

Posted: Oct 7, 2015 @ 7:30am
Amended:

TOWN OF GEORGETOWN TOWN COUNCIL MEETING AGENDA

Meeting Date: Wednesday, October 14, 2015
Location: Town Hall, 39 The Circle, Georgetown, DE
Time: 6:45 P.M. Public Hearing
7:00 P.M. Regular Meeting

6:45 P.M. Public Hearing
Ordinance #2015-14 Definition of Home Occupation

7:00 P.M. Regular Meeting

1. Pledge of Allegiance
2. Invocation
3. Adoption of Agenda
4. Approval of September 9, 2015 Town Council Minutes
5. Proclamations
 - A. October Breast Cancer Awareness Month
6. 1st Reading of Ordinances
 - A. Ordinance #2015-14 Definition of Home Occupation
 - B. Ordinance #2015-15 Violations and Penalties
 - C. Ordinance #2015-16 Replacement Language
7. 2nd Reading & Adoption of Ordinances
 - A. Ordinance #2015-13 Hotel and Motel Guest Register
8. Departmental Reports
 - A. Gene Dvornick – Town Manager
 - B. Eric Rust – Superintendent of Wastewater Reclamation Facility
9. Public Comment
10. Adjournment

The agenda items as listed may not be considered in sequence. This agenda is subject to change to include additional items including executive sessions or the deletion of items including executive sessions, which arise at the time of the meeting. Persons with disabilities requiring special accommodations to attend this meeting should contact the Town Office in writing 72 hours in advance of the meeting, stating their needs in order to have them addressed under the requirements of the Americans with Disabilities Act (ADA).



ORDINANCE NO. 2015-14

AN ORDINANCE TO AMEND THE CODE TO THE TOWN OF GEORGETOWN, BY AMENDING CHAPTER 230, ENTITLED ZONING

THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN IN COUNCIL MET
AND HEREBY ORDAINS:

Section 1. Chapter §230, Zoning, of the Code of the Town of Georgetown is hereby amended as follows:

§ 230-5. Definitions.

For the purpose of this chapter, certain terms and words are hereby defined as follows:

HOME OCCUPATION

Any occupation or activity which is clearly incidental and secondary to use of the premises for dwelling purposes and which is carried on by a member of a family residing on the premises, and in connection with which there is no display or storage of materials or generation of substantial volumes of vehicular or pedestrian traffic or parking demand or other exterior indication of the home occupation or variation from the residential character of the building, and in connection with which no more than one person outside the resident family is employed and no equipment used which creates offensive noise, vibration, smoke, dust, odor, heat or glare. When within the above requirements, a home occupation includes, but is not limited to, the following:

- A. An art or craft studio.
- B. Dressmaking, custom baking.
- C. Professional office of physician, dentist, **counselor, behavioral specialist,** lawyer, engineer, architect, accountant, salesman, real estate agent or insurance agent or other similar occupation.
- D. Teaching, with musical instruction limited to one or two pupils at a time; ~~however, a home occupation shall not be interpreted to include barber shops, beauty parlors, tourist homes, animal hospitals, tea rooms and restaurants.~~
- E. Family child-care home.
- F. **The practice of Cosmetology or Barbering, limited to one chair; however, a home occupation shall not be interpreted to include tattoo, massage, tourist homes, animal hospitals, tea rooms and restaurants.**

Section 2. This Ordinance shall become effective following its adoption by a majority vote of all members elected to the Town Council.

BE IT ENACTED by the Town Council of the Town of Georgetown, Delaware on the _____ day of _____ A.D., 2015.

