 to amend the ordinance by striking all references to the term “housing official.” All Councilmembers voted “nay” after discussing the ordinance with Mr. Tilghman.

Mr. Spies moved, Mrs. Mitchell seconded, and the vote was unanimous to amend Line 158 by striking “the owner of” and inserting “owner” after “property.”

Ordinance No. 2265, as amended for first and second reading, was unanimously passed.

- *Ordinance No. 2266 – 2nd reading – approving an amendment of the FY14 General Fund budget to adjust the City’s Pay Plan with new rates assigned to grades and steps*

On a motion and seconded by Mrs. Shields and Mrs. Mitchell, respectively, Ordinance No. 2266 for second reading was unanimously passed.

- 133 • *Ordinance No. 2267 – 2nd reading – approving an amendment of the FY14 General Fund*
134 *budget to adjust position grade assignments*

135

136 *Mrs. Shields moved, Ms. Cohen seconded, and the vote was unanimous to approve*
137 *Ordinance No. 2267 for second reading.*

138

- 139 • *Ordinance No. 2268 – 2nd reading – approving an amendment of the FY14 General Fund,*
140 *Water & Sewer Fund, and Parking Fund budgets to appropriate funds to cover increases in*
141 *employee compensation*

142

143 *On a motion and seconded by Mrs. Shields and Mrs. Mitchell, respectively, Ordinance No.*
144 *2268 for second reading was unanimously passed.*

145

- 146 • *Ordinance No. 2269 – 1st reading – amending section 15.040.010 of Chapter 15.04 Building*
147 *Code of the Salisbury Municipal Code to update the reference to the International Energy*
148 *Conservation Code to the 2012 Edition*

149

150 *Ms. Cohen moved and Mrs. Mitchell seconded to approve Ordinance No. 2269 for first*
151 *reading.*

152

153 *Mrs. Mitchell moved, Mr. Spies seconded, and the vote was unanimous to amend Ordinance*
154 *No. 2269 as follows:*

155

156 ➤ *Lines 5, 20, and 25 – strike the second zero (0) in 15.040.010 to become 15.04.010*

157 ➤ *Line 40 – strike 2013 and insert 2014*

158 ➤ *Lines 5, 14, and 17 – correct spacing errors*

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160 *Ordinance No. 2269, as amended for first reading, was unanimously approved.*

161

- 162 • *Ordinance No. 2270 – 1st reading – modifying the language of the Garbage, Rubbish and*
163 *Refuse Code in accordance with Chapter 8.16 of the City Code*

164

165 *Mrs. Shields moved and Ms. Cohen seconded to approve Ordinance No. 2270 for first*
166 *reading.*

167

168 *Mr. Spies moved, Ms. Cohen seconded, and the vote was unanimous to amend Ordinance No.*
169 *2270 as follows:*

170

171 ➤ *Line 43 – strike the second “solid” and “used in heating or cooking as occurring in*
172 *households.”*

173

174 *Line 43 was amended to read, “Ashes” means the solid residue of the combustion of fuels.”*

175

176 *Mrs. Mitchell moved, Ms. Cohen seconded, and the vote was unanimous to amend the*
177 *ordinance on Line 337 by striking “occupant(s) residing at their property locations” and*

178 insert “tenants responsible for the property.”

179

180 Mr. Spies moved, Mrs. Mitchell seconded, and the vote was unanimous to amend the
181 ordinance as follows:

182

183 ➤ Line 337 – strike “occupant(s) residing at their property locations”; insert “tenants”

184 ➤ Line 50 – strike “fabrics” and insert “textiles”

185 ➤ Line 50 – strike “and”

186 ➤ Line 51 – insert “and glass” in front of “containers” and insert “explosive,
187 corrosive,” after “of”

188 ➤ Line 51 – strike “containers, bottles, crockery” and “other”

189 ➤ Line 52 – insert “or” in front of “hazard”; strike “hazard of explosion;” and “or”
190 after “conflagration”

191 ➤ Line 52 – insert an “s” to make “hazard” plural and strike “to collection
192 personnel.”

193

194 Therefore, Lines 336 and 337 were amended to read, “When requested by City enforcement
195 personnel, Owners shall provide names of all tenants responsible for the property.”

196

197 Lines 50 through 52 were amended to read, “waste foodstuffs of vegetable or animal origin,
198 paper products, textiles, plastic, metal and glass, and similar materials, free of explosive,
199 corrosive, or conflagration hazards.”

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201 **PUBLIC COMMENTS**

202

203 One member of the public provided the following comments:

- 204 • How will the City employee pay/grade increase be paid for in 2015?
- 205 • City taxpayers are under extreme stress
- 206 • Do not increase property taxes to fund raises (asked Council to pledge not to increase taxes)
- 207 • Will City create “garbage police” position to monitor the garbage?

208

209 **ADJOURNMENT**

210

211 After receiving no further comments from the public, President Day adjourned the Legislative
212 Session at 7:58 p.m.

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215 _____
City Clerk

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218 _____
Council President

Office of Community Development

MEMO

To: Tom Stevenson

From: Ginny Hussey, CAP-OM

Subject: Resolution Accepting a Grant from the Maryland Heritage Areas Authority for Window Replacement for Poplar Hill Mansion

Date: November 18, 2013

Attached is a copy of the letter from the Maryland Heritage Areas Authority Financing Fund informing the City of Salisbury that a grant award up to \$20,000.00 was approved for the project entitled "*Poplar Hill Mansion Window Replacement.*"

The City of Salisbury owns the Poplar Hill Mansion, which was built in 1805 and is the oldest structure in the City. The City is responsible for the maintenance of the buildings and grounds of the Mansion. The Friends of Poplar Hill Mansion, Inc. operate the building and grounds of the Mansion as a museum and as a venue for the community, social and entertainment events to maximize its education value.

