

**TOWN OF FREDERICA
ORDINANCE NO. 17-02**

**AN ORDINANCE AMENDING CHAPTER 305 OF THE TOWN OF
FREDERICA CODE OF ORDINANCES**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN
OF FREDERICA IN COUNCIL MET:

Section 1. That Chapter 305 of the Town of Frederica Code of Ordinances be amended by adding a new article, Article IV to read as follows:

ARTICLE IV – OUTSIDE STORAGE

§305-23. Outside storage shall be subject to the following requirements:

(a) All items shall be stored and maintained in a neat and orderly manner and as compactly as practicable.

(b) Storage shall be screened from view of adjacent properties and public rights-of-way in accordance with the Land Development Ordinance, and the height of the screening shall exceed the height of all stored items.

(c) Items may not be stored in the required front setback of a property, in a parking or loading area or within 10 feet of a lot line.

(d) Unless outside storage is specifically permitted in the zoning district in which a property is located, all storage, keeping, maintenance or accumulation of equipment, products, materials, containers or other goods shall only be within a roofed structure entirely enclosed on all sides.

§ 305-24. In the event that any owner, occupant or tenant of any premises, or any agent caring for or in charge of the premises within the Town shall be determined to be in violation of this Article, then the Code Official shall issue a summons showing a violation of this Ordinance, said summons to be served personally or by certified mail upon the owner, occupant, or tenant of the premises, or any agent caring for or in charge of the premises. The summons shall cite the violation of this Article and shall be accompanied by a letter or a copy of the relevant provisions of this Article stating what corrective action must be taken and shall state the consequences for failure to take such corrective action. If the violation is not corrected within three (3) days from the date of personal service of the summons or within seven (7) days from the date of mailing of the summons

by certified mail, then the Town at the direction of the Code Official may remove the material so placed or so accumulated in violation of this Article and charge the responsible person fifty dollars (\$50.00) per hour, the tipping fee and thirty dollars (\$30) per truckload of material for such work that must be done to render the property in compliance with this Article. When the owner, occupant, or tenant of any premises, or any agent caring for or in charge of the premises has received summonses and fails to take corrective action, and the Town has corrected the violation in accordance with this section, then no further notification shall be necessary for the Town to take any further corrective action on any subsequent violations within the following twelve-month period starting from the date of the first corrective action by the Town.

§ 305-25. In the event that the owner, occupant, tenant or other agent caring for or in charge of the premises is deemed to be in violation of this Article and in the event that the violation is corrected in compliance with the preceding section and if the charges assessed by the Town for correcting said deficiency are not paid, then the Town, after having corrected the deficiency and violation, shall place its charges and expenses as specified in the municipal lien docket as a lien against said property and in the Lien Docket maintained by the Prothonotary; and the Town solicitor shall be directed to enforce said lien or to collect the charges imposed by the city by any other means that he may deem desirable and most advantageous.

§ 305-26. Any person convicted of a violation of this Article, regardless of corrective actions taken, shall be punished for that violation by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00). Any such fine shall be in addition to any charges or assessments imposed upon the violator pursuant to this Article. All fines imposed shall be in accordance with the minimum fine schedule set out herein.

§ 305-27. Every day that a violation of this Article continues shall be considered a separate offense, for which the violator may be tried and convicted without necessity of further notice.

§ 305-28. Any fine assessed pursuant to this Article shall be no less than the minimum amount set out in the following schedule:

First offense	\$ 25.00
Second offense	\$ 50.00

Third and subsequent offenses . . . \$100.00

In determining the applicable minimum fine, an offense shall be considered a recurring offense only if the defendant has previously pleaded, or been found guilty of causing or permitting the same nuisance at the same location within the past eighteen (18) months, or for everyday that the violation of this Article continues.

§305-29. Any fines imposed pursuant to this Article which remain unpaid shall be placed by the Town as specified in the municipal lien docket as a lien against the property on which the violation occurred, and the procedures for enforcement or collection of said lien shall be as set forth herein.

Repealer: All ordinances and part of ordinances inconsistent with the provisions of this ordinance are hereby repealed.


Effective Date: This ordinance shall become effective thirty days after adoption.

ORDAINED AND ENACTED INTO THE LAW by a majority vote of the Council Members present at a regular session of Frederica Town Council on the 1st day of March, A.D. 2017.

First Reading: February 15, 2017

Public Hearing and Second Reading: March 1, 2017

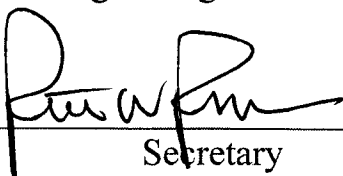
Published: MARCH 4, 2017



William C. Glanden

Mayor

I do hereby certify that the foregoing is a true and correct copy of the Ordinance passed by the Town Council at its meeting on March 1, 2017 at which meeting a quorum was present and voting throughout that the same is still in full force and effect.


Secretary