

**TOWN OF FREDERICA
ORDINANCE NO. 16-05**

**AN ORDINANCE AMENDING CHAPTER 314 TO RESIDENTIAL
LEASES**

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

Section 1. That Section 314-1 of the Frederica Code be amended by adding
the following subsections:

§ 314-1. License required; fee; crime-free housing seminar required;
required lease provisions.

D. All persons applying for a rental dwelling permit, and all persons
administering, managing or controlling the operation of any rental dwelling unit
must attend a crime free housing seminar, approved by the Frederica Police
Department, within 12 months of issuance of the permit. Thereafter, each rental
permit holder and each rental property manager must attend a refresher seminar
every three years. Documentation shall be submitted to the Town Clerk and kept
on file within the department.

E. All residential leases shall include a crime free lease addendum, signed by
the property owner and tenant, in the following form:

In addition to all other terms of the lease, landlord and tenant agree as
follows:

- (a) The tenant, any member of the tenant's household, any guest or
any other person associated with the tenant on or near the
leased premises:
 - (1) Shall not engage in criminal activity, including drug-
related criminal activity, on or near the leased premises.
"Drug-related criminal activity" means the illegal
manufacture, sale, distribution, use, or possession of any
illegal or controlled substance defined by Title 16.
 - (2) Shall not engage in any act intended to facilitate criminal
activity.

- (3) Shall not permit the dwelling unit to be used for or to facilitate any criminal activity.
 - (b) Any activity prohibited by this agreement shall constitute a substantial violation of the lease, material noncompliance with the lease, and grounds for termination of tenancy and eviction.
- F. The Town shall provide a template crime free lease addendum.
- G. A copy of the signed crime free lease addendum shall be submitted to the Town prior to establishment of utility services to any residential property.

Section 2. That Section 314-2 of the Frederica City Code be amended by designating the existing language as subsection (a) and adding the following subsection:

- (b) The following actions may be grounds for suspension of the rental permits in accordance with this Chapter:
 - (1) the failure of the property owner to initiate and prosecute with effect eviction proceedings following notification by the Town that the terms of the crime free housing lease addendum have been violated, or
 - (2) the failure of the property owner and/or property manager to attend the required crime free housing seminar.

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, Delaware on the 5th day of October, A.D. 2016.

First Reading: September 7, 2016

Public Hearing and Second Reading: October 5, 2016

Published: OCTOBER 12, 2016

William C. Glanden

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 October 5, 2016 at which meeting a quorum was present and voting throughout that the same is still in full force and effect.

Paul W. Pen
Council Secretary

SYNOPSIS

This Ordinance amends Chapter 314 to add a requirement that landlords participate in a crime-free housing program that includes participation in a crime-free housing seminar approved by the police department, adding a crime-free addendum to leases and evicting tenants who fail to comply with the crime-free addendum.