



# TOWN OF DEWEY

## BEACH

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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND CHAPTER 71, BUILDING CONSTRUCTION, BY ADDING SECTION 71-5 (C) TO STATE ANY NEW CONSTRUCTION OR DEMOLITION DISTURBING THE LAND AREA SHALL UTILIZE EROSION CONTROL MEASURES AS DIRECTED BY THE BUILDING OFFICIAL.**

**WHEREAS**, the Commissioner of the Town of Dewey Beach find it reasonable to add a new section to protect the land when demolitions take place.

**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 71-5 of the Code of Ordinances by adding a new section, section 71-5 (C) as follows:

§ 71-5 Other requirements.

A. The applicant for a building permit shall furnish any and all papers, drawings, explanations, etc., that may be requested by the Town to assure conformance with all applicable codes and regulations.

B. No application for a building permit shall be reviewed unless all required application fees are paid. No permit shall be issued for any building, structure, etc., to be erected, altered, or added to, which when altered, built, or added to shall encroach upon the street line or conflict with any of the restrictions applicable to the lot upon which said structure or building built, altered or added to is to be erected or which shall be in effect in the Town of Dewey Beach at the time of the applications for said permit

C. Any new construction or demolition disturbing the land area shall utilize erosion control measures as directed by the Building Official.

**Section 2.** If any provisions 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 passage by a majority vote of the Commissioners of the Town of Dewey Beach.

Enacted this 19th day of November, 2021.

**SYNOPSIS**

This Act puts measures in place an attempt to protect the land surrounding the area of demolition sites.

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William Stevens, Mayor

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Bill Zolper, Town Manager