



City of Salisbury



CITY COUNCIL AGENDA

August 10, 2015
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. CITY INVOCATION - Pastor Karen Sadvari, St. John's United Methodist Church

6:05 p.m. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

6:07 p.m. PRESENTATIONS

Community Organization Presentations

- Bay Area Center for Independent Living - presented by Rose Carey, CIRS, MFP Project Manager, Volunteer Coordinator, Independent Living Specialist/Options Counseling
- Wicomico County Fair – presented by Zachary C. Evans

Salisbury Wicomico Youth Civics Council (SWYCC) Scholarship presentations

6:27 p.m. ADOPTION OF LEGISLATIVE AGENDA

6:30 p.m. CONSENT AGENDA – City Clerk Kim Nichols

- **July 6, 2015** closed session minutes A (separate envelope)
- **July 6, 2015** closed session minutes B (separate envelope)
- **July 6, 2015** work session minutes
- **July 13, 2015** regular meeting minutes
- **Resolution No. 2530** - to modify the Employee Handbook to require future Department Heads to reside in Salisbury unless waived by the Council
- **Resolution No. 2531** - accepting funds awarded through the Maryland Department of Natural Resources, Waterway Improvement Fund Grant in the amount of \$25,000 for utility pedestals at the Port of Salisbury Marina

6:35 p.m. MANUFACTURING EXEMPTIONS REQUESTS

- Manufacturing Exemption Request - Jubilant Cadista Pharmaceuticals
- Manufacturing Exemption Request - Perdue Foods, LLC

6:40 p.m. RESOLUTION – City Administrator Tom Stevenson

- **Resolution No. 2532** - to approve a Maryland Department of Natural Resources, Community Parks & Playgrounds Grant application for funding for Phase 2 of the Salisbury Skatepark

7:00 p.m. ORDINANCES – City Attorney Mark Tilghman

- **Ordinance No. 2346** – 2nd reading - approving an amendment of the FY 2015 General Fund Budget to appropriate additional funding for Local Government Insurance Trust
- **Ordinance No. 2347** – 2nd reading- amending Title 12, Streets, Sidewalks and Public Places, Chapter 12.24 Wicomico River Regulations, of the City Code by adding Sections 12.24.040 and 12.24.050 for the purpose of establishing criteria for river access and standards for Riverwalk construction under the direction and supervision of the Public Works Department
- **Ordinance No. 2348** – 2nd reading- to amend Chapter 15.22.040(b) of the Salisbury Municipal Code to change the registration billing date for vacant buildings located in the City
- **Ordinance No. 2349** – 2nd reading - amending Sections 1.16.100 C to increase the amount of fines contained therein (changing the municipal infraction limit from \$500 to \$1,000)
- **Ordinance No. 2350** -2nd reading - amending Section 8.20 Noise, of the Salisbury Municipal Code
- **Ordinance No. 2351** – 2nd reading - amending Section 17.184 – Environmental Noise Standards, of the Salisbury Municipal Code
- **Ordinance No. 2352** – 1st reading- to amend Chapter 6.04 Dogs, Fowl and other animals of the Salisbury City Code to add definitions related to Urban Chickens and enacting Chapter 6.05 to authorize the keeping of chickens subject to certain regulations

7:30 p.m. PUBLIC COMMENTS

7:35 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 website

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 August 24, 2015 (subject to change)

- Resolution No.____- accepting a Portable Stage Donation
- Resolution No.____- accepting a Donation from ESIMBA
- Resolution No.____- accepting POS Funds for Waterside Park
- Resolution No.____- EDU Capacity Waiver for Pohanka
- Resolution No.____- entering into an MOU with MDBC for Downtown Fiber
- Resolution No.____- allowing the Mayor to enter into a Contract for Land Disposition
- Change Order for AMT- Broadband Fiber MDBC
- Ordinance No. 2352 – 2nd reading- Urban Chickens

1 CITY OF SALISBURY
2 WORK SESSION
3 JULY 6, 2015
4

5 Public Officials Present
6

Council President Jacob R. Day Council Vice President Laura Mitchell
Councilwoman Eugenie P. Shields Councilman Timothy K. Spies
Councilman John “Jack” R. Heath (via teleconferencing)

7
8 Public Officials Not Present
9

10 Mayor James Ireton, Jr.
11

12 In Attendance
13

14 City Clerk Kimberly Nichols, City Administrator Tom Stevenson, Assistant City Administrator
15 Julia Glanz, Neighborhood Services and Code Compliance Director Susan Phillips, Internal
16 Services Director Keith Cordrey, Public Works Director Mike Moulds, Police Chief Barbara
17 Duncan and interested citizens and members of the press.
18 -----

19 On July 6, 2015, Salisbury City Council convened in a Work Session at 2:33 p.m. in Council
20 Chambers, Room 301 of the Government Office Building. Council President Day announced the
21 change in Work Session time was due to the evening viewing services for Mr. Jan Wiseman,
22 Executive Director of the Salisbury Greater Committee, who recently passed away. Councilman
23 Heath participated via teleconference in the Work Session, but not in the Closed Sessions.
24

25 **SWED Update**
26

27 Salisbury-Wicomico Economic Development (SWED) Executive Director Dave Ryan joined
28 Council to provide an update on SWED. Mr. Ryan and Council discussed the following topics:
29

- 30
- 31 • SWED recently hired a full-time administrative assistant who is fluent in Spanish
 - 32 • New marketing initiatives
 - 33 • Labinal transition – connected Labinal’s H/R with DLLR team (continue to reach out)
 - 34 • Slowly seeing an improvement in the unemployment rate (6.4 % last month)
 - 35 • The need for training and skilled employees
 - 36 • Agriculture, poultry, healthcare, and entrepreneurship are attributable to the area growth

37 The update was for Council informational purposes only.
38

39 At 2:58 p.m., President Day disconnected with Mr. Heath and unsuccessfully attempted to reach
40 Mr. Dan Cohen on the telephone.
41

42 **Motion to Convene in Closed Session**
43

44 Upon a motion and seconded by Mr. Spies and Mrs. Mitchell, and by unanimous vote in favor,
45 Council convened in Closed Session at 3:06 p.m. to discuss the Maryland Broadband agreement.

46
47 At 3:31 p.m., upon a motion and seconded by Mrs. Mitchell and Mr. Spies, respectively, and by
48 unanimous vote in favor, Council re-convened in Open Work Session. Mr. Day provided the
49 statement to the Public that while in Closed Session, Council discussed and directed City
50 Attorney to continue contract negotiations with Maryland Broadband (to install fiber downtown).

51
52 President Day then called Councilman Heath back to participate in the Open Work Session.

53
54 **Changing the Municipal Infraction Limit from \$500.00 to \$1,000.00**

55
56 City Administrator Tom Stevenson explained the new legislation being proposed would increase
57 the fine limits from \$250.00 to \$500.00 for initial offenses and then from \$500.00 to \$1,000.00
58 for each additional repeat offense. Neighborhood Services and Code Compliance Director Susan
59 Phillips reported the increase was consistent with the Annotated Code of Maryland's Section
60 6-101 & 6-102 Fine Structure.

61
62 Council reached consensus to advance the new fine limits to Legislative Agenda.

63
64 **Vacant Building Registry Billing Requirement**

65
66 Ms. Phillips explained the vacant buildings invoices are sent each year in December. She was
67 asked by Internal Services – Finance to change the billing month to June because there are other
68 billings that must be sent in December and January, and the additional billing of the vacant
69 buildings has become burdensome. There are currently 168 registered vacant properties.

70
71 Mrs. Mitchell amended Line 38 by striking “associated” and inserting “association.”

72
73 Council reached unanimous consensus to advance the ordinance to Legislative Session.

74
75 **Noise Ordinance**

76
77 Police Chief Duncan and Major Scott Kolb joined Council to discuss the Noise Ordinance.

78
79 Two Salisbury University staff members addressed the subject with Council and were assured
80 that construction on public property was exempt.

81
82 Mr. Stevenson explained that the Police Department should handle all of the noise enforcement
83 and Major Kolb demonstrated how the decibel meter was used.

84
85 Council reached unanimous consensus to change “not allowed to do construction during certain
86 hours” to “not allowed to make unreasonable noise while doing construction activities” to
87 eliminate dictating the hours in which construction work can/cannot be performed. Mr. Tilghman
88 will incorporate the discussed changes and work with the Police Department to incorporate the
89 decibel reading language into the legislation for the July 27, 2015 meeting.

90

91 **Waterfront River Walk Access**

92
93 Public Works Director Mike Moulds joined Council to discuss the Riverwalk map and extension
94 of the Riverwalk. He reported that the Riverwalk is not continuous along both sides of the River;
95 however, the City wishes to provide public access along the entire length of the Wicomico River
96 and South Prong in the City limits. As private properties develop along the River, they will be
97 required to construct the Riverwalk to City standards, as approved by the Public Works Director.

98
99 Council reached unanimous consensus to advance the ordinance to Legislative Session.

100

101 **Community Development Project Fund**

102

103 Internal Services Director Keith Cordrey joined Council to discuss the proposed Community
104 Development Projects fund to be used to account for revitalization efforts. The initial funding
105 includes the approved \$200,000 to be transferred from the General Fund in the FY 16 Budget.

106

107 Council reached unanimous consensus to advance the legislation to Legislative Session.

108

109 **Motion to Convene in Closed Session**

110

111 At 4:45 p.m., Mr. Spies moved, Mrs. Mitchell seconded, and the vote was unanimous to convene
112 in Closed Session. Mr. Day disconnected the teleconference call with Mr. Heath; Council took a
113 twelve-minute break, and re-convened in Closed Session at 4:57 p.m.

114

115 At 5:00 p.m. upon a motion and seconded by Mrs. Shields and Mr. Spies, respectively, and by
116 unanimous vote in favor, the Closed Session was adjourned and Council re-convened in Open
117 Work Session. Mr. Day provided the statement to the Public that while in Closed Session the
118 Council received an update on the draft Comcast Cable Franchise agreement.

119

120 **Comcast Cable Franchise Agreement**

121

122 Attorney Dan Cohen and CBG Consulting President Tom Robinson joined Council via
123 teleconference to discuss the Comcast Cable Franchise agreement.

124

125 Mr. Cohen discussed the following three (3) changes Comcast made to the draft agreement:

126

- 127 • Comcast requested “cable service” to be capitalized in several places it was not formerly.
- 128 • One of the sub-section letters had to be changed from “C” to “B.”
- 129 • Comcast added the phrase “in accordance with applicable law” in Section 9.1.

130

131 Mr. Robinson and Mr. Cohen discussed the following with Council:

132

- 133 • The final agreement provides Comcast the rights to have rights of way.
- 134 • For the first time, the City will have financial support for capital needs based on current
135 subscribership (two hundred thousand dollars [\$200,000] per year for ten (10) years for
136 upgrading Council Chambers, equipment, new studio, control and equipment room
- 137 • There will be Hi-Definition (HD) format within three (3) years.

- 138 • Triple play discount will not just apply to cable services.
- 139 • The City can impose monetary fines if does not correct violations within thirty (30) days.
- 140 • Assuming everything continues with the County’s negotiations, the eighty-cent fee will
- 141 be applied to City and County customers for PAC 14 support.
- 142 • Comcast must provide notice to the City if the PEG will be moved and must include two
- 143 inserts advising residents of any change. There will also be \$3,000 per channel paid for
- 144 re-branding that channel. The chances of the number changing from PAC 14 to another
- 145 number channel number in HD is small because no matter where they put it in their
- 146 system’s spectrum, they can map it on all the boxes.
- 147 • With Comcast, it is difficult to give a timeframe because the response time can be quite
- 148 slow. The County agreement should be settled within the next month or six weeks. Their
- 149 issues are not huge and should be easy to resolve.
- 150 • The City should approve their agreement before the County’s agreement is approved.
- 151 • Both the City and County franchise agreements will need to be in place in order for PAC
- 152 14 to get the funding it needs.
- 153 • Mr. Cohen advised Council that if they agreed with the changes, they approve it because
- 154 1) the significant benefits to the City that the City does not currently have (more
- 155 franchise fees), and 2), it will help spur the County to approve their agreement.
- 156

157 Council reached unanimous consensus to advance the resolution to the July 27, 2015 agenda.

158
159 After disconnecting the conference phone call with Messrs. Cohen and Robinson, Mr. Day called
160 Mr. Heath back so that he could teleconference in on the last agenda item.

161
162 **Stanley Court (Land Conveyance)**

163
164 Mr. Moulds reported that Hunt Real Estate was working with Public Works to obtain approval
165 for the construction of an 8,320 square foot Family Dollar Store at the intersection of Johnson
166 Road and Snow Hill Road. Parker and Associates is the engineering design firm for the project.

167
168 Hunt Real Estate contacted Public Works about a property line expansion. Due to the proposed
169 size and setting of the Family Dollar in conjunction with setbacks, parking regs, fire lane
170 requirements and stormwater site design requirements, the site needed to be expanded to
171 accommodate all of the features. The expansion entails the cul-de-sac portion of “the future
172 Stanley Court.” The adjoining easement area was never opened or paved by the City, and the
173 owner wants to relocate the cul-de-sac and easement east of the existing undeveloped cul-de-sac.

174
175 Council reached unanimous consensus to advance the legislation to the Consent Agenda.

176
177 With no further business to discuss, the Work Session adjourned at 5:44 p.m.

178
179 _____
180 City Clerk

181
182 _____
183 Council President

1 **CITY OF SALISBURY, MARYLAND**

2
3 **REGULAR MEETING**

JULY 13, 2015

4
5 **PUBLIC OFFICIALS PRESENT**

6
7 Council President Jacob R. Day Vice President Laura Mitchell
8 Councilwoman Eugenie P. Shields Councilman John “Jack” R. Heath
9 Councilman Timothy K. Spies

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11 **PUBLIC OFFICIALS NOT PRESENT**

12
13 Mayor James Ireton, Jr.

14
15 **IN ATTENDANCE**

16
17 City Clerk Kimberly R. Nichols, CMC, City Administrator Tom Stevenson, Assistant City
18 Administrator Julia Glanz, Assistant Director Internal Services – Procurement & Parking
19 Jennifer L. Miller, City Attorney Mark Tilghman, interested citizens and members of the press
20 *****

21 **CITY INVOCATION – PLEDGE OF ALLEGIANCE**

22
23 The City Council met in regular session at 6:03 p.m. in Council Chambers. Council President
24 Day called the meeting to order. Following the City Invocation provided by Rev. Dr. David L.
25 McLendon, Sr. of St. James AME Zion Church, those in attendance recited the Pledge of
26 Allegiance to the flag of the United States of America.

27
28 **COMMUNITY ORGANIZATION PRESENTATION** – presented by Lori Brewster, Health
29 Officer, Wicomico County Health Department

30
31 Lori Brewster, Wicomico County Health Officer, joined Council at the podium to discuss
32 Chronic Disease Management, one of the community’s toughest issues and number one killer in
33 Wicomico County and across the Country. She reported the following:

- 34
35 • The Health Department, through a Community Transformation Grant received five (5)
36 years ago developed several initiatives, which the City of Salisbury has participated in
37 including Walk at Lunch, Smoke Free Zones and Campuses, and Walking Routes.
38 • Program 1422 (new this year) was created to give Wicomico County, selected as a
39 community in need, informational strategies to reduce death and disabilities due to
40 diabetes, heart disease and stroke by 3% and reduce the prevalence of obesity by 3% .
41 Strategies include strengthening community promotion of physical activity, policy
42 development in businesses to allow people to take breaks to walk during the day to
43 increase their activity, and developing and implementing community plans that promote
44 walking and making walking surfaces safer for people trying to become healthy.
45 • Healthier Food Strategy incorporated in trying to implement food and beverage
46 guidelines to reduce sodium intake and increase intake of fruits and vegetables.