William E West, Mayor

Steve M Hartstein, Secretary

1st Reading: October 14, 2015
2nd Reading: October 28, 2015
Adoption: October 28, 2015

DRAFT



PROCLAMATION

For

Breast Cancer Awareness Month

WHEREAS, a woman receives a diagnosis of breast cancer every two minutes, making this disease the most frequently diagnosed cancer among women in the U.S., other than skin cancers; and

WHEREAS, through research significant advances have been made in the fight against breast cancer, including an increase in five-year relative survival rates for localized breast cancer from 74% to 98%; and

WHEREAS, the 2.5 million breast cancer survivors living in the U.S. today are a testament to courage, as well as to the importance of promoting awareness about breast cancer, providing information, funding research, following recommended screening guidelines, and offering treatment to those who are affected; and

WHEREAS, various organizations are spreading breast cancer awareness to both women and men through outreach, education, and screening programs, and have empowered women with the life-saving message of early detection and the importance of having annual mammograms; and the Town of Georgetown would like to support and encourage these ongoing efforts on behalf of our citizens; and

WHEREAS, throughout the month of October, women are encouraged to make a renewed commitment to following recommended screening guidelines and to make a mammogram appointment; and

WHEREAS, throughout the month of October, organizations and health practitioners in this Town are encouraged to use this opportunity to promote awareness about breast cancer and proper breast health, and to encourage annual mammograms; and

WHEREAS, the Town of Georgetown recognizes the importance of working together and supporting events such as Breast Cancer Awareness Month; therefore

BE IT RESOLVED, that the Town of Georgetown, on behalf of all the residents of Georgetown, does hereby proclaim the month of October as

BREAST CANCER AWARENESS MONTH

and urges all residents to take steps to get life-saving mammograms and educate themselves, their families, and the community about breast cancer.

In Witness Whereof, I have hereunto set my hand and caused the Seal of this town to be affixed this 14th day of October, 2015.

William E West, Mayor



ORDINANCE NO. 2015-14

AN ORDINANCE TO AMEND THE CODE TO THE TOWN OF GEORGETOWN, BY AMENDING CHAPTER 230, ENTITLED ZONING

THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN IN COUNCIL MET
AND HEREBY ORDAINS:

Section 1. Chapter §230, Zoning, of the Code of the Town of Georgetown is hereby amended as follows:

§ 230-5. Definitions.

For the purpose of this chapter, certain terms and words are hereby defined as follows:

HOME OCCUPATION

Any occupation or activity which is clearly incidental and secondary to use of the premises for dwelling purposes and which is carried on by a member of a family residing on the premises, and in connection with which there is no display or storage of materials or generation of substantial volumes of vehicular or pedestrian traffic or parking demand or other exterior indication of the home occupation or variation from the residential character of the building, and in connection with which no more than one person outside the resident family is employed and no equipment used which creates offensive noise, vibration, smoke, dust, odor, heat or glare. When within the above requirements, a home occupation includes, but is not limited to, the following:

- A. An art or craft studio.
- B. Dressmaking, custom baking.
- C. Professional office of physician, dentist, **counselor, behavioral specialist,** lawyer, engineer, architect, accountant, salesman, real estate agent or insurance agent or other similar occupation.
- D. Teaching, with musical instruction limited to one or two pupils at a time; ~~however, a home occupation shall not be interpreted to include barber shops, beauty parlors, tourist homes, animal hospitals, tea rooms and restaurants.~~
- E. Family child-care home.
- F. **The practice of Cosmetology or Barbering, limited to one chair; however, a home occupation shall not be interpreted to include tattoo, massage, tourist homes, animal hospitals, tea rooms and restaurants.**

Section 2. This Ordinance shall become effective following its adoption by a majority vote of all members elected to the Town Council.

BE IT ENACTED by the Town Council of the Town of Georgetown, Delaware on the _____ day of _____ A.D., 2015.

William E West, Mayor

Steve M Hartstein, Secretary

1st Reading: October 14, 2015
2nd Reading: October 28, 2015
Adoption: October 28, 2015

DRAFT



ORDINANCE #2015-15

AN ORDINANCE TO AMEND THE CODE TO THE TOWN OF GEORGETOWN, BY ADDING CHAPTER 3, ENTITLED VIOLATIONS AND PENALTIES

THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN IN COUNCIL MET AND HEREBY ORDAINS:

Section 1. The Code of the Town of Georgetown is hereby amended by adding a new Chapter, to be Chapter 3, Violations and Penalties, to read as follows:

§ 3-1. Penalties.