Attached is a Resolution accepting these Maryland Heritage Areas Authority grant funds which have been awarded to the City of Salisbury. Please forward this Resolution to the City Council so that it may be placed on their agenda for the meeting on November 25, 2013.

Ginny Hussey, CAP-OM

Administrative Support Technician

Community Development

Attachments

August 5, 2013

Dr. Lore Chambers
Assistant City Administrator
City of Salisbury
125 Division Street
Salisbury, MD 21801

Dear Dr. Chambers:

It is my pleasure to inform the City of Salisbury that a grant award of up to \$20,000.00 from the FY 2014 Maryland Heritage Areas Authority Financing Fund was approved for the project entitled "*Poplar Hill Mansion Window Replacement.*" On behalf of the Maryland Heritage Areas Authority, I am delighted to offer support for this important project.

A Grant Agreement between the City of Salisbury and the Maryland Heritage Areas Authority will be mailed to you as soon as it is complete. The project monitor, who will be your primary contact on this project, is Jennifer Ruffner.

Because this is a capital grant for one or more significant historic properties on which the Maryland Historical Trust (MHT) holds a historic preservation easement, **MHT must review and approve all proposed capital improvements prior to initiation of the project and disbursement of grant funds.** Please contact MHT to discuss your project prior to the development of detailed plans and specifications. **Questions regarding MHT review should be directed to the MHT Easement Processor, Anne Eastman, at 410-514-7308 or ceastman@mdp.state.md.us.** Additional information is available at www.mht.maryland.gov/easement.html.

Please note that all FY 2014 grantees are required to send a representative to a Maryland Heritage Areas Authority grantee orientation meeting or webinar. Failure to have a representative attend could result in the forfeit of the grant award. New grantees must attend an orientation session **in person**. The two in person sessions available are as follows:

September 5, 2013, 2:00 p.m.
Frederick Visitor Center
151 S. East Street
Frederick, MD 21701
Visit: <http://tinyurl.com/lojlo3o> to register

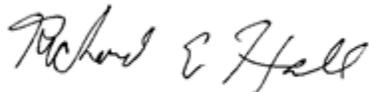
September 6, 2013, 10:00 a.m.
Queen Anne's County
Department of Planning & Zoning
160 Coursevall Drive
Centreville, MD 21617
Visit: <http://tinyurl.com/ksqyz29> to register

Returning grantees who have previously received a grant from MHAA may choose to attend the online webinar instead of an in person session. Please email Jennifer Ruffner for registration materials at jruffner@mdp.state.md.us.

In the meantime, if you have any questions, please do not hesitate to contact Richard Hughes, Administrator of the Maryland Heritage Areas program, at 410-514-7685 or rhughes@mdp.state.md.us or Jennifer Ruffner, Assistant Administrator of the Maryland Heritage Areas program, at 410-514-7612 or jruffner@mdp.state.md.us.

Congratulations and best wishes for a successful project!

Sincerely,



Richard E. Hall
Chairman
Maryland Heritage Areas Authority
Secretary of Planning

cc: Senator Richard F. Colburn
Delegate Rudolph C. Cane
Mr. Jay Parker

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RESOLUTION NO. 2349

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND ACCEPTING FUNDS AWARDED THROUGH A GRANT FROM THE MARYLAND HERITAGE AREAS AUTHORITY FOR THE PURPOSE OF WINDOW REPLACEMENT FOR THE POPLAR HILL MANSION.

WHEREAS, the Council of the City of Salisbury recognizes that the City of Salisbury owns the Poplar Hill Mansion which was built in 1805 and is the oldest structure in the City; and

WHEREAS, the City of Salisbury is responsible for the maintenance of the buildings and grounds of the Poplar Hill Mansion; and

WHEREAS, the Friends of Poplar Hill Mansion, Inc., operate the building and grounds of the Poplar Hill Mansion as a museum and as a venue for community, social and entertainment events to maximize its educational value; and

WHEREAS, the Maryland Heritage Areas Authority has awarded a grant to the City of Salisbury, for window replacement for the Poplar Hill Mansion, in the amount of \$20,000.

NOW, THEREFORE, BE IT RESOLVED THAT, on this 25th day of November 2013, that the City of Salisbury, Maryland, does hereby accept the funds awarded through the Maryland Heritage Areas Authority for the project as funded and in the amount outlined above.

THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on November 25, 2013, and is to become effective immediately.

Diane C. Nelson
ASSISTANT CITY CLERK

Jacob R. Day
COUNCIL PRESIDENT

APPROVED BY ME THIS
_____ Day of November 2013

James Ireton, Jr.
Mayor

City of Salisbury



MARYLAND



125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801
Tel: 410-548-3190
Fax: 410-548-3192

JAMES IRETON, JR.
MAYOR

M. THOMAS STEVENSON, JR.
INTERIM CITY ADMINISTRATOR

VACANT
ASSISTANT CITY ADMINISTRATOR

KEITH A. CORDREY
DIRECTOR OF INTERNAL SERVICES
PROCUREMENT DIVISION

COUNCIL AGENDA

November 25, 2013

1. Change Order #2 to Contract No. RFP 04-10 \$15,000.00
(Engineering Services for Caustic Chemical Storage Building and Feed System)

City of Salisbury



MARYLAND

Salisbury



2010

125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801
Tel: 410-548-3190
Fax: 410-548-3192

JAMES IRETON, JR.
MAYOR

M. THOMAS STEVENSON, JR.
ACTING CITY ADMINISTRATOR

VACANT
ASSISTANT CITY ADMINISTRATOR

KEITH A. CORDREY
DIRECTOR OF INTERNAL SERVICES
PROCUREMENT DIVISION

COUNCIL AGENDA

November 25, 2013

TO: Mayor and City Council

SUBJECT: Change Order #2 to Contract No. RFP 04-10
Engineering Services for Caustic Chemical Storage Building and Feed System

The Procurement Department received a request from the Department of Public Works to process Change Order #2 to Contract No. RFP 04-10, Engineering Services for Caustic Chemical Storage Building and Feed System, in the amount of \$15,000.00. This Change Order proposes to allow George, Miles & Buhr (GMB) to perform additional contract administration and inspection services as necessary during construction of the new caustic storage building. Additional details are noted in the department memo.

