



ORDINANCE NO _____

AN ORDINANCE TO AMEND CHAPTER 65, SECTIONS 65-19 AND 65-24 OF THE DEWEY BEACH CODE OF ORDINANCES RELATING TO BEACH CONCESSIONS

WHEREAS, the Commissioner of the Town of Dewey Beach find it reasonable to amend the requirements of its Beach Concessionaire so as to extend the vendor contract period from three to five years and to eliminate the trash requirements from the vendor's obligations.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Commissioners of the Town of Dewey Beach, Sussex County, Delaware, in session met, as follows:

Section 1. Amend Chapter 65, §65-19 of the Code of Ordinances by striking the word "three" as it appears therein and by substituting the word "five" as depicted by the strikeout and underlined words below:

§ 65-19 Service covered by bids.

All bids shall be for ~~three~~ five summer seasons, to provide required service daily from 10:00 a.m. to 5:00 pm (weather permitting in the opinion of the Town Manager or Captain of the lifeguards) and discretionary service from 9:00 a.m. to 10:00 a.m. and 5:00 p.m. to 6:00 p.m.; said services are required to be provided from the Saturday of Memorial Day weekend through September 15 and are discretionary through the remainder of September.

Section 2. Amend Chapter 65, §65-24 of the Code of Ordinances by striking subsection D therefrom as depicted below and by re-designating the remaining subsection E accordingly.

§65-24 Duties of concessionaires; transfer of ownership

A. The concessionaires shall be expected to maintain their equipment in first class condition in such a minimum quantity as the Town Manager requires and shall employ and maintain courteous and efficient service.

B. The failure to employ competent and courteous personnel may be cause to terminate a license.

C. Any transfer or change in ownership, without having first obtained the approval of the Commissioners at an official meeting of the Commissioners, shall be cause to terminate a license.

~~**D.** Provide 100 trash barrels and the removal of recycling of trash daily.~~

E. The failure to comply with this section or other rules and regulations adopted by the Commissioner shall be cause to terminate license.

Section 2. If any provisions of this Ordinance shall be deemed or held to be invalid or unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect any other provision of this Ordinance which may be given effect without such invalid or unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 3. This Ordinance shall take effect immediately upon its passage by a majority vote of the Commissioners of the Town of Dewey Beach.

Enacted this 17th day of February, 2023.

SYNOPSIS

This Act increases the beach concessionaire contract period from three to five years and eliminates the concessionaires' obligation to provide and empty 100 trash barrels daily.

William Stevens, Mayor

Bill Zolper, Town Manager