

# ORDINANCE NO. 15-05

## AN ORDINANCE RELATING TO ABANDONED VEHICLES

THE COUNCIL OF THE TOWN OF FREDERICA HEREBY ORDAINS:

**Section 1.** That Chapter 406 of the Frederica Code of Ordinances shall be amended by amending Section 406-2 to read as follows:

### **406-2 Parking on private property prohibited**

It shall be unlawful for the owner of any vehicle, motor vehicle, trailer, recreational vehicle or boat

- (a) which displays a license plate that has been expired for at least 30 days,
- (b) which displays no license plate, or
- (c) which is in such a state of disrepair as to be incapable of being operated in the manner for which it is designed

to be located on private property in the Town for more than sixty <sup>30</sup>~~60~~ days unless the owner thereof shall keep the vehicle, motor vehicle, trailer, recreational vehicle or boat fully covered by a cover specifically designed and suitable for the vehicle being covered. An ordinary tarp or similar covering does not constitute a cover specifically designed and suitable for the vehicle being covered. The vehicle must be fully covered with none of the vehicle's parts being visible. In no event such more than two such vehicles, motor vehicle, trailer, recreational vehicle or boat be located on any parcel of land.

**Section 2.** That Chapter 406 of the Frederica Code of Ordinances shall be amended by amending Section 406-4 B to read as follows:

B. If the vehicle, motor vehicle, trailer, recreational vehicle or boat located on private property is not removed within the 60 days as stated in Chapter 406-2, then the Code Official shall affix a sticker or tag showing the time and date of the affixing, advising the owner that if the vehicle, motor vehicle, trailer, recreational vehicle or boat is not removed within 24 hours of the time and date of the affixed

sticker or tag, then the Town staff or a third-party contractor will enter or access the private property and remove the vehicle, motor vehicle, trailer, recreational vehicle or boat from the property. The vehicle, motor vehicle, trailer, recreational vehicle or boat will be stored to an area designated by the Town at owner's expense. In addition, the Code Official shall issue a citation and fine.

**Section 3. Severability.** The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph shall be held unconstitutional or violate the Laws of the State of Delaware by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

**Section 4. Effective Date.** This ordinance shall become effective thirty days after adoption.

#### SYNOPSIS

This ordinance revises Chapter 406 and the manner in which vehicles, motor vehicles, trailers, recreational vehicles or boats located on private property are handled.

**Repealer:** All ordinances and parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

**Date of Effect:** The Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law; and this Ordinance shall take effect and be in force thirty days from and after its approval by Council.

**ORDAINED AND ENACTED INTO THE LAW** by a majority vote of the Council Members present at a regular session of Frederica Town Council, Delaware on the 4<sup>th</sup> day of November, A.D. 2015.

First Reading: ~~September 16, 2015~~ October 7, 2015

Public Hearing and Second Reading: NOV. 4, 2015

Published: Oct. 17 & 18, 2015

William C. Glanden

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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 \_\_\_\_\_ at which meeting a quorum was present and voting throughout that the same is still in full force and effect.

Janet M. White

Clerk