- 47 • *Creation of brochures to “Get Moving” and promote “Local. Fresh. Produce”*
48 • *Working with work sites to implement physical activity and nutrition policies and*
49 *procedures.*
50 • *Working with Three Lower Counties to implement changes for data sharing because that*
51 *is one of the primary family practice positions.*
52 • *Advertising on billboards to encourage people to have their AIC, blood pressure and*
53 *cholesterol numbers regularly checked.*
54 • *Promoting education awareness on what people need to know about their medical*
55 *conditions and teaching them how to manage their diseases.*

56

57 *Ms. Brewster reported more than 100 businesses represented at the Annual Worksite Wellness*
58 *Educational Forum in the Tri-County area to educate businesses on decreasing their healthcare*
59 *costs and increasing employees’ health in the past year.*

60

61 **ADOPTION OF LEGISLATIVE AGENDA**

62

63 *The Legislative Agenda was unanimously approved on a motion and seconded by Mrs. Shields*
64 *and Mrs. Mitchell, respectively.*

65

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

67

68 *The Consent Agenda was unanimously approved on a motion and seconded by Mrs. Shields and*
69 *Mr. Heath, respectively:*

70

- **June 1, 2015** *work session minutes*
- **June 8, 2015** *regular meeting minutes*
- **Resolution No. 2516** – *to approve a Maryland Department of Housing and Community Development, Community Legacy Grant application for funds for acquisition of abandoned, dilapidated houses and demolition of those houses that are beyond rehabilitation*
- **Resolution No. 2517** – *declaring that Riverview Commons, LLC is eligible to receive Enterprise Zone benefits for property located at 150 West Market Street, Salisbury, MD*
- **Resolution No. 2518** – *declaring that WMDT is eligible to receive Enterprise Zone benefits for property located at 202 W Main Street, Salisbury, MD*
- **Resolution No. 2519** – *authorizing the Chief of Police to enter into a reimbursement agreement between the City of Salisbury Police Department and the Maryland State Police Grants Management Section to manage allocated funding for equipment and supplies for the Eastern Shore Information Center*
- **Resolution No. 2520** – *accepting federal funds awarded by the U.S. Justice Department through an Edward Byrne Memorial Justice Assistance Grant program for maintaining and upgrading the technology of the Salisbury Police Department in the areas of providing equipment for the Salisbury Police Tactical Unit and for computer technology hardware and software*
- **Resolution No. 2521** – *approving the appointment of Lee Beauchamp to the Zoo Commission for the term ending 12/31/2018*
- **Resolution No. 2522** – *approving the reappointment of Darren Lumpkin to the City Park Committee for the term ending 6/30/2018*

- **Resolution No. 2523** – approving the reappointment of Thomas W. Hayes to the Building Board of Adjustments & Appeals for the term ending 6/30/2020
- **Resolution No. 2524** – approving the appointment of Edward L. Torbert to the Building Board of Adjustments & Appeals for the term ending 7/31/2020

71
72 **AWARD OF BIDS** – presented by Assistant Director of Internal Services – Procurement &
73 Parking Jennifer L. Miller

74
75 The Award of Bids, consisting of the following item, was unanimously approved on a motion by
76 Mrs. Shields and seconded by Mrs. Mitchell:

- Declaration of Surplus – SPD Duty Weapon – Retirement \$0.00

79
80 **PUBLIC HEARING/RESOLUTIONS - TRI COUNTY COUNCIL / WALSTON SWITCH**
81 **ROAD ANNEXATION** – presented by City Attorney Mark Tilghman

- **Resolution No. 2503** - proposing the annexation to the City of Salisbury of certain area of land situate, contiguous to and binding upon the easterly corporate limit of the City of Salisbury, to be known as the “Tri County Council / Walston Switch Road Annexation,” and the application of a City zoning classification to same area, being an area located on the westerly side of and binding upon Walston Switch Road, north of the intersection of Walston Switch Road and U.S. Route 50

89
90 Mr. Heath moved and Mr. Spies seconded to approve Resolution No. 2503.

91
92 After Mr. Tilghman presented Resolution No. 2503 to the Public, Mr. Day opened the
93 Public Hearing at 6:34 p.m. Since nobody requested to comment, Mr. Day immediately
94 closed the Public Hearing.

95
96 Resolution No. 2503 was unanimously passed.

- **Resolution No. 2504** - to adopt an annexation plan for certain area of land situate, contiguous to and binding upon the easterly corporate limit of the City of Salisbury, to be known as the “Tri County Council / Walston Switch Road Annexation,” being an area located on the westerly side of and binding upon Walston Switch Road, north of the intersection of Walston Switch Road and U.S. Route 50

103
104 Mrs. Shields moved, Mr. Spies seconded, and the vote was unanimous to approve
105 Resolution No. 2504.

106
107 **ORDINANCES** – presented by City Attorney Mark Tilghman

- **Ordinance No. 2338** – 2nd reading – approving a budget amendment of the FY 2015 General Fund to appropriate funds for Attorney Fees

108
Mrs. Mitchell moved and Mr. Spies seconded to approve Ordinance No. 2338 for second

reading.

Mr. Spies moved to amend Ordinance No. 2338 by reducing the transferred amount of \$25,000 to \$12,500 from Surplus on Lines 18 and 19. The motion died for lack of a second.

After further discussion, Mr. Spies moved, Mr. Heath seconded and the vote was 4-1 (Mrs. Shields voted “nay”) to amend Ordinance No. 2338 by striking Lines 18 and 19 and replacing Lines 18 through 22 with the language Council below:

1. Decrease Mayors Department by \$500
2. Decrease Finance Department by \$2,500
3. Decrease Public Works – Sanitation by \$5,500
4. Decrease Police Department by \$4,000
5. Increase City Attorney by (17000-513301) by \$12,500

Ordinance No. 2338, as amended, for second reading, was passed on a 4-1 vote. Mrs. Shields voted “nay.”

- **Ordinance No. 2339** – 2nd reading- pursuant to Chapter 17.228 of Title 17, Zoning of the Salisbury Municipal Code and Section 4.04 of Article 66b of the Annotated Code of Maryland for the purpose of amending Section 17.04.120, Definitions, and Section 17.28.020, Uses Permitted in the Light Business and Institutional District to add Self Storage

Mrs. Shields moved, Mr. Spies seconded and the vote was unanimous to approve Ordinance No. 2339 for second reading.

- **Ordinance No. 2340** – 2nd reading - to authorize Joy Bromley / Bundles of Joy Day Care to expand an existing day care center at 1409 South Division Street in an Office and Service Residential District as required by Title 17, Section 17.84.030a of the Salisbury Municipal Code

Mrs. Mitchell moved, Mrs. Shields seconded, and the vote was unanimous to approve Ordinance No. 2340 for second reading.

- **Ordinance No. 2341** – 2nd reading- creating a bike route which will run along West Main Street from Mill Street to the intersection of Fitzwater Street and along Fitzwater Street to the intersection with Parsons Road and along Parsons Road to the intersection of Pemberton Drive; providing dedicated bicycle-only lanes and shared bicycle and motorized vehicle lanes as directed by MDMUTCD Chapter 9, Traffic Control for Bicycle Facilities (MDMUTCD); installing lane striping for dedicated lanes; installing shared lane markings for shared lanes; installing bicycle markings on-pavement; and installing bike route signage along the route per the MDMUTCD

Mrs. Mitchell moved, Mrs. Shields seconded, and the vote was unanimous to approve Ordinance No. 2341 for second reading.

- **Ordinance No. 2342** – 2nd reading- to repeal and re-enact Sections 15.04.010 and 15.04.020 of Chapter 15.04 Building Code by adopting updated standard building codes in Section 15.04.010; corresponding amendments to the International Building Code (2015) (IBC) in Section 15.04.020; enacting Section 15.04.030 amendments to the International Plumbing Code (2015) (IPC); and deleting Chapter 15.32 Plumbing Standards in its entirety

Mr. Spies moved and Mrs. Mitchell seconded to approve Ordinance No. 2342 for second reading.

Mrs. Mitchell moved, Mr. Spies seconded, and the vote was unanimous to amend Ordinance No. 2342 by striking Line 42 in its entirety, adding the word “and” at the end of Line 41, and changing letter “H” to “G” on Line 43.

Ordinance No. 2342, as amended for second reading, was unanimously passed.

- **Ordinance No. 2343** – 2nd reading – to amend Sections 15.24.040 Referenced Codes of the Salisbury Property Maintenance Code

Mr. Spies moved and Mr. Heath seconded to approve Ordinance No. 2343 for second reading.

Mr. Heath moved, Mrs. Mitchell seconded, and the vote was unanimous to amend Ordinance No. 2343 by striking Line 32 in its entirety, adding the word “and” at the end of Line 31, and changing letter “7” on Line 33.

Ordinance No. 2343, as amended for second reading, was unanimously passed.

- **Ordinance No. 2344** – 1st reading- establishing a Community Development Projects Fund

Mr. Spies moved, Mrs. Shields seconded, and the vote was unanimous to approve Ordinance No. 2344 for first reading. It was noted that Mr. Tilghman would add a clause to Ordinance No. 2345 for second reading that captures Council’s intent for the funds to be returned to the tax rolls or transferred to a nonprofit entity.

- **Ordinance No. 2345** – 1st reading - to abandon and relocate an area of land being the unimproved roadbed of the cul-de-sac portion of Stanley Court and the easement that adjoins said roadbed, located near the intersection of Snow Hill Road and the former Johnson Road, now Stanley Court, in the City of Salisbury, Nutters Election District, Wicomico County, State of Maryland

Mrs. Shields moved, Mr. Heath seconded and the vote was unanimous to approve Ordinance No. 2345 for first reading.

110 *One member of the public commented on the following:*

- 111 • *He owns about one hundred properties in the City and has only received about six letters*
- 112 *in reference to the “rain tax” fee.*
- 113 • *This will get “slid through” on tax bills*
- 114 • *Received a bill on two vacant lots on Fitzwater Street, and why is the tax being applied?*
- 115 • *Would like correct figures stated on “calls to service” at 707 Camden Avenue*
- 116 • *City is “going downhill”*

117 *At 7:43, upon a motion and seconded by Mrs. Shields and Mr. Spies, and by unanimous vote in*
118 *favor, Council convened in Closed Session.*

119 *At 7:55, Mrs. Mitchell moved, Mrs. Shields seconded and the vote was unanimous to close the*
120 *Closed Session. Council adjourned in Open Session and President Day reported to the Public*
121 *that while in Closed Session, Council agreed to the Lot 30 RFP and discussed and agreed to*
122 *lease terms with the State of Maryland. Thereafter, the Open Session was adjourned.*

123
124 *CITY OF SALISBURY, MARYLAND*
125 *CLOSED SESSION A*
126 *JULY 6, 2015*
127

128 *TIME & PLACE: 3:05 p.m., Government Office Building – Council Chambers, Room 301*
129 *PURPOSE: To discuss a matter directly related to a negotiating strategy or the contents*
130 *of a bid or proposal, if public discussion or disclosure would adversely*
131 *impact the ability of the public body to participate in the competitive bidding*
132 *or proposal process*

133 *VOTE TO CLOSE: Unanimous (4-0)*

134 *CITATION: Annotated Code of Maryland §10-508(a)(14)*

135 *PRESENT: Council President Jacob R. Day, Council Vice President Laura Mitchell,*
136 *Councilwoman Eugenie P. Shields, Councilman Timothy K. Spies, City Clerk*
137 *Kimberly R. Nichols, City Administrator Tom Stevenson, Assistant City*
138 *Administrator Julia Glanz, Public Works Director Mike Moulds, Internal*
139 *Services Director Keith Cordrey, City Attorney Mark Tilghman*

140 *NOT PRESENT: Mayor James Ireton, Jr., Councilman John “Jack” R. Heath*

141 *******
142 *The City Council convened in Work Session in Room #301 in the Government Office Building at 2:33*
143 *p.m. At 3:05 p.m., Mr. Spies moved, Mrs. Mitchell seconded, and the vote was 4-0 (Mr. Heath was*
144 *absent) to convene in Closed Session to discuss a matter directly related to a negotiating strategy or*
145 *the contents of a bid or proposal, if public discussion or disclosure would adversely impact the*
146 *ability of the public body to participate in the competitive bidding or proposal process in accordance*
147 *with the Annotated Code of Maryland §10-508(a)(14).*
148

149 *At 3:31 p.m., on a motion and seconded by Mrs. Mitchell and Mr. Spies, respectively, and by*
150 *unanimous vote in favor (4-0), the Closed Session was adjourned and Council reconvened in Work*
151 *Session. President Day reported that while in Closed Session Council had discussed the Maryland*
152 *Broadband contract negotiations with City Attorney Tilghman and directed Mr. Tilghman to*
153 *continue the negotiations with Maryland Broadband to install fiber optics in Downtown Salisbury.*
154 *Council then continued the meeting in Open Work Session.*

CITY OF SALISBURY, MARYLAND
CLOSED SESSION B
JULY 6, 2015

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TIME & PLACE: 4:58 p.m., Government Office Building – Council Chambers, Room 301
PURPOSE: To discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process
VOTE TO CLOSE: Unanimous (4-0)
CITATION: Annotated Code of Maryland §10-508(a)(14)
PRESENT: Council President Jacob R. Day, Council Vice President Laura Mitchell, Councilwoman Eugenie P. Shields, Councilman Timothy K. Spies, City Clerk Kimberly R. Nichols, City Administrator Tom Stevenson, Assistant City Administrator Julia Glanz, City Attorney Mark Tilghman, SBG Communications President Tom Robinson and Attorney Dan Cohen
NOT PRESENT: Mayor James Ireton, Jr., Councilman John “Jack” R. Heath

The City Council convened in Work Session in Room #301 in the Government Office Building at 2:33 p.m. At 4:58 p.m., Mrs. Mitchell moved, Mr. Spies seconded, and the vote was unanimous (4-0) to convene in Closed Session to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process in accordance with the Annotated Code of Maryland §10-508(a)(14). (Council to discuss the Comcast Cable Franchise Agreement)

At 5:01 p.m., on a motion and seconded by Mrs. Shields and Mr. Spies, respectively, and by unanimous vote in favor, the Closed Session was adjourned and Council reconvened in Open Work Session.

President Day reported that while in Closed Session Council had received updated information on the draft Comcast Cable Franchise Agreement.

City Clerk

Council President

INTER

OFFICE

MEMO

OFFICE OF THE MAYOR

To: Tom Stevenson, City Administrator
From: Julia Glanz, Asst. City Administrator
Subject: Department Director Residency Requirements
Date: August 6, 2015

Attached is a resolution altering the City of Salisbury Employee Handbook to make it mandatory for any future Department Director hired after August 31, 2015 to live within the City limits of Salisbury, MD. The City of Salisbury would like to see all of its employees living within City limits. Our Department Directors are role models for employees within their departments and may be able to encourage their employees to do so, but only if they themselves are living within City limits. Department Directors that live within the City of Salisbury have more invested in the community.

Unless you or the Mayor has further questions, please forward this resolution to the City Council.

1 **RESOLUTION NO. 2530**

2 A Resolution of the City of Salisbury to modify the Employee Handbook to require future
3 Department Heads to reside in Salisbury unless waived by the Council.

4 **WHEREAS**, the City of Salisbury has an Employee Handbook; and

5 **WHEREAS**, the Human Resources Division of the Internal Services Department has
6 reviewed the Employee Handbook; and

7 **WHEREAS**, the Human Resources Division recommends making changes to the
8 Employee Handbook to meet the needs of the City and its employees; and

9 **WHEREAS**, the recommended changes have been discussed with the Mayor, each of the
10 Department Directors and the City Council;

11 **NOW, THEREFORE**, BE IT RESOLVED by the City of Salisbury, Maryland to amend
12 the Employee Handbook as shown on Attachment A with additions underlined.

13 THE ABOVE RESOLUTION was introduced and read and passed at the regular meeting
14 of the City of Salisbury held on ____ day of _____ 2015, and is to become effective immediately
15 upon adoption.

16
17 **ATTEST:**

18
19 _____
20 Kimberly R. Nichols, City Clerk

Jacob R. Day, President
Salisbury City Council

21
22
23
24 APPROVED BY ME THIS ____ day of _____, 2015.

25
26 _____
27 James Ireton, Jr., Mayor
28

1 Attachment A

2

3

4 0107 Employment Status

5 B. Appointed Positions. Positions staffed through an “at will” employment relationship.
6 Employees in “appointed” positions serve at the pleasure and discretion of the appointing
7 officials subject to applicable local, state, and federal laws and regulations. The City may enter
8 into a contract or employment agreement with an employee in an appointed position that
9 provides for terms or conditions of employment that differ from the standard terms and
10 conditions of employment for all other employees. New Department Heads hired after August
11 31, 2015, must live inside the corporate limits of the City of Salisbury during their employment
12 with the City, unless this requirement is waived by a resolution of the Council. All appointed
13 positions are filled through a competitive selection process based on the merit and fitness of the
14 individual selected.

15

City of Salisbury



JAMES IRETON, JR.
MAYOR

M. THOMAS STEVENSON, JR.
CITY ADMINISTRATOR

JULIA GLANZ
ASSISTANT CITY ADMINISTRATOR

MARYLAND

125 NORTH DIVISION ST., RM 202
SALISBURY, MARYLAND 21801
Tel: 410-548-3170
Fax: 410-548-3107

MICHAEL S. MOULDS, P.E.
DIRECTOR OF PUBLIC WORKS

To: Tom Stevenson, City Administrator
From: Mike Moulds, Director of Public Works 
Date: July 7, 2015
Re: Waterway Improvement Fund Grant – Salisbury Marina Pedestal replacement project

The City of Salisbury has been awarded a Waterway Improvement Fund grant in the amount of \$25,000 from the Maryland Department of Natural Resources. The grant will fund the upgrade and replacement of pedestals at the Port of Salisbury Marina. The project was identified in the City's FY16 Capital Improvements Plan (Project #M0002). The existing pedestals only have electrical service. The grant will be used to install new pedestals which will have electric, lighting, water, phone and cable capabilities. The total project cost was estimated to be \$50,000. The first sections to be replaced will include annual renters.

Attached is a Resolution for consideration to accept the Waterway Improvement Fund grant in the amount of \$25,000.

Unless you or the Mayor has further questions, please forward this to City Council.

1 RESOLUTION NO. 2531

2
3 A RESOLUTION OF THE CITY OF SALISBURY ACCEPTING FUNDS AWARDED
4 THROUGH THE MARYLAND DEPARTMENT OF NATURAL RESOURCES,
5 WATERWAY IMPROVEMENT FUND GRANT IN THE AMOUNT OF \$25,000 FOR
6 UTILITY PEDESTALS AT THE PORT OF SALISBURY MARINA.