Funds are available in account number 81080-513020 "Engineering/Architectural".

The Procurement Department requests Council's approval to approve Change Order #2 as noted above to GMB in the amount of \$15,000.00.

Thank you,

Jennifer Miller
Assistant Director Internal Services-Procurement & Parking

City of Salisbury



MARYLAND

Salisbury



2010

125 NORTH DIVISION ST., RM 202
SALISBURY, MARYLAND 21801

Tel: 410-548-3170

Fax: 410-548-3107

MICHAEL MOULDS, P.E.
PUBLIC WORKS
DIRECTOR

JAMES IRETON, JR.
MAYOR

THOMAS STEVENSON
ACTING CITY ADMINISTRATOR

November 5, 2013

MEMORANDUM

TO: Jennifer Miller - Assistant Director of Internal Services
Procurement Division

FROM: Michael Moulds, P.E. *MM*
Director, Public Works

SUBJECT: Engineering Services for Caustic Chemical Storage Building and Feed System
Change Order No. 2
Contract No. RFP 04-10

Please process Change Order No. 2 for the Engineering Services for Caustic Chemical Storage Building and Feed System. This change order increases the contract cost by \$15,000.00 by allowing George, Miles & Buhr (GMB) to perform additional contract administration and inspection services as necessary during construction.

Construction of the new caustic storage building involves specialized industrial equipment for which GMB's inspection staff is proficient and has expertise. While Public Works Inspectors will oversee foundation work, pipe installation, the building envelope and paving; the additional inspection will enable GMB to cover the precast hollow core planking, the chemical feed system, monitoring equipment and the chlorine gas scrubber.

The contract time will be extended for GMB to perform this additional work.

Funds are available in account 81080-513020. Please let me know if you have any questions.

Prepared by:

Helen Perez Naylor
Helen Perez Naylor
Project Engineer

Approved by:

Michael Moulds
Michael Moulds, P.E.
Director

♦ ♦ ♦ ♦

ARCHITECTS
ENGINEERS

206 WEST MAIN STREET
SALISBURY, MD 21801
PH: 410.742.3115
PH: 800.789.4462
FAX: 410.548.5790

SALISBURY
BALTIMORE
SEAFORD

www.gmbnet.com

♦ ♦ ♦ ♦

August 29, 2013

City of Salisbury
Department of Public Works
125 N. Division Street
Salisbury, MD 21801-4940

Attn: Ms. Helen Perez
Project Engineer

Re: Caustic Chemical Feed Building
RFP 04-10
Engineering Services – CA/Inspection
GMB Job No: R100022

Dear Ms. Perez:

Per the City of Salisbury's request, we hereby submit a change order for additional Contract Administration and Inspection services.

Contract Administration Services

The original contract for Contract Administration Services, Task 300, includes attending and chairing three (3) project progress meetings as well as preparation of the meeting minutes. Based on a nine (9) month construction contract, it is estimated that an additional six (6) progress meetings will help prior to the project completion.

GMB proposes to attend and chair six (6) additional progress meetings for a lump sum of **\$3,300**.

Inspection Services

Due to the technical nature of this project, it has been requested that GMB provide additional inspection services.

GMB proposed to provide an additional **180** hours of inspection @ **\$65/hr**.

We thank you for this opportunity to be of continued service to the City of Salisbury on this project.

If you have any questions, please do not hesitate to call.

Sincerely,



James C. Hoageson, P.E.
Project Manager

JCH/cs

JAMES H. WILLEY, JR., PE
PETER A. BOZICK, JR., PE
JUDY A. SCHWARTZ, PE
CHARLES M. O'DONNELL, III, PE
W. BRICE FOXWELL, PE
A. REGGIE MARINER, JR., PE
JAMES C. HOAGESON, PE
STEPHEN L. MARSH, PE
MICHAEL D. MCARTHUR, AIA
DAVID A. VANDERDEEK, PE
ROLAND E. HOLLAND, PE
JASON M. LYTLE, PE

JOHN E. BURNSWORTH, PE
MICHAEL G. KOBIN, PE
CHRIS B. DERBYSHIRE, PE
W. MARK GARDOCKY, PE
MORGAN H. HELFRICH, AIA
VINCENT A. LUCIANI, PE
JERRY KOTRA

36 H. National Fire Protection Association 101 Life Safety Code, 2009, including state
37 modifications.

38
39 AND BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY
40 | OF SALISBURY, MARYLAND, that the Ordinance shall take effect January 1, ~~2013~~2014.
41

42 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of
43 Salisbury held on the _____ day of _____, 2013 and thereafter, a statement of the
44 substance of the ordinance having been published as required by law, in the meantime, was
45 finally passed by the Council on the ___ day of _____, 2013.

46 ATTEST:

47

48 _____
49 Kimberly R. Nichols, City Clerk

Jacob Day, City Council President

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51

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53 Approved by me, this _____ day of _____, 2013.

54

55

56 _____
57 James Ireton, Jr., Mayor

50 waste foodstuffs of vegetable or animal origin, paper products, ~~textiles, fabrics,~~ plastic, ~~and~~ metal
51 ~~and glass, containers, bottles, crockery~~ and ~~other~~ similar materials, free of ~~explosive, corrosive,~~
52 ~~or hazard of explosion,~~ conflagration ~~or hazards to collection personnel.~~

53
54 "Hazardous Waste" is any waste material, including "Garbage," derived from a
55 household that would be listed as Hazardous Waste under the Resource Conservation and
56 Recovery Act, but for the fact that the waste is derived from a household. Household Hazardous
57 Waste may include but is not limited to: agricultural chemicals, cleaning agents and solvents,
58 paint, pesticides, and preservatives.

