



REHOBOTH BEACH BOARD OF COMMISSIONERS

Support Document Packet

REGULAR MEETING:

March 18, 2016

****DISCLAIMER****

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City of Rehoboth Beach

Sharon Lynn
City Manager

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PUBLIC NOTICE

THE COMMISSIONERS OF REHOBOTH BEACH

Regular Meeting

Second Floor of Rehoboth Beach Volunteer Fire Company

Friday, March 18, 2016; 7:00 p.m.

AGENDA

1. Call to Order
2. Invocation, Pledge of Allegiance and Roll Call
3. Approval of Agenda
4. Correspondence
5. Approval of Minutes – Special Workshop Meeting held on May 29, 2015
Workshop Meeting held on October 5, 2015
Workshop Meeting held on November 9, 2015
Workshop Meeting held on December 7, 2015
Workshop Meeting held on January 4, 2016
Special Workshop Meeting held on February 8, 2016
Regular Meeting held on February 19, 2016
Special Workshop Meeting held on February 26, 2016
6. Report of Police Department
7. Report of Rehoboth Beach Volunteer Fire Company
8. Report of Building and Licensing Department
9. Report of Planning Commission
10. Old Business
 - A. Discuss with Kyle Gulbranson of AECOM, the City's planning consultant, a draft Residential Rental Ordinance.
 - B. Consider authorizing the execution of a new five-year contract between the City and the current beach concessionaire for the rental of umbrellas, chairs and rafts.
 - C. Discuss a draft ordinance amending Chapter 227 – Solid Waste of the City Code related to definitions, the methods for handling waste materials, the times of setting same out for collection, for taking in containers and other related matters.
11. New Business
 - A. Consider authorizing the execution of a contract with Advantech Incorporated for security systems for the new Parking Department Building and new City Hall in accordance with State of Delaware Contract No. GSS15599-BLDG_SECURE.
 - B. Consider adoption of City Budget for the fiscal year April 1, 2016 through March 31, 2017.
 - C. Consider adoption of an ordinance amending Section 220-2 of the City Code related to increasing the base volume charge for water.

- D. Consider adoption of an ordinance amending Section 92-263 of the City Code related to increasing the fee for seasonal parking permits.
- 12. City Manager's Report
 - A. Approval of Street Aid Expenditures
- 13. Committee Report
- 14. City Solicitor's Report
- 15. Commissioner Announcements/Comments
- 16. Discuss items to include on future agendas.
- 17. Citizen Comment
- 18. Adjournment

AGENDA ITEMS MAY BE CONSIDERED OUT OF SEQUENCE

Citizen comment regarding Old Business, New Business and Committee Reports will be heard during each agenda topic after initial discussion by the Commissioners at the discretion of the Chair and prior to any vote being taken. Speakers shall state their name and address. Comments are limited to three minutes or at the discretion of the Chair. Comments on non-agenda items will be heard under "Citizen Comment".

*For additional information or special accommodations, please call (302) 227-6181 (TDD Accessible) 24-hours prior to the meeting.

**Next scheduled meeting – (Workshop) Monday, April 4, 2016, 2016; 9:00 a.m.

amw: 03/10/16; posted 03/10/16

pc (via Fax) Cape Gazette, Coast Press, Delaware State News



**CITY OF REHOBOTH BEACH
POLICE DEPARTMENT**

229 REHOBOTH AVENUE
REHOBOTH BEACH, DE 19971

KEITH W. BANKS

Chief of Police

Phone: (302)227-2577

Fax: (302)227-6054

www.rehobothpolice.org

**CITY OF REHOBOTH BEACH COMMISSIONERS' MEETING
March 18, 2016**

POLICE REPORT FOR THE MONTH OF FEBRUARY 2016

Total Charges for the Month	196
Adult Arrests	195
Juvenile Arrests	1

Court	Criminal	Traffic	Civil	Total
JP 2	0	14	0	14
JP 3	13	12	0	25
JP 14	0	6	0	6
Alderman 37	0	137	1	138
Family	0	0	0	0
Common Pleas	0	0	0	0
Superior	0	0	0	0
VAC	0	13	0	13
Other	0	0	0	0
Totals	13	182	1	196

Revenue from Parking Permits, Parking Violations & Meters	
Parking Dept. fines collected from Permits	\$1,305.00
Parking Dept. fines collected from Parking Violations	\$1,424.00
Parking Dept. fines collected from Meters	\$10,095.00

Patrol Data, Door Checks, Police & Dispatch Hours	
Vehicle Patrol Hours	1018
Bike Patrol Hours	0
Miles Patrolled	4396
Foot Patrol Hours	140
Commercial Door Checks	1654
Residential Door Checks	203
Total Man-Hours/Police & Dispatch	4240.75

CRIMINAL CHARGES

Criminal Mischief	1
Consumption of Marijuana in Vehicle	1
Disorderly Conduct	2
Possession of Controlled Substance	1
Possession of Marijuana w/Aggravating Factor	1
Possession of Marijuana w/Intent to Deliver	1
Possession of Paraphernalia	4
Resisting Arrest	2
TOTAL CHARGES	13

TRAFFIC CHARGES

60 Days New Resident	2
Cell Phone While Driving	15
Display Plate to Rear	1
Disregard Traffic Control Device	15
Driving While Suspended/Revoked	12
DUI	5
Expired License	1
Failure to Answer Summons	1
Fail to Change Address	3
Fail to Display Tag	1
Fail to Reinstate	2
Fail to Stay in Lane	1
Fail to Surrender	3
Fail to Signal	2
Fail to Transfer Registration	2
Fictitious Registration	3
Inattentive Driving	1
No Insurance	26
No Registration in Possession	7
No Valid License	3
Speed	42
Suspended License	2
Suspended Registration	2
Turn Prohibited	1
Unregistered Motor Vehicle	28
Window Tint	1
TOTAL	182

ARREST COMPARISON WITH PREVIOUS YEAR

MONTH / YEAR / TOTAL

February 2015: 148

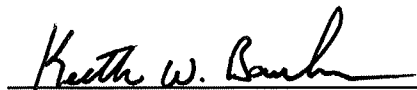
February 2016: 196

+/-: 48

PERSONNEL AS OF THIS REPORT

1 Chief
2 Lieutenants
4 Sergeants
1 Cpl. /Detective
7 Corporals
2 Patrolman First Class
0 Patrolman
0 Seasonal Patrolmen
1 Adm. Asst. to Chief of Police
1 Part-time Police Clerk
1 Dispatch Supervisor
8 Full-time Dispatchers
2 Part-time Dispatchers

Officers	Police Administration	Dispatch
14	5	11


Keith W. Banks
Chief of Police

Planning Commission

229 Rehoboth Avenue
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Rehoboth Beach, Delaware 19971



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March 15, 2016

TO: Mayor and Commissioners

FROM: David M. Mellen
Chair, Planning Commission

SUBJECT: Planning Commission Report to the Board Of Commissioners
(for the Commissioner's Friday, 18 March 2016 meeting)

A meeting of the Planning Commission was held on Friday, March 11, 2016 from 3:00 PM to 5:30 PM.

The Commission members in attendance were: Jan Konesey, Joyce Lussier, Francis Markert, David Mellen, Bran Patterson, Harvey Shulman, Lynn Wilson
Absent: Paul Hubbard, Michael Strange

Also in attendance: Dam Molina, Building and Licensing
Glenn Mandalas, City Solicitor
Max Hamby, IT Director

1. The Planning Commission discussed how best to interface with the upcoming implementation of new City software so that information and data relative to the PC's needs ... both CDP and ongoing business ... will be accessible. The PC will work with B&L and IT to define how best to implement these data requirements.

2. Several months ago, at the request of Commissioner Sharp, the PC re-examined the Draft Tree Ordinance to see if any of the recent Zoning changes related to setbacks and FAR might have an impact on the Draft Ordinance. The PC concluded, at that time, that there was no substantive change needed.

In light of the City hiring a new Arborist, it was suggested that the PC, the Arborist and B&L jointly review any possible issues in the Draft document prior to it coming before the BOC. We will do that at our next meeting.

3. The Planning Commission reviewed the newly crafted Frankford, DE Zoning & Subdivision Code to see if certain forms/presentations used in that code might also be adapted to our Rehoboth codes. Discussions will continue.

4. At this time there are no new Partitioning Requests that have been submitted. The Planning Commission will schedule its next regular meeting for April 8, 2015. This meeting will commence at 3:00 p.m.

Planning Commission Chairman David Mellen will attend and present the Planning Commission's report and is prepared to answer any questions that the Board of Commissioners may have concerning this report or other activities of the Commission.

cc: City Manager
City Solicitor
Building Inspector
Planning Commission
IT Director

1 DATE: March 2016
2 VERSION: 7
3 AUTHOR(S)/SPONSOR(S): Kyle Gulbranson, AICP, AECOM & Working Group
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5

6 **AN ORDINANCE TO CREATE A NEW CHAPTER 210 OF THE MUNICIPAL CODE OF THE**
7 **CITY OF REHOBOTH BEACH, DELAWARE, 2001, TO BE TITLED “RESIDENTIAL**
8 **RENTALS”**
9

10
11 **WHEREAS**, the Commissioners of Rehoboth Beach are committed to the sustainability
12 and long-term protection of the traditional residential character of the City’s residential
13 neighborhoods;
14

15 **WHEREAS**, the use of single and multiple family dwelling units have long been used in
16 the City for residential rental purposes to provide an alternative to traditional hotel/motel
17 accommodations; however, such uses may have adverse impacts including, for example,
18 increased traffic congestion, a diminished attention to proper refuse disposal, a loss of neighborly
19 respect and concern for the enjoyment of one’s property and home, increased and sustained
20 noise, a loss of the sense of neighborhood, and the diminution of the residential character of the
21 City’s residentially zoned neighborhoods and residentially developed properties, that can best be
22 addressed through appropriate regulation;
23