7
8 WHEREAS, the Maryland Department of Natural Resources has the Waterway
9 Improvement Fund program which supports the development, use, and enjoyment of all waters
10 of the State of Maryland for the benefit of the general boating public; and

11
12 WHEREAS, the Waterway Improvement Fund provides financial support to local
13 governments for capital projects and services for the boating public; and

14
15 WHEREAS, the Port of Salisbury Marina has electric pedestals at the boat slips; and

16
17 WHEREAS, the City of Salisbury desires to replace and upgrade the pedestals to provide
18 electric, lighting, water, phone and cable capabilities in the Salisbury Marina; and

19
20 WHEREAS, the City of Salisbury will coordinate the design, procurement and
21 installation of the pedestals; and

22
23 WHEREAS, the project will provide improvements to benefit the general boating public
24 along the Wicomico River.

25
26 NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Salisbury,
27 Maryland does hereby accept the grant of \$25,000 from the Maryland Department of Natural
28 Resources for the replacement and upgrade of utility pedestals at the Port of Salisbury Marina.

29
30 THE ABOVE RESOLUTION was introduced and read and passed at the regular meeting
31 of the Council of the City of Salisbury held on this ____ day of _____, 2015 and is to
32 become effective immediately upon adoption.

33
34 ATTEST:

35
36
37 _____
38 Kimberly R. Nichols
39 CITY CLERK

Jacob R. Day
PRESIDENT, City Council

40
41 APPROVED by me this ____ day of _____, 2015

42
43
44 _____
45 James Ireton, Jr.
46 MAYOR, City of Salisbury

STATE OF MARYLAND
OFFICE OF THE GOVERNOR



LARRY HOGAN
GOVERNOR

STATE HOUSE
100 STATE CIRCLE
ANNAPOLIS, MARYLAND 21401-1925
410-974-3901
TOLL FREE 1-800-811-8336

TTY USERS CALL VIA MD RELAY

June 30, 2015

The Honorable James P. Ireton, Jr.
Mayor
City of Salisbury
125 N. Division Street
Salisbury, MD 21801-4940

Dear Mayor Ireton:

I am pleased to advise you that the Maryland General Assembly has approved the Fiscal Year 2016 budget request to provide the attached Waterway Improvement Fund grant to your jurisdiction. The approved project funds will become available on July 1, 2015.

Boating is a cornerstone of Maryland. This grant is an important resource to ensure that visitors and residents alike will continue to benefit from Maryland's world-class recreational boating opportunities, which contribute thousands of jobs and billions of dollars to our economy. Expanding and enhancing access to public boating opportunities, while also improving boating safety, will benefit your local area as well as the entire state.

I want to personally thank you and your staff for your support to make these grants possible, as we continue to manage Maryland's waterways as a true public resource available to both current and future generations.

If you have any questions regarding your grant, please contact Mr. Mark O'Malley, Department of Natural Resources' Director of Boating Services at (410) 260-8462 or via email at mark.o'malley@maryland.gov.

Sincerely,

Larry Hogan
Governor

Attachment

cc: Members of the Wicomico County Delegation
Mr. Michael Moulds, Salisbury Public Works
Mr. Glen Lay, Salisbury Public Works

Approved Waterway Improvement Projects
 FY 2016

City of Salisbury

"PROJECTS TO BE COMPLETED BY THE LOCAL GOVERNMENT"

Grant #	County	Project Location	Description	Type	Approved Amount
LG-2219B-16	Wicomico	City of Salisbury	Replace and upgrade utility pedestals at Salisbury Marina boat slips	LG	\$25,000.00

Key
DG - 100% Dredging/Navigation
LG - 100% Local Grant
MF - Matching Funds Local Governments
MFFR - Matching Funds Fire/Rescue
MFDG - Matching Funds Dredging Grants
SP - 100% State Project
ST - Statewide Project

City of Salisbury



MARYLAND



125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801
Tel: 410-334-3028
Fax: 410-548-3192

KEITH A. CORDREY
DIRECTOR OF INTERNAL SERVICES

JAMES IRETON, JR.
MAYOR

TOM STEVENSON
CITY ADMINISTRATOR

JULIA GLANZ
ASSISTANT CITY ADMINISTRATOR

To: Tom Stevenson, City Administrator
From: Keith Cordrey, Director of Internal Services *KAC*
Date: July 28, 2015
Re: Manufacturing Exemption for equipment purchased 2014 - Jubilant Cadista Pharmaceuticals Inc.

I am recommending that Jubilant Cadista Pharmaceuticals Inc. (Cadista) be granted exemption from Personal Property Tax for their equipment purchased in 2014 as requested by the company. Since the request came within 2 years of the purchase of the equipment for purchases in all three years they are eligible for up to 5 years' exemptions for each year.

Over the next five years they will benefit from this exemption by a total savings of \$ 94,673 in personal property tax for 2014 equipment purchases. The exemptions will be applied to City Property Tax years as shown in the schedule provided herein.

Jubilant Cadista Pharmaceuticals Inc. (Cadista) has previously been granted exemptions for equipment purchased in 1997, 1998, and 2003 thru 2013.

City of Salisbury



MARYLAND

JOHN H. CAWLEY
FINANCE DIRECTOR

KEN H. JOHANNING
ASSISTANT TREASURER



Exemption Application For Machinery and Equipment Used for Manufacturing/Research & Development

Business Name: Jubilant Cadista Pharmaceuticals Inc. MD Department ID#: F-04890174

Mailing Address: 207 KILEY DRIVE, SALISBURY, MD - 21801

Contact Name: KAMAL MANDAN Phone No.: 410-912-3705

1. In order to qualify for an exemption you must meet one of the following requirements: Equipment is owned and operated by a facility that (1) locates in Salisbury (2) expands operations in Salisbury, or (3) develops a new product or industrial process in Salisbury. If you meet one of these requirements please explain in detail how you meet these requirements including raw materials used and products produced or R & D activity being conducted. Please include number of employees used in Manufacturing/ R&D and number of administrative employees.
2. Exemption is requested for tools, machinery & equipment used in Manufacturing / Research & Development acquired in calendar year 2014.
3. Address of Manufacturing / R & D operation. --same as above--
4. Date Manufacturing / R & D operation began in Salisbury. 1996
5. Attach a description of each asset claimed under this exemption. The schedule must include a description, original cost, and date of acquisition for each item. General descriptions such as Equipment, Various, or Miscellaneous are not acceptable.
6. Attach a copy of the State of Maryland Personal Property Return for the year of acquisition.

Additional information and requirements

All exemptions require approval by the City of Salisbury Council and receipt of exemption from Wicomico County does not mean you will automatically be granted an exemption by the City of Salisbury. The exemption that is granted is for a specific year in which equipment was purchased and can be for a term up to a maximum of 5 years. Once an exemption has been granted, a copy of the personal property tax return must be sent in for each year of the exemption. To be eligible to receive the maximum exemption term of 5 years, the application must be received within two (2) years from December 31st of the calendar year in which the equipment was purchased. A separate request must be made for each year. The application can be mailed to Finance Department, 125 North Division St., Salisbury, MD 21801-4940 or faxed to (410) 860-5154.

Preparer's Signature Maudas Date 06/19/2015

Email address kamal.mandan@cadista.com

Jubilant Cadista Pharmaceuticals Inc.**Details of Asset Wise Additions in 2014**

Asset Class	Asset	Asset description	Cap.date	Amount
ZTOE	9000181	ANIPRYL TOOLINGS	1/31/2014	59,045.39
ZTOE	9000182	TOOLINGS FOR OXCARBAZEPINE-HATA	3/31/2014	31,665.40
ZTOE	9000183	PARTS FOR PACKAGING-MARBO	3/31/2014	21,792.28
ZTOE	9000184	UPPER LOWER PUNCHES FOR TABLET PRESS-MARBO	3/31/2014	49,480.63
ZP&M	22000360	NEW HATA PRESS	2/20/2014	827,206.01
ZP&M	22000361	Warehouse Racking Systems-Feb'2014	3/31/2014	26,536.75
ZP&M	22000362	Purchase and Install Dust Collector-Line-2	3/31/2014	10,173.00
ZP&M	22000363	BLENDER 10CU FT	3/31/2014	30,513.80
ZP&M	22000364	New Comil-Marbofloxacin	3/31/2014	51,019.25
ZTOE	9000182	TOOLINGS FOR OXCARBAZEPINE-HATA	3/31/2014	2,747.25
ZTOE	9000185	TOOLINGS FOR ALENDRONATE 35/70 HATA	4/29/2014	24,290.47
ZTOE	9000186	MARBO SLATS/CHUTES	7/15/2014	41,633.10
ZTOE	9000187	TOOLINGS FOR MECLIZINE-JUNE14	7/30/2014	10,060.50
ZP&M	22000365	SARTORIUS BALANCES	4/30/2014	7,853.40
ZP&M	22000366	BULK PRODUCT BAG SEALER	7/31/2014	9,211.00
ZP&M	22000367	SCISSORS LIFT	7/31/2014	1,908.00
ZP&M	22000368	SCISSORS LIFT - 2 Nos.	8/31/2014	3,461.08
ZP&M	22000369	SCISSORS LIFT	11/30/2014	1,787.08
ZP&M	22000370	SCISSORS LIFT	12/31/2014	1,787.08
ZP&M	22000371	STAINLESS TABLES FOR PACKAGING	11/30/2014	11,780.21
				1,223,951.68

5 Tools, machinery and equipment used for manufacturing or research and development: State the original cost of the property by year of acquisition. Include all fully depreciated property and property expensed under IRS rules. If this business is engaged in manufacturing / R&D, and is claiming such an exemption for the first time, a manufacturing / R&D exemption application must be submitted on or before September 1, 2015 before an exemption can be granted. See instruction 11 for exception. Contact the Department or visit www.dat.maryland.gov for an application.

If the property is located in a taxable jurisdiction, a detailed schedule by depreciation category should be included to take advantage of higher depreciation allowances.

Table with 4 columns: Year (2014-2011), Original Cost, and Year (2010-2007 and prior), Original Cost. Values range from 1223952 to 1994964.

TOTAL COST \$ 13379980

6 Vehicles with Interchangeable Registration (dealer, recycler, finance company, special mobile equipment, and transporter plates) and unregistered vehicles should be reported here. See specific instructions.

Table with 4 columns: Year (2014, 2013), Original Cost, Year (2012, 2011 and prior), Original Cost. Values range from 18000.

TOTAL COST \$ 18000

7 Non-farming livestock \$ (Book Value) \$ (Market Value)

8 Other personal property Total Cost \$ File separate schedule giving a description of property, original cost and the date of acquisition.

9 Property owned by others and used or held by the business as lessee or otherwise. Total Cost \$ File separate schedule showing names and addresses of owners, lease number, description of property, installation date and separate cost in each case.

10 Property owned by the business but used or held by others as lessee or otherwise. Total Cost \$ File separate schedule showing names and addresses of lessees, lease number, description of property, installation date and original cost by year of acquisition for each location. Schedule should group leases by county where the property is located. Manufacturer lessors should submit the retail selling price of the property not the manufacturing cost.

SECTION III This Section must be completed.

A. Total Gross Sales, or amount of business transacted during 2014 in Maryland: \$ 3,504,881 If the business has sales in Maryland and does not report any personal property, explain how the business is conducted without personal property. If the business is using the personal property of another business, provide the name and address of that business.

B. If the business operates on a fiscal year, state beginning and ending dates: APRIL 2014 TO MARCH 2015

C. If this is the business' first Maryland personal property return, state whether or not it succeeds an established business and give name: NA

D. Does the business own any fully depreciated and/or expensed personal property located in Maryland? [X] yes [] no If yes, is that property reported on this return? [X] yes [] no

E. Does the submitted balance sheet or depreciation schedule reflect personal property located outside of Maryland? [] yes [X] no If yes, reconcile it with this return.

F. Has the business disposed of assets or transferred assets in or out of Maryland during 2014? [] yes [X] no If yes, complete Form 4C (Disposal and Transfer Reconciliation).

PLEASE READ "IMPORTANT REMINDERS" ON PAGE 4 BEFORE SIGNING

I declare under the penalties of perjury, pursuant to Tax-Property Article 1-201 of the Annotated Code of Maryland, that this return, including any accompanying schedules and statements, has been examined by me and to the best of my knowledge and belief is a true, correct and complete return.

NAME OF FIRM, OTHER THAN TAXPAYER, PREPARING THIS RETURN

KAMAL MANDAN CFO PRINT OR TYPE NAME OF CORPORATE OFFICER OR PRINCIPAL OF OTHER ENTITY TITLE

X SIGNATURE OF PREPARER DATE

X [Signature] 03/19/2015 SIGNATURE OF CORPORATE OFFICER OR PRINCIPAL DATE

PREPARER'S PHONE NUMBER E-MAIL ADDRESS

410-860-8500 kamal.mandan@cadista.com BUSINESS PHONE NUMBER E-MAIL ADDRESS

City of Salisbury
Manufacturing Exemption Worksheet

Jubilant Cadista Pharmaceuticals Inc.

<i>City</i>													
<i>Rate</i>	<i>Year</i>	2010		2011		2012		2013		2014			
Exemption Amt:		1,985,516		1,994,964		2,361,052		945,855		1,223,952			
2.04	2012	1,786,964	90%										
2.04	2013	1,588,413	80%	1,795,468	90%								
2.21	2014	1,389,861	70%	1,595,971	80%	2,124,947	90%	-		-			
2.21	2015	1,191,310	60%	1,396,475	70%	1,888,842	80%	851,270	90%				
2.21	2016	992,758	50%	1,196,978	60%	1,652,736	70%	756,684	80%	1,101,557	90%		
2.21	2017			997,482	50%	1,416,631	60%	662,099	70%	979,162	80%		
2.21	2018					1,180,526	50%	567,513	60%	856,766	70%		
2.21	2019							472,928	50%	734,371	60%		
2.21	2020									611,976	50%		
Total		147,842	0	151,258	0	182,627	0	73,162			94,673		

City of Salisbury



MARYLAND

Salisbury



2010

125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801

Tel: 410-334-3028

Fax: 410-548-3192

JAMES IRETON, JR.
MAYOR

TOM STEVENSON
CITY ADMINISTRATOR

JULIA GLANZ
ASSISTANT CITY ADMINISTRATOR

KEITH A. CORDREY
DIRECTOR OF INTERNAL SERVICES

To: Tom Stevenson, City Administrator

From: Keith Cordrey, Director of Internal Services *KAC*

Date: July 28, 2015

Re: Manufacturing Exemption for equipment purchased 2014 Perdue Foods, LLC

I am recommending that Perdue Foods, LLC. be granted exemptions from Personal Property Tax for their equipment purchased in 2014 as requested by the company. Since the request came within 2 years of the purchase of the equipment 2014, they are eligible for up to 5 years exemption.

Over the next five years they will benefit from this exemption by a total savings of \$ 33,769 in personal property tax for 2014 equipment purchases. The exemptions will be applied to City Property Tax years 2016-2020 as shown in the schedule provided herein. Attached please find copies of the calculations, property tax returns and manufacturing exemption applications.

Perdue Foods, LLC has previously been granted exemption for equipment purchased in 2008 thru 2013.

City of Salisbury
Internal Services -Finance Department
Exemption Recommendation to City Council

Company: Perdue Foods, LLC
Address: 521 Willow Street Salisbury, MD
2110m Industrial Parkway, Salisbury MD

Requested By: Mathew Ball
Date of Request: 6/10/2015

Description of Mfg.: Research and development for new ready to eat chicken and turkey products
Note State granted exemption

Equipment Year 2014

New Equipment Amount per Tax Return \$ 436,574

Total \$ 436,574

Exemption Value	<u>City Property Tax Year</u>	<u>State Return</u>	<u>Year of Exemption</u>	<u>Deprec. Value</u>	<u>Amount of Exemption</u>
	2016	2015	1	392,917	\$ 8,683
	2017	2016	2	349,259	\$ 7,719
	2018	2017	3	305,602	\$ 6,754
	2019	2018	4	261,944	\$ 5,789
	2020	2019	5	218,287	\$ 4,824
	Total Value of Exemption:				<u>\$ 33,769</u>

City of Salisbury



KEITH CORDREY
DIRECTOR INTERNAL SERVICES

MARYLAND

FINANCE DEPARTMENT
125 N. Division Street
Salisbury, MD 21801-4940
410) 548-3110
(410) 860-5154 (Fax)

Exemption Application For Machinery and Equipment Used for Manufacturing/Research & Development

Business Name: Perdue Foods, LLC MD Department ID#: W14880488

Mailing Address: Property Tax Dept., P.O. Box 1537, Salisbury, MD 21802

Contact Name: Angela Hastings Phone No.: 410-543-3121

1. In order to qualify for an exemption you must meet one of the following requirements: Equipment is owned and operated by a facility that (1) locates in Salisbury (2) expands operations in Salisbury, or (3) develops a new product or industrial process in Salisbury. If you meet one of these requirements please explain in detail how you meet these requirements including raw materials used and products produced or R & D activity being conducted. Please include number of employees used in Manufacturing/ R&D and number of administrative employees.
2. Exemption is requested for tools, machinery & equipment used in Manufacturing / Research & Development acquired in calendar year 2014.
3. Address of Manufacturing / R & D operation. 2110 Industrial Pkwy Salisbury, MD 21802 - R&D
521 Willow St. Salisbury, MD 21801 - Manufacturing
517 W. Main St. Salisbury, MD 21802 - R&D
4. Date Manufacturing / R & D operation began in Salisbury. Manufacturing - 1962, R&D - 2008
5. Attach a description of each asset claimed under this exemption. The schedule must include a description, original cost, and date of acquisition for each item. General descriptions such as Equipment, Various, or Miscellaneous are not acceptable. See Attached
6. Attach a copy of the State of Maryland Personal Property Return for the year of acquisition. See Attached

Additional information and requirements

All exemptions require approval by the City of Salisbury Council and receipt of exemption from Wicomico County does not mean you will automatically be granted an exemption by the City of Salisbury. The exemption that is granted is for a specific year in which equipment was purchased and can be for a term up to a maximum of 5 years. Once an exemption has been granted, a copy of the personal property tax return must be sent in for each year of the exemption. To be eligible to receive the maximum exemption term of 5 years, the application must be received within two (2) years from December 31st of the calendar year in which the equipment was purchased. A separate request must be made for each year. The application can be mailed to Finance Department, 125 North Division St., Salisbury, MD 21801-4940 or faxed to (410) 860-5154.

