

ORDINANCE NO. 1973

AN ORDINANCE ENACTED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, TO AMEND CHAPTER 13 - PUBLIC SERVICES.

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 Chapter 13 is hereby amended as follows:

CHAPTER 13.04

GENERAL PROVISIONS - SERVICE CHARGES

Section 13.04.010 Application for sewer service - Approval or disapproval.

Application for sewer service shall be made, on prescribed forms furnished by the department of building, ~~housing and zoning~~; permitting and inspections by the property owner or his duly authorized agent. If the director of the department of building, housing and zoning is satisfied that the request described in an application conforms to the requirements of this chapter and other pertinent laws and ordinances, he shall approve the application. Should the application not conform to the requirements of this chapter and other pertinent laws and ordinances, the director of the department of building, ~~housing and zoning~~; permitting and inspections shall disapprove such application. Such refusal shall, when requested, be in writing and will contain the reasons therefor. (Prior code § 132-5)

Section 13.04.030 Inspections - Penalty for refusal to permit inspection.

All properties connected with the sanitary sewer system of the city may be inspected from time to time by employees of the department of building, ~~housing and zoning~~; permitting and inspections and the department of public works\* or other agency of the city for purpose of checking the amount and nature of the effluent being discharged into the sanitary sewer system. Any person who shall refuse to permit an inspection of any such property for the purposed aforesaid shall be guilty of a misdemeanor and, upon conviction thereof by the Circuit Court for the county, shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) or by imprisonment for not less then ten days nor more than thirty (30) days. (Prior code § 132-7)

Section 13.04.040 Discontinuance of service - Notice disconnection.

Should any property owner or occupant of property connected with the city sanitary sewer system refuse to permit an inspection of such property for the purposes outlined in Section 13.04.030, then such property shall be disconnected from the sanitary sewer system and shall not be reconnected thereto until the inspection of the property has been completed and the cost of such disconnection and reconnection is paid to the city. Before disconnecting any property under the provisions hereof, the director of the department of building, ~~housing and zoning~~; permitting and inspections shall give five days' notice by letter addressed to the person refusing to permit such inspection notifying such person that sewer service shall be discontinued unless the inspection provided for herein is permitted. (Prior code § 132-8)

Section 13.04.060 Computation of sewer charges.

3. Any properties now connected to the city's sanitary sewer that, in the opinion of the director of the department of building, ~~housing and zoning~~; permitting and inspections, have a flow of one hundred thousand (100,000) gallons per year or greater will have until January 1, 1973, to install and place in service the measuring device. Any existing, operating device and its installation shall be upgraded to meet city standards by January 1, 1973.

C. For residential properties located outside the corporate limits but not using city water and not measuring the amount of effluent discharged into the sanitary sewer system by means of a sewage flow meter or other measuring device approved by the city, the sewer charge shall be computed by determining the number and kind of water fixtures located in such property and charging for the same an annual amount equal to two hundred (200) percent of those set forth for properties located in the corporate limits in the tabulation of subsection (B) of this section. Any property located outside the corporate limits required by the director of the department of building, ~~housing and zoning~~; permitting and inspections to

have a measuring device installed under authority of subsection (B) of this section shall pay an amount equal to two hundred (200) percent of the rates for properties located in the corporate limits, except county urban service district sanitary sewer, which shall pay the stipulated rate for that particular district.

## CHAPTER 13.08

### WATER

#### Section 13.08.020 Application for water service - Approval or disapproval.

Application for water service shall be made on prescribed forms furnished by the department of building, ~~housing and zoning~~, permitting and inspections by the property owner or his duly authorized agent. If the director of the department of building, ~~housing and zoning~~, permitting and inspections is satisfied that the request described in an application conforms to the requirements of this chapter and other pertinent laws and ordinances, he shall approve the application. Should the application not conform to the requirements of this chapter and other pertinent laws and ordinances, the director of the department of building, ~~housing and zoning~~, permitting and inspections shall disapprove such application. Such refusal shall, when requested, be in writing and will contain the reasons therefor. (Prior code § 132-24)

#### Section 13.08.050 Installation of fire service connections.

Sprinkler or fire service connections shall be constructed by the city from the street main to a point in the public sidewalk area at the property owner's request and expense, such cost to be determined by the city engineer. No fire service connection shall be installed without the submission of plans and the approval thereof by the director of the department of building, ~~housing and zoning~~, permitting and inspections and the city engineer. (Prior code § 132-27)

#### Section 13.08.100 Refusal to permit inspections.

Should any property owner or occupant of property connect with the water supply system of the city refuse to permit an inspection of such property, then such property shall be disconnected from the water supply system of the city and shall not be reconnected thereto until the inspection of the property has been completed and a reconnection fee of twenty-five dollars (\$25.00) is paid to the city. Before disconnecting any property under the provisions hereof, the director of the department of building, ~~housing and zoning~~, permitting and inspections shall give five days' written notice by letter addressed to the person refusing to permit such inspection, notifying such person that water service shall be discontinued unless the inspection provided for herein is permitted.

#### Section 13.08.110 Inspections authorized - Records - Penalty for refusal to permit inspection.

All properties connected with the water supply system of the city may be inspected from time to time by the director of the department of building, ~~housing and zoning~~, permitting and inspections or his authorized representative. Complete records of the inspections provided for herein shall be compiled and maintained by the department of building, ~~housing and zoning~~, permitting and inspections. An owner or occupant of a property connected with the water supply system of the city who shall refuse to permit an inspection of any such property shall be guilty of a misdemeanor and, upon conviction thereof by the trial magistrate of the county of the circuit court for the county, shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) or by imprisonment for not less than ten days nor more than thirty (30) days. (Prior code § 132-33)

## CHAPTER 13.20

### PRIVATE WATER SYSTEMS

#### Section 13.20.020

D. The approving authority for individual water systems shall be the director of building, ~~housing and zoning~~, permitting and inspections.

F. Any person contemplating the construction of a private well for domestic use, outside irrigation purposes, refrigeration cooling purposes or the filling of swimming pools shall, previous to the beginning of any construction, make a formal application. The permit fee shall be twenty-five dollars (\$25.00) for each well. Application for such permit, except wells referred to in subsection ©) of this section, shall be in a form provided by the ~~housing and zoning~~ department of building, ~~housing and zoning~~, permitting and inspections. Whenever, in the opinion of the director of the

section, shall be in a form provided by the bureau of inspections ~~department of building, permitting and inspections~~. whenever, in the opinion of the director of the department of building, ~~housing and zoning, permitting and inspections~~. Complete plans and specifications are need to show definitely the desired installation for which the application is made, the applicant shall furnish duplicate. If approved, one set shall be returned to the applicant marked approved, and one set shall be retained and filed as a permanent record in the office of the department of building, ~~housing and zoning, permitting and inspections~~. (Prior code § 132-42)

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 28<sup>th</sup> 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.

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Brenda J. Colegrove  
City Clerk

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

Approved by me this \_\_\_\_\_

day of \_\_\_\_\_ 2005.

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Barrie P. Tilghman, Mayor of the City of Salisbury