

The Mayor and Council of the Town of Townsend

141 Main Street, P.O. Box 223, Townsend, DE 19734
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Introduced by: Mayor S. Lobdell

Introduction on: 03/06/2024



ORDINANCE 2024-005

An Ordinance to Amend the Townsend Municipal Code Regarding Utilities

Mayor
Scott Lobdell

Councilman
Joshua Mertz,
PhD

Councilman
Joseph Bangura,
PhD

Councilman
Matthew
Chapman

Councilman
Marcus Suhr

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 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 Ordinance is for any reason held to be unconstitutional or invalid, such decision

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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 3rd day of April 2024.

Introduction 03/06/2024

Final Reading 04/03/2024

Adoption 04/03/2024

Signed By

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

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Mayor

Town of Townsend, Delaware

Attest: Marialex Rivers
Town Clerk