



2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

ORDINANCE NO ____

AN ORDINANCE TO AMEND CHAPTER 185-21 OF THE DEWEY BEACH CODE OF ORDINANCES RELATING TO SMOKE DETECTORS AND CARBON MONOXIDE DETECTORS.

WHEREAS, the Commissioners of the Town of Dewey Beach wish to ensure the safety of property owners and town visitors; and

WHEREAS, State statute includes requirements for both smoke detectors and carbon monoxide detectors; and

WHEREAS, on February 17, 2024 the Dewey Beach Planning Commission met a properly-noticed public hearing and recommended the amendments provided in this ordinance.

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 §185-21 of the Code of Ordinances as depicted by highlighted insertions, strikeouts, and substitutions depicted below:

Chapter 185. Zoning

Article III. General Provisions

§ 185-21. Smoke detectors- and carbon monoxide detectors.

A. Every bedroom and sleeping area in a dwelling, including a single-family detached dwelling or dwelling unit within a multifamily dwelling or mixed-use multiunit building, and every guest room in a motel, hotel, bed-and-breakfast, or other similar provider of temporary accommodations shall be provided with an approved smoke detector that is hard-wired into the building's electrical system and provided with battery back-up as per applicable fire and building codes, and installed in accordance with manufacturer's recommendations. When activated, the detector shall emit an audible alarm. The smoke detectors shall be tested in accordance with and meet the requirements of Underwriters Laboratories #217, Single and Multiple Smoke Detectors.

B. Any rooms, lodgings, or sleeping accommodations in the Town furnished to transients for consideration, designed or used exclusively for residential occupancy shall require installation of battery-operated or AC-powered carbon monoxide detection devices in accordance with the rules and regulations promulgated by the State Fire Marshal's Office that must include all of the following:

1. Single station battery-operated carbon monoxide detection devices listed for the purposes for which they are intended and permitted if both of the following conditions exist:

- 42 a. The lodging establishment was either constructed or received final approval for
43 construction, before January 1, 2019;
44 b. The carbon monoxide detection devices are installed pursuant to the
45 manufacturers' specifications.
46 2. Requirements will be consistent with the standards and guidelines of all of the following:
47 a. The recommendations and instructions provided by the manufacturer of a device.
48 b. Local building codes.
49 c. The American National Standards Institute.
50

51 C. Carbon monoxide detection devices are not required in a dwelling unit or sleeping unit if any of
52 the following apply:
53

- 54 1. A dwelling unit or sleeping unit is located more than 1 story above or below any story that
55 contains a fuel-burning appliance or an attached garage.
56 2. A dwelling unit or sleeping unit is not connected by duct work or ventilation shafts to any
57 room containing a fuel-burning appliance or to an attached garage.
58

59 (Consistent with Chapter 66C, Title 16 of the Delaware State Code)
60

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

65
66 **Section 3.** This Ordinance shall take effect March 15, 2024 upon its passage by a majority vote of the
67 Commissioners of the Town of Dewey Beach.
68

69 Adopted by at least a majority of the Commissioners of the Town of Dewey Beach on this 15th day of
70 March, 2024.
71

72 SYNOPSIS
73

74 This act adds requirements for installation of carbon monoxide detectors in rooms, lodgings, or sleeping
75 accommodations in the Town furnished to transients for consideration, designed or used exclusively for
76 residential occupancy, consistent with Chapter 66C of Title 16 of the Delaware State Code.
77

78 _____
79 William Stevens, Mayor
80

Bill Zolper, Town Manager
81