

ORDINANCE NO. 1971

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SALISBURY, MARYLAND, TO AMEND CHAPTER 8 - HEALTH AND SAFETY.

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, that the text of Section 8 - Health and Safety of the Salisbury Municipal Code are hereby amended as follows:

CHAPTER 8.08

BRUSH, WEEDS AND OBNOXIOUS GROWTH

Section 8.08.030 Notice to remove growth.

A. The director of the department of ~~building, housing and zoning~~ neighborhood services and code compliance is authorized and empowered to give written notice to the owner of any lot or parcel of land who has permitted the excessive growth of grass, weeds, brush or plant growth upon his property or has permitted the same to grow in the curb, gutter and sidewalk to cut, destroy and remove the same within ten days from the date of such notice.

Section 8.08.050 Removal by city - Assessment of costs.

In the event the failure, neglect or refusal of any owner duly notified, pursuant to Section 8.08.030, to cut, destroy or remove such excessive growth or grass, weeds, brush or plant growth from his property within the applicable time period specified in the notice, the director of the department of ~~building, housing and zoning~~ neighborhood services and code compliance shall have the power or contract to cut, trim or remove such weeds, grass, brush, or plant growth or accumulation of dead weeds, grass, brush or plant growth on any such area, lot or parcel of land or sidewalk area in the city of Salisbury and assess the cost to the property. (Prior code § 50-5)

Section 8.08.060 Costs of removal to constitute lien on property - Interest - Collection.

The cost or expense of such work ordered by the director of the department of ~~building, housing and zoning~~ neighborhood services and code compliance plus one hundred dollars (\$100.00) for administrative costs incurred under this chapter, unless paid in full by the property owner with thirty (30) days after the same is billed by the city treasurer, shall cause a lien on the property and shall draw interest from and after such thirty (30) days at the same rate that applies to real estate taxes. (Prior code § 50-6)

CHAPTER 8.20

NOISE

Section 8.20.020 Prohibited noises enumerated.

J. 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, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building inspector, department of 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 building inspector, department of 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., and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the hours 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.

CHAPTER 8.28
ABANDONED REFRIGERATORS

Section 8.28.020 Enforcement.

From and after the effective date of this chapter, the director of the ~~bureau of inspections~~ department of neighborhood services and code compliance shall issue notice directing compliance with Section 8.28.010 within twelve (12) hours after discovery by him of the existence or maintenance of each icebox or other similar appliance or enclosure as referred to in Section 8.28.010. If any such notice shall not be complied within twenty-four (24) hours, it shall be the duty of the chief of police to enter the premises and render harmless the icebox or other similar appliance or enclosure by any one of the three means specified in Section 8.28.101. The selection of such means shall be in the sole discretion of the chief of police, and the execution thereof shall be at the expense of the person failing to comply with such notice. (Prior code § 125-2)

CHAPTER 8.32
SMOKING

Section 8.32.070 Regulations for posting no-smoking signs.

The department of building, ~~housing and zoning permitting and inspections~~ shall establish rules and regulations relating to the posting of no-smoking signs to be applicable to the city-owned and leased buildings. (Prior code § 133-7)

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