Preparer's Signature *Matthew Ball* Date 6/10/2015

Email address matthew.ball@altusgroup.com

June 10, 2015

Mr. Keith Cordrey
Director Internal Services
City of Salisbury Finance Department
125 North Division Street, Room 103
Salisbury, MD 21801-4940

RE: Perdue Foods, LLC
Dept. ID#: W14880488
City of Salisbury Manufacturing Exemption Application

Dear Mr. Cordrey:

This letter is to explain the manufacturing process conducted by Perdue Foods LLC (“Perdue”) in the City of Salisbury and to request an exemption of manufacturing and research and development equipment for the January 1, 2015 tax year. All manufacturing and research and development property acquired January 1, 2008 through January 1, 2014 was previously granted an exemption at City Council meetings. Perdue Foods, LLC meets the City of Salisbury requirements for an exemption of equipment used in the manufacturing and research and development process based on the following:

Located in Salisbury – Perdue has three manufacturing / research & development locations within Salisbury: 517 West Main Street, Salisbury, Maryland 21801, 521 Willow St., Salisbury, Maryland 21801, and 2110 Industrial Parkway, Salisbury, Maryland 21802.

Manufacturing / Research & Development process in Salisbury – The facilities located at 517 West Main Street and 2110 Industrial Parkway are responsible for research & development activities in Salisbury. The primary research and development activities conducted at these locations include developing new ready to eat chicken and turkey products as center of the plate meals, or snacks for in-home consumption. These locations also perform research & development for new products which are sold to various restaurants and fast food operations. The facility located at 521 Willow St. is a manufacturing facility which produces Ready To Cook Whole Birds, Bone in Breasts, Legs, and Wings.



The manufacturing process begins when live chickens are brought into the facility by truck. The chickens are then de-feathered, cleaned, butchered, graded, and packaged to create a consumer end product which is sold to the public.

Raw materials used in the research & development process include raw chicken and turkey, various and sundry breeding, spices, and cooking oils. Raw materials used in the manufacturing process include live poultry, and packaging materials.

Employees Located in Salisbury – Perdue Foods, LLC employs 640 total employees in the City of Salisbury. The breakdown is as follows:

543 Manufacturing Associates
27 Research & Development Associates
70 General & Administrative Employees

Attached you will find an asset listing which includes all of the equipment used in the manufacturing/ research and development process acquired during 2014 and on hand at the facility as of January 1, 2015, and a copy of the 2015 Maryland Personal Property Return. Should you need any additional information or have any questions, please call me at (410) 568-0776.

Very truly yours,
Altus Group US, Inc.

By


Matthew Ball, CMI

Enclosures

cc: Angela Hastings, Perdue Foods, LLC

Perdue Foods, LLC
 Department ID# W14880488
 2015 Maryland Personal Property Return
 Salisbury Manufacturing Assets Reported on Section II, Line 5
 Detailed Asset Listing

Street Address	County	Incorporated Town	Asset Number	Asset Description	Category as Filed	Acquisition Year	PPT Year	Reported Cost
2110 Industrial Parkway	Wicomico	Salisbury	4076766	Wolf-tec Injector	Manufacturing	2014	2014	91,435
2110 Industrial Parkway	Wicomico	Salisbury	4076782	Handtmann stuffer Model #VF608	Manufacturing	2014	2014	28,885
2110 Industrial Parkway	Wicomico	Salisbury	4079306	CookStar Steam Control Valves	Manufacturing	2014	2014	25,411
2110 Industrial Parkway	Wicomico	Salisbury	4079125	Wolf Tec 26 Quad needle tenderizer attachment	Manufacturing	2014	2014	11,231
2110 Industrial Parkway	Wicomico	Salisbury	4076587	Cooler Evaporator	Manufacturing	2014	2014	7,392
2110 Industrial Parkway	Wicomico	Salisbury	4079127	Wolf-Tec Tenderizer 3mm needle manifold & needles	Manufacturing	2014	2014	6,372
2110 Industrial Parkway	Wicomico	Salisbury	4079126	Wolf-Tec Quad needle retraction attachment	Manufacturing	2014	2014	4,760
521 Willow Street	Wicomico	Salisbury	4079261	IOBW WATER RECYCLING UNIT (LINES 3 & 4)	Manufacturing	2014	2014	165,521
521 Willow Street	Wicomico	Salisbury	4079263	IOBW WATER RECYCLING (LINES 3 & 4) PIPING	Manufacturing	2014	2014	27,740
521 Willow Street	Wicomico	Salisbury	4078721	Fibergrate w/Install	Manufacturing	2014	2014	27,036
521 Willow Street	Wicomico	Salisbury	4078685	Cryovac 8600 Install (Transferred from Lewiston)	Manufacturing	2014	2014	18,857
521 Willow Street	Wicomico	Salisbury	4079262	IOBW WATER RECYCLING (LINES 3 & 4) ELECTRICAL	Manufacturing	2014	2014	11,672
521 Willow Street	Wicomico	Salisbury	4078729	3X3 CUSTOM CONDEMNED SCALE	Manufacturing	2014	2014	10,261
					Manufacturing Total			436,574
					2014 Grand Total			436,574

Personal Property Return As of January 1, 2015 Due April 15, 2015

STATE OF MARYLAND, DEPARTMENT OF ASSESSMENTS AND TAXATION, PERSONAL PROPERTY DIVISION
 301 West Preston Street, Room 801, Baltimore, Maryland 21201-2395 • www.dat.maryland.gov • (410) 767-1170 • (888) 246-5941 within Maryland

2015

Form 1

Page 1 of 4

Date Received
by Department

CHECK ONE

Type of Business	ID # Prefix	Filing Fee	Type of Business	ID # Prefix	Filing Fee
<input type="checkbox"/> Domestic Stock Corporation (D)	(D)	\$300	<input checked="" type="checkbox"/> Domestic Limited Liability Company (W)	(W)	\$300
<input type="checkbox"/> Foreign Stock Corporation (F)	(F)	\$300	<input type="checkbox"/> Foreign Limited Liability Company (Z)	(Z)	\$300
<input type="checkbox"/> Domestic Non-Stock Corporation (D)	- 0 -		<input type="checkbox"/> Domestic Limited Partnership (M)	(M)	\$300
<input type="checkbox"/> Foreign Non-Stock Corporation (F)	- 0 -		<input type="checkbox"/> Foreign Limited Partnership (P)	(P)	\$300
<input type="checkbox"/> Foreign Insurance Corporation (F)		\$300	<input type="checkbox"/> Domestic Limited Liability Partnership (A)	(A)	\$300
<input type="checkbox"/> Foreign Interstate Corporation (F)	- 0 -		<input type="checkbox"/> Foreign Limited Liability Partnership (E)	(E)	\$300
<input type="checkbox"/> SDAT Certified Family Farm (A,D,M,W)		\$100	<input type="checkbox"/> Domestic Statutory Trust (B)	(B)	\$300
<input type="checkbox"/> Real Estate Investment Trust (D)	(D)	\$300	<input type="checkbox"/> Foreign Statutory Trust (S)	(S)	\$300

Name of Business Perdue Foods, LLC

Mailing Address 31149 Old Ocean City Road

Make Address Corrections Here Salisbury, MD 21804

Check here if this is a change of address

DEPARTMENT ID NUMBER				FEDERAL EMPLOYER IDENTIFICATION NUMBER															
ID # PREFIX	W	1	4	8	8	0	4	8	8	5	2	-	1	0	8	1	8	7	6
DATE OF INCORPORATION OR FORMATION					STATE OF INCORPORATION OR FORMATION					FEDERAL PRINCIPAL BUSINESS CODE									
09/28/2012					Maryland					3 1 1 6 1 0									
TRADING AS NAME										<input checked="" type="checkbox"/> Please check here if you want personal property forms mailed to you next year.									

INCLUDE DEPARTMENT ID NUMBER ON CHECK PLEASE STAPLE CHECK HERE

ID # PREFIX
W 1 4 8 8 0 4 8 8
Type or Print Department ID Number Here

SECTION I

- A. Is any business conducted in Maryland? Yes Date began: 12/02/1975
 (Yes or No)
- B. Nature of business conducted in Maryland: Poultry Processing and Farming
- C. Does the business own, lease or use personal property located in Maryland? Yes. If No, skip SECTION II.
 (Yes or No)

ONLY CORPORATIONS COMPLETE ITEM D

D. Names and addresses of officers and names of directors (type or print):

Names	OFFICERS	Addresses
President		
Vice-President		
Secretary		
Treasurer		

Names	DIRECTORS	Names

BUSINESS TANGIBLE PERSONAL PROPERTY LOCATED IN MARYLAND

EACH QUESTION MUST BE ANSWERED-SEE INSTRUCTIONS

ROUND CENTS TO THE NEAREST WHOLE DOLLAR

2015

Form 1
continued

Page 2 of 4

SECTION II

A. IMPORTANT: Show exact location of all personal property owned and used in the State of Maryland, including county, town, and street address (PO Boxes are not acceptable). This assures proper distribution of assessments. If property is located in two or more jurisdictions, provide breakdown by locations by completing additional copies of Section II for each location.

Various - See Attached Location Listing

(County)

(Address, Number and Street)

(Zip Code)



Check here if this location has changed from the 2014 return.

Is the property located inside the limits of an incorporated town?

Yes

(Yes or No)

(Incorporated Town)

Various - See Attached

Note: If all of the personal property of this business is located entirely in the following exempt counties: Frederick, Garrett, Kent, Queen Anne's, or Talbot, you may be eligible to skip the remainder of Section II. Refer to Specific Instructions, Section II, A for more information.

1 Furniture, fixtures, tools, machinery and equipment not used for manufacturing or research and development. State the original cost of the property by year of acquisition and category of property as described in the Depreciation Rate Chart on page 4. Include all fully depreciated property and property expensed under IRS rules.

Columns B through G require an explanation of the type of property being reported. Use the lines provided below. If additional space is needed, provide a supplemental schedule. Failure to explain the type of property will result in the property being treated as Category A property (see instructions for example). Refer to the 2015 Depreciation Rate Chart on page 4 for computer equipment rates for categories B and D.

	ORIGINAL COST BY YEAR OF ACQUISITION						TOTAL COST
	A	B	SPECIAL DEPRECIATION RATES (SEE PAGE 4)			G	
			C	D	E	F	
2014	6,987			84,284			91,271
2013				6,705			6,705
2012			27,542	6,000			33,542
2011	13,655			80,076			93,731
2010				2,641			2,641
2009	23,450			114,090			137,540
2008	119,548			43,010			162,558
2007 and prior	1,024,709		97,845	549,046	3,526		1,675,126
TOTAL COST COLUMNS A-G							2,203,114

DESCRIBE B through G PROPERTY HERE: **C - Unlicensed Vehicles, Copiers**

D - Data Processing Equipment

2 Commercial Inventory. Furnish an average of 12 monthly inventory values taken in Maryland during 2014 at cost or market value of merchandise and stock in trade. Include products manufactured by the business and held for retail sale and inventory held on consignment. (Do not include raw materials or supplies used in manufacturing.) Note: LIFO prohibited in computing inventory value.

Average Commercial Inventory

\$ See Attached

Furnish from the latest Maryland Income Tax return:

Opening Inventory - date _____ amount \$ _____

Closing Inventory - date _____ amount \$ _____

Note: Businesses that need a Trader's License must report commercial inventory here.

3 Supplies. Furnish the average cost of consumable items not held for sale (e.g., contractor's supplies, office supplies, etc.).

Average Cost

\$ See Attached

4 Manufacturing/Research and Development (R&D) Inventory. Furnish an average of 12 monthly inventory values taken in Maryland during 2014 at cost or market value of raw materials, supplies, goods in process and finished products used in and resulting from manufacturing/R&D by the business. (Do not include manufactured products held for retail sale.)

Average Manufacturing/R&D Inventory

\$ **NONE**

Furnish from the latest Maryland Income Tax return:

Opening Inventory - date _____ amount \$ _____

Closing Inventory - date _____ amount \$ _____

5. Tools, machinery and equipment used for manufacturing or research and development: State the original cost of the property by year of acquisition. Include all fully depreciated property and property expensed under IRS rules. If this business is engaged in manufacturing / R&D, and is claiming such an exemption for the first time, a **manufacturing / R&D exemption application must be submitted on or before September 1, 2015** before an exemption can be granted. See instruction 11 for exception. Contact the Department or visit www.dat.maryland.gov for an application.

If the property is located in a taxable jurisdiction, a detailed schedule by depreciation category should be included to take advantage of higher depreciation allowances.

ORIGINAL COST BY YEAR OF ACQUISITION			
2014	584,185	2010	2,544,235
2013	1,982,418	2009	362,739
2012	354,844	2008	1,823,158
2011	1,115,346	2007 and prior	32,466,579

TOTAL COST \$41,233,504

* See attached for a breakdown of MFG & R&D property assessed value calculation

6. Vehicles with Interchangeable Registration (dealer, recycler, finance company, special mobile equipment, and transporter plates) and unregistered vehicles should be reported here. See specific instructions.

ORIGINAL COST BY YEAR OF ACQUISITION			
2014		2012	
2013		2011 and prior	

TOTAL COST \$ NONE

7. Non-farming livestock \$ NONE (Book Value) \$ NONE (Market Value)

8. Other personal property Total Cost \$ NONE
File separate schedule giving a description of property, original cost and the date of acquisition.

9. Property owned by others and used or held by the business as lessee or otherwise. Total Cost \$ See Attached
File separate schedule showing names and addresses of owners, lease number, description of property, installation date and separate cost in each case.

10. Property owned by the business but used or held by others as lessee or otherwise. Total Cost \$ NONE
File separate schedule showing names and addresses of lessees, lease number, description of property, installation date and original cost by year of acquisition for each location. Schedule should group leases by county where the property is located. Manufacturer lessors should submit the retail selling price of the property not the manufacturing cost.

SECTION III This Section must be completed.

A. Total Gross Sales, or amount of business transacted during 2014 in Maryland: \$ Not Available
If the business has sales in Maryland and does not report any personal property, explain how the business is conducted without personal property. If the business is using the personal property of another business, provide the name and address of that business.

B. If the business operates on a fiscal year, state beginning and ending dates: _____

C. If this is the business' first Maryland personal property return, state whether or not it succeeds an established business and give name: _____

D. Does the business own any fully depreciated and/or expensed personal property located in Maryland? yes no
If yes, is that property reported on this return? yes no

E. Does the submitted balance sheet or depreciation schedule reflect personal property located outside of Maryland? yes no
If yes, reconcile it with this return.

F. Has the business disposed of assets or transferred assets in or out of Maryland during 2014? yes no If yes, complete Form 4C (Disposal and Transfer Reconciliation).

• PLEASE READ "IMPORTANT REMINDERS" ON PAGE 4 BEFORE SIGNING •

I declare under the penalties of perjury, pursuant to Tax-Property Article 1-201 of the Annotated Code of Maryland, that this return, including any accompanying schedules and statements, has been examined by me and to the best of my knowledge and belief is a true, correct and complete return.

Altus Group US, Inc
NAME OF FIRM, OTHER THAN TAXPAYER, PREPARING THIS RETURN
X
SIGNATURE OF PREPARER DATE
(410) 568-0724 **mark.miller@altusgroup.com**
PREPARER'S PHONE NUMBER E-MAIL ADDRESS

PRINT OR TYPE NAME OF CORPORATE OFFICER OR PRINCIPAL OF OTHER ENTITY TITLE
X
SIGNATURE OF CORPORATE OFFICER OR PRINCIPAL DATE
BUSINESS PHONE NUMBER E-MAIL ADDRESS

MAILING INSTRUCTIONS

2015

Form 1
continued

Page 4 of 4

Use the address below for:

- originally filed 2015 personal property returns.
- originally filed prior year returns.

State of Maryland
Department of Assessments & Taxation
Personal Property Division
PO Box 17052
Baltimore, Maryland 21297-1052

- Do not send Certified Mail to this PO Box. See box at right.

