

## MUNICIPAL CHARTER OR ANNEXATION RESOLUTION REPOSITION FORM

Section 4-109 of the Local Government Article of the Annotated Code of Maryland requires municipal officials to deposit certain municipal documents with the Department of Legislative Services. Please use this registration form for each resolution that alters the charter or the boundaries of your municipal corporation. Complete a separate form for each resolution, and mail the entire text of the resolution, along with this form to:

Georgeanne Carter, Legislative Analyst  
Municipal Resolution Reposition  
Department of Legislative Services  
90 State Circle  
Annapolis, MD 21401-1991

|                                                              |                                            |
|--------------------------------------------------------------|--------------------------------------------|
| <u>City of Salisbury</u>                                     | <u>Wicomico</u>                            |
| <u>Municipal Corporation</u>                                 | <u>County(ies)</u>                         |
| <u>Julie English, City Clerk</u>                             |                                            |
| <u>Name and Title of Official Submitting this Resolution</u> |                                            |
| <u>125 N. Division Street Rm. 308</u>                        | <u>410-548-3140</u>                        |
| <u>Address</u>                                               | <u>Phone</u>                               |
| <u>Salisbury, MD 21801</u>                                   | <u>March 24, 2026</u>                      |
|                                                              | <u>Date of Submitting this Resolution*</u> |
| <u>2025-3</u>                                                | <u>February 2, 2026</u>                    |
| <u>Resolution Number</u>                                     | <u>Date Enacted by Legislative Body</u>    |
|                                                              | <u>March 23, 2026</u>                      |
|                                                              | <u>Effective Date**</u>                    |

1) *For an annexation resolution*, state the charter section (e.g., boundary description section, appendix) that is amended \_\_\_\_\_ OR state the charter section (e.g., general powers section) pursuant to which the property is annexed \_\_\_\_\_. (*Enclose a copy of the metes and bounds description of the complete boundaries of your municipal corporation that includes the newly annexed property, including the number of acres and the point of beginning coordinates for the newly annexed property.*)

*For a charter resolution*, state whether the entire charter is repealed and a new charter is adopted \_\_\_\_\_ OR state the specific section(s) that is added, repealed, renumbered, or repealed and reenacted with amendments SC5-1.

2) Number of votes cast by the legislative body for 5 and against 0 this resolution.

3) Will this resolution be petitioned to referendum? No

If "yes", date of the referendum election (if known) N/A.

*\* A resolution should be submitted to the Department of Legislative Services 10 days after the effective date of the resolution (§ 4-109(b) of the Local Government Article). Generally, provided that a resolution is not petitioned to referendum, the effective date for a charter resolution is 50 days after enactment (§ 4-304(c) of the Local Government Article), and for an annexation resolution is no earlier than 45 days after enactment (§ 4-407 of the Local Government Article).*

DLS/5-19

**CHARTER AMENDMENT RESOLUTION NO. 2025-3**

**A RESOLUTION TO AMEND § SC5-1 OF THE CHARTER OF THE CITY OF SALISBURY TO REFERENCE STATE LAW REGARDING ENFORCEMENT OF MISDEMEANORS AND MUNICIPAL INFRACTIONS, THUS ALLOWING FOR INCREASED PENALTIES FOR SUCH VIOLATIONS.**

**RECITALS**

**WHEREAS**, the ongoing application, administration, and enforcement of the Salisbury Charter demonstrates a need for its periodic review, evaluation and amendment to keep the provisions of the Charter current; and

**WHEREAS**, the Mayor and Council of the City of Salisbury (the “**Mayor and Council**”) are authorized by MD Code, Local Government, § 4-301 *et seq.*, as amended, and § SC21-2 of the Charter to amend the Charter, not contrary to the Constitution of Maryland, public general law or public local law, as the Mayor and Council deem necessary to assure the good government of the municipality; and

**WHEREAS**, the Annotated Code of Maryland is amended from time to time; and

**WHEREAS**, Maryland Senate Bill No. 820 was enacted for the purpose of increasing the maximum amount of criminal fines and fines for municipal infractions that may be imposed by a municipality to enforce certain ordinances and resolutions enacted by the municipality; and

**WHEREAS**, under Senate Bill No. 820, effective October 1, 2025, fines that can be assessed by municipalities for misdemeanors and municipal infractions, as set forth in Md. Code Ann., Local Gov't §§ 6-101 -102, are increased from \$1,000 per violation to \$5,000 per violation; and

**WHEREAS**, the City has determined it is in the best interest of its citizens to amend § SC5-1 of the Charter to identify that potential fine amounts will be in accordance with State law, obviating the need to include a specific dollar amount in the Charter, which would require future revision as State law changes; and

**WHEREAS**, the Mayor and Council have determined that amendments to § SC5-1 of the Charter shall be adopted as set forth herein; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY** by virtue of the authority granted in Article XI-E of the Maryland Declaration of Rights, §§ 4-301 *et seq.* of the Local Government Article of the Code of Maryland, and Article XXI of the City Charter as follows:

**Section 1.** It is proposed and recommended that § SC5-1(A)(38) be amended to repeal the language in double bold brackets and add the underscored and italicized language:

**§ SC5-1. - Enumeration.**

A. The City of Salisbury shall have the power:

...