§ 3-2. Option to pay fines directly to Town.

§ 3-3. Code Enforcement General Procedures.

§ 3-4. Amount of fine to be paid.

§ 3-5. Records.

§ 3-6. Summons.

§ 3-7. Notices to be mailed.

§ 3-1. Penalties.

Unless the provision in question specifically provides for other penalties, any person who violates a provision of a Chapter of this Code shall be fined \$100 for the first offense and \$250 for each subsequent, or continuing, offense.

§ 3-2. Option to pay fines directly to Town.

Any fine associated with the violation of any section of the Code, as set forth above, may be paid directly to the Town of Georgetown by the due date stated in the Notice of Violation. If fines are not paid and/or violations are not remedied, the Town may seek enforcement in a Delaware Court of competent jurisdiction.

§ 3-3. Code Enforcement General Procedures

When a code violation is reported, the Code Enforcement Officer will investigate promptly. Complaints can be relayed by phone, e-mail or in person at Town Hall. A record shall be kept of all complaints.

If a violation is verified, enforcement action will be taken. Generally:

- A. **Door Hanger notifying property owner/occupant of violation(s) is placed on property, and a Notice of Deficiency is mailed to the property owner of record.**
- B. **If a violation remains after the number of days indicated in the Notice of Deficiency for correction, a First Notice of Violation will be issued with the corresponding fine assessed, and sent via mail to the property owner of record.**
- C. **If a violation remains after the number of days indicated in the First Notice of Violation for correction, a Second Notice of Violation will be issued with the corresponding additional fine assessed, and sent via mail to the property owner of record.**
- D. **If a violation remains after the number of days indicated in the Second Notice of Violation for correction, a Summons to appear in court will be issued to the property owner of record.**
- E. **In appropriate cases, duplicate notices may also be mailed or provided to residents or tenants of the property, if not owner/occupied, and/or posted on the property, as well as mailed to the owner of record.**

§ 3-4. Amount of fine to be paid.

The amount due to be paid directly to the Town shall be the minimum amount due as set forth in § 3-1 above.

§ 3-5. Records.

The Town shall keep a complete record of all payments made to the Town in accordance with this chapter.

§ 3-6. Summons.

Code Enforcement Officers are authorized to issue a summons to enforce the minimum fines due for violations of the following chapters of the Code:

<u>Animals</u>	<u>52</u>
<u>Building Construction</u>	<u>61</u>
<u>Burning, Outdoor</u>	<u>70</u>
<u>Circuses, Carnival and Exhibitions</u>	<u>79</u>
<u>Farming</u>	<u>94</u>
<u>Hotels and Motels</u>	<u>114</u>
<u>Ice Cream Peddlers</u>	<u>119</u>
<u>Junkyards</u>	<u>123</u>
<u>Licensing of Businesses</u>	<u>130</u>
<u>Littering and Dumping</u>	<u>135</u>
<u>Peace and Good Order</u>	<u>157</u>
<u>Property Maintenance</u>	<u>165</u>
<u>Sewers</u>	<u>176</u>
<u>Solid Waste</u>	<u>185</u>
<u>Street and Sidewalks</u>	<u>190</u>
<u>Trailers</u>	<u>206</u>
<u>Trees</u>	<u>208</u>
<u>Vehicles, Abandoned or Inoperable</u>	<u>212</u>
<u>Vehicles and Traffic</u>	<u>215</u>
<u>Water</u>	<u>222</u>
<u>Yard Sales</u>	<u>225</u>

§ 3-7. Notices to be mailed.

Any Notice issued for failure to comply with this chapter shall be mailed to the owner of record of the property that is the subject of the violation at the owner's last known address as shown on the assessment records of the Town.