Use the address below for:

- US Postal Service Certified Mail.
- all overnight delivery service mail.
- amended returns, correspondence, appeals, applications, etc.
- late filing penalty payments.

State of Maryland
Department of Assessments & Taxation
Personal Property Division
301 W Preston St
Baltimore, Maryland 21201-2395

IMPORTANT REMINDERS

- Rules for 2015 personal property extensions:
Internet extension requests are due by April 15, 2015 and are free of charge
Paper extension requests are due on or before March 16, 2015 and require a \$20 processing fee for each entity.
- The annual report filing fee is \$300 for most legal entities. Be sure to enclose the correct fee with the Form 1.
- Manufacturing/R&D application deadline is September 1, 2015. Exception for tax years beginning after June 30, 2009 - an exemption application may be filed within 6 months after the date of the first assessment notice for the taxable year that includes the manufacturing personal property. See Instruction 11 for more information. A manufacturing exemption cannot be granted unless a timely application is filed. Once filed, no additional applications are required in subsequent years.
- Entities requesting a revised assessment due to other missed exemptions (vehicles, software, charitable organizations, etc.) must file that request within three years of the April 15th date the return was originally due.
- Do not prepay late filing penalties or pay personal property taxes to this Department.
- Business entities that require a Trader's License must report commercial inventory on line item ②.
- This return must be accompanied by Form 4A (Balance Sheet) or latest available balance sheet, and Form 4B (Depreciation Schedule), unless the business does not own any personal property in Maryland. All information on pages 2 and 3 of this report and supporting schedules are held confidential by the Department and are not available for public inspection. Page 1 is public record (Tax-Property Article 2-212).
- If you discontinued business prior to January 1, 2015, notify the Department immediately, stating to whom and the date all personal property was sold. If the business is sold on or after January 1, 2015 and before July 1, 2015, submit statement of sale, including value of personal property, date of sale, name and address of the buyer on or before October 1, 2015.
- File the pre-addressed return to ensure proper posting to your account.
- This return must be signed by an officer or principal of the business.
- Make check for filing fee payable to Department of Assessments and Taxation. Place the Department ID number on the check.
- Place the Department ID number on page 1 if the pre-addressed return is not used.

LATE FILING PENALTY

DO NOT PAY PENALTIES AT TIME OF FILING RETURN

- A business which files an annual return postmarked after the due date of April 15, 2015 will receive an initial penalty of 1/10 of one percent of the county assessment, plus interest at the rate of two percent of the initial penalty amount for each 30 days or part thereof that the return is late.
- Businesses which fail to file this report will receive estimated assessments which will be twice the estimated value of the personal property owned.

DEPRECIATION RATE CHART FOR 2015 RETURNS

STANDARD DEPRECIATION RATE

Category A: 10% per annum*

All property not specifically listed below.

SPECIAL DEPRECIATION RATES (The rates below apply only to the items specifically listed. Use Category A for other assets.)

Category B: 20% per annum*

Mainframe computers originally costing \$500,000 or more.

Category C: 20% per annum*

Autos (unlicensed), bowling alley equipment, brain scanners, carwash equipment, contractor's heavy equipment (tractors, bulldozers), fax machines, hotel, motel, hospital and nursing home furniture and fixtures (room and lobby), MRI equipment, mobile telephones, model home furnishings, music boxes, outdoor Christmas decorations, outdoor theatre equipment, photocopy equipment, radio and T.V. transmitting equipment, rental pagers, rental soda fountain equipment, self-service laundry equipment, stevedore equipment, theatre seats, trucks (unlicensed), vending machines, x-ray equipment.

Category D: 30% per annum**

Data processing equipment, canned software.

Category E: 33 1/3% per annum*

Blinds, carpets, drapes, shades. The following applies to equipment rental companies only: rental stereo and radio equipment, rental televisions, rental video cassette recorders and rental DVDs and video tapes.

Category F: 50% per annum*

Pinball machines, rental tuxedos, rental uniforms, video games.

Category G: 5% per annum*

Boats, ships, vessels, (over 100 feet).

Long-lived assets

Property determined by the Department to have an expected life in excess of 10 years at the time of acquisition shall be depreciated at an annual rate as determined by the Department.

* Subject to a minimum assessment of 25% of the original cost.

** Subject to a minimum assessment of 10% of the original cost.

DATE OF ASSESSMENT NOTIFICATION

OFFICE USE ONLY

Office of Community Development

MEMO

To: Tom Stevenson

From: Deborah Stam

**Subject: Resolution Approving the Submission of the
FY 2017 Community Parks & Playgrounds (CP&P)
Funding Application - Salisbury Skatepark, Phase 2**

Date: July 31, 2015

As you are aware, we will be submitting a Community Parks & Playgrounds (CP&P) funding application to the Maryland Department of Natural Resources (DNR) for the FY 2017 funding round. This application is for \$397,000 in CP&P funding for Phase 2 of the Salisbury Skatepark project.

The Salisbury Skatepark project has been broken into two phases in order to make it more affordable. Phase 1 has been funded through CP&P for approximately 6,000 square feet, and Phase 2 will be another 7,000 square feet. The master plan for the layout of both phases of the skatepark has been designed through the Phase 1 contract. Phase 2 of the Skatepark will include the design and construction of an additional 7,000 square feet of poured-in-place concrete skatepark, the remaining fencing, entrance and exit security gates, a small climate-controlled building to house the networking equipment for the security cameras, the creation of additional on-street parallel parking spots, benches, trash cans, and a bike rack. The signage for the project was covered in the Phase 1 grant.

Although DNR does not typically request a Resolution of Support when a CP&P funding application is submitted, I feel strongly that it will help us a great deal during the application review phase if we include one in our package. I don't want the review committee to have any concerns based upon what happened with the Phase 1 grant award.

Attached is a copy of the Community Parks & Playgrounds Project Agreement section of the FY 2017 application, with the updated project description and cost estimates. I have also included copies of the design drawings that have been developed by Pillar Design Studios as part of the Phase 1 contract – the Salisbury Skatepark Master Plan Layout and a few of the 3-D drawings showing overviews from different angles with the Phase 2 elements outlined in red.

Also attached is a Resolution authorizing the submission of the FY 2017 CP&P funding application. Please forward this Resolution to the City Council so that it may be placed on their agenda for the council meeting on August 10, 2015.


Deborah J. Stam
Community Development Director

Attachments

**Maryland Department of Natural Resources
Program Open Space
Community Parks and Playgrounds (CP&P) Program**

**Community Parks and Playgrounds
Application and Project Agreement**

Shaded Areas For
State Use Only.

CP&P PROJECT #

1. PROJECT TITLE: **Salisbury Skatepark, Phase 2**

2. APPLICANT: **City of Salisbury** / **Wicomico**
(Municipality or Baltimore City) (Specify County)

3. APPLICANT'S FEDERAL ID #: **52-6000806** LAST CP&P GRANT ISSUED ON THIS SITE #: **5980-22-206**

4. PROJECT LOCATION: Street Address: **921 South Park Drive**
 City/Town: **Salisbury** Zip Code: **21804**
 LEGISLATIVE DISTRICT: **38th** ADC Road Map Edition # **8th** Map # **13** Grid Ltr **D**
 County Tax Map # **112** Grid **11** Parcel # **Part of 1886**

5. PROJECT DESCRIPTION: Descriptions are written into the agenda item, which is presented to the Maryland Board of Public Works for approval. Attach a separate sheet, if necessary.

The Salisbury Skatepark project has been broken into two phases in order to make it more affordable. Phase 1 has been funded through CP&P for approximately 6,000 square feet, and Phase 2 will be another 7,000 square feet. The master plan for the layout of both phases of the skatepark has been designed through the Phase 1 contract. Phase 2 of the Skatepark will include the design and construction of an additional 7,000 square feet of poured-in-place concrete skatepark, the remaining fencing, entrance and exit security gates, the construction of a small, secure, climate-controlled building to house the networking equipment for the security cameras, the creation of additional on-street parallel parking spots, benches, trash cans, and a bike rack. The signage for the project was covered in the Phase 1 grant.

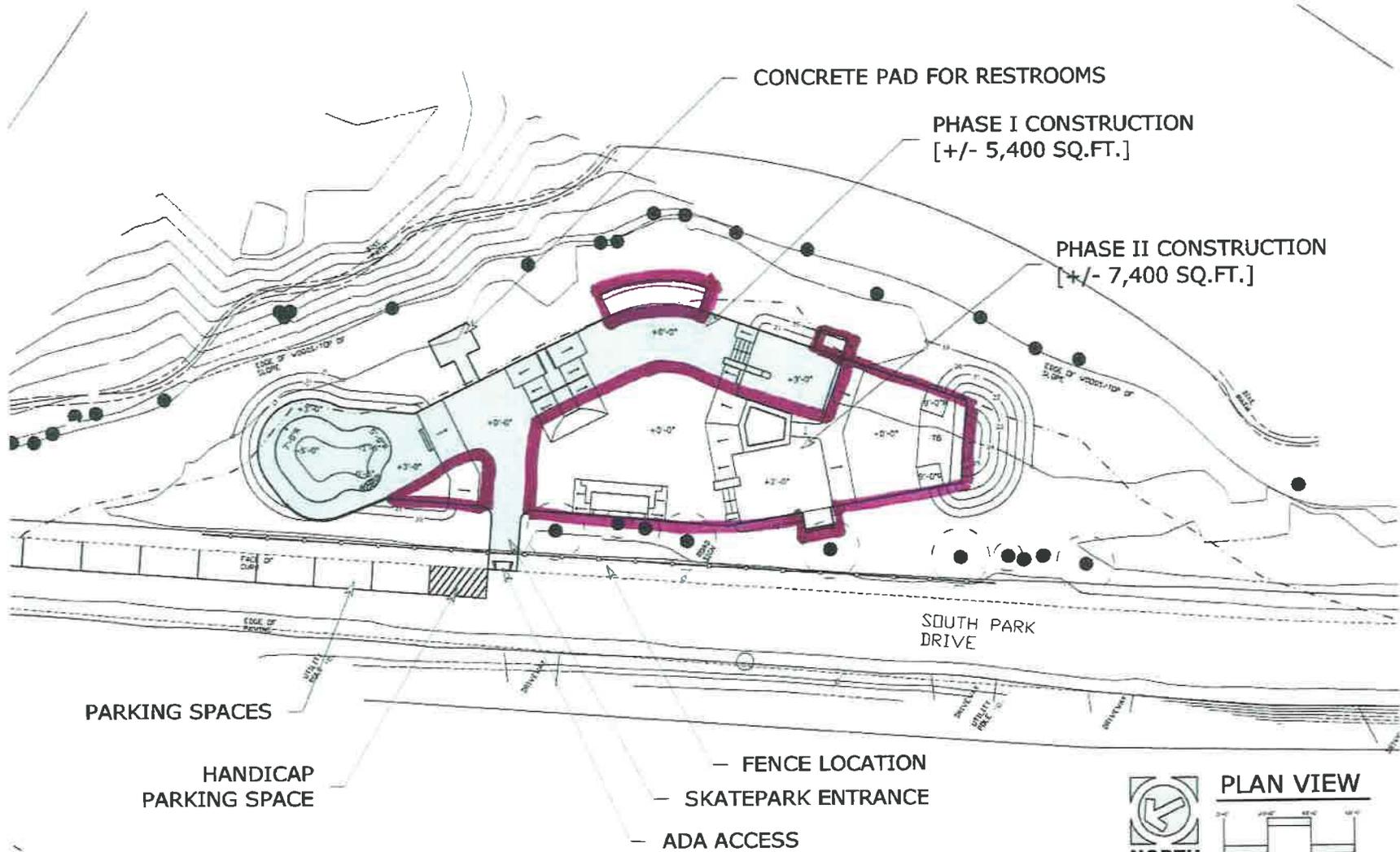
While there is no funding match shown on this Phase 2 funding application, the Salisbury Skatepark Committee has raised **\$22,580** through numerous fundraising events over the years. These additional funds are all being utilized in the construction of Phase 1 of the skatepark. In addition, the City was awarded a \$5,000 grant from the Tony Hawk Foundation for Phase 1.

6. a. LOCAL FUNDS: \$ _____ % (Specify Source/Type) _____
 b. OTHER FUNDS: \$ _____ % (Specify Source/Type) _____
 c. CP&P FUNDS REQUESTED: \$ **397,000** **100 %**
 d. TOTAL PROJECT COST: \$ **397,000** **100 %**

7. LOCAL PROJECT COORDINATOR:

Deborah J. Stam	Community Development Director	dstam@ci.salisbury.md.us
<small>(Print Name)</small>	<small>(Print Title)</small>	<small>(E-mail Address)</small>
125 North Division Street	Salisbury MD 21801	(410) 334-3031
<small>(Mailing Address)</small>	<small>(City) (State) (Zip)</small>	<small>(Telephone Number)</small>

8. PROJECT PERIOD: From: _____ (Date of Letter of Acknowledgement/Concurrence)
 To: _____ (Estimated Date of Completion)



DATE: 07/23/14



SALISBURY SKATE PARK
MASTER PLAN LAYOUT
SALISBURY, MARYLAND



AREA OUTLINED
IN BLUE IS
PHASE I

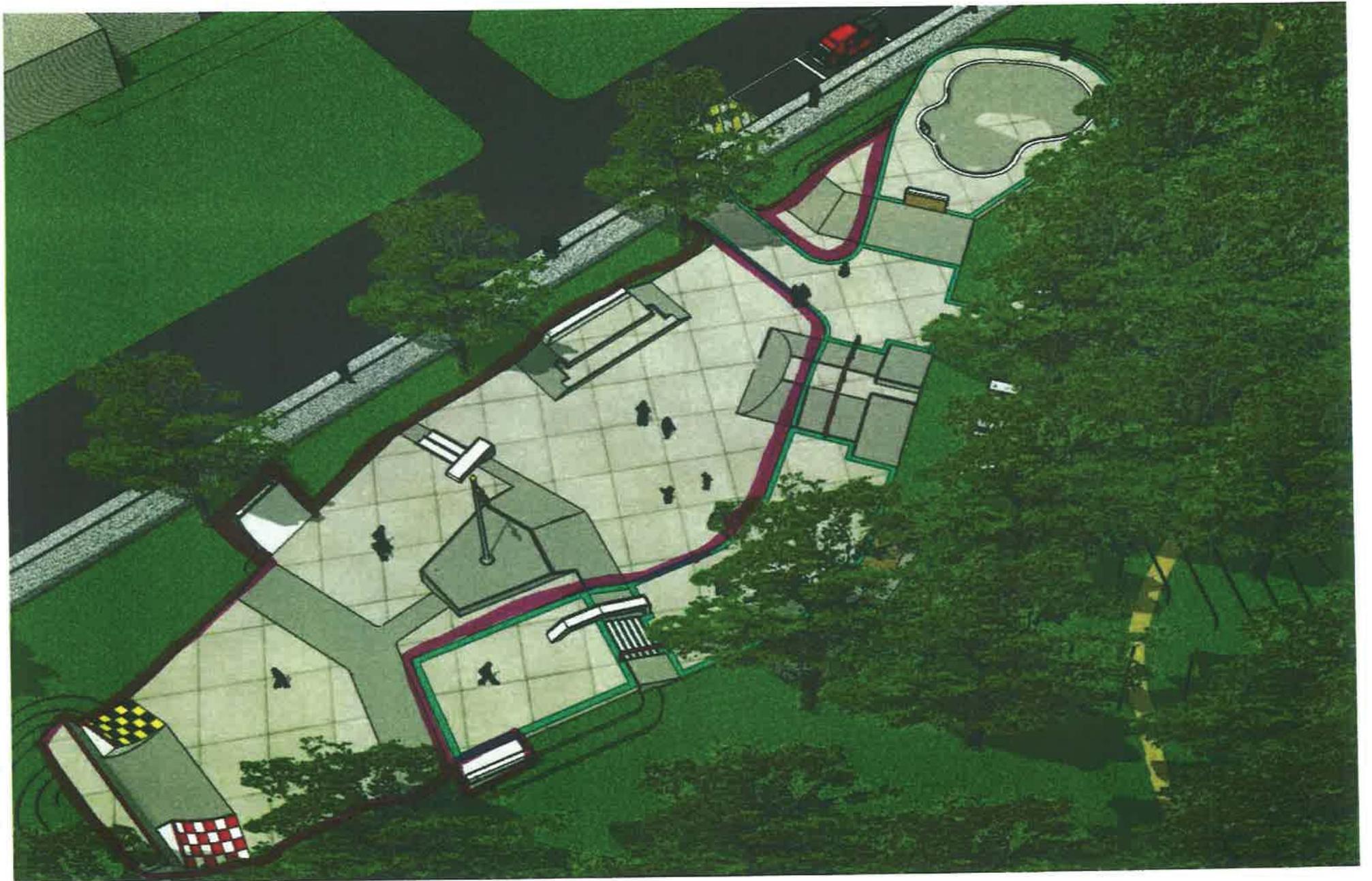


SALISBURY SKATEPARK

SALISBURY, MARYLAND







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RESOLUTION NO. 2532

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND TO APPROVE A MARYLAND DEPARTMENT OF NATURAL RESOURCES, COMMUNITY PARKS & PLAYGROUNDS GRANT APPLICATION FOR FUNDING FOR PHASE 2 OF THE SALISBURY SKATEPARK.