59
60 "Managing Authority" shall include a landlord, property manager, condominium
61 association board of directors, or any other person in charge of property located in the Multi-
62 Family Sector.

63
64 "Multi-Family Sector" includes all Residential Units intended for multiple-family use,
65 including, but not limited to, apartments, condominiums and other ownership arrangements
66 physically located in buildings joined together or situated in groups or clusters.

67
68 "Nonresidential Property" includes mixed-use properties which contain residential and
69 nonresidential uses within the same structure.

70
71 "Owner" is any person, agent, firm or corporation having a legal or equitable interest in
72 the property; or recorded in the official records of the sState, eCounty or eCity of Salisbury,
73 Maryland as holding title to the property; or otherwise having control of the property, including a
74 tenant, occupant, and guardian of the estate of any such person and the executor or administrator
75 of the estate of such person if ordered to take possession of real property by a court.

76
77 "Person" is an individual, corporation, partnership or any other group acting as a unit.

78
79 "Recyclable Materials" shall consist of such paper, metal, glass and plastic as shall be
80 designated suitable for recycling.

81
82 "Refuse" means ~~a combination of all of the items listed above to form a composite~~
83 ~~residential type solid waste material.~~ solid waste accumulations of "Garbage" and "Yard Waste"
84 as defined herein.

85
86 "Residential Unit" shall consist of one of the following:

- 87
88 1. A single-family dwelling;
89
90 2. Each separate dwelling unit contained within a multiple-family building;
91 except that each rooming or boarding house, capable of occupancy by five
92 or more residents, regardless of the number of individual rooms contained
93 therein (provided that no room contains an independent cooking area)
94 shall be counted as two Residential Units.
95

96
97 ~~"Rubbish"~~ "Yard Waste" means garden, lawn, and tree trimmings, ~~and leaves, bricks,~~
98 ~~masonry and metal or wooden objects~~ which can be deposited in an approved container, ~~or well~~
99 ~~as tree and shrubbery limbs securely bundled in lengths not exceeding four feet in length~~ and not
100 more than forty (40) pounds.

101 (Prior code § 81-1)

102
103 **8.16.020 Service standards for residential properties.**

104
105 A. It shall be the responsibility of the ~~department of public works~~ Department of
106 Public Works to provide a weekly collection of residential ~~refuse~~ Refuse.

107
108 B. Collection shall be rendered at the curb, roadside or City alley abutting the
109 residential property. Hardship cases due to advanced age, disability or infirmity, when confirmed
110 by the Sanitation Superintendent as designated by the Director of Public Works, may be afforded
111 the special service of Refuse container carryout. Under no circumstances shall public
112 ~~works~~ Public Works employees or agents shall not enter private property to collect ~~refuse~~ Refuse,
113 except as may be provided in this chapter noted above.

114
115 C. It shall be the responsibility of the ~~department of public works~~ Department of
116 Public Works to protect the property of residents from unnecessary damage or abuse resulting
117 from any ~~refuse~~ Refuse collection activity. Claims for damage to premises or containers must be
118 supported by reasonable-sufficient evidence to receive consideration for replacement or
119 reimbursement.

120
121 D. The ~~city~~ City may, at its option, provide bulk collection service where residences
122 are concentrated in high-density ~~situations~~. In these cases, the appropriate management
123 organization, community association, condominium association or the like shall be officially
124 notified of the details of the service to be rendered. It shall be the responsibility of the ~~public~~
125 ~~works~~ Public Works department-Department to make agreements with the appropriate
126 management organization for the placement of bulk containers on either public, private or
127 common ownership property. The standard of service shall be sanitary, and containers shall be
128 maintained in a non-offensive manner.

129
130 E. Nothing in this chapter shall preclude the provision of contractual collection
131 services as opposed to collection by municipal employees and equipment.

132
133 F. The ~~city~~ City assumes no responsibility for collection of ~~refuse~~ Refuse and rubbish
134 from ~~nonresidential~~ Nonresidential property Property. ~~The term "nonresidential property" shall~~
135 ~~include mixed-use properties which contain residential and nonresidential uses within the same~~
136 ~~structure.~~ Notwithstanding the above, the ~~city~~ City may assume responsibility for collection of
137 ~~refuse~~ Refuse and rubbish from Nonresidential p Property located within the ~~city~~ City that is used
138 exclusively as a church or other bona fide charitable, religious, social welfare or recreational
139 nonprofit organization, except medical waste generators, hospitals, non-~~city~~ City governmental
140 property or organizations and schools, public or private. Such church or other bona fide nonprofit
141 organization must provide substantial social services to the community. A church or such other

142 | bona fide nonprofit organization must apply for collection to the ~~department of public~~
143 | ~~works~~Department of Public Works, setting forth the name and address of the organization, the
144 | volume of ~~trash~~Refuse estimated to be generated, the social services provided to the community
145 | and such other information as may be required by the ~~department~~Department. The ~~department~~
146 | Department will then determine whether the church or other bona fide nonprofit organization
147 | qualifies for collection. An appeal of the decision of the ~~d~~Department may be made in writing to
148 | the ~~city~~City councilCouncil.
149 | (Ord. 1736 § 1, 1999)

150 | **8.16.030 Service standards for nonresidential properties.**

151 |
152 |
153 | A. Any Nonresidential ~~establishments~~Property not served by municipal collection
154 | shall provide appropriate containers for private collection.

