

Consensus Amendments – Draft for discussion March 10, 2018

Everywhere

- Remove gender bias (approved)
- Correct all obvious typos
- Unify citation language Sec 6(e), 11(c), 23(a)16 and elsewhere
29 Del. § 100001 et seq, Title 29, Chapter 100, Delaware Code, Chapter 61 of Title 30 ...
Amend to read, e.g., 29 Del. Laws, c.100. ALSO amend every citation to a past amendment to be presented in BOLD, e.g., **(70 Del. Laws, c191, 7/10/1995)**
- Everywhere, possibly except possibly 15(c) (removal of Town Manager) and 16(j) (temp Town Manger), replace “majority vote of the Commissioners” with “majority vote of those Commissioners of Dewey Beach present and eligible to vote”. For 15(c) and 16(j) possibly amend as: “ the Commissioners of Dewey Beach, by a majority vote of all ~~the elected~~ Commissioners thereof ...” or similar
- Correct/amend terms of election and appointment from “one year” to indicate that such terms run through the next/subsequent annual Organizational Meeting.
- Use “Commissioners of Dewey Beach” to represent the legislative body and “individual Commissioner(s)” to represent individual authority/responsibility
 - Monthly meetings termed “Town Commissioners’ Meeting”
- Use “Mayor” everywhere except where more appropriate in context to use “presiding officer of the Commissioners of Dewey Beach”
 - Amend: “One of the said Commissioners shall have the title of "Mayor of the Town of Dewey Beach," (hereinafter referred to as “Mayor”), with duties hereinafter to be prescribed, and who shall also be ~~President~~ the presiding officer of the Commissioners of Dewey Beach.”

Unify language

- Monthly meetings
 - There shall be not less than one Town Commissioners’ mMeeting held per calendar quarter. (11(b))
 - ~~The Town Manager~~He shall render to the Commissioners of Dewey Beach at ~~each~~ each regular Commissioners’ monthly mMeeting ~~of each and every month~~... (16(c))
- Land-use notice requirements

- In 2(d) says one week for notice of public hearing date in local papers; elsewhere says 15 days for letters regarding this hearing, thirty days for the special election notice in papers and 15 days for posting – as a land-use issue should be at least 15 days everywhere for hearings and elections. Amend: “at least ~~one week~~ fifteen (15) days prior to the date set for the public hearing...”

Specific typos and clarifications

- Sec 2(d) “Property owners or leaseholders ... is exempt from taxation or ~~in~~ is not assessed ...”
- 8(d) Change “in” to “is” in 3rd paragraph
- Sec 16(b) “Except for purposes of ~~injury inquiry~~, the Commissioners shall deal with that portion of the administrative service for which the Town Manager is responsible solely through the Town manager.”
- Sec 29 Possible suggestion: “The Commissioners may provide for indemnification of elected and appointed officials s from liability arising out of their acts performedance in good faith on behalf of the Town.”
 - Should this statement be moved to some other section, possibly 23?
- Sec 16(j) delete the conditional “elected”
- Sec 7(c) delete “,agent or employee” – section deals in general with elected offices

Update language

- Sec 31(c) “The authority vested in the Commissioners of Dewey Beach and the ~~taxables residents, property owners and other-wise eligible voters~~ of the Town of Dewey Beach by Section 1 ...” – or just, “eligible voters”
 - Make same amendment for taxables in 26(d) re: special election regarding borrowing, or consider expanding this definition to include corporations and partnerships
 - What does “taxable” mean in 21(c)?
- Sec 9 filing requirements: Replace the requirement to file with the Commissioners with one of filing with the Town Manager; ditto evaluation of candidate requirements. Perhaps it should also state that subsequent to verification the Town Manager will promptly notify the Commissioners.
 - Sec 10(g): replace requirement to preserve the election book with the Town Manager from Commissioners