WHEREAS, the Maryland Department of Natural Resources (DNR) has solicited applications from eligible jurisdictions to apply for funding under the Community Parks & Playgrounds (CP&P) Program for Fiscal Year 2017; and

WHEREAS, the City of Salisbury is eligible to apply for CP&P funds from DNR; and

WHEREAS, the Council of the City of Salisbury recognizes the important role that our local parks, playgrounds and recreational areas play in maintaining a healthy, pleasant, attractive environment for the enjoyment of our local residents; and

WHEREAS, the Council wishes to rehabilitate, improve and expand the parks, playgrounds and recreational areas within the City of Salisbury in order to improve the quality of life for all citizens; and

WHEREAS, DNR has awarded a Community Parks & Playgrounds grant in the amount of \$262,000 to the City of Salisbury for the Salisbury Skatepark, Phase 1 (CPP # 5980-22-206).

NOW, THEREFORE, BE IT RESOLVED THAT, the Council of the City of Salisbury, Maryland does hereby authorize the submission of an application to the Maryland Department of Natural Resources for Community Parks & Playgrounds (CP&P) funds to forward the City's recreational initiatives. This will be accomplished by applying for **\$397,000** in CP&P funds for the Salisbury Skatepark, Phase 2.

BE IT FURTHER RESOLVED THAT, James Ireton, Jr., Mayor, is authorized and empowered to execute any and all documents required for the submission of this grant application.

THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on August 10, 2015, and is to become effective immediately.

Kimberly R. Nichols
CITY CLERK

Jacob R. Day
COUNCIL PRESIDENT

APPROVED BY ME THIS

_____ day of August, 2015

James Ireton, Jr.
Mayor

AS AMENDED ON JULY 28, 2015
ORDINANCE NO. 2346

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT OF THE FY 2015 GENERAL FUND BUDGET TO APPROPRIATE ADDITIONAL FUNDING FOR LOCAL GOVERNMENT INSURANCE TRUST.

WHEREAS, the City Local Government Insurance Trust has informed the City that additional funds are needed for an insurance related expenditures; and

WHEREAS, the City's FY 2015 budget does not contain an appropriation sufficient to cover this expenditure.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND THAT THE City's Fiscal Year 2015 General Fund Budget be and hereby is amended as follows:

- 1) Increase Current Surplus Available (01000- 469810) by \$41,250
- 2) Increase Debt Services and Other Uses Budget by \$41,250

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this 27 day of July 2015, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the ____ day of _____, 2015.

ATTEST:

Kimberly R. Nichols, City Clerk

Jacob R. Day, President
Salisbury City Council

APPROVED BY ME THIS ____ day of _____, 2015.

James Ireton, Jr., Mayor

As Amended on July 27, 2015
ORDINANCE No. 2347

AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND AMENDING TITLE 12, STREETS, SIDEWALKS AND PUBLIC PLACES, CHAPTER 12.24 WICOMICO RIVER REGULATIONS, OF THE CITY CODE BY ADDING SECTIONS 12.24.040 AND 12.24.050 FOR THE PURPOSE OF ESTABLISHING CRITERIA FOR RIVER ACCESS AND STANDARDS FOR RIVERWALK CONSTRUCTION UNDER THE DIRECTION AND SUPERVISION OF THE PUBLIC WORKS DEPARTMENT.

WHEREAS, the City maintains a Riverwalk along the Wicomico River and the South Prong of the Wicomico River from west of the Marina to State Route 13 on both sides of the waterway; and

WHEREAS, the Riverwalk allows for public access to the River in the City of Salisbury; and

WHEREAS, the Riverwalk is not continuous along the Wicomico River and the South Prong; and

WHEREAS, to provide the public with access to the River, properties that develop along the River in the area designated on the attached exhibit which are in the Riverfront Redevelopment District, the Central Business District and/or the General Commercial Zoning District shall be required to construct the Riverwalk to the City Standards in conjunction with constructing other improvements on the property; and

WHEREAS, the design, permitting and construction and all associated costs of developing the Riverwalk shall be the responsibility of the property owner; and

WHEREAS, an easement for the Riverwalk shall be provided to the City of Salisbury by the property owner, and

WHEREAS, the City of Salisbury will be responsible for future maintenance and improvements to the Riverwalk once constructed and deeded to the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND that Chapter 12.24 be amended by the addition of Sections 12.24.040 and 12.24.050 as set forth herein:

12.24.040 Public access to the Wicomico River.

All persons owning property within the corporate limits of the city adjacent to and binding upon the Wicomico River, the North Prong and the South Prong shall provide public access to the Wicomico River as illustrated on the attached exhibit. Along the Wicomico River, the properties included are in the Riverfront Redevelopment District and the Central Business District terminating at the west end at Wicomico Street and Parcel 1109, Map 0106. Along the North Prong, the properties included are in the Riverfront Redevelopment District and the Central Business District. Along the South Prong, the properties included are in the Central Business District and the General Commercial District. During land development or redevelopment of a property located in the aforementioned locations along the Wicomico River, the North Prong and the South Prong of the Wicomico River, the property owner shall be responsible for design, permitting and construction of the Riverwalk to meet the City Construction Standards.

52 12.24.050 **Riverwalk Construction Standards.**

53

54 Pursuant to the City Code for the Chesapeake Bay Critical Area Natural Resources Program Section
55 12.20.500 Item D, the Riverwalk shall be eight (8) feet wide with a ten (10) foot wide vegetated buffer.
56 The property owner shall provide an easement to the City to allow for maintenance and access. The
57 easement shall include at a minimum the entire width of the constructed Riverwalk. The specific
58 materials of construction are defined in the City Construction Standards. The Riverwalk shall include a
59 railing and shall accommodate handicap accessibility. Per the City Construction Standards, the
60 Riverwalk shall include benches, trash receptacles and lighting.

61

62

63 BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon passage and shall
64 apply to any properties that submit/apply for development or redevelopment after the date of passage.

65

66 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on
67 the 27 day of July, 2015, and thereafter, a statement of the substance of the Ordinance
68 having been published as required by law, was finally passed by the Council on the ___ day of _____,
69 2015.

70

71

72 ATTEST

73

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75 _____
Kimberly R. Nichols, City Clerk

Jacob R. Day, President
Salisbury City Council

76

77

78 Approved by me this ___ day of _____, 2015

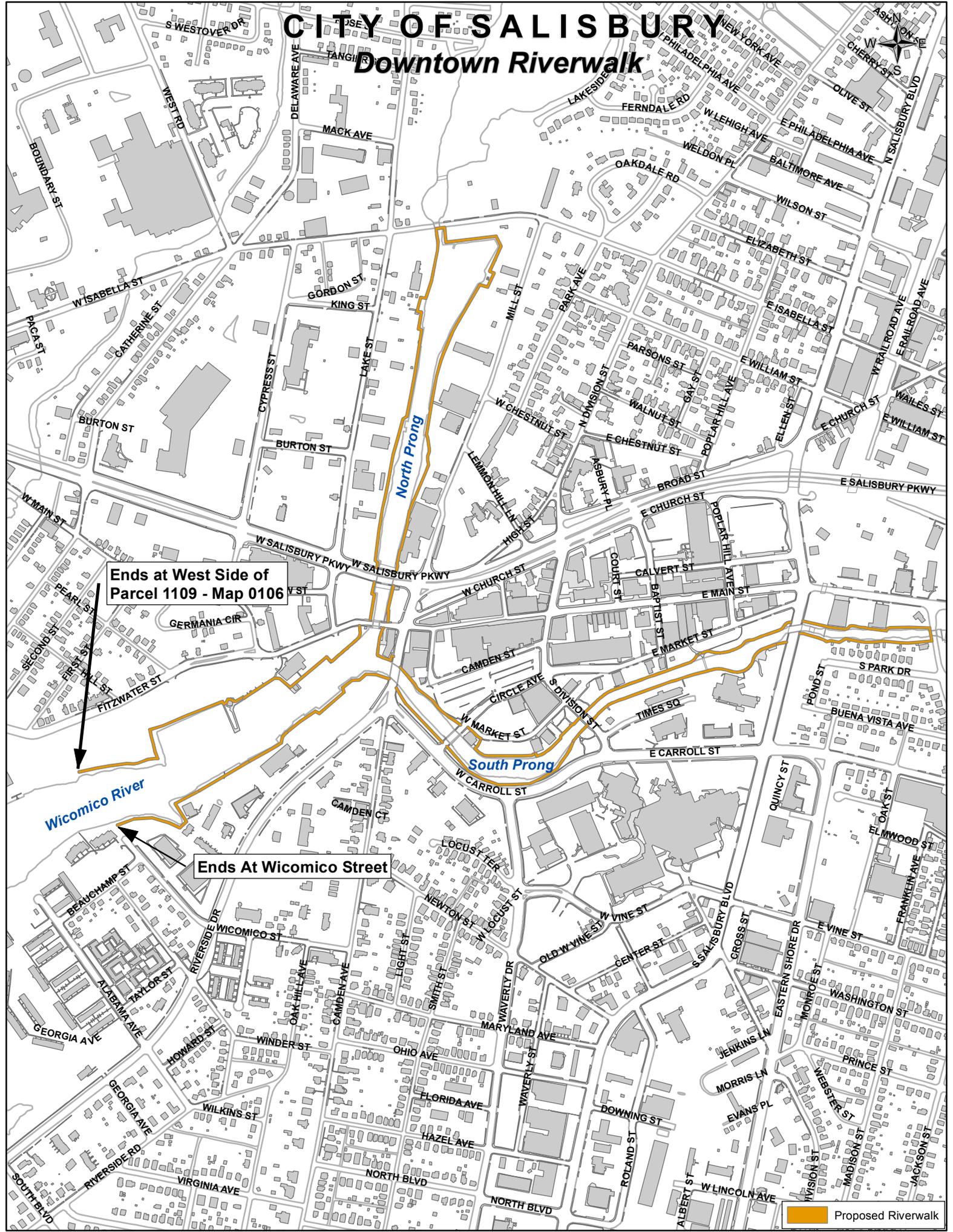
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81 _____
James Ireton, Jr. Mayor

CITY OF SALISBURY

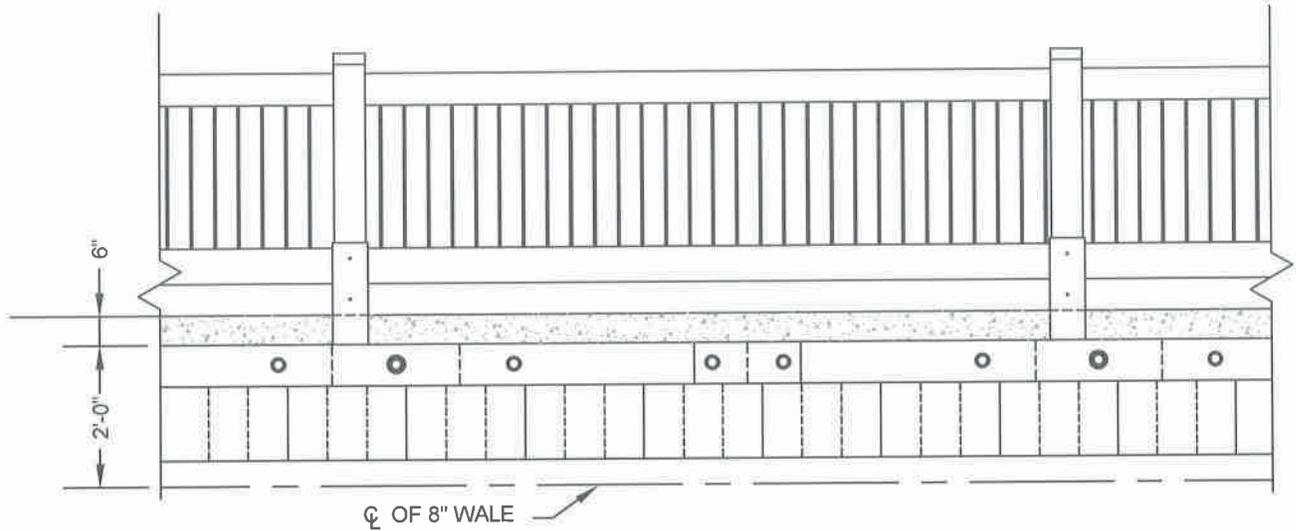
Downtown Riverwalk



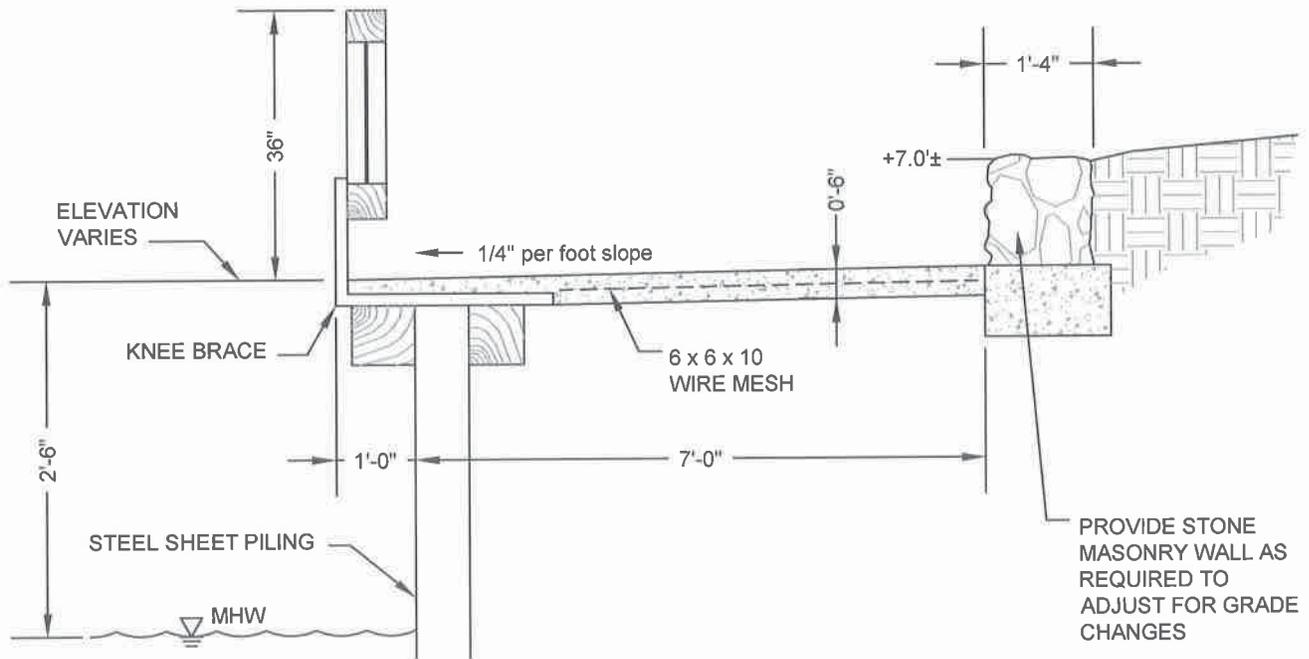
Ends at West Side of Parcel 1109 - Map 0106

Ends At Wicomico Street

Proposed Riverwalk



ELEVATION



CROSS SECTION

NOTES:

1. RIVERWALK SURFACE SHALL BE STAMPED, COLORED CONCRETE. THE SURFACE SHALL HAVE A FORMED WOOD GRAIN TEXTURE AND THE CONCRETE SHALL BE COLORED GRAY. THE WOOD GRAIN PATTERN SHALL AS BE CLASSIC WOOD TEXTURE MAT, FM-8700 S/O MANUFACTURED BY BRICKFORM, SOLOMON COLORS, INC. OR APPROVED EQUIVALENT
2. BENCHES AND TRASH RECEPTACLES SHALL BE PLACED AT A MAXIMUM OF EVERY 200 FEET ALONG THE LENGTH OF THE RIVERWALK. AT A MINIMUM, EACH PROPERTY SHOULD HAVE ONE BENCH AND ONE TRASH RECEPTACLE. BENCHES AND TRASH RECEPTACLE SHALL MEET THE CITY STANDARDS.
3. LIGHTING SHALL BE PROVIDED PER CITY STANDARD 600.01.

CITY OF SALISBURY SALISBURY, MD	APPROVED	RIVERWALK	DATE 6/18/15
	_____		SCALE NONE
	DATE		DWG. NO. STD60012
	CITY ENGINEER		STD. NO. 600.12

AS AMENDED ON JULY 27, 2015
ORDINANCE NO. 2348

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND
CHAPTER 15.22.040(B) OF THE SALISBURY MUNICIPAL CODE TO
CHANGE THE REGISTRATION BILLING DATE FOR VACANT
BUILDINGS LOCATED IN THE CITY.

WHEREAS, it has come to the attention of the Mayor and Council that there is a
need to amend the billing date for the registration of vacant buildings from January of each
year until June of each year; and

WHEREAS, the City desires to amend the billing date to assist in the
administrative ~~procedures~~ procedural requirements of the vacant buildings registry.