155 |
156 | B. All ~~n~~Nonresidential establishmentsProperties shall have all ~~refuse~~Refuse and
157 | ~~nonresidential-type waste materials~~ removed from their premises no fewer than one time per
158 | week.
159 | (Prior code § 81-3)

160 | **8.16.040 Applicable regulations for private collection.**

161 |
162 | Private individuals or firms engaged in the business of ~~refuse~~Refuse collection in the
163 | ~~city~~City of Salisbury or who may use the streets of Salisbury for the transport of these materials
164 | shall be subject to all federal, state ~~or~~and local laws, ordinances, codes or regulations applicable
165 | to the operation and maintenance of motor vehicles, including air and noise pollution laws and
166 | regulations.
167 | (Prior code § 81-4)

168 | **8.16.050 Scavenging--~~Special collections of recyclable materials.~~**

169 |
170 | It is unlawful for anyone to disturb any ~~refuse~~Refuse or recycling containers or to remove
171 | their covers or any contents thereof, except the occupants of the premises on which the
172 | containers are placed or their duly authorized agents or the duly authorized employees or agents
173 | of the ~~city~~City of Salisbury.
174 | (Ord. 1874, 2003; prior code § 81-5)

175 | **8.16.060 Collection rules and regulations.**

176 |
177 | All ~~refuse~~Refuse must be stored and offered for collection in an approved container
178 | unless exempted herein. The regulations are as follows:

179 |
180 | A. Approved ~~refuse~~Refuse containers shall be watertight cans made of ~~metal or~~
181 | heavy-duty rubberized or plastic material, with handles and tight-fitting covers. ~~Cans shall not~~
182 | ~~exceed twenty (20) gallons' capacity, Containers shall be ninety-five (95) gallon roll out carts on~~
183 | wheels, and not more than six ~~(6)cans- containers~~ will be permitted for each ~~residence~~Residential
184 | Unit. Refuse containers may be purchased from the City. Containers must be placed at the curb

188 or as otherwise directed, with the handle away from and parallel to traffic. Printed instructions on
189 the container shall be followed.

191 ~~———— B. ——— Plastic bags with a capacity of thirty (30) gallons or less and maintaining~~
192 ~~complete closed integrity may be used for all refuse. However, it shall be the property owner's~~
193 ~~responsibility to maintain these bags until they are collected by city collection crews.~~

195 ~~———— C. ——— Receptacles for the keeping and collection of ashes shall be made of metal and of~~
196 ~~the same size and description as refuse receptacles; however, when twenty-gallon containers are~~
197 ~~used for ashes, they shall not be filled more than one-half full. Ashes shall not be offered for~~
198 ~~collection until they have cooled sufficiently to avoid a danger of fire in the body of the~~
199 ~~collection vehicle.~~

201 ~~———— D. ——— Residents that have been supplied automated collection containers (ninety-five-~~
202 ~~gallon capacity normal or sixty-five-gallon capacity by special request) must use those containers~~
203 ~~for all refuse except as specified below. Containers must be placed at the curb or as otherwise~~
204 ~~directed, with the handle away from and parallel to traffic. Printed instructions on the container~~
205 ~~shall be followed.~~

207 **EB.** Items too bulky for placement in an approved container may be offered for
208 collection on a weekly basis and on a schedule as set by the ~~department of public~~
209 ~~works~~Department of Public Works. Tree and shrubbery limbs, as well as other ~~wooden~~
210 ~~rubbish~~Yard Waste, will be collected, provided that they are cut into lengths not exceeding four
211 (4) feet and securely tied in bundles not exceeding forty (40) pounds in weight. ~~Nonbundled yard~~
212 ~~debris shall be contained in approved plastic bags as provided for in subsection (B) of this~~
213 ~~section. Plastic or biodegradable bags with a capacity of thirty (30) gallons or less and~~
214 ~~maintaining complete closed integrity may be used for non-bundled Yard Waste. However, it~~
215 ~~shall be the Owner's responsibility to maintain these bags until they are collected by City~~
216 ~~collection crews. Yard Waste pickup normally occurs on Mondays. The Owner shall contact the~~
217 ~~City Service Center by six (6) a.m. on Monday to schedule Yard Waste pickup (excluding~~
218 ~~holidays) for that week.~~

220 **FC.** All ~~receptacles~~containers and lids shall be maintained in a clean and sanitary
221 condition. They shall not be set out for collection containing free liquids or rainwater. They shall
222 be kept free of dead animals, vermin, lice, maggots or the like and unreasonably offensive odors
223 resulting from the lack of cleanliness, ~~animal~~-feces or items which may be infectious or disease-
224 bearing. ~~Receptacles~~Containers which have become excessively worn or corroded shall be
225 promptly replaced at the Owner's expense.

227 **GD.** ~~Receptacles/containers~~Containers shall be placed at the curb or roadside or alley
228 by six (6:00) a.m. on the scheduled day of collection but shall not be so placed prior to five
229 (5:00) p.m. on the day before collection, and empty ~~receptacles/containers~~ shall be removed to
230 the premises from the curb, roadside or alley by eleven (11:00) p.m. of the day of collection.
231 ~~Receptacles/containers~~Containers shall not be kept at the curb or roadside between scheduled
232 collections, and they shall be stored on the premises at such locations to be unseen from the
233 public streets or roads or from the front yards of immediate neighboring property.

234
235 ~~_____ H. _____ The number of garbage receptacles collected from any dwelling unit shall not~~
236 ~~generally exceed six twenty gallon containers per pickup. During leaf season, more leaf~~
237 ~~containers may be placed for collection.~~

238
239 - ~~IE.~~ IE. Where collection service is provided in high-density dwelling areas, the
240 individual residents or the management, community or condominium organization shall be
241 responsible for the transporting of ~~refuse~~Refuse to the containers provided and for the
242 maintenance and cleanliness of the areas adjacent to the containers. The developer, ~~property~~
243 ~~owner or~~ and legally responsible management organization shall ~~further~~ be responsible for
244 provision of accessible space for bulk containers, paved and screened from public view. Such
245 provisions shall be approved by the ~~city~~City. Material acceptable for containerized collection
246 service shall, in all respects, be compatible with the definitions for ~~refuse~~Refuse as defined in
247 this chapter.