In appropriate cases, duplicate notices may also be mailed or provided to residents or tenants of the property, if not owner/occupied, and/or posted on the property, as well as mailed to the owner of record.

Section 2. This Ordinance shall become effective following its adoption by a majority vote of all members elected to the Town Council.

BE IT ENACTED by the Town Council of the Town of Georgetown, Delaware on the _____ day of _____ A.D., 2015.

William E West, Mayor

Steve M Hartstein, Secretary

1st Reading: October 14, 2015
2nd Reading: October 28, 2015
Adoption: October 28, 2015

DRAFT



ORDINANCE #2015-16

AN ORDINANCE TO AMEND THE CODE TO THE TOWN OF GEORGETOWN, BY AMENDING CHAPTER 52 ANIMALS, CHAPTER 61 BUILDING CONSTRUCTION, CHAPTER 70 BURNING, OUTDOOR, CHAPTER 79 CIRUSES, CARNIVAL AND EXHIBITIONS, CHAPTER 94 FARMING, CHAPTER 114 HOTELS AND MOTELS, CHAPTER 119 ICE CREAM PEDDLERS, CHAPTER 123 JUNKYARDS, CHAPTER 130 LICENSING OF BUSINESSES, CHAPTER 135 LITTERING AND DUMPING, CHAPTER 157 PEACE AND GOOD ORDER, CHAPTER 165 PROPERTY MAINTENANCE, CHAPTER 176 SEWERS, CHAPTER 185 SOLID WASTE, CHAPTER 190 STREETS AND SIDEWALKS, CHAPTER 206 TRAILERS, CHAPTER 208 TREES, CHAPTER 212 VEHICLES, ABANDONED OR INOPERABLE, CHAPTER 215 VEHICLES AND TRAFFIC, CHAPTER 222 WATER, CHAPTER 225 YARD SALES

THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN IN COUNCIL MET AND HEREBY ORDAINS:

Section 1. Chapter §52, Animals, of the Code of the Town of Georgetown is hereby amended as follows:

§ 52-7. Violations and penalties.

~~Any owner who violates any provision of this article shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be fined for the first offense not less than \$25 nor more than \$50, for the second offense not less than \$50 nor more than \$100, and for the third and each subsequent offense not less than \$100 nor more than \$150, and shall pay the costs of prosecution and all other expenses or costs imposed by this article.~~

Any person violating any provision of this article, shall pay such fines as set out in Chapter 3, Violations and Penalties.

§ 52-9. Violations and penalties.

~~A. Any person, firm or corporation violating any of the provisions of § 52-8 of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$25 nor more than \$50 or imprisoned for not less than five days nor more than 30 days, or both, and shall pay the cost of prosecution.~~

~~B. For the purposes of this article, each day that a violation continues shall be deemed to be a separate offense.~~

Any person violating any provision of this article, shall pay such fines as set out in Chapter 3, Violations and Penalties.

§ 52-17. Violations and penalties.

~~Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction in a court of competent jurisdiction shall be fined not less than \$25 nor more than \$100 or imprisoned for a term of not more than 20 days, or both, and shall pay the costs for prosecution. For the purposes of this article, each day or part thereof that a violation continues shall be deemed to be a separate offense.~~

Any person violating any provision of this article, shall pay such fines as set out in Chapter 3, Violations and Penalties.

§ 52-21. Violations and penalties.

~~Any person who violates or who fails or refuses to comply with this article shall be liable to pay a fine of \$75.~~

Any person violating any provision of this article, shall pay such fines as set out in Chapter 3, Violations and Penalties.

Section 2. Chapter §61, Building Construction, of the Code of the Town of Georgetown is hereby amended as follows:

§ 61-8. Violations and penalties.

