



ORDINANCE _____

AN ORDINANCE TO AMEND CHAPTER 185, ZONING, OF THE MUNICIPAL CODE OF THE TOWN OF DEWEY BEACH, DELAWARE, 2005, AS AMENDED, RELATING TO A REQUIREMENT THAT NEWLY CONSTRUCTED AND RENOVATED BUILDINGS MANAGE STORMWATER STORM WATER RUNOFF WITH GUTTERING AND DOWNSPOUTS.

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 Chapter 185 of the Municipal Code of the Town of Dewey Beach by adding a new subsection to read as follows:

§185-94. Stormwater Runoff/Guttering and Downspouts

- A. Any application for a permit to construct a new building¹ or to renovate a building in which the cost of renovations exceed \$15,000.00² as represented on the associated building permit(s) requires the utilization of gutters and downspouts.
- B. The discharge point for downspouts shall be not less than four (4) feet from the nearest property boundary line.
- C. Stormwater runoff shall be contained within the boundaries of the parcel.....

Section 2. 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 3. This Ordinance shall take effect immediately upon its adoption by a majority vote of the Commissioners of the Town of Dewey Beach.

Adopted by at least a majority of the Commissioners of the Town of Dewey Beach on [INSERT DATE], 2024.

SYNOPSIS

This Act requires guttering and downspouts for all newly constructed and renovated buildings as well as institutes a requirement that stormwater be contained on parcels of land on which it falls.

¹ What about commercial buildings in locations in which no sideyard setbacks are required?

² Placeholder value for discussion