



TOWN OF DEWEY

BEACH

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DRAFT ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 60 ANIMALS, ARTICLE II DOGS, §60-9 PROHIBITION ON DOGS RUNNING AT LARGE, CHAPTER 80 CIVIL OFFENSES, ARTICLE II, OFFENSES AGAINST PUBLIC ORDER §80-10 FAILURE TO ACQUIRE DOG LICENSE, CHAPTER 93 FEES, ARTICLE I GENERAL FEE SCHEDULE §93-6 DOGS, TO CHANGE THE WORD “LICENSE” TO “PERMIT” WHERE CURRENTLY STATED AS “DOG LICENSE”.

WHEREAS, the Commissioners of the Town of Dewey Beach desire to change the words dog “license” to dog “permit”.

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. Chapter 60 of the Municipal Code of Dewey Beach, Delaware, is hereby amended by amending Section 60-9 as follows:

§ 60-9 Prohibition on dogs running at large.

No dog shall be permitted to run at large at any time in the Town of Dewey Beach or on its beaches, unless the dog is accompanied by the owner or custodian and under the owner's or custodian's reasonable control and ~~is licensed~~ **has obtained a dog permit** with the Town of Dewey Beach.

Section 2. Chapter 80 of the Municipal Code of Dewey Beach, Delaware, is hereby amended by amending Section 80-10 as follows:

§ 80-10 Failure to acquire dog license.

A. Any person, persons, or entity who owns, keeps, harbors, or maintains or who allows on the beaches or who allows to run at large within the boundaries of the Town of Dewey Beach, a dog or dogs over the age of four months shall acquire either a ~~license dog permit~~ **license dog permit** that is temporary or that is for the life of the dog, as specified in the schedule of fees adopted by the Commissioners of the Town of Dewey Beach, and said person shall be required to either affix a ~~license-permit~~ **license-permit** tag issued by the Town to each ~~licensed permitted~~ **licensed permitted** dog or be in close proximity to such dog or dogs and carry with them a tag or a copy of the Dewey Beach ~~license permit~~ **license permit** certificate. The date of the last rabies vaccination will be required when applying for a ~~license permit~~ **license permit**. A ~~license permit~~ **license permit** shall not be required for any canine which is validly registered as a Seeing Eye dog or similar registry to assist a handicapped individual, which dog is being handled by such individual, or for a canine actively being used in the enforcement of the Town of Dewey Beach, State of Delaware, Armed Forces, or federal law enforcement. Violation of this provision is declared to be a civil offense pursuant to Chapter 80 of the Municipal Code of the Town of Dewey Beach, and shall be subject to an assessment of \$25 for the first offense and \$50 for each offense thereafter.

[Amended 4-6-2013 by Ord. No. 700]

B. Failing to acquire a dog **license permit** is a civil violation.

Section 3. Chapter 93 of the Municipal Code of Dewey Beach, Delaware, is hereby amended by amending Section 93-6 as follows:

§ 93-6 Dogs.

[Amended 2-14-2009 by Ord. No. 650; 4-6-2013 by Ord. No. 700]

A. Dog **license permit**, valid for the life of the dog: \$35.

B. Replacement of lost lifetime dog tag: no charge.

C. Dog **license permit** valid for eight days: \$10.

D. Dog **license permit** valid for a weekend (Friday 5:30 p.m. to Sunday 12:00 midnight): \$5.

E. For any dog show or event not exceeding five days per event: \$109. Participating dogs must be **licensed permitted** if they are owned, kept, harbored, or maintained, or on the beaches within the boundaries of the Town of Dewey Beach.

Section 3. If any provision 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 4. This Ordinance shall take effect immediately upon its adoption by a majority vote of all Commissioners of the Town of Dewey Beach.

Adopted by at least a majority of all Commissioners of the Town of Dewey Beach on Saturday, February 23, 2019.

TJ Redefers, Mayor

Attest: _____

Scott Koenig, Town Manager