



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 EFFECTIVE TIMES OF 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(B)(1) and §85-1321A(C)(1) of the Code of Ordinances as depicted by highlighted insertions, strikeouts, and substitutions depicted below:

B. Curfew hours; exceptions.

(1) No minor shall remain in or upon any public place between the hours of 11:00 p.m. and 5:00 a.m. of the following day, official Town time, ~~except that on Fridays and Saturdays, the hours shall be from 12:00 midnight to 5:00 a.m.~~

C. Unlawful conduct of parents.

(1) No parent shall knowingly permit any minor to remain in or upon any public place between the hours of 11:00 p.m. and 5:00 a.m. of the following day, official Town time, ~~except that on Fridays and Saturdays, the hours shall be from 12:00 midnight and 5:00 a.m.~~ Any parent who has received the notice of a minor's having been issued a summons pursuant to this section may be charged with a violation of this section.

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 18th day of August, 2023.

SYNOPSIS

This Act eliminates the Friday and Saturday midnight curfew for minors, and extends the 11:00pm curfew to seven days per week.

Mayor, William Stevens

Town Manager, Bill Zolper