248
249 ~~IF.~~ IF. It is unlawful and a violation of this chapter for any ~~P~~person, ~~firm or corporation~~
250 to place residential or nonresidential waste, including but not limited to ~~garbage, refuse~~Refuse ~~and~~
251 ~~rubbish~~, on the property of another without the consent of the ~~owner~~Owner of the property.

252
253 ~~_____ G. _____ A Person shall not place Refuse in public containers within the City limits, with~~
254 ~~the exception of Downtown Plaza residents, who may place their Refuse in containers~~
255 ~~specifically designated in the Downtown area to accept Refuse from Downtown Plaza residents.~~
256 ~~Waste generated outside of the corporate limits of the City of Salisbury shall not be disposed of~~
257 ~~or placed in any private or public containers within the City limits.~~

258
259 ~~_____ H. _____ Upholstered furniture, mattresses and box springs infested with bed bugs shall be~~
260 ~~completely encased and sealed tightly before discarding them from an infested dwelling. Heavy~~
261 ~~polyvinyl sheeting, shrink wrap, or other non-permeable material shall be used to seal infested~~
262 ~~beds. Items shall be labeled with a prominent message indicating that these are infested items~~
263 ~~(i.e. "BED BUG INFESTED ITEM").~~

264
265 ~~_____ I. _____ Bulk pickup service is available to residential locations. To receive pickup of~~
266 ~~large, bulky items, a Person must first pay the required fee to the Internal Services Department.~~
267 ~~Once the fee is paid, the Internal Services Department will notify the Department of Public~~
268 ~~Works and an appointment will be made for pickup.~~

269
270 ~~_____ J. _____ Items prohibited for collection include, but are not limited to: tires, building~~
271 ~~materials, hazardous, radioactive or medical wastes, ashes, rocks, dirt, sod, paint and motor oil.~~

272
273 ~~_____ K. _____ Owners shall be notified if their Refuse container is in disrepair and is unusable.~~
274 ~~This includes, but is not limited to: missing lids, leaking containers and damaged or missing~~
275 ~~wheels or handles. Owners have thirty (30) days to purchase a new Refuse container or~~
276 ~~adequately repair their existing container.~~

277 (Prior code § 81-6)

278
279 **8.16.070 Special sanitary provisions.**

280
281 | The removal of apparel, bedding, furniture or other ~~refuse~~Refuse from any premises
282 where infectious or contagious disease prevails or has prevailed shall be specially arranged and
283 performed under the direction of the responsible local health authority. Such removals shall be
284 arranged for and be the responsibility of the attending physician and/or local health authority.
285 (Prior code § 81-7)

286
287 **8.16.080 Violations--Penalties.**
288

289 | A. Any ~~property owner, tenant or other person~~Person violating any of the provisions
290 of this chapter unless noted otherwise, shall be guilty of a municipal infraction ~~punishable by and~~
291 shall be subject to a minimum fine of ~~twenty-five dollars (\$25.00)~~one hundred dollars (\$100) per
292 infraction up to a maximum fine of five hundred dollars (\$500).
293

294 | AB. Violations under this chapter, unless otherwise noted, shall be deemed municipal
295 infractions pursuant to the City Code and state law, and fines levied hereunder shall be payable
296 to the City of Salisbury and mailed to the Department of Internal Services within twenty (20)
297 days of service of the municipal infraction citation. Notice and service of a citation shall be as
298 directed under the Local Government Article of the Maryland Annotated Code § 6-101, et seq.
299 and § SC5-1(38), as amended, concerning municipal infractions.
300 (Ord. 1707, 1999)
301

302 | C. With respect to violations of Section 8.16.050 Scavenging, any Person violating
303 the provisions of this section shall be guilty of a municipal infraction and shall be subject to a
304 fine of twenty-five dollars (\$25.00).
305

306 | BD. With respect to violations of Section 8.16.060(~~GD~~) Collection rules and
307 regulations, Containers, the following procedure will apply:
308

- 309 | 1. For an initial violation, a dated adhesive notice ~~will~~shall be posted on the
310 ~~receptacle container and written notice shall be sent to the property owner's~~
311 ~~address on file with the City and/or property owner's agent.~~
312
- 313 | 2. For a second violation, written notice ~~will~~shall be sent to the ~~property owner's~~
314 ~~address on file with the City and/or property owner's agent~~ and a copy of said
315 notice ~~will~~shall be posted in a conspicuous place on the property/~~dwelling unit~~.
316
- 317 | 3. For a third violation, a twenty-five dollar (\$25.00) ~~citation~~fine for a municipal
318 infraction shall be issued to the ~~occupant(s) of the property/dwelling unit and a~~
319 ~~written notice will be mailed to the~~ Owner~~property owner and/or property owner's~~
320 agent. In buildings containing more than one dwelling unit, a twenty-five dollar
321 (\$25.00) ~~citation~~fine for a municipal infraction ~~will~~shall be issued to the property
322 owner as a common area ~~trash~~Refuse violation, ~~unless each dwelling unit has a~~
323 ~~separate trash Refuse receptacle/container and each trash Refuse~~
324 ~~receptacle/container is marked to identify an assigned dwelling unit.~~
325

- 326 | 4. For a fourth and any subsequent violation, the ~~city~~City of Salisbury is authorized
327 | to remove the ~~trash-Refuse receptacle~~/container from the property. A service
328 | charge of ~~twenty five~~ fifty dollars (\$~~25~~50.00) shall be paid in advance for return of
329 | the ~~trash-Refuse receptacle~~/container. Written notice ~~will~~ shall be sent to the
330 | ~~property o~~Owner's address on file with the City ~~and/or property owner's agent~~.
331 |
332 | 5. With respect to any property, if six (6) months have elapsed since the last date of
333 | an enforcement procedure, then the enforcement procedure shall begin anew with
334 | subsection (B)(1) of this section.
335 |
336 | 6. When requested by ~~city~~City enforcement personnel, ~~property o~~Owners shall
337 | provide names of all occupant(s) tenants responsible for the property.
338 |
339 | 7. Occupant(s) All Owners and occupants of an Owner's property locations, shall
340 | will be jointly and severally liable for payment of a ~~eitation~~ fine for municipal
341 | infraction.

