

ORDINANCE NO. 1968

AN ORDINANCE ENACTED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, TO AMEND SECTION 2.12 - DEPARTMENT OF BUILDING, HOUSING AND ZONING.

WHEREAS, the City Council desires to create a Department of Building, Permitting and Inspection and a Department of Neighborhood Services and Code Compliance by splitting the functions currently assigned to the Department of Building, Housing and Zoning; and

WHEREAS, the Salisbury City Council intends to amend the appropriate Sections of the City Code to reflect the reassignment of duties and authority to each department.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, in regular session, that Section 2.12 is hereby amended as follows:

CHAPTER 2.12

DEPARTMENT OF BUILDING, HOUSING AND ZONING PERMITTING AND INSPECTIONS

Section 2.12.010 Establishment - Purpose.

There is established a department of building, housing and zoning permitting and inspections for the purpose of enforcement of the city's building, electrical, gas, housing, and plumbing and zoning codes and the performance of all functions of the city as provided in such building, electrical, gas, housing, and plumbing and zoning codes. (Prior code § 18-1)

Section 2.12.020 ~~Composition~~- Director of department of building, housing and zoning permitting and inspections.

There shall be a department of building, housing and zoning permitting and inspections headed by a director. The director of building, housing and zoning permitting and inspections shall be appointed by the Mayor with the advice and consent of a majority of the full Council and shall serve continuously unless terminated pursuant to § SC2-10. The compensation for the director shall be determined by a majority of the full council. All subordinate personnel shall be appointed as provided in Section SC3-4.C of the City Charter.

Section 2.12.030 Powers and duties of director and department.

Under the authority of the Mayor and the direct supervision of the City Administrator, the director of the department of building, housing and zoning permitting and inspections is directed to enforce the city's building, electrical, gas, housing, plumbing, zoning, fire, mechanical and existing buildings codes and to carry out and perform all functions of the city as provided by such building, electrical, gas, housing, plumbing, zoning, fire, mechanical and existing building codes. The department of building, housing and zoning permitting and inspections shall have all the power and authority necessary to carry out its duties. (Prior code § 18-3)

Section 2.12.040 Director responsible to mayor - Inspections - Issuance of warrants for violations.

The director of the department of building, housing and zoning permitting and inspections shall be responsible and report directly to the City Administrator under the authority of the mayor. The department of building, housing and zoning permitting and inspections shall make all necessary inspections to determine whether the building, electrical, gas, housing, or plumbing or zoning codes have been or are being violated.

Section 2.12.050 Department procedure - Hearings.

The director of the department of building, housing and zoning permitting and inspections shall follow such procedures, including conducting formal or informal hearings for persons alleged to have violated either the building, electrical, gas, housing, or plumbing or zoning codes, as shall best promote efficient administration, justice and good order and shall not be inconsistent with law or the Charter of the city. (Prior code § 18-5)

Section 2.12.060 Establishment of rules and regulations - Recommendations to mayor.

The director of the department of building, housing and zoning permitting and inspections shall establish such rules and regulations as shall, from time to time, be necessary to the performance of the duties and functions of the department of building, housing and zoning permitting and inspections pursuant to this chapter. The director of the department of building, housing and zoning permitting and inspections shall recommend necessary changes which he deems desirable in the provisions of this chapter, other provisions of law, the Charter, the building, electrical, gas, heating, and plumbing and zoning codes; and ordinances or resolutions

affecting the department of building, ~~housing and zoning permitting and inspections~~ for submission to and approval by the mayor. (Prior code § 18-6)

2.12.070 Assignment of additional duties.

In addition to its duties as provided in Sections 2.12.030 and 2.12.040, the department of building, ~~housing and zoning permitting and inspections~~ shall perform any and all other duties which may be assigned to it by the mayor, in writing or otherwise, and the director of the department of building, ~~housing and zoning permitting and inspections~~ shall have all power and authority necessary to carry out such additional assigned duties. (Prior code § 18-7)

AND BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that the amendment set forth in this Ordinance shall take effect from and after the date of its final passage.

THE ABOVE ORDINANCE was introduced at a meeting of the Council on the 28th day of November, 2005, and having been published as required by law, in the meantime, was finally passed at its meeting on the ____ day of December, 2005.

Brenda J. Colegrove
City Clerk

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

Approved by me this _____
- day of _____ 2005.

Barrie P. Tilghman, Mayor of the City of Salisbury