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

**AN ORDINANCE TO AMEND CHAPTER 158, STREETS AND PARKING, AND CHAPTER 93, FEES, OF THE MUNICIPAL CODE OF THE TOWN OF DEWEY BEACH, DELAWARE TO REVISE THE DAYS ON WHICH FREE PARKING IS IN EFFECT.**

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

**WHEREAS**, the Commissioners of the Town of Dewey Beach find that it is appropriate to amend the days that free parking is in effect to provide an equitable, reasonable and necessary revenue increase for the Town; and

**WHEREAS**, the Commissioners of the Town of Dewey Beach are specifically authorized by Section 23(a)(14) of the Charter of the Town of Dewey Beach, 23 Delaware laws, Chapter 59, to “raise funds by charging a fee to owners of vehicles which are parked in the streets and other areas which are accessible to the public”; and

**WHEREAS**, the Dewey Beach Budget & Finance Committee met at a properly-noticed meeting on November 14, 2023 and recommended to the Town Council to only permit free parking hours on Mondays.

**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 §158-4 of the Code of Ordinances as depicted by highlighted insertions, strikeouts, and substitutions depicted below:

- A. No person, during the summer season, as defined in Chapter 1, Article III, and herein below, shall park any vehicle on any unmetered zone of any public right-of-way from the hours of 10:00 a.m. to 5:00 p.m. and 11:00 p.m. to 2:00 a.m. the following ~~each~~ day on Mondays, ~~Tuesdays, and Wednesdays~~, and from the hours of 10:00 a.m. to 2:00 a.m. the following day on Tuesdays, Wednesdays, Thursdays, Fridays, Saturdays, and Sundays unless a valid parking permit is appropriately displayed on the vehicle and unless official traffic control signs otherwise permit or regulate.

**Section 2.** Amend §93-5 of the Code of Ordinances as depicted by highlighted insertions, strikeouts, and substitutions depicted below:

- E. Parking permits are required from the hours of 10:00 a.m. to 5:00 p.m. ~~Monday through Wednesday~~, and 11:00 p.m. to 2:00 a.m. the following day on ~~Monday through Wednesday~~ (partial enforcement hours) and 10:00 a.m. to 2:00 a.m. the following day ~~Thursday~~ Tuesday through Sunday (full enforcement hours).

43 **Section 3.** If any provisions of this Ordinance shall be deemed or held to be invalid or unenforceable for  
44 any reason whatsoever, then such invalidity or unenforceability shall not affect any other provision of  
45 this Ordinance which may be given effect without such invalid or unenforceable provision, and to this  
46 end, the provisions of this Ordinance are hereby declared to be severable.

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48 **Section 4.** This Ordinance shall take effect immediately upon its passage by a majority vote of the  
49 Commissioners of the Town of Dewey Beach.

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51 Adopted by at least a majority of the Commissioners of the Town of Dewey Beach on this 15<sup>th</sup> day of  
52 December, 2023.

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54 SYNOPSIS

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56 This Act eliminates free parking hours on Tuesdays and Wednesdays, providing free parking only on  
57 Mondays from 5:00pm – 11:00pm.

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59 \_\_\_\_\_  
60 Bill Zolper, Town Manager

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William Stevens, Mayor