24 **WHEREAS**, the regulation of residential rentals ~~will-is intended to~~ preserve and protect
25 the City’s neighborhoods ~~byand provide-providing~~ standards and procedures for residential
26 rentals, as well as educate owners and prospective renters on City regulations and expected
27 behaviors; and
28

29 **WHEREAS**, the purpose of this Ordinance is to establish regulations for such use of
30 residential rental property thereby enabling the City to preserve the public health, safety, and
31 welfare.
32

33 **BE IT ORDAINED** by the Mayor and Commissioners of the City of Rehoboth Beach, in
34 session met, a quorum pertaining at all times thereto, in the manner following to-wit:
35

36 **Section 1.** the Municipal Code of the City of Rehoboth Beach, Delaware, 2001, as
37 amended be and the same is hereby further amended by adding “Chapter 210: Residential
38 Rentals” as follows:
39

40 **Chapter 210: Residential Rentals.**
41

42 **§ 210-1 Title.**
43

44 This Chapter shall be referred to as the “Residential Rental Ordinance.”
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46 **§ 210-2 Purpose.**
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48 The City Commissioners find and determine as follows:

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- A. The use of single and multiple family dwelling units have long been used in the resort community for Residential Rental purposes to provide an alternative to traditional accommodations; however, such uses may have adverse impacts that can best be addressed through appropriate regulations.
- B. The regulation of Residential Rentals will preserve and protect the City’s neighborhoods and provide standards and procedures for Residential Rentals, as well as educate prospective renters on City regulations and expected behaviors.
- C. The purpose of this Chapter is to establish regulations for such use of Residential Rentals thereby enabling the City to preserve the public health, safety, and welfare.
- D. This Chapter does not regulate hotels, motels, inns, tourist homes, rooming and boarding houses, Cabins, and Cottages.

§ 210- 3 Definitions.

For purposes of this Chapter, the following words and phrases shall have the meaning respectively ascribed to them by this Section:

BEDROOM - An area contained within a Residential Rental that is normally occupied, heated or cooled by any equipment listed or labeled for human habitation, and designated as a sleeping room or area.

CABIN - A small single-story residential dwelling without kitchen facilities ~~that is~~ used as a Residential Rental, ~~and~~ located upon real property with a rental office or attendant. A cabin shall not be an accessory to a principal dwelling.

COTTAGE - A small single-story residential dwelling used as a Residential Rental, located on a property with a rental office or attendant. A cottage shall not be an accessory to a principal dwelling.

EFFICIENCY UNIT – A dwelling in which one room typically contains the kitchen, living, and sleeping quarters, but with a separate bathroom.

GOOD CAUSE - For the purposes of denial, suspension, revocation, imposition of conditions, renewal, and reinstatement of a Residential Rental License, Good Cause means: (1) the Owner, the Owner’s ~~agent or~~ representative, or the Local Contact Person has failed to comply with any of the terms, conditions, or provisions of this Chapter or any relevant provision of this Code, State law, or any rule or regulation promulgated thereunder; (2) the Owner, the Owner’s ~~agent or~~ representative, or the Local Contact Person has failed to comply with any special conditions or restrictions that were placed upon the Residential Rental License by the City Manager; (3) the Residential Rental has been operated in a manner that adversely affects the public health or welfare or the safety

95 of the immediate neighborhood in which the Residential Rental is located; or (4) is
96 delinquent with any taxes or fees owed to the City of Rehoboth Beach.

97
98 **GOOD NEIGHBOR BROCHURE** - A document prepared by the City that summarizes
99 the general rules of conduct, consideration, and respect, including without limitation
100 provisions of the Municipal Code of the City of Rehoboth Beach, Delaware applicable to
101 renters and residents of the City.

102
103 **LOCAL CONTACT PERSON** - An individual designated by the Owner or ~~the~~
104 Owner's ~~agent or~~ representative who is available twenty-four (24) hours per day, seven
105 (7) days per week for the purpose of responding by telephone or in-person to complaints
106 regarding ~~any violation of this Code or~~ the condition, operation, or conduct of occupants
107 of the Residential Rental, and who is authorized by the Owner to take remedial action.

108
109 **OWNER** - The legal owner of any Property.

110
111 **PROPERTY** - A parcel of real property upon which Residential Rental is situated.

112
113 **RENTAL TERM** - The period of time an occupant and/or guest rents or leases a
114 Residential Rental.

115
116 **RESIDENTIAL RENTAL** - A dwelling unit, including single-family detached, single-
117 family attached, or multi family unit, or any portion thereof, rented for dwelling, lodging,
118 or sleeping purposes, and which is made available by agreement for residential
119 occupancy by a tenant in exchange for payment.

120
121 **RESIDENTIAL RENTAL LICENSE** - An annual license issued by the City pursuant
122 to this Chapter.

123
124 **§ 210-4 Applicability.**

125
126 This Chapter shall apply to all Residential Rentals, except for hotels, motels, inns, tourist
127 homes, rooming and boarding houses, Cabins, and Cottages.

128
129 **§ 210-5 Owner Representative/Representation.**

130
131 An Owner may retain an agent or a representative to comply with the requirements of this
132 Chapter, including, without limitation, the filing of a complete Residential Rental License
133 application, the management of any Residential Rental, and compliance with the requirements of
134 this Chapter. Except as provided in this Chapter to the contrary, and notwithstanding any agency
135 relationships between an Owner and an ~~agent or~~ representative, the Owner of any Residential
136 Rental shall remain responsible for compliance with the provisions of this Chapter and the failure
137 of an Owner's ~~agent or~~ representative to comply with this Chapter shall not relieve the Owner
138 from any requirement of this Chapter.

139
140 **§ 210- 6 Residential Rental License and Registration Requirements.**

- 141
142 A. No Owner shall rent any Residential Rental without a valid Residential Rental License.
143
144 B. Prior to use of any property as a Residential Rental, the Owner shall apply for and obtain
145 annually a Residential Rental License on a form provided by the City and signed by the
146 Owner under penalty of perjury. Each application shall contain the following information:
147
148 (1) The name, address, email, and telephone number of the Owner of the Residential
149 Rental for which the Residential Rental License is to be issued;
150 (2) The name, address, email and telephone number of the ~~agent or~~ representative, if any,
151 of the Owner;
152 (3) The name, address, email, and telephone number of the Local Contact Person
153 (4) The physical address of the Residential Rental for which the application is submitted;
154 (5) The number of Bedrooms contained within the Residential Rental and the maximum
155 occupancy;
156 (6) Acknowledgement that all applicants have reviewed and understand all regulations
157 pertaining to the Residential Rental; and
158 (7) Such other information as the City Manager deems reasonably necessary to
159 administer this Chapter.
160
161 C. A Residential Rental License may be denied if a license for a Residential Rental issued to the
162 same Owner has previously been revoked for Good Cause pursuant to this Chapter. The
163 denial of a Residential Rental License may be appealed in accordance with to the provisions
164 of § 120-6 of the Municipal Code of the City of Rehoboth Beach, Delaware.
165
166 D. Within 30 days of a change of property ownership, agent, or other material facts set forth in
167 the application for any Residential Rental Licensee, a new application for a Residential
168 Rental License and license fee shall be submitted and a new license issued before the
169 continued operation of the Residential Rental shall be permitted.
170

171 **§ 210-7 Operational Requirements and Standard Conditions.**
172

- 173 A. The Owner shall use reasonable business practices to ensure that the Residential Rental
174 complies with all applicable codes concerning fire, building, health and safety, and all other
175 relevant laws.
176
177 B. Any new Residential Rental or previously licensed Residential Rental that has not been
178 licensed for a period of two (2) years may be inspected by the City for compliance with the
179 provisions of this Chapter and the building, health and safety requirements of the City and
180 State of Delaware. Following an inspection, a notice of compliance or listing of deficiencies
181 will be provided to the Owner or the Owner's ~~agent or~~ representative.
182
183 C. A safety certification form shall be completed by the Owner or the Owner's ~~agent or~~
184 representative as part of the annual licensing process. Any Owner may also request a
185 Residential Rental inspection by the City in lieu of completing the annual safety certification
186 form.

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D. The overnight occupancy of a Residential Rental shall not exceed the sum of two (2) persons per bedroom plus an additional ~~four (4)~~ two (2) persons. Children under the age of ~~two (2)~~ six (6) years shall not be counted towards the overall number of occupants.

Number of Bedrooms	Maximum Number of Overnight Occupants
0 Efficiency Unit	4
1	6
2	8
3	10
4	12
5	14
6	16
7	18

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E. An exception to the ~~maximum-overnight~~ occupancy limit under this Section may be authorized by the City Manager when an Owner requests a greater occupancy limitation than would otherwise be permitted, and demonstrates that the Residential Rental has been occupied by at least the number of individuals requested for at least twenty (20) consecutive or nonconsecutive days between January 1, 2015 and [INSERT ADOPTION DATE]. An occupancy exception shall be granted if the Building Inspector determines that the Residential Rental has adequate accommodations and life-safety features to exceed the occupancy limitations of this Section, and the City Manager determines that the additional occupancy will not be a detriment to public health, safety, or welfare. The Building Inspector may require an inspection to determine if there are adequate accommodations and life-safety features. Any request for an occupancy exception must be received by the City Manager on or before [INSERT DATE EQUAL TO 1 YEAR FROM THE ADOPTION DATE] ~~—~~ is ample capacity.

F. The Owner shall use reasonable ~~reasonably prudent~~ business practices to ensure that the occupants and guests of the Residential Rental do not create unreasonable noise disturbances, engage in disorderly conduct, or violate provisions of this Code or any applicable law of the State of Delaware.

G. During the Rental Term, the Local Contact Person shall be available twenty-four (24) hours per day, seven (7) days per week for the purpose of: (1) receiving telephone calls or other communications from the City Police Department or other City Official relative to complaints about the Residential Rental; and (2) responding to the complaint by telephone or in-person when directed by the City Police Department or other City Official.