342 |
343 | ~~C. Citations under this chapter shall be deemed municipal infractions under Chapter~~
344 | ~~1.16, and fines levied hereunder shall be payable to the city~~City of Salisbury and mailed to the
345 | ~~department~~ Department of finance Internal Services within ten days of receipt of the citation.
346 | (Ord. 1707, 1999)
347 |

348 | **8.16.090 Monthly disposal fee.**

349 |
350 | A. Each ~~residential~~ Residential unit Unit (including churches and other bona fide
351 | charities nonprofit organizations) to which ~~city~~City garbage Refuse collection services are
352 | provided shall be charged a disposal fee in an amount established annually in the ~~city~~City budget
353 | ordinance. The disposal fee ~~will~~ shall be billed quarterly and be made a part of the ~~city~~City water
354 | and sewer bill. A five-percent (5%) penalty ~~will~~ shall be added after forty-five (45) days if the
355 | fee is unpaid. No ~~residential unit~~ Residential Unit within the ~~city~~City of Salisbury shall be
356 | permitted to refuse city garbage collection services, and the failure to utilize such services shall
357 | not exempt any residential unit from payment of the fees described herein regardless of whether
358 | the services are used.
359 |

360 | B. The ~~o~~Owner of each ~~residential unit~~ Residential Unit shall purchase a ~~city~~City-
361 | approved ~~trash-Refuse collection receptacle~~ container.
362 |

363 | C. If the ~~department of public works~~ Department of Public Works determines that a
364 | ~~residential unit~~ Residential Unit regularly produces collectible ~~trash-Refuse~~ requiring two or more
365 | ~~trash-Refuse collection receptacles~~ containers, then the ~~o~~Owner of the ~~residential unit~~ Residential
366 | Unit shall be required to purchase and use additional ~~trash-Refuse collection~~
367 | receptacles containers.
368 |

369 | D. A multi-family residential building with a central ~~trash-Refuse~~ collection area
370 | utilizing ~~trash-Refuse collection receptacles~~ containers larger than three hundred thirty (330) one
371 | hundred (100) gallons may be approved by the ~~department of public works~~ Department of Public

372 | Works for exclusion from the requirements of ~~subsection A.8.16.060A.~~

373

374 | E. The ~~owner~~ Owner of a ~~residential unit~~ Residential Unit who violates the provisions of
375 | this section shall be ~~guilty of a municipal infraction and shall receive~~ issued a written notice of
376 | the ~~initial~~ violation, which shall be delivered via first class U.S. mail, postage prepaid, to the
377 | Owner's last known address on file with the City. If the ~~owner~~ Owner of a ~~residential~~ Residential
378 | ~~dwelling~~ Unit does not comply within seven (7) days of ~~the~~ written notice, the ~~owner~~ owner shall be
379 | ~~subject to~~ guilty of a municipal infraction and shall be subject to a fine as set forth in Chapter
380 | 4-16 pursuant to the City Code and state law, and fines levied hereunder shall be payable to the
381 | City of Salisbury and mailed to the Department of Internal Services within twenty (20) days of
382 | service of the municipal infraction citation. Notice and service of a citation shall be as directed
383 | under the Local Government Article of the Maryland Annotated Code § 6-101, et seq. and §
384 | SC5-1(38), as amended, concerning municipal infractions.

385 | (Ord. 2025 § 1, 2007: prior code § 81-9)

386

387 | **8.16.100 Recycling in the multi-family sector.**

388

389 | A. The ~~city~~ City Council finds that undertaking a long term commitment to
390 | remove ~~and recycle certain~~ Recyclable M materials from the solid waste stream is a necessary part
391 | of the ~~city~~ City's integrated solid waste management system of recycling, resource recovery and
392 | land filling. The ~~city~~ City Council also finds that the objectives of the comprehensive solid
393 | waste management plan adopted under state law will be promoted by establishing a recycling
394 | program.

395

396 | B. Recycling service is available to Residential Units. Recyclable Materials will be
397 | collected weekly on the same day as Garbage collection.

398

399 | ~~———— B. ——— The term "multi-family sector" includes all residential dwelling units intended for~~
400 | ~~multiple family use, including, but not limited to, apartments, condominiums and other~~
401 | ~~ownership arrangements physically located in buildings joined together or situated in groups or~~
402 | ~~clusters.~~

403

404 | ~~———— C. ——— The term "managing authority" shall include a landlord, property manager,~~
405 | ~~condominium association board of directors, or any other person in charge of property located in~~
406 | ~~the multi-family sector.~~

407

408 | ~~———— D. ——— The term "recycling coordinator" shall be the title of such individual from time to~~
409 | ~~time designated by the director of public works of the city of Salisbury to organize, coordinate~~
410 | ~~and publicize the collection of recyclable materials.~~

411

412 | ~~———— E. ——— The term "recyclable materials" shall consist of such paper, metal, glass and~~
413 | ~~plastic products as shall be designated suitable for recycling by the recycling coordinator.~~

414

415 | FC. The ~~managing authority~~ Managing Authority of any residential dwelling unit
416 | located in the ~~m~~ Multi-F family ~~S~~ sector shall allow its residents to participate in the ~~city~~ City's
417 | recycling program. ~~The managing authority shall provide to each unit a container constituting no~~

418 ~~less than three cubic feet in volume. The City shall provide the Managing Authority with a~~
419 ~~recycling container for each unit. Alternatively, the managing authority~~ Managing Authority shall
420 ~~may~~ provide ~~at a centralized location and containers such number of similar containers as~~
421 ~~directed approved~~ by the ~~recycling~~ Recycling coordinator Coordinator, as designated by the
422 Director of Public Works.