~~A. Any person violating any part of this article shall, on conviction thereof by a court of competent jurisdiction, be punished for each offense by a fine of not less than \$25 nor more than \$500, plus court costs and Victims Compensation Fund assessment, and each separate day in which any of the provisions of this article are violated shall separate and distinct offense.~~

A. Any person violating any provision of this Article, shall pay such fines as set out in Chapter 3, Violations and Penalties.

B. In addition to the penalties prescribed in Subsection A of this section, the Town Council may direct the Town Solicitor to proceed at law or in equity against the person responsible for the violation for the purpose of ordering that person to restrain from any act in violation of these provisions.

Section 3. Chapter §70, Burning, Outdoor, of the Code of the Town of Georgetown is hereby amended as follows:

§ 70-2. Violations and penalties.

~~Any person, partnership or corporation who or which shall be convicted of any offense prohibited by § 70-1 above shall be fined not less than \$10 nor more than \$100 for each such offense or be imprisoned for not more than 30 days, or both, and shall pay the costs of prosecution.~~

Any person violating any provision of this Chapter, shall pay such fines as set out in Chapter 3, Violations and Penalties.

Section 4. Chapter §79 Circuses, Carnival and Exhibitions, of the Code of the Town of Georgetown is hereby amended as follows:

§ 79-2. Violations and penalties.

~~Any person or persons failing to obtain permission and/or a license shall be fined not less than \$25 nor more than \$100, plus court costs, for each and every offense. Each day's continuance of the same constitutes a separate offense.~~

Any person violating any provision of this Chapter, shall pay such fines as set out in Chapter 3, Violations and Penalties.

Section 5. Chapter §94 Farming, of the Code of the Town of Georgetown is hereby amended as follows:

§ 94-3. Violations and penalties.

~~Any person violating this article shall be fined \$100 and/or imprisoned for 30 days, or both.~~

Any person violating any provision of this article, shall pay such fines as set out in Chapter 3, Violations and Penalties.

Section 6. Chapter §114, Hotels and Motels, of the Code of the Town of Georgetown is hereby amended as follows:

§ 114-8. Violations and penalties.

~~A. Any owner, operator, or occupant of a hotel or a motel who fails to comply with the provisions of this chapter shall, upon conviction for such violation, be subject to a fine of not less than \$25 nor more than \$100 and shall pay the cost of prosecution. For the purposes of this chapter, each day or part thereof that a violation continues shall be deemed to be a separate offense.~~

Any owner, operator, or occupant of a hotel or a motel who violates any provisions of this Chapter shall pay such fines as set out in Chapter 3, Violations and Penalties.

B. Any owner, operator, person or persons convicted of a violation of this chapter shall be subject to forfeiture of the right to a business license, as outlined in § 130-9, **and/or** license suspension and revocation, for the facility deemed in violation of this chapter. ~~because the facility is not being operated in accordance with Town ordinances.~~

Section 7. Chapter §119 Ice Cream Peddlers, of the Code of the Town of Georgetown is hereby amended as follows:

§ 119-12. Violations and penalties.

~~Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$1,000, by imprisonment for a term not exceeding 90 days or by a period of community service for not more than 90 days, or any combination thereof. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.~~

Any person violating any provision of this Chapter, shall pay such fines as set out in Chapter 3, Violations and Penalties.

Section 8. Chapter §123, Junkyards, of the Code of the Town of Georgetown is hereby amended as follows:

§ 123-3. Violations and penalties.

A. ~~Any person, firm or corporation who or which violates any of the provisions set out in § 123-2 above shall, upon conviction thereof, be fined for the first offense not less than \$25 nor more than \$50, and for each subsequent like offense shall be fined not less than \$50 nor more than \$100, in addition to the costs of prosecution.~~

B. ~~For the purposes of this chapter, each day that an offense defined in § 123-2 above continues shall constitute a separate offense.~~

Any person violating any provision of this Chapter, shall pay such fines as set out in Chapter 3, Violations and Penalties.