NOW, THEREFORE, be it enacted and ordained by the City of Salisbury, in regular
session that Chapter 15.22.040(B) of the Salisbury Municipal Code be Amended as follows:

15.22.040 Vacant Building Registration

B. Registration. Each such owner of a vacant building shall file a registration
form with the ~~d~~Department of ~~n~~Neighborhood ~~s~~Services
and ~~e~~Code ~~e~~Compliance. The registration form shall include the street address
of each such vacant building, the names and addresses of all owners, as
hereinafter described, and any other information deemed necessary by the
director. The registration fee(s) as required by subsection C of this section
shall be billed by the ~~d~~Department of ~~n~~Neighborhood ~~s~~Services
and ~~e~~Code ~~e~~Compliance and shall be paid by ~~January~~ June 1st of each year.

1. If the owner is a corporation, the registration statement shall provide
the names and residence addresses of all officers and directors of the
corporation;
2. If the owner is an estate, the registration shall provide the name and
business address of the personal representative of the estate;
3. If the owner is a trust, the registration shall provide the names and
address of all trustees, grantors and beneficiaries;

1 **ORDINANCE NO. 2349**

2
3
4 AN ORDINANCE of the City of Salisbury amending Section 1.16.100 C
5 to increase the amount of fines contained therein.

6
7 **WHEREAS**, current Section 1.16.100 C outlines the penalties for violating certain
8 codes; and

9
10 **WHEREAS**, the dollar amounts of said fines are insufficient to compel adherence to the
11 various codes referred to; and

12
13 **WHEREAS**, the increase in fine amounts will be consistent with the State of Maryland
14 penalties and fine amounts;

15
16 **NOW, THEREFORE**, be it enacted and ordained by the Council of the City of
17 Salisbury, Maryland, that Chapter 1.16.100 C, be amended as follows:

18
19
20 **1.16.100 C.**

21 The violations of the following codes and ordinances are declared to be an infraction, and
22 the penalty for such violation shall not exceed ~~two hundred fifty dollars (\$250.00)~~ five
23 hundred dollars (\$500.00) for each initial offense and shall not exceed ~~five hundred dollars~~
24 ~~(\$500.00)~~ one thousand dollars (\$1,000.00) for each repeat offense, and each day the
25 violation continues shall constitute a separate offense:

- 26
27 1. International Building Code (2015) (IBC);
28 2. International Residential Code (2015) (IRC);
29 3. International Energy Conservation Code (2015) (IECC);
30 4. International Mechanical Code (2015) (IMC);
31 5. International Plumbing Code (2015) (IPC);
32 6. International Fuel Gas Code (2015) (IFGC); and
33 7. International Existing Building Code (2015) (IEBC).
34

35
36 AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY OF SALISBURY,
37 MARYLAND, that the Ordinance shall take effect upon final passage.

38
39 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of
40 Salisbury held on the 27 day of July, 2015 and thereafter, a statement of the substance of the
41 ordinance having been published as required by law, in the meantime, was finally passed by the
42 Council on the ___ day of _____, 2015.

43 ATTEST:

44

45

46 _____
47 Kimberly R. Nichols, City Clerk

Jacob R. Day, City Council President

47

48

49

50 Approved by me, this _____ day of _____, 2015.

51

52

53

54 _____
55 James Ireton, Jr.,

56 Mayor

56

57

1 **AS AMENDED ON JULY 27, 2015**
2 **ORDINANCE NO. 2350**
3
4

5 AN ORDINANCE OF THE CITY OF SALISBURY AMENDING SECTION
6 8.20 NOISE, OF THE SALISBURY MUNICIPAL CODE.
7

8 **WHEREAS**, the City has consistently defined weekday to be Monday through Saturday;
9 and
10

11 **WHEREAS**, confusion has arisen among the public and demands have been made that
12 the City prohibit construction on Saturday; and
13

14 **WHEREAS**, the City does not wish to prohibit construction on Saturday, but wishes to
15 regulate time of day on both Saturday and Sunday when construction activities may occur
16 without being in violation of this ordinance.
17

18 **NOW, THEREFORE**, be it enacted and ordained by the Council of the City of
19 Salisbury, Maryland, that Chapter 8.20 be amended, as follows:
20

21 **Chapter 8.20 – NOISE**
22

23 **8.20.010 - Unreasonably loud noises prohibited.**
24

25 A. It shall be unlawful for any person to make, continue or cause to be made or continued
26 any unreasonably loud noise or any noise which either annoys, disturbs, injures or
27 endangers the comfort, repose, health, peace or safety of others, within the corporate
28 limits of the city of Salisbury.
29

30 B. It shall be unlawful for any person to knowingly permit the making, creation or
31 maintenance of unreasonably loud noises upon any premises owned or possessed by
32 him or under his control.

33 **8.20.020 - Prohibited noises enumerated.**

34 The following acts, among others, are hereby declared to be unreasonably loud noises, in
35 violation of this chapter:

- 36 A. Horns, Signaling Devices, etc. The sounding of any horn or signaling device on any
37 automobile, motorcycle or other vehicle on any street or other public place of the city,
38 except as a danger warning; the creation by means of any such signaling device of any
39 unreasonably loud or harsh sound; the sounding of any such device for an unnecessary
40 and unreasonable period of time; the use of any signaling device except one operated by
41 hand or electricity; the use of any horn, whistle or other device operated by engine
42 exhaust; and the use of any such signaling device when traffic is for any reason held up.
43

44 B. Radios, Phonographs, etc.

45 1. The using, operating or permitting to be played, used or operated any radio receiving
46 set, musical instrument, phonograph or other machine or device for the producing or
47 reproducing of sound in such manner as to disturb the peace, quiet and comfort of
48 the neighboring inhabitants or at any time with louder volume than is necessary for
49 convenient hearing for the persons who are in the room, vehicle or chamber in
50 which such machine or device is operated and who are voluntary listeners thereto;
51 the operation of any such set, instrument, phonograph, machine or device between
52 the hours of eleven p.m. and seven a.m. in such a manner as to be plainly audible at
53 a distance of fifty (50) feet from the building, structure or vehicle in which it is
54 located shall be prima facie evidence of a violation.

55

56 2. The using, operating or permitting to be played, used or operated any radio receiving
57 set, musical instrument, phonograph or other machine or device for the producing or
58 reproducing of sound on any street or other public ways in such a manner as is
59 unreasonably loud so as to disturb the peace, quiet and comfort of other persons or at
60 a louder volume than is necessary for convenient hearing of the individual carrying
61 the instrument, machine or device, or those individuals immediately adjacent thereto
62 and who are voluntary listeners thereto.

63

64 C. Loudspeakers or Amplifiers for Advertising.

65 The using, operating or permitting to be played, used or operated of any radio receiving
66 set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or
67 device for the producing or reproducing of sound which is cast upon the public streets for
68 the purpose of commercial advertising or attracting the attention of the public to any
69 building or structure, except as provided in Sections 8.20.030 through 8.20.120 of this
70 chapter.

71

72 D. Yelling, Shouting, etc.

73 1. Yelling, shouting, hooting, whistling or singing on the public streets or public areas,
74 or from private property in such a manner as to be plainly audible at a distance of
75 fifty (50) feet from the public street, public area, or private property from which
76 the noise emanates, between the hours of eleven p.m. and seven a.m.

77

78 2. Yelling, shouting, hooting, whistling or singing on the public streets or public areas
79 or from private property, between the hours of eleven p.m. and seven a.m. or at any
80 time or place so as to annoy or disturb the quiet, comfort or repose of persons in any
81 office or in any dwelling, hotel or other type of residence or of any persons in the
82 vicinity, after having been warned to quiet or cease such noisemaking.

83

84 E. Animals or Birds.

85 The keeping of any animal or bird which, by causing frequent or long-continued noise,
86 shall disturb the comfort or repose of any persons in the vicinity.

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F. Exhausts.

The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motorboat or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

G. Motor Vehicles.

1. The use of any automobile, motorcycle or vehicle so out of repair, so loaded or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.
2. The making of frequent, repetitive sounds from engines or motor vehicles between the hours of six p.m. and seven a.m. so as to annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel or other type of residence or of any persons in the vicinity after having been warned to quiet or cease such noisemaking.

H. Loading or Unloading Operations; Opening of Boxes.

1. The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.
2. The loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates and containers on any commercial property located within one hundred (100) yards of a residential structure between the hours of eleven p.m. and seven a.m.

I. Construction or Repairing of Buildings.

The erection (including excavation), demolition, alteration or repair of any building other than between the hours of seven a.m. and six p.m. on ~~weekdays, Monday through Friday, between the hours of nine a.m. and six p.m. on Saturday, and between the hours of twelve p.m. and six p.m. on Sunday,~~ except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the department of ~~building, permitting and inspections neighborhood services and code compliance~~ which permit may be granted for a period not to exceed three days ~~or less~~ while the emergency continues and which permit may be renewed for periods of three days or less while the emergency continues. If the department of ~~building, permitting and inspections neighborhood services and code compliance~~ should determine that the public health and safety will not be impaired by the erection, excavation, demolition, alteration or repair of any building ~~within the hours of six p.m. and seven a.m. at times other than the hours set forth herein,~~ and if ~~he it~~ shall further determine that loss or inconvenience would result to any party in interest, ~~he the department~~ may grant permission for such work to be done ~~within during~~ the hours ~~when it is otherwise prohibited of six p.m. and seven a.m.,~~ upon application being made at the time that the permit for work is awarded or during the progress of the work.

132 J. Schools, Courts, Churches or Hospitals.
133 The creation of any excessive noise on any street adjacent to any school, institution of
134 learning, church or court while the same are in use or adjacent to any hospital which
135 unreasonably interferes with the workings of such institution or which disturbs or unduly
136 annoys patients in the hospital, provided that conspicuous signs are displayed in such
137 streets indicating that the same is a school, hospital or court street.

138
139 K. Blowers.
140 The operation of any noise-creating blower or power fan or any internal combustion
141 engine, the operation of which causes noise due to the explosion of operating gases or
142 fluids between the hours of eleven p.m. and seven a.m., unless the noise from such
143 blower or fan is muffled, and such engine is equipped with a muffler device sufficient to
144 deaden such noise.

145
146 L. Trash Collection.
147 The collection of trash from commercial property, excluding an apartment complex,
148 located within one hundred (100) yards of a residential structure between eleven p.m. and
149 seven a.m.

150

151 **8.20.030 - Definitions.**

152 For the purposes of this chapter, the following words and phrases shall have the meanings
153 respectively ascribed to them by this section:

154 "Sound-amplifying equipment" means any machine or device for the amplification of the
155 human voice, music or any other sound and shall not be construed to include standard
156 automobile radios when used and heard only by occupants of the vehicle in which installed or
157 warning devices on authorized emergency vehicles or horns or other warning devices on other
158 vehicles used only for traffic safety purposes.

159 "Sound truck" means any ~~motor vehicle or horse-drawn~~ vehicle having mounted thereon or
160 attached thereto any sound-amplifying equipment.

161

162 **8.20.040 - Registration statement required for noncommercial use.**

163 No person shall use or cause to be used a sound truck with its sound-amplifying equipment in
164 operation for noncommercial purposes in the city without filing a registration statement in
165 writing with the city clerk.

166 **8.20.050 - Form and contents of registration statement.**

167 A. A registration statement, as referred to in Section 8.20.040 of this chapter, shall be filed
168 in duplicate and shall state the following:

- 169 1. The name and home address of the applicant;
- 170 2. The address of place of business of the applicant;
- 171 3. The license number and motor number of the sound truck to be used by
- 172 the applicant;
- 173 4. The name and address of the person who owns the sound truck;
- 174 5. The name and address of the person having direct charge of the sound truck;
- 175 6. The names and addresses of all persons who will use or operate the sound
- 176 truck;
- 177 7. The purpose for which the sound truck will be used;
- 178 8. A general statement as to the section of the city in which the sound truck will
- 179 be used;
- 180 9. The proposed hours of operation of the sound truck;
- 181 10. The number of days of proposed operation of the sound truck;
- 182 11. A general description of the sound-amplifying equipment which is to be used;
- 183 12. The maximum sound-producing power of the sound-amplifying equipment to
- 184 be used in or on the sound truck.

- 185
- 186 B. The registration statement shall include the following:
- 187 1. The wattage to be used;
 - 188 2. The volume in decibels of the sound which will be produced;
 - 189 3. The approximate maximum distance for which sound will be thrown from the
 - 190 sound truck.

191 **8.20.060 - Time limit for amending registration statement after filing.**

192 All persons using, or causing to be used, sound trucks for noncommercial purposes, shall amend
193 any registration statement filed pursuant to Section 8.20.040 of this chapter within forty-eight
194 (48) hours after any change in the information therein furnished.

195

196 **8.20.070 - Regulations for noncommercial use.**

197 Noncommercial use of sound trucks in the city with sound-amplifying equipment in operation
198 shall be subject to the following regulations:

- 199 A. The only sounds permitted are music or human speech.
- 200
- 201 B. Operations are permitted for four hours each day, except on Sundays and legal holidays
- 202 when no operations shall be authorized. The permitted four hours of operation shall be
- 203 between the hours of eleven-thirty a.m. and one-thirty p.m. and between the hours of
- 204 four-thirty p.m. and six-thirty p.m.

205

- 206 C. Sound-amplifying equipment shall not be operated unless the sound truck upon which
207 such equipment is mounted is operated at a speed of at least ten miles per hour except
208 when such truck is stopped or impeded by traffic. When stopped by traffic, the sound-
209 amplifying equipment shall not be operated for longer than one minute at each such stop.
210
- 211 D. Sound shall not be issued within one hundred (100) yards of hospitals, schools, churches
212 or courthouses.
213
- 214 E. The human speech and music amplified shall not be profane, lewd, indecent or
215 slanderous.
216
- 217 F. The volume of sound shall be controlled so that it will not be audible for a distance in
218 excess of one hundred (100) feet from the sound truck and so that such volume is not
219 unreasonably loud, raucous, jarring, disturbing or a nuisance to persons within the area of
220 audibility.
221
- 222 G. No sound-amplifying equipment shall be operated with an excess of fifteen (15) watts of
223 power in the last stage of amplification.
224

225 **8.20.080 - License required for commercial use.**

226 No person shall operate, or cause to be operated, any sound truck in the city for commercial
227 advertising purposes with sound-amplifying equipment in operation unless a license therefor has
228 been obtained from the city clerk. The fee for such license shall be one dollar (\$1.00), or as
229 subsequently set by Council.

230

231 **8.20.090 - Application for license—Contents.**

232 A person applying for a license, as required under Section 8.20.080 of this chapter, shall file with
233 the city clerk an application in writing giving in such application the information required in the
234 registration statement under Section 8.20.050 of this chapter.

235 **8.20.100 - Possession and display of license.**

236 A licensee under this chapter shall keep his license in his possession in the sound truck during
237 the time the sound truck's sound-amplifying equipment is in operation. Such license shall be
238 promptly displayed and shown to any policeman of the city upon request.

239 **8.20.110 - Issuance of license.**

240 The City Clerk shall issue a license, as required under Section 8.20.080 of this chapter, upon
241 payment of the required license fee unless the application required in Section 8.20.090 indicates

242 that the applicant would be in violation of the regulations prescribed in Section 8.20.120 or some
243 other provision of this chapter or other ordinance of the city.

244

245 **8.20.120 - Noncommercial regulations applicable to commercial use.**

246 No person shall operate, or cause to be operated, any sound truck for commercial sound-
247 advertising purposes in violation of the regulations set forth in Section 8.20.070 of this chapter.

248

249 **8.20.130 - Violation.**

250 Any violation of this chapter shall be punishable as a misdemeanor.

251

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

254

255 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of
256 Salisbury held on the 27 day of July, 2015 and thereafter, a statement of the substance of the
257 ordinance having been published as required by law, in the meantime, was finally passed by the
258 Council on the ___ day of _____, 2015, and shall take effect

259 _____.

260

261

262 ATTEST:

263

264

265 _____
266 Kimberly R. Nichols, City Clerk

265 _____
266 Jacob R. Day, City Council President

267

268

269

269 Approved by me, this _____ day of _____, 2015.

270

271

272

273 _____
274 James Ireton, Jr.,

274 Mayor

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276

37 “Noise”. The intensity, frequency, duration and character of sound, including sound and
38 vibration of subaudible frequencies.

39 “Person”. Any individual, group of individuals, lessee, lessor, guest, licensee, firm,
40 partnership, voluntary association or private or public corporation (but not the Mayor and
41 City Council of the City of Salisbury) responsible for the use of the property.

42 “Sound Level”. In decibels, the weighted sound pressure level measured by the use of a
43 sound level meter satisfying the requirements of ANSI SI.4, 1971, Specifications for Sound
44 Level Meters. “Sound level” and “noise level” are synonymous.

45 “Sound level meter”. An instrument meeting ANSI SI.4, 1974 Specification for Sound
46 Level Meters, comprising a microphone, an amplifier, an output meter and frequency
47 weighting network or networks, that is used for the measurement of sound pressure levels in
48 a specified manner.

49 “Sound pressure”. Minute fluctuations in atmospheric pressure which accompany the
50 passage of a sound wave.

51 “Sound pressure level”. In decibels, 20 times the logarithm to the base of 10 of the ratio of
52 a sound pressure to the reference sound pressure of 20 micropascals (20 micronewtons per
53 square meter). In the absence of any modifier, the level is to be that of a root-mean-square
54 pressure.