- 220 H. When a complaint warrants the notification of the Local Contact Person, the Local Contact
221 Person shall be promptly notified of the complaint and requested to assist with the resolution
222 of the same.
223
- 224 I. Failure of the Local Contact Person to cooperate with City Police or City Officials in
225 responding to a notification of a complaint concerning the condition, operation, or conduct of
226 occupants or guests of the Residential Rental in a timely and appropriate manner shall be
227 grounds for imposition of penalties as set forth in this Chapter. The Local Contact Person
228 shall not be required to act as a peace officer or place himself or herself in an at-risk situation
229 in responding to any notice provided pursuant to this Chapter.
230
- 231 J. The Owner shall post a copy of the Residential Rental License and a copy of the conditions
232 set forth in this Section in a conspicuous place within the Residential Rental.
233
- 234 K. The Owner shall provide each occupant of a Residential Rental with the following
235 information prior to occupancy of the unit ~~or~~ and post such information in a conspicuous
236 place within the Residential Rental:
237
- 238 1) The name, email and a telephone number of the Local Contact Person, ;
 - 239 2) The collection days for refuse, yard waste and recyclables and applicable rules and
240 regulations pertaining to storing waste materials on the exterior of the Property;
 - 241 3) Notification that the occupant may be cited and fined by the City and evicted pursuant
242 to laws of the City and the State of Delaware, in addition to any other remedies
243 available at law, for creating a disturbance or for violating other provisions of this
244 Chapter and the City Noise Ordinance;
 - 245 4) The requirements of the City's Noise Ordinance;
 - 246 5) Notification that failure to conform to the occupancy requirements of the Residential
247 Rental is a violation of this Chapter; and
 - 248 6) The Good Neighbor Brochure.
249
- 250
- 251 L. The City Manager shall have the authority to impose additional conditions applicable to all
252 Residential Rentals as necessary to achieve the purpose and objectives of this Chapter. A list
253 of all such additional conditions shall be maintained and on file in the office of the City Clerk
254 and such offices as the City Manager may designate.
255
- 256 M. The standard conditions may be modified by the City Manager upon request of the Owner
257 based on Property-specific circumstances and for the purpose of allowing reasonable
258 accommodation of a Residential Rental. All requests must be in writing and shall
259 demonstrate that the standard conditions create an unreasonable hardship such that, if the
260 requirement is not modified, reasonable use of the Property for a Residential Rental would be
261 effectively prohibited. Any hardships identified must relate to physical constraints of the
262 Property and shall not be self-induced or economic.
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266 § 210-8 Residential Rental Assessment.
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- 268 a. At the request of the City Manager, an Owner shall provide reasonable access to a
269 Residential Rental and provide any records related to the use and occupancy of the
270 Residential Rental for the purpose of inspection or assessment to determine that the
271 objectives and conditions of this Chapter are being fulfilled and to investigate any
272 reported health, safety and welfare concerns.
273
- 274 b. An assessment and inspection may be deemed necessary for any of the following reasons:
275
- 276 1) Documented violations of the Municipal Code of the City of Rehoboth Beach;
 - 277 2) Complaints from an occupant of the Residential Rental that a code violation
278 exists;
 - 279 3) Records maintained by the Enforcement Official which were established during
280 previous inspections and which reflect prior violations of the Municipal Code of the
281 City of Rehoboth Beach and/or the absence of correction of such violations;
 - 282 4) Direct referrals for inspection from other City Officials with code enforcement
283 responsibility or from officials of a federal, state or local agency, or from officials
284 with a public or private utility;
 - 285 5) Reports that the exterior condition of the Residential Rental reflects the existence
286 of violations of Municipal Code of the City of Rehoboth Beach; or
287 ~~6) Failure of the Owner to properly submit Safety Certification form.~~
- 288
- 289 c. Owners shall provide access to all required areas of a Residential Rental unit for
290 inspection within twenty-one calendar days of an inspection request from the Building
291 Inspector or the Building Inspector's designee. This time period may be extended upon
292 the approval of the Chief Building Inspector. If the Residential Rental unit is legally
293 occupied by a tenant or other occupant, the Owner or the Owner's ~~agent or~~ representative
294 shall notify the tenant or occupant and request that the tenant or occupant allow the
295 inspection. The Owner shall not be in violation of this section if the tenant or occupant
296 refuses to allow the inspection.
297
- 298 d. If an inspection is scheduled and entry is thereafter refused or cannot be obtained, the
299 inspector shall have recourse to every remedy provided by law to secure lawful entry and
300 inspect the premises, including, but not limited to, securing an inspection warrant from
301 the Alderman Court or any other court of competent jurisdiction. The inspector shall
302 provide notice that a warrant has been issued to both the Owner or the Owner's ~~agent or~~
303 representative and the tenant or occupant at least twenty-four hours before the warrant is
304 executed, unless the judge finds that immediate execution is reasonably necessary under
305 the circumstances shown.
306
- 307 e. Notwithstanding the foregoing, if the inspector has reasonable cause to believe that the
308 Residential Rental unit is so hazardous, unsafe, or dangerous as to require immediate
309 inspection to safeguard the public health or safety, the inspector shall have the right to
310 immediately enter and inspect the premises and may use any reasonable means required
311 to effect the entry and make an inspection.

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§ 210-9 Violations.

- a) Any violation of this Chapter shall be a civil offense pursuant to Chapter 126 of the Municipal Code of the City of Rehoboth Beach. Any person who violates this Chapter shall pay a civil assessment of \$250.00. Each day the violation remains shall be deemed a separate civil offense.
- b) Notwithstanding the provisions of Chapter 126, any citation issued for violations of this Chapter may provide for a reasonable compliance date or time of less than fifteen (15) calendar days from the date the citation is given if, due to the nature of the violation, a shorter compliance period is necessary or appropriate, as determined in the reasonable judgment of the City Official issuing the citation.
- c) Upon the third distinct violation, in any twelve (12) month rental license period, of this Chapter or violations relating to noise or disorderly conduct, the City Manager shall call for a meeting with the Owner or the Owner's ~~agent or~~ representative to determine the causes of such violation, complaints or behavior, and solutions to resolve the situation.
- d) Should there be no adequate resolution after three or more distinct violations, in any twelve (12) month rental license period, of this Chapter or violations relating to noise or disorderly conduct, the City Manager shall not issue a Residential Rental License for the Residential Rental for the next occurring rental period. Owners may appeal a decision of the City Manager to the City Commissioners within ten (10) days of the City Manager's decision.
- e) Any person who fails to timely obtain a Residential Rental License or pay any fee or charge provided in this Chapter within the time required shall pay a penalty in the amounts established by the City Commissioners by resolution. Such penalty may also include interest from the date on which the fee or charge became due and payable to the City until the date of payment.
- f) The remedies provided for in this Section are in addition to, and not in lieu of, all other legal remedies, criminal or civil, which may be pursued by the City to address any violation of this Chapter.

§ 210-10 Requirements Not Exclusive.

The requirements of this Chapter shall be in addition to any license, permit, or fee required under any other provision of this Code. The issuance of any permit pursuant to this Chapter shall not relieve any person of the obligation to comply with all other provisions of this Code pertaining to the use and occupancy of a Residential Rental and the Property on which it is located.

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

357 unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to
358 be severable.

359
360 **Section 3.** This Ordinance shall ~~take be~~ effective immediately upon its adoption by
361 the Commissioners of the City of Rehoboth Beach, except that the Residential Rental occupancy
362 limitations established in Section 210-7(D) shall be effective as of [INSERT DATE].

363
364
365
366 Adopted by the Commissioners
367 of the City of Rehoboth Beach
368 _____, 2016

369
370
371
372 _____
373 Secretary of the Commissioners of
374 the City of Rehoboth Beach

375
376
377 **SYNOPSIS:** This Ordinance establishes regulations for residential rental properties within the City.

1 DATE: March 2016
2 VERSION: 7
3 AUTHOR(S)/SPONSOR(S): Kyle Gulbranson, AICP, AECOM & Working Group
4
5

6 **AN ORDINANCE TO CREATE A NEW CHAPTER 210 OF THE MUNICIPAL CODE OF THE**
7 **CITY OF REHOBOTH BEACH, DELAWARE, 2001, TO BE TITLED “RESIDENTIAL**
8 **RENTALS”**
9

10
11 **WHEREAS**, the Commissioners of Rehoboth Beach are committed to the sustainability
12 and long-term protection of the traditional residential character of the City’s residential
13 neighborhoods;
14

15 **WHEREAS**, the use of single and multiple family dwelling units have long been used in
16 the City for residential rental purposes to provide an alternative to traditional hotel/motel
17 accommodations; however, such uses may have adverse impacts including, for example,
18 increased traffic congestion, a diminished attention to proper refuse disposal, a loss of neighborly
19 respect and concern for the enjoyment of one’s property and home, increased and sustained
20 noise, a loss of the sense of neighborhood, and the diminution of the residential character of the
21 City’s residentially zoned neighborhoods and residentially developed properties, that can best be
22 addressed through appropriate regulation;
23

24 **WHEREAS**, the regulation of residential rentals is intended to preserve and protect the
25 City’s neighborhoods by providing standards and procedures for residential rentals, as well as
26 educate owners and prospective renters on City regulations and expected behaviors; and
27

28 **WHEREAS**, the purpose of this Ordinance is to establish regulations for such use of
29 residential rental property thereby enabling the City to preserve the public health, safety, and
30 welfare.
31

32 **BE IT ORDAINED** by the Mayor and Commissioners of the City of Rehoboth Beach, in
33 session met, a quorum pertaining at all times thereto, in the manner following to-wit:
34

35 **Section 1.** the Municipal Code of the City of Rehoboth Beach, Delaware, 2001, as
36 amended be and the same is hereby further amended by adding “Chapter 210: Residential
37 Rentals” as follows:
38

39 **Chapter 210: Residential Rentals.**

40
41 **§ 210-1 Title.**

42
43 This Chapter shall be referred to as the “Residential Rental Ordinance.”
44

