



ORDINANCE NO \_\_\_\_\_

**AN ORDINANCE TO AMEND CHAPTER 85-1321A, CURFEW FOR MINORS, OF THE MUNICIPAL CODE OF THE TOWN OF DEWEY BEACH, DELAWARE TO REVISE THE PENALTIES FOR VIOLATION OF THE NIGHTLY CURFEW FOR MINORS**

**WHEREAS**, the Town of Dewey Beach has experienced an increase in the number of minor persons under the age of eighteen (18) years in public areas after the town-imposed nightly curfew time; and

**WHEREAS**, the Town has an interest to promote the safety and well-being of the Town's youngest citizens, whose inexperience renders them particularly vulnerable to becoming participants in unlawful activities; and

**WHEREAS**, the larger population of minor persons present after curfew places an increased burden on law enforcement officials' public safety efforts.

**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 §85-1321A(D)(2) of the Code of Ordinances as depicted by highlighted insertions, strikeouts, and substitutions depicted below:

(2) Penalties.

(a) Minor child. Any minor child who violates any provisions of this section shall be fined in an amount not to exceed ~~\$100~~ **\$300**.

(b) Parents. Any parent who violates any provisions of this section after having received notice of a prior violation shall be fined in an amount not to exceed ~~\$100~~ **\$300** and costs for each violation.

**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.

Adopted by at least a majority of the Commissioners of the Town of Dewey Beach on this 21st day of July, 2023.

SYNOPSIS

This Act increases the fine amount for any minor child in violation of the town-imposed curfew from a maximum of \$100 to a maximum of \$300. It also increases the fine amount for any parent violating the provisions of §85-1321A after notice of prior violation from a maximum of \$100 to a maximum of \$300.

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Mayor, William Stevens

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Town Manager, Bill Zolper