

CURRENT CODE EXCERPT

Table 3 Uses in Resort Business Districts								
		RB-1 Resort Business	RB-2 Resort Business	RB-3 Resort Business	PRB-1 Planned Resort Business	PRB-3 Planned Resort Business		
		Tents other than those covering a conditional use approved or existing licensed patron area as a permitted use; provided that if the tent is to be used over a parking lot, such a tent shall not encompass more than 2,000 square feet, such a tent shall not be used before 8:00 a.m. and after 8:00 p.m. between May 15 and September 15 (Subject to the above described limitations, permits may be approved by the Town Commissioners following a public hearing for special events requiring tents for a period of three days or less.)		✓	✓	✓	✓	✓
		Temporary expansion of patron area into the parking lot for special events. Permits for temporary expansion of patron areas may be granted by the Commissioners of the Town of Dewey Beach following a public hearing pursuant to the following limitations and conditions:		✓	✓	✓	✓	✓
	A.	No patron area shall be expanded to encompass more than 2,000 square feet.						
	B.	No temporary expansion permit shall be granted for a time period exceeding 72 hours in duration.						
	C.	Temporary expansions of patron areas for special events held between May 15 and September 15 shall be limited to one per business establishment per calendar year and restricted to the hours of 9:00 a.m. to 8:00 p.m.						

<p align="center">Table 3 Uses in Resort Business Districts</p>							
			RB-1 Resort Business	RB-2 Resort Business	RB-3 Resort Business	PRB-1 Planned Resort Business	PRB-3 Planned Resort Business
	D.	Temporary expansions of patron areas for special events held between September 16 and the subsequent May 14 shall be limited to two per business establishment per calendar year. An additional two events per establishment may be applied for, provided the events are family-friendly (open to all ages), and supportive of a charitable organization or fundraising for Town improvements.					
	E.	Applications for temporary expansions of patron areas shall be submitted not less than 90 days in advance of the proposed special event.					
	F.	The application shall include a flat fee of \$500 per day of the proposed special event.					
	G.	Not less than 48 hours prior to start of an approved event, the applicant shall display on the event premises permits from the Town of Dewey Beach; the Fire Marshal if required, and the ABCC license extension certificate, if required.					
	H.	Additional conditions of approval may include the following:					
	(1)	Additional security measures to protect the health, safety and welfare of the event participants and the community as a whole.					
	(2)	Restrictions on the hours of operation of a special event.					
	(3)	The provision and screening of adequate facilities, such as portable toilets and waste receptacles.					

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			(4)	In the event the applicant proposes to erect a tent, limitations on the time period in which the tent may be erected prior to the event and removed following the event.				
			(5)	Any other condition that promotes and protects the health, safety and welfare of the community at large.				
Special events permitted for a limited period of time. Special-event permits shall be approved by the Town Commissioners following a public hearing.								
	Sale of permitted types of goods, products and services from a vehicle, push cart, tent or open-air facility when authorized by majority vote of the Town Commissioners as part of a "fair" or "show" of duration not to exceed seven consecutive days, and with such terms and conditions as the Town Commissioners may impose			✓	✓	✓	✓	✓
	Temporary outdoor display or promotional activities designated to be in operation for a period of seven days or less			✓	✓	✓	✓	✓
	Temporary use of a building as a sales or rental office for an approved real estate development or subdivision limited in time to seven days or less			✓	✓	✓	✓	✓
	Temporary structures for the sale of food or merchandise for a period of seven days or less			✓	✓	✓	✓	✓
	Nonprofit charitable gaming limited to off-season (October 15 to May 15) for a period of six hours with approval of Town Commissioners, except that the event must be conducted by a nonprofit organization. No establishment shall conduct charitable gaming more than one time per calendar quarter.			✓	✓	✓	✓	✓

D. Conditional uses. See Table 3, Uses in Resort Business Districts. The following additional



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ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 185, TABLE 3, OF THE MUNICIPAL CODE OF THE TOWN OF DEWEY BEACH, DELAWARE TO AMEND THE REQUIREMENTS FOR SUBMISSION OF TEMPORARY EXPANSION APPLICATIONS

WHEREAS, the Commissioners wish to relieve business owners of the 90 day requirement for submission of a temporary expansion of premise request;

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 Chapter 185, Table 3 of the Municipal Code of Dewey Beach, Delaware by making the highlighted insertions, strikeouts, and substitutions depicted below:

Temporary expansion of patron area into the parking lot for special events. Permits for temporary expansion of patron areas may be granted by the Commissioners of the Town of Dewey Beach following a public hearing pursuant to the following limitations and conditions:

E. Applications for temporary expansions of patron areas shall be submitted not less than 90 days in advance of the proposed special event when police or use of public property is required.

Section 2. Severability. 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 approval by the Town Council. Adopted by at least a majority vote of all Commissioners of the Town of Dewey Beach on [TBD].

SYNOPSIS

[TBD AFTER AMENDMENTS]

William Stevens, Mayor

Bill Zolper, Town Manager