423
424 GD. The ~~city~~ City shall collect the ~~recyclable materials~~ Recyclable Materials in the
425 ~~m~~ Multi-Family Sector where it is ~~also making regular~~ regularly collecting ~~garbage~~ Garbage
426 collections. In ~~the event those places~~ that a private contractor ~~serves a specific location~~ collects the
427 Garbage, it will be the obligation of the ~~location's managing authority~~ Managing Authority to
428 provide ~~recycling services to include~~ the containers and ~~to pick up the~~ recyclable
429 materials Recyclable Materials. ~~Each such managing authority shall keep records of the~~
430 ~~recyclable materials collected and provide same to the recycling coordinator on a monthly basis.~~

431
432 HE. A ~~managing authority~~ Managing Authority ~~or a private hauling contractor who~~
433 ~~that shall~~ violates subsections (FC) or (GD) of this section ~~shall be guilty of a municipal~~
434 ~~infraction and shall receive be issued~~ a written notice ~~for any single initial~~ of the violation ~~which~~
435 ~~shall be delivered via first class U.S. mail, postage prepaid, to the Managing Authority's last~~
436 ~~known address on file with the City. The notice shall contain specific corrective measures to be~~
437 ~~taken to correct the violation. Compliance must be~~ If the Managing Authority does not comply
438 within seven (7) days of the written notice, and failure to comply will result in the Managing
439 Authority shall be guilty of a municipal infraction and shall be subject to a fine one hundred
440 dollars (\$100.00) for the first day and thereafter fifty dollars (\$50.00) per day for a continuing
441 violation pursuant to the City Code and state law, and fines levied hereunder shall be payable to
442 the City of Salisbury and mailed to the Department of Internal Services within twenty (20) days
443 of service of the municipal infraction. Notice and service of a citation shall be as directed under
444 the Local Government Article of the Maryland Annotated Code § 6-101, et seq. and § SC5-
445 1(38), as amended, concerning municipal infractions.

446 (Ord. 1874, 2003)

447
448
449
450 BE IT FURTHER ORDAINED that this ordinance shall take effect on immediately upon
451 adoption.

452
453 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of
454 Salisbury held on the ____ day of _____, 2013, and thereafter, a statement of the substance of
455 the Ordinance having been published as required by law, was finally passed by the Council on
456 the ____ day of _____, 2013.

457
458 ATTEST

459
460
461
462 _____
463 Kimberly R. Nichols, City Clerk

462 _____
463 Jacob R. Day, President
Salisbury City Council

464

465 Approved by me this ____ day of _____, 2013

466

467

468

469 _____
James Ireton, Jr. Mayor

Memorandum

To: Tom Stevenson, Interim City Administrator
From: William T. Holland, Director
Date: 11/20/2013
Re: Mechanical Permit Fee Schedule

Tom, attached is a proposed ordinance adopting a fee schedule for mechanical permits. The purpose for initiating the requirement for a mechanical permit is to be in compliance with 2012 International Energy Conservation Code as mandated by the state. Any inspections and plan approval for HVAC and other mechanical trades will be done by third-party inspection agencies.

Please let me know if you have any questions.

1 **ORDINANCE NO. 2271**

2 AN ORDINANCE OF THE CITY OF SALISBURY TO ESTABLISH A MECHANICAL PERMIT FEE.

3 WHEREAS, Section 110.3.7 of the International Building Code requires that heating,
4 ventilation, air conditioning units, and equipment are to be inspected to determine compliance
5 with Chapter 13, Energy Efficiency, of the International Energy Conservation Code; and

6 WHEREAS, the City Council has determined that it is in the best interest of the citizens of
7 Salisbury to develop a permit and inspection program to better ensure the quality of work
8 performed by the trades when installing and replacing mechanical systems; and

9 WHEREAS, in order to verify compliance with the International Energy Conservation
10 Code, the International Mechanical Code, and the laws of the State of Maryland, the City
11 Council desires to establish a mechanical permit fee for the installation of heating, ventilation,
12 and air conditioning systems in new structures, and the replacement of heating, ventilation,
13 and air conditioning systems in existing structures.

14 NOW, THERFORE, BE IT ENACTED AND ORDAINED by the City Council of the City of
15 Salisbury, Maryland, in regular session, that the permit fee for the installation and replacement
16 of heating, ventilation, and air conditioning systems be twenty-five dollars (\$25.00), and shall
17 be collected by the Department of Building, Permitting & Inspections;

18 AND BE IT FURTHER ENACTED AND ORDAINED by the City Council of the City of
19 Salisbury, Maryland, that the permit application shall be completed and processed by
20 _____, and permit fees shall be paid with the submission of the permit application;

21 AND BE IT FURTHER ENACTED AND ORDAINED by the City Council of the City of
22 Salisbury, Maryland, that these fees shall take effect as of January 1, 2014.

23 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of
24 Salisbury held on the 25th day of November, 2013, and having been published as required by
25 law, in the meantime, was finally passed by the Council on the ___ day of _____, 2013.

26 ATTEST

27
28 _____
29 Kimberly R. Nichols
30 City Clerk

31 _____
32 Jacob Day
City Council President

33 Approved by me this _____ day of _____

34

35 _____

36 James Ireton, Jr.

37 Mayor