

ORDINANCE NO. 14-03

AN ORDINANCE RELATING TO UNREGISTERED AND/OR INOPERABLE VEHICLES, MOTOR VEHICLES, TRAILERS, RECREATIONAL VEHICLES AND BOATS

THE COUNCIL OF THE TOWN OF FREDERICA HEREBY ORDAINS:

Section 1. That §406.2 of the Frederica Code of Ordinances shall be amended by striking the existing section and inserting in lieu thereof the following:

406-2 Parking on private property prohibited.

It shall be unlawful for the owner of any vehicle, motor vehicle, trailer, recreational vehicle or boat which displays a license plate that has been expired for 30 days or more, which displays no license plates, or 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 unless the owner thereof shall keep the vehicle, motor vehicle, trailer, recreational vehicle or boat fully covered. In no event such more than two such vehicles, motor vehicles, trailers, recreational vehicles or boats be parked on any parcel of land. No such vehicle, motor vehicle, trailer, recreational vehicle or boat in violation of this ordinance shall be parked or stored on private property for a period of more than 60 days. If such vehicle, motor vehicle, trailer, recreational vehicle or boat remains on private property more than 60 days, the Code Official shall enforce the ordinance "Chapter 406-4 Violations on private property; Enforcement; penalties".

Section 2. That §406.4 B of the Frederica Code of Ordinances shall be amended by striking the existing section and inserting in lieu thereof the following:

406-4 Violations on private property; enforcement; penalties.

B. If the vehicle, motor vehicle, trailer, recreational vehicle or boat located on private property is not removed within seven (7) days, the Code

Official shall affix a sticker or tag 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 that the sticker or tag was affixed, then the Town Code Official or contractor will enter or access the private property and remove the vehicle, motor vehicle, trailer, recreational vehicle or boat at owner's expense. The Code Official or contractor shall store the vehicle, motor vehicle, trailer, recreational vehicle or boat in an area designated by the Town at the owner's expenses. In addition, the Code Official shall issue a fine to the owner of the vehicle, motor vehicle, trailer, recreational vehicle or boat.

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 permits the town to remove unregistered and/or inoperable vehicles, motor vehicles, trailers, recreational vehicles or boats from private property after notice.

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 7th day of January, A.D. 2015.

First Reading: 12/17/14

Public Hearing and Second Reading: 1/7/15

Published: 12/20/14 • 12/21/14

William C. Glander

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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 January 7, 2015 at which meeting a quorum was present and voting throughout that the same is still in full force and effect.

Setty L. Martin
Clerk