Section 9. Chapter §130, Licensing of Businesses, of the Code of the Town of Georgetown is hereby amended as follows:

§ 130-12. Violations and penalties.

A. ~~Any person violating any part of this chapter shall, on conviction, be punished for each offense by a fine of not less than \$25 nor more than \$500, plus court costs and Victims~~

~~Compensation Fund assessment, and each separate day in which any of the provisions of this chapter are violated shall constitute a separate and distinct offense.~~

Any person violating any provision of this Chapter, shall pay such fines as set out in Chapter 3, Violations and Penalties.

B. In addition to the penalties prescribed in Subsection A of this section, the Town Council may direct the Town Solicitor to proceed at law or in equity against the person responsible for the violation for the purpose of ordering that person to restrain from any act in violation of these licensing provisions.

Section 10. Chapter §135, Littering and Dumping, of the Code of the Town of Georgetown is hereby amended as follows:

§ 135-4. Violations and penalties.

~~Any person, individual, partnership, corporation or association who violates any of the provisions of this article is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than \$50 nor more than \$100 per occurrence.~~

Any person violating any provision of this article, shall pay such fines as set out in Chapter 3, Violations and Penalties.

Section 11. Chapter §157, Peace and Good Order, of the Code of the Town of Georgetown is hereby amended as follows:

§ 157-8. Violations and penalties.

~~Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction in a court of competent jurisdiction shall be fined not less than \$25 nor more than \$100.~~

Any person violating any provision of this article, shall pay such fines as set out in Chapter 3, Violations and Penalties.

Section 12. Chapter §165, Property Maintenance, of the Code of the Town of Georgetown is hereby amended as follows:

§ 165-13. Violations and penalties.

~~Any owner of property or the tenant of any owner violating any of the provisions of §§ 165-4, 165-5, 165-6 or 165-7 of this article shall be deemed guilty of a misdemeanor and upon conviction in a court of competent jurisdiction shall be fined not less than \$25 nor more than \$100 or imprisoned for a term of not more than 20 days, or both, and shall pay the cost of prosecution. For the purposes of this article, each day or part thereof that a violation continues shall be deemed to be a separate offense.~~

Any person violating any provision of this article, shall pay such fines as set out in Chapter 3, Violations and Penalties.

§ 165-23. Violations and penalties.

~~Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction in a court of competent jurisdiction shall be fined no less than \$25 nor more than \$100 or imprisoned for a term of no more than 20 days, or both, and shall pay the costs for prosecution. For the purposes of this article, each day or part thereof that violation continues shall be deemed to be a separate offense.~~

Any person violating any provision of this article, shall pay such fines as set out in Chapter 3, Violations and Penalties.

Section 13. Chapter §176, Sewers, of the Code of the Town of Georgetown is hereby amended as follows:

§ 176-14. Violations and penalties.

~~Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$100 nor more than \$500 and shall pay the cost of prosecution. For the purposes of this chapter, each day that the violation continues shall be deemed to be a separate offense. For the purpose of the chapter, each discharge of sanitary sewerage or industrial waste into the public sewer system, which is any of the unauthorized qualities as outlined in Article III, shall be deemed a separate offense.~~

Any person violating any provision of this Chapter, shall pay such fines as set out in Chapter 3, Violations and Penalties.

Section 14. Chapter §185, Solid Waste, of the Code of the Town of Georgetown is hereby amended as follows:

§ 185-8. Violations and penalties.

~~Any person who shall violate any of the provisions of this article or fail to comply therewith shall be guilty of a misdemeanor and shall be liable to pay a fine of not more than \$100, and each day such violation shall be permitted to exist shall constitute a separate offense.~~

Any person violating any provision of this article, shall pay such fines as set out in Chapter 3, Violations and Penalties.

§ 185-14. Violations and penalties.