45 **§ 210-2 Purpose.**

46
47 The City Commissioners find and determine as follows:
48

- 49 A. The use of single and multiple family dwelling units have long been used in the
50 resort community for Residential Rental purposes to provide an alternative to
51 traditional accommodations; however, such uses may have adverse impacts that
52 can best be addressed through appropriate regulations.
53
- 54 B. The regulation of Residential Rentals will preserve and protect the City's
55 neighborhoods and provide standards and procedures for Residential Rentals, as
56 well as educate prospective renters on City regulations and expected behaviors.
57
- 58 C. The purpose of this Chapter is to establish regulations for such use of Residential
59 Rentals thereby enabling the City to preserve the public health, safety, and
60 welfare.
61
- 62 D. This Chapter does not regulate hotels, motels, inns, tourist homes, rooming and
63 boarding houses, Cabins, and Cottages.
64

65 **§ 210- 3 Definitions.**
66

67 For purposes of this Chapter, the following words and phrases shall have the meaning
68 respectively ascribed to them by this Section:
69

70 **BEDROOM** - An area contained within a Residential Rental that is normally occupied,
71 heated or cooled by any equipment listed or labeled for human habitation, and designated
72 as a sleeping room or area.
73

74 **CABIN** - A small single-story residential dwelling without kitchen facilities used as a
75 Residential Rental, located upon real property with a rental office or attendant. A cabin
76 shall not be an accessory to a principal dwelling.
77

78 **COTTAGE** - A small single-story residential dwelling used as a Residential Rental,
79 located on a property with a rental office or attendant. A cottage shall not be an
80 accessory to a principal dwelling.
81

82 **EFFICIENCY UNIT** – A dwelling in which one room typically contains the kitchen,
83 living, and sleeping quarters, but with a separate bathroom.
84

85 **GOOD CAUSE** - For the purposes of denial, suspension, revocation, imposition of
86 conditions, renewal, and reinstatement of a Residential Rental License, Good Cause
87 means: (1) the Owner, the Owner's representative, or the Local Contact Person has failed
88 to comply with any of the terms, conditions, or provisions of this Chapter or any relevant
89 provision of this Code, State law, or any rule or regulation promulgated thereunder; (2)
90 the Owner, the Owner's representative, or the Local Contact Person has failed to comply
91 with any special conditions or restrictions that were placed upon the Residential Rental
92 License by the City Manager; (3) the Residential Rental has been operated in a manner
93 that adversely affects the public health or welfare or the safety of the immediate

94 neighborhood in which the Residential Rental is located; or (4) is delinquent with any
95 taxes or fees owed to the City of Rehoboth Beach.

96
97 **GOOD NEIGHBOR BROCHURE** - A document prepared by the City that summarizes
98 the general rules of conduct, consideration, and respect, including without limitation
99 provisions of the Municipal Code of the City of Rehoboth Beach, Delaware applicable to
100 renters and residents of the City.

101
102 **LOCAL CONTACT PERSON** - An individual designated by the Owner or the Owner's
103 representative who is available twenty-four (24) hours per day, seven (7) days per week
104 for the purpose of responding by telephone or in-person to complaints regarding the
105 condition, operation, or conduct of occupants of the Residential Rental, and who is
106 authorized by the Owner to take remedial action.

107
108 **OWNER** - The legal owner of any Property.

109
110 **PROPERTY** - A parcel of real property upon which Residential Rental is situated.

111
112 **RENTAL TERM** - The period of time an occupant and/or guest rents or leases a
113 Residential Rental.

114
115 **RESIDENTIAL RENTAL** - A dwelling unit, including single-family detached, single-
116 family attached, or multi family unit, or any portion thereof, rented for dwelling, lodging,
117 or sleeping purposes, and which is made available by agreement for residential
118 occupancy by a tenant in exchange for payment.

119
120 **RESIDENTIAL RENTAL LICENSE** - An annual license issued by the City pursuant
121 to this Chapter.

122
123 **§ 210-4 Applicability.**

124
125 This Chapter shall apply to all Residential Rentals, except for hotels, motels, inns, tourist
126 homes, rooming and boarding houses, Cabins, and Cottages.

127
128 **§ 210-5 Owner Representative/Representation.**

129
130 An Owner may retain an agent or a representative to comply with the requirements of this
131 Chapter, including, without limitation, the filing of a complete Residential Rental License
132 application, the management of any Residential Rental, and compliance with the requirements of
133 this Chapter. Except as provided in this Chapter to the contrary, and notwithstanding any agency
134 relationships between an Owner and an representative, the Owner of any Residential Rental shall
135 remain responsible for compliance with the provisions of this Chapter and the failure of an
136 Owner's representative to comply with this Chapter shall not relieve the Owner from any
137 requirement of this Chapter.

138
139 **§ 210- 6 Residential Rental License and Registration Requirements.**

- 140
141 A. No Owner shall rent any Residential Rental without a valid Residential Rental License.
142
143 B. Prior to use of any property as a Residential Rental, the Owner shall apply for and obtain
144 annually a Residential Rental License on a form provided by the City and signed by the
145 Owner under penalty of perjury. Each application shall contain the following information:
146
147 (1) The name, address, email, and telephone number of the Owner of the Residential
148 Rental for which the Residential Rental License is to be issued;
149 (2) The name, address, email and telephone number of the representative, if any, of the
150 Owner;
151 (3) The name, address, email, and telephone number of the Local Contact Person
152 (4) The physical address of the Residential Rental for which the application is submitted;
153 (5) The number of Bedrooms contained within the Residential Rental and the maximum
154 occupancy;
155 (6) Acknowledgement that all applicants have reviewed and understand all regulations
156 pertaining to the Residential Rental; and
157 (7) Such other information as the City Manager deems reasonably necessary to
158 administer this Chapter.
159
160 C. A Residential Rental License may be denied if a license for a Residential Rental issued to the
161 same Owner has previously been revoked for Good Cause pursuant to this Chapter. The
162 denial of a Residential Rental License may be appealed in accordance with to the provisions
163 of § 120-6 of the Municipal Code of the City of Rehoboth Beach, Delaware.
164
165 D. Within 30 days of a change of property ownership, agent, or other material facts set forth in
166 the application for any Residential Rental Licensee, a new application for a Residential
167 Rental License and license fee shall be submitted and a new license issued before the
168 continued operation of the Residential Rental shall be permitted.
169

170 **§ 210-7 Operational Requirements and Standard Conditions.**
171

- 172 A. The Owner shall use reasonable business practices to ensure that the Residential Rental
173 complies with all applicable codes concerning fire, building, health and safety, and all other
174 relevant laws.
175
176 B. Any new Residential Rental or previously licensed Residential Rental that has not been
177 licensed for a period of two (2) years may be inspected by the City for compliance with the
178 provisions of this Chapter and the building, health and safety requirements of the City and
179 State of Delaware. Following an inspection, a notice of compliance or listing of deficiencies
180 will be provided to the Owner or the Owner's representative.
181
182 C. A safety certification form shall be completed by the Owner or the Owner's representative as
183 part of the annual licensing process. Any Owner may also request a Residential Rental
184 inspection by the City in lieu of completing the annual safety certification form.
185

- 186 D. The overnight occupancy of a Residential Rental shall not exceed the sum of two (2) persons
187 per bedroom plus an additional two (2) persons. Children under the age of six (6) years shall
188 not be counted towards the overall number of occupants.
189
- 190 E. An exception to the overnight occupancy limit under this Section may be authorized by the
191 City Manager when an Owner requests a greater occupancy limitation than would otherwise
192 be permitted, and demonstrates that the Residential Rental has been occupied by at least the
193 number of individuals requested for at least twenty (20) consecutive or nonconsecutive days
194 between January 1, 2015 and [INSERT ADOPTION DATE]. An occupancy exception shall
195 be granted if the Building Inspector determines that the Residential Rental has adequate
196 accommodations and life-safety features to exceed the occupancy limitations of this Section,
197 and the City Manager determines that the additional occupancy will not be a detriment to
198 public health, safety, or welfare. The Building Inspector may require an inspection to
199 determine if there are adequate accommodations and life-safety features. Any request for an
200 occupancy exception must be received by the City Manager on or before [INSERT DATE
201 EQUAL TO 1 YEAR FROM THE ADOPTION DATE].
202
- 203 F. The Owner shall use reasonable business practices to ensure that the occupants and guests of
204 the Residential Rental do not create unreasonable noise disturbances, engage in disorderly
205 conduct, or violate provisions of this Code or any applicable law of the State of Delaware.
206
- 207 G. During the Rental Term, the Local Contact Person shall be available twenty-four (24) hours
208 per day, seven (7) days per week for the purpose of: (1) receiving telephone calls or other
209 communications from the City Police Department or other City Official relative to
210 complaints about the Residential Rental; and (2) responding to the complaint by telephone or
211 in-person when directed by the City Police Department or other City Official.
212
213
- 214 H. When a complaint warrants the notification of the Local Contact Person, the Local Contact
215 Person shall be promptly notified of the complaint and requested to assist with the resolution
216 of the same.
217
- 218 I. Failure of the Local Contact Person to cooperate with City Police or City Officials in
219 responding to a notification of a complaint concerning the condition, operation, or conduct of
220 occupants or guests of the Residential Rental in a timely and appropriate manner shall be
221 grounds for imposition of penalties as set forth in this Chapter. The Local Contact Person
222 shall not be required to act as a peace officer or place himself or herself in an at-risk situation
223 in responding to any notice provided pursuant to this Chapter.
224
- 225 J. The Owner shall post a copy of the Residential Rental License and a copy of the conditions
226 set forth in this Section in a conspicuous place within the Residential Rental.
227
- 228 K. The Owner shall provide each occupant of a Residential Rental with the following
229 information prior to occupancy of the unit and post such information in a conspicuous place
230 within the Residential Rental:
231

