

# The Mayor and Council of the Town of Townsend

141 Main Street, P.O. Box 223, Townsend, DE 19734  
Phone (302) 378-8082 Fax (302) 378-7099

Introduced by:

Introduction on:



## ORDINANCE 2024-004

### AN ORDINANCE TO AMEND SECTION 24.08.020(D)(1) OF THE TOWN CODE TO REQUIRE APPEALS FROM THE BOARD OF ADJUSTMENT TO BE FILED IN THE SUPERIOR COURT FOR THE STATE OF DELAWARE

**Mayor  
Scott Lobdell**

**WHEREAS**, the Town Code currently states that any person aggrieved by a decision of the Board of Adjustment who wishes to file an appeal may file an appeal to the Town Council within a reasonable time; and

**Councilman  
Joshua Mertz,  
PhD**

**WHEREAS**, the Town Council desires to amend such instruction to comply with Delaware State Code Chapter 22, Section 347 which requires appeals to be filed within thirty (30) days to the Superior Court of the State of Delaware.

**Councilman  
Joseph Bangura,  
PhD**

**NOW, THEREFORE**, be it ordained by the by the Town Council of the Town of Townsend, as follows:

**Councilman  
Matthew  
Chapman**

**SECTION 1:** That Section 24.08.020(D)(1). (2), & (3) of the Code of Ordinances, Town of Townsend, Delaware, is hereby replaced to read as follows:

**Councilman  
Marcus Suhr**

Any person or persons, or any taxpayer or any officer, department, board or bureau of the Town aggrieved by any decision of the Board of Adjustment may seek review by the Superior Court of such decision, in the manner provided by the laws of Delaware and particularly by Chapter 3, Title 22, Annotated code of Delaware. Such appeal must be filed within thirty (30) days from the date the Board of Adjustment issues it's written opinion on the matter which is the subject of the appeal.

**Town Manager  
Antonina Tantillo,  
MPA,**

**SECTION 2:** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 3:** In the event any existing Ordinances or parts of Ordinances are in conflict herewith, the provisions of this Ordinance shall control.

**SECTION 4:** This Ordinance shall become effective immediately upon passage.

**A Council – Manager Municipality  
Located on the Web at [townsend.delaware.gov](http://townsend.delaware.gov)**

Adopted by at least a majority of the Council members of the Town of Townsend on this  
\_\_\_\_ day of \_\_\_\_\_, 2024.

- Introduction
- Public Hearing
- Final Reading
- Adoption

Signed By

\_\_\_\_\_

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Mayor  
Town of Townsend, Delaware

Attest: \_\_\_\_\_

Town Clerk

DRAFT