

David B. Raughley, Mayor
John D. Hanlin, II, Councilman
Sandra J. Wyatt, Councilwoman
Sherene G. Drake, Councilwoman
Karen Jennings, Councilwoman



Fred Townsend, III, Town Attorney
Thomas Wilkes, Town Engineer
Michael J. Jester, Code
Enforcement Officer
Azure DeShields, Finance Officer
Cathy Beaver, Executive Secretary

Introduced on: November 19, 2008
Introduced by: Mayor David B. Raughley

**ORDINANCE NO. 08-13
CODE OF ORDINANCES**

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE TOWN OF TOWNSEND, DELAWARE; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF TOWNSEND:

Section 1. The Code entitled "Code of Ordinances, Town of Townsend, Delaware," published by Municipal Code Corporation, consisting of chapters 1 through 66, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before June 4, 2008, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof or any act or omission is prohibited or is made or

declared to be unlawful or a violation, or whenever in said Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful or a violation, and no specific penalty is provided therefor, the violation of any such provision of this Code or any ordinance shall be punishable by a fine not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000.00). Unless specifically provided otherwise, or the context thereof so dictates, each day any violation of any provision of this Code or any ordinance shall continue shall constitute a separate offense. Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.

The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the town may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 5. Additions or amendments to the Code when passed in such form as to indicate the intention of the town to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after June 4, 2008 that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This ordinance shall become effective upon its adoption.

Passed and adopted by the Townsend Town Council this 7th day of
January, 2009.

David B. Raughley
Mayor, Town of Townsend

APPROVED AS TO FORM AND LEGALITY:

Fred Townsend, III
Town Attorney

ATTEST:


Cathryn L. Beaver
Town Clerk

First and Second Reading: December 3, 2008
Public Hearing: December 3, 2008
Third and Final Reading: January 7, 2009
Signed by Mayor David B. Raughley