- 232 1) The name, email and a telephone number of the Local Contact Person, ;
233 2) The collection days for refuse, yard waste and recyclables and applicable rules and
234 regulations pertaining to storing waste materials on the exterior of the Property;
235 3) Notification that the occupant may be cited and fined by the City and evicted pursuant
236 to laws of the City and the State of Delaware, in addition to any other remedies
237 available at law, for creating a disturbance or for violating other provisions of this
238 Chapter and the City Noise Ordinance;
239 4) The requirements of the City’s Noise Ordinance;
240 5) Notification that failure to conform to the occupancy requirements of the Residential
241 Rental is a violation of this Chapter; and
242 6) The Good Neighbor Brochure.
243
244

245 L. The City Manager shall have the authority to impose additional conditions applicable to all
246 Residential Rentals as necessary to achieve the purpose and objectives of this Chapter. A list
247 of all such additional conditions shall be maintained and on file in the office of the City Clerk
248 and such offices as the City Manager may designate.
249

250 M. The standard conditions may be modified by the City Manager upon request of the Owner
251 based on Property-specific circumstances and for the purpose of allowing reasonable
252 accommodation of a Residential Rental. All requests must be in writing and shall
253 demonstrate that the standard conditions create an unreasonable hardship such that, if the
254 requirement is not modified, reasonable use of the Property for a Residential Rental would be
255 effectively prohibited. Any hardships identified must relate to physical constraints of the
256 Property and shall not be self-induced or economic.
257
258
259

260 **§ 210-8 Residential Rental Assessment.**
261

262 a. At the request of the City Manager, an Owner shall provide reasonable access to a
263 Residential Rental and provide any records related to the use and occupancy of the
264 Residential Rental for the purpose of inspection or assessment to determine that the
265 objectives and conditions of this Chapter are being fulfilled and to investigate any
266 reported health, safety and welfare concerns.
267

268 b. An assessment and inspection may be deemed necessary for any of the following reasons:
269

- 270 1) Documented violations of the Municipal Code of the City of Rehoboth Beach,;
271 2) Complaints from an occupant of the Residential Rental that a code violation
272 exists;
273 3) Records maintained by the Enforcement Official which were established during
274 previous inspections and which reflect prior violations of the Municipal Code of the
275 City of Rehoboth Beach and/or the absence of correction of such violations;

- 276 4) Direct referrals for inspection from other City Officials with code enforcement
277 responsibility or from officials of a federal, state or local agency, or from officials
278 with a public or private utility;
- 279 5) Reports that the exterior condition of the Residential Rental reflects the existence
280 of violations of Municipal Code of the City of Rehoboth Beach; or
281
- 282 c. Owners shall provide access to all required areas of a Residential Rental unit for
283 inspection within twenty-one calendar days of an inspection request from the Building
284 Inspector or the Building Inspector's designee. This time period may be extended upon
285 the approval of the Chief Building Inspector. If the Residential Rental unit is legally
286 occupied by a tenant or other occupant, the Owner or the Owner's representative shall
287 notify the tenant or occupant and request that the tenant or occupant allow the inspection.
288 The Owner shall not be in violation of this section if the tenant or occupant refuses to
289 allow the inspection.
290
- 291 d. If an inspection is scheduled and entry is thereafter refused or cannot be obtained, the
292 inspector shall have recourse to every remedy provided by law to secure lawful entry and
293 inspect the premises, including, but not limited to, securing an inspection warrant from
294 the Alderman Court or any other court of competent jurisdiction. The inspector shall
295 provide notice that a warrant has been issued to both the Owner or the Owner's
296 representative and the tenant or occupant at least twenty-four hours before the warrant is
297 executed, unless the judge finds that immediate execution is reasonably necessary under
298 the circumstances shown.
299
- 300 e. Notwithstanding the foregoing, if the inspector has reasonable cause to believe that the
301 Residential Rental unit is so hazardous, unsafe, or dangerous as to require immediate
302 inspection to safeguard the public health or safety, the inspector shall have the right to
303 immediately enter and inspect the premises and may use any reasonable means required
304 to effect the entry and make an inspection.
305

306 **§ 210-9 Violations.**
307

- 308 a) Any violation of this Chapter shall be a civil offense pursuant to Chapter 126 of the
309 Municipal Code of the City of Rehoboth Beach. Any person who violates this Chapter shall
310 pay a civil assessment of \$250.00. Each day the violation remains shall be deemed a separate
311 civil offense.
312
- 313 b) Notwithstanding the provisions of Chapter 126, any citation issued for violations of this
314 Chapter may provide for a reasonable compliance date or time of less than fifteen (15)
315 calendar days from the date the citation is given if, due to the nature of the violation, a
316 shorter compliance period is necessary or appropriate, as determined in the reasonable
317 judgment of the City Official issuing the citation.
318
- 319 c) Upon the third distinct violation, in any twelve (12) month rental license period, of this
320 Chapter or violations relating to noise or disorderly conduct, the City Manager shall call for a

meeting with the Owner or the Owner’s representative to determine the causes of such violation, complaints or behavior, and solutions to resolve the situation.

- d) Should there be no adequate resolution after three or more distinct violations, in any twelve (12) month rental license period, of this Chapter or violations relating to noise or disorderly conduct, the City Manager shall not issue a Residential Rental License for the Residential Rental for the next occurring rental period. Owners may appeal a decision of the City Manager to the City Commissioners within ten (10) days of the City Manager’s decision.
- e) Any person who fails to timely obtain a Residential Rental License or pay any fee or charge provided in this Chapter within the time required shall pay a penalty in the amounts established by the City Commissioners by resolution. Such penalty may also include interest from the date on which the fee or charge became due and payable to the City until the date of payment.
- f) The remedies provided for in this Section are in addition to, and not in lieu of, all other legal remedies, criminal or civil, which may be pursued by the City to address any violation of this Chapter.

§ 210-10 Requirements Not Exclusive.

The requirements of this Chapter shall be in addition to any license, permit, or fee required under any other provision of this Code. The issuance of any permit pursuant to this Chapter shall not relieve any person of the obligation to comply with all other provisions of this Code pertaining to the use and occupancy of a Residential Rental and the Property on which it is located.

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 be effective immediately upon its adoption by the Commissioners of the City of Rehoboth Beach, except that the Residential Rental occupancy limitations established in Section 210-7(D) shall be effective as of [INSERT DATE].

Adopted by the Commissioners
of the City of Rehoboth Beach
_____, 2016

Secretary of the Commissioners of
the City of Rehoboth Beach

368
369
370

SYNOPSIS: This Ordinance establishes regulations for residential rental properties within the City.

DATE: March 2016
DRAFT VERSION: 6

CITY OF REHOBOTH BEACH

APPLICATION FOR RENTAL LICENSE

GLOSSARY:

APARTMENT - A room or suite of rooms in a dwelling or other permitted structure designed for use as a residence by a single family.

CABIN - A small single story residential dwelling without kitchen facilities used as a residential rental, located ~~on~~ upon real property with a rental office or attendant. A cabin shall not be an accessory to a principal dwelling.

COTTAGE - A small single story residential dwelling used as a residential rental, located on a property with a rental office or attendant. A cottage shall not be an accessory to a principal dwelling.

EFFICIENCY APARTMENT - An apartment in which one room typically contains the kitchen, living and sleeping quarters, with a separate bathroom.

HOTEL, MOTEL, INN - A building or structure operated for profit, accommodating more than six persons, providing lodging, food and/or services to the transient traveling public, and may include restaurants, club rooms, public banquet halls, ballrooms or meeting rooms, but the individual living units shall not contain kitchen or cooking facilities.

LOCAL CONTACT PERSON - An individual designated by the Owner or the Owner's representative, ~~an Agent of the Owner or local property manager~~, who is available twenty-four (24) hours per day, seven (7) days per week for the purpose of responding by telephone or in-person to complaints regarding the condition, operation, or conduct of occupants of the Residential Rental, or any agent of the Owner who is authorized by the Owner to take remedial action ~~and who responds to any violation of this Code.~~

RESIDENTIAL RENTAL - A dwelling unit, including single-family detached, single-family attached or multi family unit, or any portion thereof, rented for ~~occupancy for~~ dwelling, lodging, or sleeping purposes, and which is made available by agreement for residential occupancy by a tenant in exchange consideration for payment ~~of rent regardless of rental term.~~

TOURIST, ROOMING HOUSE OR BOARDING HOUSE - A dwelling or structure or part thereof used to provide sleeping accommodations, with or without meals, for compensation, for no more than six persons.

<p>Make Check Payable To: City of Rehoboth Beach Attn: B & L 306 Rehoboth Avenue Rehoboth Beach, DE 19971</p>
--

APPLICATION FOR RENTAL LICENSE FOR RESIDENTIAL RENTALS

Acct. #
Tax ID#

NEW ()
RENEWAL ()

A separate application must be completed for each rental property

If you did not have a rental license in the previous twelve (12) months, Please call 302-227-4504 to schedule your a rental inspection within 15 days

If your rental property is managed by a property management or real estate company, please have them call us to schedule. A representative must meet our inspector on-site

License Fee Pursuant to §120-20. Lodging Facilities: The undersigned persons, firms and corporations engaged, for profit, in renting rooms, cottages, cabins, private houses and apartments and/or serving food within the limits of the City shall pay an annual license fee ~~to the City Manager, for the use of the City,~~ as follows:

Rental License fees for Residential Rentals are as follows:

- For each home or apartment with at least one bedroom: \$50, plus
- For each bedroom in excess of two in a home or apartment: \$20 additional
- Efficiency apartments, **one room only** and bath: \$41
- Private houses offering rooms for private rental: \$26 per room

Owner Name (Print)	Agent Name, if applicable (Print)
Signature	Signature
Address (home)	Office Address
Home Phone #	Office Phone #
Cell Phone #	Second Phone # (Optional)
Email	Email

Each Residential Rental must have a Local Contact Person who can respond 24 hours per day, 7 days per week

Local Contact Person (Print)
Address (home)
Home Phone #
Cell Phone #
Email

***For all contact information, please indicate best method for contact by circling Home/Office Phone, Cell Phone or Email

If you own or manage a Residential Rental please complete the following section. If you did not have a rental license within the previous twelve (12) months, your rental will need to be inspected. Please call 302-227-4504 to schedule a rental inspection within 15 days. Any new Residential Rental applying for a Rental License for the first time will need to be inspected by the City. If you did have a residential rental license within the previous twelve (12) months, you must Existing Residential Rentals are required to complete and have notarized a safety certification form, which is attached to this Application. You may also request an inspection

by the City of the rental unit in lieu of completing the safety certification form.

