

REC'D MAY 12 2005



To: John Pick  
From: William T. Holland *WTH*  
Date: May 12, 2005  
Subj: Municipal Infraction Amendment

Attached is an ordinance amending the structure of issuing municipal infractions under the Property Maintenance Code. Municipal infractions, most commonly referred to as fines or citations, are issued to property owners who fail to comply with written notices regarding housing code violations.

The purpose for this change is to reduce the paper work and time involved in writing municipal infractions. Currently the law requires an inspector to write a twenty five dollars (\$25.00) citation per violation that is not corrected. For example, when an inspector returns to a property which was previously cited for having several violations, either interior or exterior, and none of the violations are corrected, the inspector writes a municipal infraction for each violation. It takes approximately five minutes to complete one citation. Each citation must then be entered into the computer, along with other information for tracking purposes. If the fines are not paid within thirty five (35) days, then all citations are sent to the District Court of Maryland for a trial date. Each citation is sent to the District Court with a "Request for Adjudication." A copy of each request for adjudication is also sent by standard mail to the property and a third copy is put in the inspectors' file.

Under the proposed change inspectors would only be required to write one citation for either "failure to make interior repairs" or "failure to make exterior repairs." Furthermore, by reducing the number of municipal infractions will reduce the time spent in court by inspectors and from the legal department.

Approving these proposed changes will reduce the time spent in court, paper work and assist in the overall efficiency of issuing municipal infractions.

**CITY OF SALISBURY  
ORDINANCE NO. 1943**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SALISBURY TO AMEND SECTION 15.24.160 TO INCREASE FINES FOR INTERIOR AND EXTERIOR CODE VIOLATIONS.

WHEREAS, Section 15.24.160 currently sets forth the penalties for violating Chapter 15.24 - Property Maintenance Code; and

WHEREAS, the dollar amounts of the fines are insufficient to compel adherence to the Property Maintenance Code, and the citation process needs to be simplified by referring only to interior and exterior violations.

NOW, THEREFORE, be it enacted and ordained by the City Council of the City of Salisbury, in regular session, that Section 15.24.160 be amended to read as follows:

Section 15.24.160 Penalty.

A. Any person who shall violate a provision of this code and fail to comply with any written order for interior maintenance or repair shall ~~will~~ be issued a ~~twenty-five dollar (\$25.00)~~ one hundred dollar (\$100.00) citation for the initial ~~each~~ violation(s) ~~for the first day of noncompliance~~ and a ~~fifty dollar (\$50.00)~~ two hundred dollar (\$200.00) citation ~~per violation~~ for each separate day thereafter that the violation(s) continue(s). Each day that a violation continues after due notice has been delivered shall be deemed a separate offense.

B. Any person who shall violate a provision of this code and fail to comply with any written order for exterior maintenance or repair shall be issued a one hundred dollar (\$100.00) citation for the initial violation(s) and a two hundred dollar (\$200.00) citation for each

separate day thereafter that the violation(s) continue(s). Each day that a violation continues after due notice has been delivered shall be deemed a separate offense.

B: C. Exception. See Section 15.24.350. (Ord. 1665 Exh. A (part), 1997)

AND BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that this ordinance shall take effect upon final passage.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the \_\_\_\_ day of \_\_\_\_\_, 2005, and thereafter a statement of the substance of the ordinance having been published as required by law, in the meantime, was finally passed by the Council on the \_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Brenda J. Colegrove, City Clerk

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Michael P. Dunn,  
President of the Council of  
the City of Salisbury

Approved by me, this \_\_\_\_\_  
day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Barrie P. Tilghman,  
Mayor of the City of Salisbury