(38) Enforcement of ordinances and resolutions. To provide that violations of ordinances and resolutions of the city shall be punishable as misdemeanors or municipal infractions, and to provide for punishment thereof by civil remedy, fine, incarceration and/or other penalties as permitted by Maryland law.

[[a) The Council has the power, pursuant to Local Government Article §6-102 of the Annotated Code of Maryland, to provide that violations of ordinances and resolutions of the city shall be punishable as misdemeanors, unless otherwise specified as an infraction. No penalty for such violation shall exceed a fine of one thousand dollars (\$1,000.) and imprisonment for six (6) months or such other limits as may be established by subsequent amendments to Local Government Article §6-102. Any person subject to any fine, forfeiture or penalty has the right of appeal as is provided under the general laws of the State. The Council may provide that, if the violation is of a continuing nature and is persisted in, a conviction for one (1) violation shall not be a bar to conviction for a continuation of the offense subsequent to the first or any succeeding violation.

(b) Municipal infractions.

[1] The Council may provide that violations of any municipal ordinance shall be a municipal infraction unless that violation is declared to be a felony or misdemeanor\* by the laws of the state of\*\* other ordinance. For purposes of this section, a municipal infraction is a civil offense.

[2] A fine not to exceed one thousand dollars (\$1000.) may be imposed for each conviction of a municipal infraction. The fine is payable by the offender to the municipality within twenty (20) calendar days of receipt of a citation. Repeat offenders may be assessed a fine not to exceed one thousand dollars (\$1000.) for each repeat offense, and each day a violation continues shall constitute a separate offense.

[3] Any person receiving a citation for an infraction may elect to stand trial for the offense by notifying the city in writing of this intention at least five (5) days prior to the date set for payment of the fine. Failure to pay the fine or give notice of intent to stand trial may result in an additional fine or adjudication by the court.

[4] Adjudication of a municipal infraction is not a criminal conviction for any purpose, nor does it impose any of the civil disabilities ordinarily imposed by a criminal conviction.]]

**Section 2.** With this proposed Charter amendment, § SC5-1(A)(38) of the Charter would read:

**§ SC5-1. - Enumeration.**

B. The City of Salisbury shall have the power:

...

(38) Enforcement of ordinances and resolutions. To provide that violations of ordinances and resolutions of the city shall be punishable as misdemeanors or municipal infractions, and to provide for punishment thereof by civil remedy, fine, incarceration and/or other penalty as permitted by Maryland law.

**AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY:**

**Section 3.** Pursuant to MD Code, Local Government, § 4-304, a public hearing on this Resolution, providing for the amendment of the City of Salisbury's Charter as set forth herein, shall be and hereby is scheduled for January 26, 2026 at 6:00 p.m.

**Section 4.** Pursuant to the City of Salisbury's Charter § SC21-2 and MD Code, Local Government, § 4-304, the City shall post a complete and exact copy of this Charter Amendment at the City Government

Building for at least forty (40) days after the passage of this Resolution and advertise a fair summary of this Resolution in a newspaper of general circulation in the City at least four times at weekly intervals and within forty days after the Resolution has been adopted.

**Section 5.** The title of this Resolution shall be deemed a fair summary of the amendments provided for herein for publication and all other purposes.

**AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY:**

**Section 6.** This Resolution shall take effect on the fiftieth day after the Resolution is adopted, subject to the right of referendum.

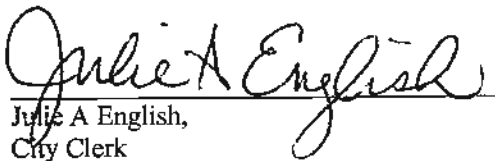
**AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY:**

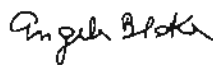
**Section 7.** It is the intention of the Council of the City of Salisbury that each provision of this Resolution shall be deemed independent of all other provisions herein.

**Section 8.** It is further the intention of the Council of the City of Salisbury that if any section, paragraph, subsection, clause, or provision of this Resolution shall be adjudged invalid, unconstitutional, or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged and all other provisions of this Resolution shall remain and shall be deemed valid and enforceable

**Section 9.** The Recitals set forth hereinabove are incorporated into this section of this Resolution as if such recitals were specifically set forth at length in this Section 9.

**THIS RESOLUTION** was introduced, read, and passed at the regular meeting of the Council of the City of Salisbury held on the 2 day of February, 2026.

  
Julie A. English,  
City Clerk

  
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Angela M. Blake,  
Council President