House
 Apartment
 Efficiency Apartment, One Room Only
 Housing Offering Rooms for Rent

Street Address of Rental Property _____

Number of Bedrooms _____ Maximum Occupancy _____

- I have reviewed and understand the Residential Rental Ordinance.
- I am requesting an occupancy exception under Section 210-7 of the City Code. (Please attach occupancy justification for City review)

FOR OFFICE USE: Verified by City of Rehoboth Building and Licensing that the Residential Rental does not exceed the maximum occupancy permitted.

FOR OFFICE USE: Requested use ~~is has been found to be~~ permitted in the applicable zoning district.

APPLICATION FOR RENTAL LICENSE
FOR CABINS, COTTAGES, HOTELS, MOTELS, INNS, TOURIST, ROOMING HOUSES AND
BOARDINGHOUSES
OTHER TYPES OF LODGING

Acct. #
Tax ID#

NEW ()
RENEWAL ()

A separate application must be completed for each rental property

License Fee Pursuant to §120-20. Lodging Facilities: The undersigned persons, firms and corporations engaged, for profit, in renting rooms, cottages, cabins, private houses and apartments and/or serving food within the limits of the City shall pay an annual license fee ~~to the City Manager, for the use of the City~~, as follows:

Rental License fees for Other Types of Lodging are as follows:

- For each cabin or cottage: \$33
- Hotels, motels, inns, rooming houses or boardinghouses: \$26 per room

Owner Name (Print)	Manager's Name (Print)
Signature	Signature
Address (home)	Office Address
Home Phone #	Office Phone #
Cell Phone #	Second Phone # (Optional)
Email	Email

Please provide [a 24 hour emergency contact if different from above. information for a second contact](#)

Second Contact Name (Print)
Office Address
Office Phone #
Second Phone # (Optional)
Email

***For all contact information, please indicate best method for contact by circling Home/Office Phone, Cell Phone or Email

Please indicate what type of lodging you own/manage and the following information.

Cabins or Cottages Number of Units _____

Hotel, Motel or Inn Number of Bedrooms _____

Tourist, Rooming or Boarding House Number of Bedrooms _____

Name of Establishment _____

Street Address of Rental Property _____

~~FOR OFFICE USE: Verified by City of Rehoboth Building and Licensing that the Residential Rental does not exceed the maximum occupancy permitted.~~

FOR OFFICE USE: Requested use ~~has been found to be~~ permitted in the applicable zoning district.

DATE: March 2016
DRAFT VERSION: 6

CITY OF REHOBOTH BEACH

APPLICATION FOR RENTAL LICENSE

GLOSSARY:

APARTMENT - A room or suite of rooms in a dwelling or other permitted structure designed for use as a residence by a single family.

CABIN - A small single story residential dwelling without kitchen facilities used as a residential rental, located upon real property with a rental office or attendant. A cabin shall not be an accessory to a principal dwelling.

COTTAGE - A small single story residential dwelling used as a residential rental, located on a property with a rental office or attendant. A cottage shall not be an accessory to a principal dwelling.

EFFICIENCY APARTMENT - An apartment in which one room typically contains the kitchen, living and sleeping quarters, with a separate bathroom.

HOTEL, MOTEL, INN - A building or structure operated for profit, accommodating more than six persons, providing lodging, food and/or services to the transient traveling public, and may include restaurants, club rooms, public banquet halls, ballrooms or meeting rooms, but the individual living units shall not contain kitchen or cooking facilities.

LOCAL CONTACT PERSON - An individual designated by the Owner or the Owner's representative who is available twenty-four (24) hours per day, seven (7) days per week for the purpose of responding by telephone or in-person to complaints regarding the condition, operation, or conduct of occupants of the Residential Rental, who is authorized by the Owner to take remedial action.

RESIDENTIAL RENTAL - A dwelling unit, including single-family detached, single-family attached or multi family unit, or any portion thereof, rented for dwelling, lodging, or sleeping purposes, and which is made available by agreement for residential occupancy by a tenant in exchange for payment.

TOURIST, ROOMING HOUSE OR BOARDING HOUSE - A dwelling or structure or part thereof used to provide sleeping accommodations, with or without meals, for compensation, for no more than six persons.

<p>Make Check Payable To: City of Rehoboth Beach Attn: B & L 306 Rehoboth Avenue Rehoboth Beach, DE 19971</p>
--

APPLICATION FOR RENTAL LICENSE FOR RESIDENTIAL RENTALS

Acct. #
Tax ID#

NEW ()
RENEWAL ()

A separate application must be completed for each rental property

License Fee Pursuant to §120-20. Lodging Facilities: The undersigned persons, firms and corporations engaged, for profit, in renting rooms, cottages, cabins, private houses and apartments and/or serving food within the limits of the City shall pay an annual license fee, as follows:

Rental License fees for Residential Rentals are as follows:

- For **each home or apartment with at least one bedroom**: \$50, plus
- For **each bedroom in excess of two in a home or apartment**: \$20 additional
- Efficiency apartments, **one room only** and bath: \$41
- Private houses offering rooms for private rental: \$26 per room

Owner Name (Print)	Agent Name, if applicable (Print)
Signature	Signature
Address (home)	Office Address
Home Phone #	Office Phone #
Cell Phone #	Second Phone # (Optional)
Email	Email

Each Residential Rental must have a Local Contact Person who can respond 24 hours per day, 7 days per week

Local Contact Person (Print)
Address (home)
Home Phone #
Cell Phone #
Email

***For all contact information, please indicate best method for contact by circling Home/Office Phone, Cell Phone or Email

If you own or manage a Residential Rental please complete the following section. If you did not have a rental license within the previous twelve (12) months, your rental will need to be inspected. Please call 302-227-4504 to schedule a rental inspection within 15 days. If you did have a residential rental license within the previous twelve (12) months, you must complete a safety certification form, which is attached to this Application. You may also request an inspection by the City of the rental unit in lieu of completing the safety certification form.

House
 Apartment
 Efficiency Apartment, One Room Only
 Housing Offering Rooms for Rent

Street Address of Rental Property _____

Number of Bedrooms _____ Maximum Occupancy _____

- I have reviewed and understand the Residential Rental Ordinance.
- I am requesting an occupancy exception. (Please attach occupancy justification for City review)

- FOR OFFICE USE: Verified by City of Rehoboth Building and Licensing that the Residential Rental does not exceed the maximum occupancy permitted.
- FOR OFFICE USE: Requested use is permitted in the applicable zoning district.

**APPLICATION FOR RENTAL LICENSE
FOR CABINS, COTTAGES, HOTELS, MOTELS, INNS, TOURIST, ROOMING HOUSES AND
BOARDINGHOUSES**

Acct. #
Tax ID#

NEW ()
RENEWAL ()

A separate application must be completed for each rental property

License Fee Pursuant to §120-20. Lodging Facilities: The undersigned persons, firms and corporations engaged, for profit, in renting rooms, cottages, cabins, private houses and apartments and/or serving food within the limits of the City shall pay an annual license fee, as follows:

Rental License fees for Other Types of Lodging are as follows:

- For each cabin or cottage: \$33
- Hotels, motels, inns, rooming houses or boardinghouses: \$26 per room

Owner Name (Print)	Manager's Name (Print)
Signature	Signature
Address (home)	Office Address
Home Phone #	Office Phone #
Cell Phone #	Second Phone # (Optional)
Email	Email

Please provide a 24 hour emergency contact if different from above.

Second Contact Name (Print)
Office Address
Office Phone #
Second Phone # (Optional)
Email

***For all contact information, please indicate best method for contact by circling Home/Office Phone, Cell Phone or Email

Please indicate what type of lodging you own/manage and the following information.

Cabins or Cottages Number of Units _____

Hotel, Motel or Inn Number of Bedrooms _____

Tourist, Rooming or Boarding House Number of Bedrooms _____

Name of Establishment _____

Street Address of Rental Property _____

FOR OFFICE USE: Requested use is permitted in the applicable zoning district.

**City of Rehoboth Beach
Rental Housing Inspections Program
SAFETY CERTIFICATION FOR RENTAL LICENSE APPLICATION**

PROPERTY ADDRESS (PRINT)		
NUMBER OF BEDROOMS:	SELF - INSPECTION DATE:	
RENTAL TYPE:	<input type="checkbox"/> Single Family <input type="checkbox"/> Multi family <input type="checkbox"/> Apartment / Condo <input type="checkbox"/> Efficiency Apartment	GARAGE APARTMENT OR OTHER ADDITIONAL DWELLING ON PROPERTY. <input type="checkbox"/> YES – TYPE: _____ <input type="checkbox"/> NO
<p>Owners of rental housing properties must certify each rental housing dwelling/unit on the property every licensure year.</p> <p>Self- Safety Certification requires the following:</p> <ul style="list-style-type: none"> Inspect each rental housing dwelling / unit on the property for compliance with requirements. Immediately make any repairs to the rental housing dwelling / unit in order to achieve compliance with the requirements highlighted in yellow of the checklist. The Items not highlighted are recommended, however will not be required for self safety certification until the 2017 licensure year. Upon completion of the safety certification, maintain a copy on file and submit the Safety Certification Packet with signed statement of attestation to the City of Rehoboth Beach Building and Licensing Department. Immediately notify the City of Rehoboth Beach Building and Licensing Department if any rental dwelling / unit cannot be self-certified because necessary repairs cannot or will not be made. 		
SIGNER'S NAME: (PRINT)	<input type="checkbox"/> OWNER <input type="checkbox"/> OWNER'S <input type="checkbox"/> AGENT REPRESENTATIVE	SIGNATURE:
SIGNER'S ADDRESS:		
CITY:	STATE:	ZIPCODE:
TELEPHONE:	E-MAIL:	