~~Any person(s), firm, or corporation found by a court of competent jurisdiction to be in violation of any portion of this article shall be subject to one or more of the following penalties:~~

~~A. A fine of \$50 per violation, with each unlawfully disposed scrap tire being considered a separate violation. Further, each day the violation continues shall constitute a separate offense; and/or~~

~~B. The court may order the publication of the names and photographs of persons found by a court of competent jurisdiction to be in violation of this article; and/or~~

~~C. The court may order the person to repair or restore property damaged, or pay damages resulting from such violations, or perform public service related to the repair or restoration of property damaged by the violation; and/or~~

~~D. In case of a tire dump, the property owner, contractor, developer, builder or other person responsible for the property shall cause the property to be cleaned and to come into full compliance with this article. The Town of Georgetown shall not be responsible for any costs of cleanup or remediation.~~

A. Any person violating any provision of this article, shall pay such fines as set out in Chapter 3, Violations and Penalties.

B. In case of a tire dump, the property owner, contractor, developer, builder or other person responsible for the property shall, in addition to fines, cause the property to be cleaned and to come into full compliance with this article. The Town of Georgetown shall not be responsible for any costs of cleanup or remediation.

Section 15. Chapter §190, Streets and Sidewalks, of the Code of the Town of Georgetown is hereby amended as follows:

§ 190-10. Violations and penalties.

~~Every person, firm, or corporation who violates any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined the sum of \$500 and shall pay the costs of prosecution in addition to any other remedies permitted by law. For the purpose of this article, each calendar day or part thereof that a violation occurs shall be deemed to be separate offense.~~

Any person violating any provision of this article, shall pay such fines as set out in Chapter 3, Violations and Penalties.

§ 190-12. Violations and penalties.

~~Any person, firm or corporation violating any part of this article shall, upon conviction thereof by a court of competent jurisdiction, be punished for each offense by a fine of not less than \$25 nor more than \$50, plus court costs and victims compensation fund assessment, and each separate day in which any of the provisions of this article are violated shall constitute a separate and distinct offense. Any fine imposed for violation of this article may be suspended upon removal of the offending painting and restoration of the curb to a condition existing prior to the violation.~~

Any person violating any provision of this article, shall pay such fines as set out in Chapter 3, Violations and Penalties.

Section 16. Chapter §206, Trailers, of the Code of the Town of Georgetown is hereby amended as follows:

§ 206-3. Violations and penalties.

~~Any person, firm or corporation found guilty of violating the provisions of § 206 2 of this chapter shall, upon conviction thereof, be subjected to a fine not exceeding \$10 for each offense, and each and every day any such person shall camp or live in a trailer parked or stored within the limits of the Town of Georgetown shall be treated and considered as a separate and distinct offense.~~

Any person violating any provision of this Chapter , shall pay such fines as set out in Chapter 3, Violations and Penalties.

Section 17. Chapter §208, Trees, of the Code of the Town of Georgetown is hereby amended as follows:

§ 208-17. Violations and penalties.

~~Any person violating any provision of this chapter shall be, upon conviction or plea of guilty, subject to a fine not to exceed \$500.~~

Any person violating any provision of this Chapter, shall pay such fines as set out in Chapter 3, Violations and Penalties.

Section 18. Chapter §212, Vehicles, Abandoned or Inoperable, of the Code of the Town of Georgetown is hereby amended as follows:

§ 212-12. Violations and penalties.

~~Any person knowingly causing or permitting a nuisance to exist in violation of this chapter shall forfeit and pay a fine of not more than \$100 plus costs of prosecution. Each day~~

~~following the expiration of the seventy two hour period for removal shall constitute a separate offense.~~

Any person violating any provision of this Chapter, shall pay such fines as set out in Chapter 3, Violations and Penalties.

Section 19. Chapter §215, Vehicles and Traffic, of the Code of the Town of Georgetown is hereby amended as follows:

§ 215-4. Violations and penalties.

~~Any person violating this article shall, upon conviction, pay a fine of not less than \$50 nor more than \$100 and shall pay the costs of prosecution.~~

Any person violating any provision of this article, shall pay such fines as set out in Chapter 3, Violations and Penalties.

