

TOWN OF DEWEY BEACH
CHARTER AND CODE WORKSHOP SUMMARY

Prepared by: Bill Stevens, Mayor

Dated: June 19, 2024

Summary Statement: At the request of the Charter and Code Committee, the Town Council has scheduled a workshop after its normal monthly meeting to seek input from the Council and the community. The items listed are not meant to state an opinion or desire for change but seek input to ensure that the current Charter & Codes align with the community's best interest for the future. Please keep in mind that this is a workshop, a discussion, and there is not a vote. The Charter and Code Committee will use this information to develop recommendations that will ultimately be delivered to the Council for their vote if a change is deemed necessary. The following represents a summary statement for each item listed in the agenda:

ITEM 8A

Commissioner Residency: The requirement for at least 2 commissioners to be residents was determined prior to the virtual meeting capabilities that exist post 2020 (COVID). A possible unintended consequence is that if an election has an open resident seat, and multiple candidates file, with only one being a resident, the resident automatically assumes the open seat, regardless of their abilities or the number of votes, which may hurt the town.

ITEM 8B

Voting Rights: The town was formed in 1981 prior to the federal government's acceptance of an LLC or LLP. The probable intent of this part of the code was to restrict Corporations from voting for the town's representation. With over 200 properties currently listed as LLCs, does that property owner have the same rights as a trustee, who is allowed to vote?

ITEM 8C

Town Budget: The Charter currently contradicts the town manager's responsibilities regarding budget where on one hand it requires a staffing plan and the other requires an adherence to the budgeted amount. After the Town Council has approved the fiscal year budget, should the town manager be able to manage the town to that budgeted amount line by line or the total budgeted amount?

ITEM 8D

Alderman Penalty: is the current maximum penalty of \$1,000 for the Alderman to assess meet the needs to penalize bad actors for tree, green space, or other actions taken within Dewey Beach. Section 173-6(b) currently imposes a penalty of up to \$3,000 if a tree is not planted nor the original \$1,000 fine is paid which would not hold up if challenged in court.

ITEM 8E

Indebtedness: The Town is limited to taking on debt of up to \$3 Million. It appears that this number was incorporated into our code in 1993, or 31 years ago, and should that number be increased to a higher amount, reflect a percentage of the budget, or should it be tied to a referendum?

ITEM 8F

Lottery: The Charter was drafted and amended with the intent to protect Dewey from having a casino or gambling within the town except for Delaware State lottery. With the existence of a multi-state lottery (MegaMillions or PowerBall), should a retail store have the ability to sell those tickets. Current visitors or residents have to drive out to the Valero on the forgotten mile if they want a chance at winning!

ITEM 8G

Accommodation: Pursuant to the Code, Accommodation tax cannot be increased over the stated 3% rate without a referendum. Dewey Beach is the only beach town with an accommodations rate of less than 6%. The ability to match the other town's rates would provide the town financial stability and the ability to eliminate possible nuisance ordinances that could be perceived as petty or "nickel and diming" its residents.