PLEASE MAIL THE COMPLETED SAFETY-CERTIFICATION PACKET TO:

City of Rehoboth Beach
 Building and Licensing Department
 306 Rehoboth Ave.
 Rehoboth Beach, DE 19971 _____

City of Rehoboth Beach
Rental Housing Inspections Program
SAFETY CERTIFICATION FOR RENTAL LICENSE APPLICATION

PROPERTY ADDRESS:	SELF - INSPECTION DATE:
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ITEMS	YES	NO (If no, explain)	N/A
Exterior Property Areas			
Exterior property areas maintained in a clean and safe condition			
Sidewalks, walkways, and driveways are in good repair			
Exterior areas including sidewalk free from weeds and plant overgrowth in excess of 10 Inches. Landscaping maintained			
Address Numbers are plainly legible, minimum 4 inches in height, contrast with their background and visible from the street			
Garage and other accessory structures in good condition and maintained			
Exterior Dwelling			
Exterior surfaces are free from deterioration, Painted surfaces are properly maintained			
Roofs are in good repair, gutters & downspouts are not clogged			
Stairs, decks, guardrails and handrails are in good condition with no rotting material			
All Exterior lighting is in working order (entryway, landscaping, etc)			
Entry doors are equipped with a dead bolt lock designed to be readily opened from the interior openable from the side of egress (Interior to Exterior) without the need for keys, special knowledge or effort and have a minimum lock throw of 1 Inch			
All exterior and sliding glass doors open, shut & secure properly			
Interior Dwelling			
Interior surfaces are maintained free from dirt, mold, stains, holes, cracked/peeling paint or other defective			

surface conditions			
Bathroom exhaust fan operational and exhaust to exterior (if equipped)			
Interior doors in place, properly working, with correct hardware			
GFCI receptacles installed in all bathrooms and all kitchen receptacles servicing countertop surfaces			
All habitable areas have at least two separate and remote electrical receptacles, each bathroom shall contain at least one receptacle			

**City of Rehoboth Beach
Rental Housing Inspections Program
SAFETY CERTIFICATION FOR RENTAL LICENSE APPLICATION**

PROPERTY ADDRESS:	SELF - INSPECTION DATE:
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ITEMS	YES	NO (If no, explain)	DOES NOT APPLY
Interior Dwelling (Continued)			
All windows open as designed and properly lock/latch			
All appliances are in working order			
HVAC system operational and serviced per manufacturer recommendations			
Water heater operates as designed with relief valve discharge pipe installed			
Fire & Life Safety			
Smoke detectors are installed in the hallways and in each bedroom/sleeping room			
All smoke detectors are in working order and inspected bi-annually. Damaged or missing smoke detectors replaced in-kind and as designed			
Emergency escape openings maintained in accordance with the building code in effect at the time of construction			
Egress doors readily openable from the egress side <u>opened from the interior</u> without the need for keys, special knowledge, special knowledge or effort			
Apartments/Condominiums – Exterior doors leading to a common hallway are equipped with a door closing device capable to have the force to bring the door to a fully closed position upon being released after opening			

Miscellaneous			
Rental property meets City of Rehoboth Beach zoning code for use?			
Pool license obtained (Only applicable to pools, hot tubs, spas and Jacuzzis)?			
Current agent representative/local contact person on file with the city?			
Rental Property meets City occupancy requirement?			
Notes			

**City of Rehoboth Beach
Rental Housing Inspections Program
SAFETY CERTIFICATION FOR RENTAL LICENSE APPLICATION**

PROPERTY ADDRESS:	SELF - INSPECTION DATE:
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STATEMENT OF ATTESTATION

I attest that the answers to the questions stated above are true and correct to the best of my knowledge and belief. ~~I understand that the City at its discretion may perform an audit of my rental dwelling and request an inspection to ensure the conditions of the residential rental ordinance conditions are met or to investigate any reported health, safety, or welfare concerns.~~

SIGNATURE **DATE**

PRINT NAME

City of Rehoboth Beach
Rental Housing Inspections Program
ANNUAL SAFETY CERTIFICATION FOR RENTAL LICENSE APPLICATION

PROPERTY ADDRESS (PRINT)		
NUMBER OF BEDROOMS:	SELF - INSPECTION DATE:	
RENTAL TYPE:	<input type="checkbox"/> Single Family <input type="checkbox"/> Multi family <input type="checkbox"/> Apartment / Condo <input type="checkbox"/> Efficiency Apartment	GARAGE APARTMENT OR OTHER ADDITIONAL DWELLING ON PROPERTY. <input type="checkbox"/> YES – TYPE: _____ <input type="checkbox"/> NO
<p>Owners of rental housing properties must certify each rental housing dwelling/unit on the property every licensure year. If you prefer the City to perform an inspection in lieu of submitting this safety certification, please contact Building & Licensing at 302-227-4504 to schedule.</p> <p>Self- Safety Certification requires the following:</p> <ul style="list-style-type: none"> Inspect each rental housing dwelling / unit on the property for compliance with requirements. Immediately make any repairs to the rental housing dwelling / unit in order to achieve compliance with the requirements highlighted in yellow on the checklist. The items not highlighted are recommended, however will not be required for self safety certification until the 2017 licensure year. Upon completion of the safety certification, maintain a copy on file and submit the Safety Certification Packet with signed statement of attestation to the City of Rehoboth Beach Building and Licensing Department. 		
SIGNER'S NAME: (PRINT)	<input type="checkbox"/> OWNER <input type="checkbox"/> OWNER'S REPRESENTATIVE	SIGNATURE:
SIGNER'S ADDRESS:		
CITY:	STATE:	ZIPCODE:
TELEPHONE:	E-MAIL:	

PLEASE MAIL THE COMPLETED SAFETY-CERTIFICATION PACKET TO:

City of Rehoboth Beach
 Building and Licensing Department
 306 Rehoboth Avenue
 Rehoboth Beach, DE 19971

City of Rehoboth Beach
Rental Housing Inspections Program
ANNUAL SAFETY CERTIFICATION FOR RENTAL LICENSE APPLICATION

PROPERTY ADDRESS:	SELF - INSPECTION DATE:
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ITEMS	YES	NO (If no, explain)	N/A
Exterior Property Areas			
Exterior property areas maintained in a clean and safe condition			
Sidewalks, walkways, and driveways are in good repair			
Exterior areas including sidewalk free from weeds and plant overgrowth in excess of 10 Inches. Landscaping maintained			
Address Numbers are plainly legible, minimum 4 inches in height, contrast with their background and visible from the street			
Garage and other accessory structures in good condition and maintained			
Exterior Dwelling			
Exterior surfaces are free from deterioration, Painted surfaces are properly maintained			
Roofs are in good repair, gutters & downspouts are not clogged			
Stairs, decks, guardrails and handrails are in good condition with no rotting material			
All Exterior lighting is in working order (entryway, landscaping, etc)			
Entry doors are equipped with a dead bolt lock designed to be readily opened from the interior without the need for keys, special knowledge or effort and have a minimum lock throw of 1 Inch			
All exterior and sliding glass doors open, shut & secure properly			
Interior Dwelling			
Interior surfaces are maintained free from dirt, mold, stains, holes, cracked/peeling paint or other defective surface conditions			
Bathroom exhaust fan operational and exhaust to exterior (if equipped)			
Interior doors in place, properly working, with correct hardware			

GFCI receptacles installed in all bathrooms and all kitchen receptacles servicing countertop surfaces			
All habitable areas have at least two separate and remote electrical receptacles, each bathroom shall contain at least one receptacle			

**City of Rehoboth Beach
Rental Housing Inspections Program
ANNUAL SAFETY CERTIFICATION FOR RENTAL LICENSE APPLICATION**

PROPERTY ADDRESS:	SELF - INSPECTION DATE:
-------------------	-------------------------

ITEMS	YES	NO (If no, explain)	DOES NOT APPLY
Interior Dwelling (Continued)			
All windows open as designed and properly lock/latch			
All appliances are in working order			
HVAC system operational and serviced per manufacturer recommendations			
Water heater in working condition with relief valve discharge pipe installed			
Fire & Life Safety			
Smoke detectors are installed in the hallways and in each bedroom/sleeping room			
All smoke detectors are in working order and inspected bi-annually. Damaged or missing smoke detectors replaced in-kind and as designed			
Emergency escape openings maintained in accordance with the building code in effect at the time of construction			
Egress doors readily opened from the interior without the need for keys, special knowledge, special knowledge or effort			
Apartments/Condominiums – Exterior doors leading to a common hallway are equipped with a door closing device capable to have the force to bring the door to a fully closed position upon being released after opening			
Miscellaneous			
Rental property meets City of Rehoboth Beach zoning code for use?			
Annual Pool license obtained (Only applicable to pools,			

hot tubs, spas and Jacuzzis)?			
Current representative / local contact person on file with the city?			
Rental Property meets City occupancy requirement?			
Notes			

**City of Rehoboth Beach
Rental Housing Inspections Program
ANNUAL SAFETY CERTIFICATION FOR RENTAL LICENSE APPLICATION**

PROPERTY ADDRESS:	SELF - INSPECTION DATE:
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STATEMENT OF ATTESTATION

I attest that the answers to the questions stated above are true and correct to the best of my knowledge and belief.

