



TOWN OF DEWEY

BEACH

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ORDINANCE NO. _____

AN ORDINANCE TO AMEND §158-11 A, BOOTING AND TOWING OF VEHICLES, OF THE CODE OF THE TOWN OF DEWEY BEACH, TO PERMIT THE TOWING OF VEHICLES OCCUPYING A PARKING SPACE DESIGNATED FOR LIFEGUARD USE WITHOUT AUTHORIZATION.

WHEREAS, lifeguards who are employed by the Town of Dewey Beach are each permitted one parking space on the street they guard during the hours they are guarding;

WHEREAS, to ensure the lifeguard has access to the designated parking space a regulation needs to be implemented to guarantee the access.

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 § 158-11 Booting and towing of vehicles, of the Code of Ordinances of Dewey Beach, by adding thereto new language as follows:

§ 158-11 Booting and towing of vehicles.

A. Any police officer of the Town, county or state, code enforcement officer, or code enforcement supervisor of the Town of Dewey Beach, while in the performance of his or her duty, may remove, store or cause to be removed or stored from any public highway, highway right-of-way, street or alley at the owner's or operator's expense any motor vehicle, trailer or part thereof parked or left standing in such manner as to create a hazard by interfering with the normal movement of traffic, by preventing the exit from or entrance to any public highway, private road or driveway, by interfering with emergency firefighting equipment, **by occupying a parking space designated for lifeguard use without authorization**, by being involved in an accident and rendered incapable of being moved under its own power, when the owner or operator has been arrested and detained or when the owner or operator is unable, unwilling or not available to do so immediately

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 April 8, 2022.

William Stevens, Mayor

Bill Zolper, Town Manager

SYNOPSIS

This Act amends §158-11 by adding language to permit towing of vehicles occupying a parking space designated for lifeguard use without authorization.