

**CITY OF SALISBURY  
ORDINANCE NO. 1953**

AN ORDINANCE OF THE CITY COUNCIL OF SALISBURY TO  
EXTEND FROM OCTOBER 1, 2005 TO NOVEMBER 1, 2005 THE PERIOD  
OF EXISTING LAWFUL OCCUPANCY BY MORE THAN TWO (2)  
UNRELATED PERSONS WITHIN THE AFamily@ DEFINITION AS SET  
FORTH IN SECTION 17.04.120 DEFINITIONS.

WHEREAS, the October 1, 2005, date for the cessation of existing lawful occupancies by more than two (2) unrelated persons as set forth in the AFamily@ definition in Section 17.04.120 Definitions of the Zoning Code, is rapidly approaching; and

WHEREAS, the current City Council desires to further evaluate the effect of the current AFamily@ definition on housing in the City and to amend the legislation.

NOW, THEREFORE, be it enacted and ordained by the City Council of the City of Salisbury, Maryland, in regular session, that Section 17.04.120 Definitions be amended as follows:

AFamily@ means and includes, subject to the exceptions stated below:

I. A core consisting of one person living alone or one of the following groups living as a single housekeeping unit;

A. Two or more persons who are related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship, such as foster children placed by an agency licensed to operate in Maryland;

B. Up to a maximum of four persons who are not so related, hereinafter referred to as Aunrelated persons,@ provided, however, that:

1. a. In any dwelling or dwelling unit, including an apartment, in an R-5, R-8, or

R-10 district or in any detached or duplex single-family dwelling or townhouse in any other district, or in Spring Chase PRD No. 1, the maximum shall be two unrelated persons not including the children of either of them. Any existing lawful occupancy by more than two unrelated persons that is made nonconforming by this subpart may continue until ~~October 1, 2005~~, November 1, 2005, when it shall cease to be permitted. Before that date, if a dwelling or dwelling unit is or shall become unlawfully occupied by unrelated persons, then any and all nonconforming occupancy thereof by unrelated persons will no longer be permitted.

b. The following lots are exempt from the occupancy restriction set forth in subsection (B)(1)(a) of this section: all dwelling units shown on an approval final comprehensive development plan; and where the total land area shown thereon is subject to a special exception granted by the board of zoning appeals prior to December 23, 2002; and for which the director of building, housing and zoning has determined that the units were proposed and constructed primarily for student housing.

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

\_\_\_\_\_  
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