55 “Source”. Any person or property, real or personal, contributing to the noise.

56

57 **17.184.020 - Policy.**

58 It is hereby declared to be the policy of the Mayor and City Council of the City of
59 Salisbury, Maryland, to prohibit and prevent excessive noise as herein defined, for the
60 purpose of securing and promoting public health, comfort, convenience, safety, welfare,
61 and peace and quiet in residentially zoned districts.

62

63 **17.184.020 ~~30~~ - General standards.**

64 A.

65 The following sound levels represent the general standards prescribed by the Maryland
66 Department of Health and Mental Hygiene for the state of Maryland by general zoning
67 districts under the Environmental Noise Act of 1974:

68

69 **TABLE 1**

70 **Environmental Noise Standards**

Zoning District	Level (dBA)	Measure
Industrial	70	L _{eg} (24)
Commercial	64	L _{dn}
Residential	55	L _{dn}

71

72 B.

73 For the purpose of this chapter, property which is not zoned residential, commercial or
 74 industrial shall be classified according to use as follows:

75

- 76 1. "Commercial" means property used for buying and selling goods and services.
- 77 2. "Industrial" means property used for manufacturing and storing goods.
- 78 3. "Residential" means property used for dwellings.

79

80 **17.184.030-40- Prohibitions of Noise and Vibration—~~Exceptions~~—Exemptions.**

81 **A. Noise and Vibration**

82 **In addition to the noise restrictions of Chapter 8.20 of this Code,**

- 83 **1.** A person may not cause or permit noise levels which exceed those specified in
 84 the following table 2, except as provided under subsection (A (2) or
 85 (3)B), ~~exceptions~~, and (B)C), ~~exemptions~~, of this section:

86 **TABLE 2**

87 **Maximum Allowable Noise Levels by Zoning Category**

Effective Date	Day / Night	Industrial (dBA)	Commercial (dBA)	Residential (dBA)
January 1, 1980	Day	75	67	65

Effective Date	Day / Night	Industrial (dBA)	Commercial (dBA)	Residential (dBA)
January 1, 1980	Night	75	62	55

88

89 ~~B.~~ Exceptions.

90 ~~1.2.~~ A person may not cause or permit noise levels emanating from construction or
 91 demolition site activities which exceed:

- 92 a. Ninety (90) dBA during daytime hours;
- 93 b. The levels specified in Table 2 during nighttime hours.

94

95 ~~2.3.~~ A person may not cause or permit the emission of prominent discrete tones and
 96 periodic noises which exceed a level which is five dBA lower than the applicable
 97 level listed in Table 2.

98

99 ~~3.4.~~ A person may not cause or permit beyond the property line of a source, vibration of
 100 sufficient intensity to cause another person to be aware of the vibration by such
 101 direct means as sensation of touch or visual observation of moving objects. The
 102 observer shall be located at the property line of the receiving property when vibration
 103 determinations are made.

104

105 ~~C.B.~~ Exemptions.

106 1. The provisions of this chapter ~~may shall~~ not apply to devices used pursuant to legal
 107 authorization solely for the purpose of warning, protecting or alerting the public, or some
 108 segment thereof, of the existence of an emergency situation.

109

110 2. The provisions of this chapter ~~may do~~ not apply to the following:

111

112 a. Household tools and portable appliances in normal usage;

113

114 b. Lawn care and snow removal equipment (daytime only) when used and
 115 maintained in accordance with the manufacturer's specifications;

116

117 c. Agricultural field machinery when used and maintained in accordance with
 118 manufacturer's specifications;

119

120 d. Blasting operations for demolition, construction and mining or quarrying
 121 (daytime only);

122

- 123 e. Motor vehicles on public roads;
124
- 125 f. Aircraft and related airport operations at airports licensed by the state aviation
126 administration;
127
- 128 g. Boats on state waters or motor vehicles on state lands under the jurisdiction of
129 the department of motor vehicles;
130
- 131 h. Emergency operations, including utility operations;
132
- 133 i. Pile-driving equipment during the ~~daytime~~ hours of eight a.m. to five p.m.;
134
- 135 j. Sound not electronically amplified created by sporting, amusement and
136 entertainment events and other public gatherings operating according to terms
137 and conditions of appropriate local jurisdictional body. This includes, but is not
138 limited to, athletic contests, amusement parks, carnivals, fairgrounds,
139 sanctioned auto racing facilities, parades and public celebrations. This
140 exemption only applies between the hours of seven a.m. and twelve midnight;
141
- 142 k. Rapid-rail transit vehicles and railroads
143
- 144 l. Construction and repair work on public property;
145
- 146 m. Air-conditioning or heat pump equipment used to cool or heat housing on
147 residential property. For such equipment, a person may not cause or
148 permit noise levels which exceed seventy (70) dBA for air-conditioning
149 equipment and seventy-five (75) dBA for heat pump equipment at receiving
150 residential property;
151
- 152 o. Operations by, or sanctioned by, the proper authorities (City of Salisbury, county
153 state or federal) for the protection of persons or property where imminent physical
154 trauma or property damage demands immediate action;
155
- 156 p. Operations by City of Salisbury departments;
157
- 158 q. Operations of municipally owned and/or operated equipment used in the cleaning
159 or preservation of those portions of the Wicomico River and its tributaries within
160 the corporate boundaries of the City of Salisbury;
161
- 162 r. Mechanical and construction noise except as permitted by the department of
163 building, permitting and inspections;
164

165 s. Any activity causing noise if a variance for such activity and the noise
166 resulting therefrom has been obtained from the environmental health
167 administration of the Maryland Department of Health and Mental Hygiene or is
168 being processed pursuant to the rules and regulations of that department. This
169 exemption shall apply only to the extent of any such variance so granted or being
170 processed.

171
172

173 **17.184.040-50- Variance, enforcement and appeal.**

174 Procedures for variance, enforcement and appeal of the environmental noise standards are
175 prescribed by the state law and set forth in ~~Sections .03, General Regulations, and .05, Penalties,~~
176 ~~of Subtitle 20, Noise Pollution, Chapter 01, COMAR Title 26.02.03~~ Control of Noise Pollution.

177

178 **17.184.060 – Measurement of noise levels.**

179

180 a. The measurement of noise levels shall be conducted at points on the property line
181 of the source if the source is in a residential zoning district, or farther away, or on
182 the boundary of a zoning district if the source emanates from property in a
183 nonresidential zoning district, or farther away, or may be made on the premises of
184 any property in a residentially zoned district reached by the sound waves from the
185 noise emanating from the source.

186

187 b. Measurement equipment shall be sound level meters complying with ANSI SI.4,
188 1971, Specification for Sound Level Meters, of at least type 2 quality and
189 sensitivity, comprising a microphone, amplifier, output meter and frequency
190 weighting network(s).

191

192 c. Measurement equipment operators shall be members of the Salisbury City Police
193 Department and or Salisbury City Neighborhood Services and Code Compliance
194 who have been properly trained in the operation of sound level meters.

195

196

197 **17.184.070 – Severability.**

198

199 If any phrase, sentence, paragraph, subsection or section or any part of a section of this
200 Article or Chapter is held invalid by a court of competent jurisdiction, this holding shall
201 not affect the remainder of this section or the context in which such section or part of a
202 section so held invalid appears, except to the extent that an entire section or part of a

203 section may be inseparably connected in the meaning and effect with the section or part
204 of a section to which such holding shall directly apply. It is expressly hereby stated by
205 the Mayor and City Council of the City of Salisbury, Maryland, that it is the desire and
206 intention of this body that all portions of this section be severable from every other
207 portion.

208

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

211

212 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of
213 Salisbury held on the 27 day of July, 2015 and thereafter, a statement of the substance of the
214 ordinance having been published as required by law, in the meantime, was finally passed by the
215 Council on the ___ day of _____, 2015, and shall take effect
216 _____.

217

218

219 ATTEST:

220

221

222 _____
223 Kimberly R. Nichols, City Clerk

222 _____
223 Jacob R. Day, City Council President

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227 Approved by me, this _____ day of _____, 2015.

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231 James Ireton, Jr.,
232 Mayor

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235

City of Salisbury



JAMES IRETON JR.
MAYOR
TOM STEVENSON
CITY ADMINISTRATOR



Maryland
699 W. SALISBURY PARKWAY
SALISBURY, MD 21801
TEL: 410-548-3165



BARBARA DUNCAN
CHIEF OF POLICE

July 14, 2015

TO: Tom Stevenson
City Administrator

FROM: Colonel David Meienschein

SUBJECT: Urban Chicken Ordinance

Attached is an ordinance of the City of Salisbury amending title 6, animals, of the Salisbury City Code to add definitions related to chicken keeping and enacting chapter 6.05 to authorize the keeping of chickens, subject to certain regulations.

Unless you or the Mayor has further questions, please forward this Ordinance to the Salisbury City Council.

A handwritten signature in black ink, appearing to read "David Meienschein".

David Meienschein
Assistant Chief of Police

Attachment: Urban Chicken Ordinance

43 **Chapter 6.05**

44
45 **URBAN CHICKENS**

46
47 Sections:

48 **6.05.010 Definitions**

49 **6.05.020 Purpose**

50 **6.05.030 Unlawful acts**

51 **6.05.040 Number of chickens permitted**

52 **6.05.050 Registration**

53 **6.05.060 Enclosures**

54 **6.05.070 Henhouses**

55 **6.05.080 Odor and noise impacts**

56 **6.05.090 Lighting**

57 **6.05.100 Predator, rodent, insect and parasite reduction**

58 **6.05.110 Feed and water**

59 **6.05.120 Waste storage and removal**

60 **6.05.130 Veterinary care**

61 **6.05.140 Removal of chickens**

62 **6.05.150 Violations and penalties**

63 **6.05.160 Appeals**

64
65 **6.05.010 Definitions.**

66
67 As used in this chapter, the following terms shall have the meanings indicated:

68
69 “Urban chicken” means a hen chicken permitted under this article.

70
71 **6.05.020 Purpose.**

72
73 The purpose of this article is to provide standards for the keeping of domesticated chickens. It is
74 intended to enable residents to keep a small number of chickens while limiting the potential adverse
75 impacts on the surrounding neighborhood. The City recognizes that adverse neighborhood impacts may
76 result from the keeping of domesticated chickens due to noise, odor, unsanitary animal living conditions,
77 unsanitary waste storage and removal, the attraction of predators, rodents, insects, or parasites, and
78 unconfined animals leaving the owner's property. This article is intended to create standards and
79 requirements that ensure that domesticated chickens do not adversely impact the neighborhood
80 surrounding the property on which the chickens are kept.

81
82 **6.05.030 Unlawful acts.**

83
84 A. It shall be unlawful for any person to keep chickens in violation of any provisions of this
85 article or any other provisions of the Salisbury Municipal Code.

86
87 B. It shall be unlawful for any owner, renter, or leaseholder of property to allow chickens to be
88 kept on the property in violation of the provisions of this article or any other provisions of the
89 Salisbury Municipal Code.

90
91 C. No person shall keep chickens inside a dwelling unit.

92
93 D. No person shall keep chickens on a vacant or uninhabited parcel of land.

94
95 E. No person shall raise any animal for fighting.

96
97 **6.05.040 Number of chickens permitted.**

98
99 A. The maximum number of chickens allowed is six (6) per occupied single-family dwelling
100 unit.

101
102 B. No roosters are permitted.

103
104 **6.05.050 Registration.**

105
106 Chickens shall be registered with the State Department of Agriculture, Domestic Poultry and
107 Exotic Bird Registration Division before being housed on an allowed property site.

108
109 **6.05.060 Enclosures.**

110
111 A. Chickens shall be kept in an enclosure or fenced area at all times. During daylight hours,
112 chickens may be allowed outside of their pen in a securely fenced yard if supervised by the
113 owner or responsible person. Chickens shall be secured within the henhouse during non-
114 daylight hours.

115
116 B. Enclosures shall be clean, dry, and odor free, kept in a neat and sanitary condition at all times,
117 in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor
118 or other adverse impacts.

119
120 C. The henhouse and chicken pen shall provide adequate ventilation and adequate sun and
121 shade, and both must be resistant to rodents, wild birds, and predators, including dogs and
122 cats.

123
124 D. Enclosures, henhouses and pens may not be closer than five (5) feet to any residence or
125 property line.

126
127 **6.05.070 Henhouses.**

128
129 A. A henhouse shall provide safe and healthy living conditions for the chickens while
130 minimizing adverse impacts to other residents in the neighborhood.

131
132 B. An enclosed chicken pen shall consist of sturdy wire fencing. Opening windows and vents
133 shall be covered with predator- and bird-proof wire with openings of less than one inch. The
134 pen shall be covered with wire, aviary netting, or solid roofing.

135

- 136 C. The enclosed chicken pen area shall be kept clean to prevent manure-borne pathogens such as
137 coccidia and nematodes.
138
- 139 D. The structure shall be enclosed on all sides and shall have a roof and doors. Access doors
140 shall be equiped to be shut and locked at night.
141
- 142 E. Full sized hens shall be given at least two square feet of personal covered living space and an
143 additional three square feet of yard space in which to move freely about. The square footage
144 may be in any reasonable configuration.
145
- 146 F. The henhouse shall have a well maintained interior and exterior.
147

148 **6.05.080 Odor and noise impacts.**

- 149
- 150 A. Odors from chickens, chicken manure, or other chicken-related substances shall not be
151 perceptible at the property boundaries.
152
- 153 B. Perceptible noise from the chickens shall not be loud enough at the property boundaries to
154 disturb persons of reasonable sensitivity.
155

156 **6.05.090 Lighting.**

157

158 Only motion-activated lighting may be used to light the exterior of the henhouse and the pen.
159

160 **6.05.100 Predator, rodent, insect and parasite reduction.**

161

162 The property owners shall take all necessary action to reduce the attraction of predators and
163 rodents and the potential infestation of insects and parasites.
164

165 **6.05.110 Feed and water.**

166

167 Chickens shall be provided with feed and clean water at all times; such feed and water shall be
168 rodent-proof.
169

170 **6.05.120 Waste storage and removal.**

171

172 Provisions shall be made for the storage and removal of chicken manure. The proper methods for
173 removal of chicken waste are composting or double bagging and placing in tightly covered trash
174 receptacles. All stored manure shall be made rodent-proof by using a fully enclosed structure with a
175 secured roof or lid over the entire structure. All other manure not used for composting or fertilizing shall
176 be removed. The henhouse, chicken pen and surrounding area shall be kept free from trash and
177 accumulated droppings. Uneaten feed shall be removed in a timely manner.
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179 **6.05.130 Veterinary care.**

180

181 All chickens shall be afforded veterinary care if they are known or suspected to be sick or injured.

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6.05.140 Removal of chickens.

- A. Detection of the Avian influenza virus (HPAI), as known as "avian flu" or "bird flu" may result in immediate culling of the flock. Removal of the flock shall be determined by the Maryland Department of Agriculture.
- B. If an order of removal is issued, the violator shall be given 30 days to remove the chickens or any chicken related structures that are in violation. If the City is required to expend resources to remove the chickens or any chicken related structure, the violator shall be responsible for all related removal fees.
- C. Any City enforcement officers in 6.05.150 (A) or inspector in 6.05.140 (A), may order the removal of the chickens upon a determination that the chickens pose a health risk.
- D. If a chicken dies, it shall be disposed of promptly. Carcasses shall be buried on site at a depth not less than two (2) feet, then firmly covered with soil. Bricks, large stones, concrete blocks or other heavy, solid objects shall be placed over the filled hole to discourage digging by dogs or other animals. These may be removed once decomposition is assured. Powdered lime may be spread on the carcass before filling the hole to hasten decomposition and minimize odor. It is illegal to place animal carcasses of any kind in city trash containers.

6.05.150 Violations and penalties.

- A. The Health Inspector, Health Officer, Animal Control Officer or Neighborhood Services & Code Compliance officer may issue violations and fines.
- B. Any person found in violation of any code in this Chapter may be issued a corrective action letter or notice of violation or a municipal infraction. They will be ordered to comply within a reasonable amount of time. If a person has five (5) violations on the same property within a 365-day period, said property will be designated a chronic nuisance property.
- C. Any person who trains or uses a dog, bird, fowl, cock, or any other animal; or who permits same to be trained or used for the purpose of fighting; or who arranges or conducts an animal fight or participates as a spectator of an animal fight shall be subject to a criminal penalty of One Thousand Dollars (\$1,000.00) and/or imprisonment of not less than ninety (90) days but not more than six (6) months. The Court may also impose an order requiring a psychological evaluation of the convicted offender.

6.05.160 Appeals.

A person appealing the issuance of any violations and/or fines by the Permitting Officer may appeal to the Housing Board of Appeals and Adjustments within 21 days of the decision being appealed. (or Apply 15.27.060 from Ordinance no.2265, Chronic Nuisance Property Owners on Appeals)

BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon adoption.

230 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on
231 the ___ day of _____, 2015, and thereafter, a statement of the substance of the Ordinance having
232 been published as required by law, was finally passed by the Council on the ___ day of _____,
233 2015.

234

235 ATTEST:

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237 _____

238 Kimberly R. Nichols, City Clerk

Jacob R. Day, City Council President

239

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241 Approved by me this ___ day of _____, 2015

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244 _____

245 James Ireton, Jr. Mayor

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