SIGNATURE	DATE
PRINT NAME	

**AN ORDINANCE TO AMEND CHAPTER 227, SOLID WASTE,
OF THE MUNICIPAL CODE OF THE CITY OF REHOBOTH BEACH, DELAWARE, 2001,
SECTIONS 227-1, 227-9, 227-11, 227-25, and 227-31, RELATING TO
THE PLACEMENT AND COLLECTION OF WASTES AND RECYCLABLES**

1
2 **WHEREAS**, the Mayor and Commissioners desire to modify regulations relating to the storage,
3 placement, and collection of wastes and recyclables within the City to provide for the efficiency of City
4 services and the orderly appearance of the City.
5

6 **BE IT ORDAINED** by the Commissioners of the City of Rehoboth Beach, in session met, a
7 quorum pertaining at all times thereto, in the manner following to-wit:
8
9

10 **Section 1.** Chapter 227, Section 227-1 of the Municipal Code of the City of Rehoboth
11 Beach, Delaware, 2001, as amended be and the same is hereby further amended by making insertions as
12 shown by underline and deletions as shown by strikethrough as follows:
13

14 **§ 227-1. Definitions.**

15
16 As used in this article, the following terms shall have the meanings indicated:
17

18 **BAG**

19 A plastic or ~~polyethylene~~ polyethylene bag not less than 1 1/4 mils thick ~~having a tie~~
20 ~~string~~ and containing no more than 50 pounds when filled.
21

22 **BUNDLE**

23 Branches and prunings tied together, no longer than four feet in length and not exceeding
24 50 pounds in weight.
25

26 **DISPOSABLE CONTAINER**

27 A bag, box or similar container (other than a waste container) intended for one time
28 disposal of waste and which will prevent leakage if any liquids are present.
29

30 **GARBAGE**

31 Wastes resulting from the handling, preparation, cooking and consumption of food, ~~and~~
32 wastes resulting from the handling, storage and sale of produce, and animal waste.
33

34 **LEACHATE**

35 Any liquid which drains from garbage or any liquid which comes in contact with any part
36 of a container previously contacted by garbage, including all water that comes in contact
37 with garbage or parts of a container previously in contact with garbage, such as (without
38 limitation) water used to wash a dumpster or rainwater that drains from or through
39 garbage.
40

41 **RECYCLABLES**

42 Any material or group of materials that can be collected and sold or used for recycling.
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REFUSE

- A. Combustible trash, including but not limited to paper, excelsior, ~~tree branches, yard trimmings,~~ wood furniture and bedding.
- B. Noncombustible trash, including but not limited to metals, ~~tin cans,~~ dirt, stone, glass, crockery and other mineral waste.
- C. Garbage.
- D. Street rubbish, including but not limited to street sweepings, dirt, ~~leaves,~~ catch basin dirt and contents of litter receptacles.
- E. Wastes resulting from industrial processes and manufacturing operations.

RESIDENTIAL AREAS

All residences other than motels and hotels, but shall include boardinghouses, apartment houses and condominiums, regardless of whether such residences are located in areas other than residential zones as defined in Chapter 270, Zoning.

TRASH

Refuse containing no food, food waste, animal waste, human waste or any such matter.

WASTE

Refuse, recyclables and yard waste intended for disposal.

WASTE CONTAINER

A reusable rigid plastic or metal container with watertight lid and suitable handles or tipper mechanism compatible with city refuse trucks and used for the storage of recyclables, yard waste and bagged garbage and refuse.

YARD WASTE

Organics including grass, leaves, prunings, brush, shrubs, garden materials, Christmas trees and tree limbs up to 4" in diameter.

Section 2. Chapter 227, Section 227-9 of the Municipal Code of the City of Rehoboth Beach, Delaware, 2001, as amended be and the same is hereby further amended by making insertions as shown by underline and deletions as shown by strikethrough as follows:

§ 227-9. ~~Placement of containers~~Collection of refuse; time limit.

The owner or occupier of any given ~~dwelling lot~~ shall place all waste material in waste containers or disposable containers along the curb in front of such lot not earlier than 6:00 p.m. on the day prior to collection day or shall place any waste material in disposable containers not earlier than 5:00 a.m. on collection day in order that it may be conveniently collected by the City ~~collection forces~~. All waste ~~material~~ containers shall be removed from City property not later than 9:00 p.m.

94
95 on collection day ~~within eight hours after the waste shall have been collected~~. Any violation of
96 this section is declared a civil offense pursuant to Chapter 126 of the Municipal Code of the City
97 of Rehoboth Beach.
98
99

100 **Section 3.** Chapter 227, Section 227-11 of the Municipal Code of the City of Rehoboth
101 Beach, Delaware, 2001, as amended be and the same is hereby further amended by making insertions as
102 shown by underline and deletions as shown by strikethrough as follows:
103

104 § 227-11. Collection of yard waste and recyclables; time limits~~leaves, branches and tree~~
105 ~~trimmings~~.

106
107 A. The City will collect ~~leaves, branches and tree trimmings from May 15 to~~
108 September 30 of each year yard waste as needed, provided that such ~~refuse yard~~
109 waste is either:
110

111 (1) ~~bagged contained in paper bags specifically manufactured for yard waste~~
112 or securely tied together in bundles, each of which shall and does not
113 exceed 50 pounds in weight or four feet in length; or-
114

115 (2) is placed within a City owned and furnished yard waste container.
116 Disposal of leaves, branches and tree trimmings not so bagged or tied shall be the
117 responsibility of the property owner.
118

119 B. From October 1 to May 14 of each year, the City will collect loose leaves and
120 pine needles free of foreign debris such as lumber, stones, bricks, branches and
121 any type of garden or flower bed stalks when placed at the curb line or on the
122 road shoulder and also branches and tree trimmings, less than four feet in length,
123 if bundled and tied in accordance with Subsection A above.
124

125 C. The City will collect recyclables provided that such recyclables are contained in
126 a City owned and furnished recycling container.
127

128 D. The owner or occupier of any given lot shall place all recyclables or yard waste
129 in specified containers along the street in front of such lot not earlier than 6:00
130 p.m. on the day prior to collection day in order that it may be conveniently
131 collected by the City. All recycling and yard waste containers shall be removed
132 from City property not later than 9:00 p.m. on collection day. Bagged and
133 bundled yard waste and loose leaves and pine needles may be placed along the
134 street at any time.
135

136 E. Any violation of this section is declared a civil offense pursuant to Chapter 126
137 of the Municipal Code of the City of Rehoboth Beach.
138
139

140 **Section 4.** Chapter 227, Section 227-25 of the Municipal Code of the City of Rehoboth
141 Beach, Delaware, 2001, as amended be and the same is hereby deleted in its entirety.
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Section 5. Chapter 227, Section 227-31 of the Municipal Code of the City of Rehoboth Beach, Delaware, 2001, as amended be and the same is hereby further amended by making insertions as shown by underline and deletions as shown by strikethrough as follows:

§ 227-31. Violations and penalties.

Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$250 nor more than \$500 ~~\$500 nor more than \$1,000~~ and shall pay the costs of prosecution.

Section 6. This Ordinance shall take effect _____.

Adopted by the Commissioners
of the City of Rehoboth Beach
_____, 2016

Secretary of the Commissioners of
the City of Rehoboth Beach

SYNOPSIS: This Ordinance amends provisions of Chapter 227 of the Municipal Code of the City of Rehoboth Beach relating to the placement and collection of wastes and recyclables, related definitions, and related assessments and fines for violations.

1 **AN ORDINANCE TO AMEND CHAPTER 220 OF**
2 **THE MUNICIPAL CODE OF THE CITY OF REHOBOTH BEACH BY**
3 **AMENDING SECTION 220-2 RELATING TO METERED WATER RATES**

4 **BE IT ORDAINED**, by the Commissioners of the City of Rehoboth Beach, in session
5 met, in the manner following to wit:

6 **Section 1.** Chapter 220, Section 220-2, of the Municipal Code of Rehoboth Beach,
7 Delaware, 2001, as amended be and the same is hereby further amended by deleting from
8 Subsection A(2) the figure “\$1.67” and the date “May 1, 2010” as each appears therein and
9 inserting in lieu thereof the figure “\$2.10” and the date “May 1, 2016” respectively.

10 **Section 2.** If any provision of this Ordinance shall be deemed or held to be invalid or
11 unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect
12 any other provision of this Ordinance which may be given effect without such invalid or
13 unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to
14 be severable.

15 **Section 3.** This Ordinance shall become effective immediately upon its adoption by a
16 majority vote of all members of the Commission of the City of Rehoboth Beach.

17 Adopted by the Commissioners
18 of the City of Rehoboth Beach
19 _____, 2016

20 _____
21 Secretary of the Commissioners of
22 the City of Rehoboth Beach

23 **Synopsis:** This Ordinance increases the base volume charge for water from \$1.67 to \$2.10 per
24 1,000 gallons of consumption.

1 **AN ORDINANCE TO AMEND CHAPTER 92 OF**
2 **THE MUNICIPAL CODE OF THE CITY OF REHOBOTH BEACH**
3 **BY AMENDING SECTION 92-263 RELATING TO THE**
4 **FEE FOR SEASONAL PARKING PERMITS**

5 **BE IT ORDAINED**, by the Commissioners of the City of Rehoboth Beach, in session
6 met, in the manner following to wit:

7 **Section 1.** Chapter 92, Section 92-263, of the Municipal Code of Rehoboth Beach,
8 Delaware, 2001, as amended be and the same is hereby further amended by deleting from
9 Subsection C(1) the figures “\$175” and “\$88” as each appears therein and inserting in lieu
10 thereof the figures “\$225” and “\$115” respectively.

11 **Section 2.** Chapter 92, Section 92-263, of the Municipal Code of Rehoboth Beach,
12 Delaware, 2001, as amended be and the same is hereby further amended by deleting from
13 Subsection C(2) the figures “\$200” and “\$100” as each appears therein and inserting in lieu
14 thereof the figures “\$250” and “\$125” respectively.

15 **Section 3.** If any provision of this Ordinance shall be deemed or held to be invalid or
16 unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect
17 any other provision of this Ordinance which may be given effect without such invalid or
18 unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to
19 be severable.

20 **Section 4.** This Ordinance shall become effective immediately upon its adoption by a
21 majority vote of all members of the Commission of the City of Rehoboth Beach.

22 Adopted by the Commissioners
23 of the City of Rehoboth Beach
24 _____, 2016

25 _____
26 Secretary of the Commissioners of
27 the City of Rehoboth Beach

28 **Synopsis:** This Ordinance increases the fee for seasonal parking permits.