Section 20. Chapter §222, Water, of the Code of the Town of Georgetown is hereby amended as follows:

§ 222-11. Violations and penalties.

~~Any person who shall violate any of the provisions of this article or fail to comply therewith shall be guilty of a misdemeanor and shall be liable to pay a fine of not more than \$100, and each day such violation shall be permitted to exist shall constitute a separate offense.~~

Any person violating any provision of this article, shall pay such fines as set out in Chapter 3, Violations and Penalties.

§ 222-17. Violations and penalties.

~~Any person who shall violate any of the provisions of this article or fail to comply therewith shall be guilty of a misdemeanor and shall be liable to pay a fine of not more than \$100, and each day such violation shall be permitted to exist shall constitute a separate offense.~~

Any person violating any provision of this article, shall pay such fines as set out in Chapter 3, Violations and Penalties.

Section 21. Chapter §225, Yard Sales, of the Code of the Town of Georgetown is hereby amended as follows:

§ 225-7. Violations and penalties.

~~Any person or entity who shall violate any of the provisions of this chapter, or who shall fail or refuse to obey any notice issued by the Town of Georgetown, shall be subject to a penalty of \$50 for each offense. Each day a violation is allowed to continue shall constitute a separate and distinct offense.~~

Any person violating any provision of this Chapter, shall pay such fines as set out in Chapter 3, Violations and Penalties.

Section 22. This Ordinance shall become effective following its adoption by a majority vote of all members elected to the Town Council.

BE IT ENACTED by the Town Council of the Town of Georgetown, Delaware on the _____ day of _____ A.D., 2015.

William E West, Mayor

Steve M Hartstein, Secretary

1st Reading: October 14, 2015
2nd Reading: October 28, 2015
Adoption: October 28, 2015

DRAFT



ORDINANCE NO. 2015-13

AN ORDINANCE TO AMEND THE CODE TO THE TOWN OF GEORGETOWN, BY AMENDING CHAPTER 114, ENTITLED HOTELS AND MOTELS

THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN IN COUNCIL MET
AND HEREBY ORDAINS:

Section 1. Chapter §114, Hotels and Motels, of the Code of the Town of Georgetown is hereby amended as follows:

§ 114-7. Guest register.

- A. Every person conducting any hotel in the Town shall at all times keep and maintain therein a guest register, with the name and home address of each guest or person renting or occupying a room therein.
- B. Each person renting a room shall sign the register, provide personal identification, and list each person who will at any time visit or occupy the room.
- C. The proprietor of such hotel, or his agent, shall thereupon write opposite such names so registered the number of the room assigned to and occupied by such guests, together with the time for which such room is rented. Until all of the aforesaid entries have been made in such register, no guest shall be permitted to occupy any room in such hotel.
- D. When the occupant of a room so rented pursuant to this section shall quit and surrender the same, it shall be the duty of the proprietor of the hotel, or his agent, to enter the time thereof, opposite the name of such occupant, in the register kept under this section.
- ~~E. The register required by this section shall at all times be kept open to the inspection of any police officer in the course of police business.~~
- E. No person who owns or operates any hotel in the Town shall be guilty of a violation of this section if such person has no knowledge of an undisclosed occupant, guest or visitor of a room and has complied, in good faith, with the requirements of this section.
- F. Subsequent registrations with the same hotel/motel by an immediate family member of a registered occupant will be considered continued occupancy by each family member for purposes of calculating minimum stays.

Section 2. This Ordinance shall become effective following its adoption by a majority vote of all members elected to the Town Council.

BE IT ENACTED by the Town Council of the Town of Georgetown, Delaware on the _____ day of _____ A.D., 2015.

William E West, Mayor

Steve M Hartstein, Secretary

1st Reading: September 9, 2015

2nd Reading: October 14, 2015

Adoption: October 14, 2015