

**COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND**

2016 Legislative Session

Legislative Day No. 01

**Resolution No. 04-2016**

Introduced by: The President of the Council at the request of the County Executive

A RESOLUTION APPROVING AN AGREEMENT BETWEEN WICOMICO COUNTY, MARYLAND AND THE COMMISSIONERS OF HEBRON FOR THE ENFORCEMENT OF FIRE PREVENTION WITHIN THE CORPORATE LIMITS OF THE TOWN OF HEBRON, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE AGREEMENT.

WHEREAS, Wicomico County adopted legislation designated in Chapter 144 of the Wicomico County Code to enforce fire prevention within the County; and

WHEREAS, the Commissioners of Hebron have reviewed the County's regulations and laws for fire prevention and have determined that it is appropriate to authorize the regulation of fire prevention, within its corporate boundaries; and

WHEREAS, the Commissioners of Hebron do not have any experience or expertise with fire prevention and desires to authorize Wicomico County, Maryland to fully enforce the provisions of Chapter 144 of the Wicomico County Code, amended from time to time, within its corporate limits; and

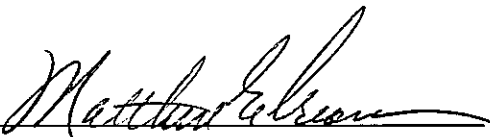
WHEREAS, Wicomico County, Maryland is willing to administer and enforce its fire prevention regulations and laws within the corporate limits of the Town of Hebron.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Wicomico County, Maryland that the County Executive be, and is hereby, authorized to execute, on behalf of Wicomico County, Maryland, an Agreement, in substantially the form attached hereto as Exhibit A, with the Commissioners of Hebron for the enforcement of fire prevention within the corporate limits of the Town of Hebron.

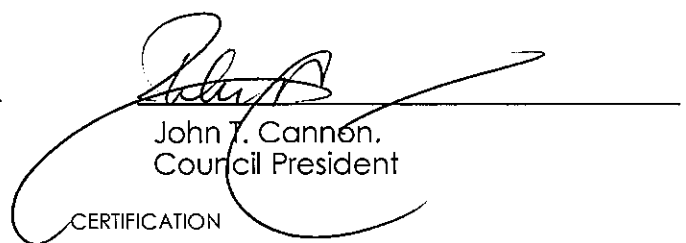
Done at Salisbury, Maryland, this 5<sup>th</sup> day of January, 2016.

ATTEST:

COUNTY COUNCIL OF  
WICOMICO COUNTY, MARYLAND



Matthew E. Creamer,  
Council Administrator

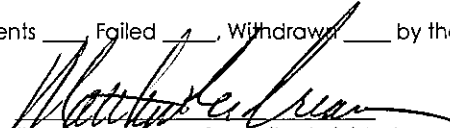


John T. Cannon,  
Council President

CERTIFICATION

This Resolution was Adopted , Adopted with Amendments  Failed  Withdrawn  by the County Council on January 5, 2016.

Certified by

  
Matthew E. Creamer, Council Administrator



**This Fire Prevention Code Obligations Agreement**, made this 16<sup>th</sup> day of December, 2015, by and between the Commissioners of Hebron, a body corporate and politic, and Wicomico County, Maryland, a body corporate and politic,

**Whereas**, the Commissioners of Hebron (hereinafter referred to as “Commissioners”) do desire to adopt adequate fire prevention regulations; and,

**Whereas**, the Commissioners have determined that it is appropriate to authorize the regulation of fire prevention and fire safety with the corporate boundaries of the Town of Hebron, Maryland (hereinafter referred to as “Hebron”); however, the Commissioners have no current experience or expertise with fire prevention and fire safety; and,

**Whereas**, under and by virtue of the authority contained in Subtitle 2 of Title 9 in the Local Government Article of the Annotated Code of the State of Maryland, as amended, and further for the protection and promotion of the health, safety, comfort and welfare of its citizens, Wicomico County, Maryland (hereinafter referred to as “County”) is authorized to regulate the fire prevention and fire safety to protect human life and health, minimize property damage and encourage appropriate construction practices to minimize future damage; and,

**Whereas**, the County did enact Chapter 144 of the County Code establishing county-wide fire prevention regulations; and,

**Whereas**, the County has agreed to enforce the provisions of its fire prevention regulations as contained in Wicomico County Code Chapter 144, within the boundaries of Hebron so as to identify and mitigate problems which can threaten public health and safety.

**Now, Therefore**, in consideration of the premises, and the covenants and agreements hereinafter set forth, the parties hereby covenant and agree as follows:

1. The Commissioners hereby assign its obligations to the County to assure compliance with fire prevention regulations of Chapter 144 of the Wicomico County Code including, but not limited to, investigation of compliance with minimum standards, permitting processes, notices and orders, and the prosecution and imposition of violations and penalties.
2. The Commissioners further agree to abide by the procedures and regulations of Chapter 144 of the Wicomico County Code.

3. The Commissioners further agree to coordinate the development approval activities in Hebron, including, but not limited to building permits, with the requirements of Chapter 144 of the Wicomico County Code.

4. It is understood and agreed that the County shall have the right and authority to fully enforce said Chapter 144 within the corporate limits of Hebron.

5. It is further understood and agreed that any and all fines received and fees imposed by the County for the administration of the Wicomico County Fire Prevention Code within the municipal boundaries of Hebron shall be retained by Wicomico County.

6. The County hereby agrees to accept the request of the Commissioners to apply the obligations under Chapter 144 of the Wicomico County Code entitled Fire Prevention within the corporate boundaries of Hebron, upon the terms and conditions hereinabove set forth.

As **Witness** the corporate hands and seals of the parties hereto the day and year first above written.

**Attest**

**Commissioners of Hebron**

\_\_\_\_\_  
**Amelia A. Handy, Secretary**

**By:** \_\_\_\_\_  
**Richard S. Dwyer, President**

**Attest**

**Wicomico County, Maryland**

\_\_\_\_\_  
**Matthew E. Creamer, Secretary**  
**Wicomico County Council**

**By:** \_\_\_\_\_  
**John T. Cannon, President,**  
**Wicomico County Council**