

# 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 2024-005

### An Ordinance to Amend the Townsend Municipal Code Regarding Utilities

**WHEREAS**, the Town Code currently prohibits all wells, including landscaping wells from being installed in the Town; and

**WHEREAS**, the Town Council desires to amend Chapter 12 of the Townsend Municipal Code to allow for landscaping wells.

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

**SECTION 1:** That Section 12.04.010 of the Code of Ordinances, Town of Townsend, Delaware, is hereby amended to add the following verbiage as underlined as follows:

#### 12.04.010 Mandatory Use Of Water And Sewer System

- A. The use of the town utilities is mandatory to ensure adequate participation of residential and commercial connections to the utility systems of the town. The further expressed purpose shall be to promote the orderly expansion of the utility services.
- B. This section shall further serve to prohibit any wells in the town with the exception of wells for landscaping use only.
- C. Any homes, businesses, industrial facilities, etc., annexed into the town shall be required to connect to the water and sewer system of the town at the owner's expense.
- D. No permit for the installation of any wells shall be issued, with the exception of wells for landscaping use only.
- E. Wells existing and in use as of the date of the ordinance from which this section was derived shall be excepted from the mandatory connection requirements herein, until such time as a well becomes unserviceable and/or in need of repair, at which time the well shall cease to be used and connection to the water service shall be mandatory.

**SECTION 2:** If any section, subsection, sentence, clause or phrase of this

**A Council – Manager Municipality**

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**Mayor  
Scott Lobdell**

**Councilman  
Joshua Mertz,  
PhD**

**Councilman  
Joseph Bangura,  
PhD**

**Councilman  
Matthew  
Chapman**

**Councilman  
Marcus Suhr**

**Town Manager  
Antonina Tantillo,  
MPA,**

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.

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

