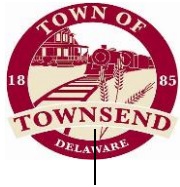


# The Mayor and Council of the Town of Townsend

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

Introduced by:  
Mayor Lobdell  
Introduction on: January 10<sup>th</sup>, 2024



## ORDINANCE 2024-002

### AN ORDINANCE TO AMEND SECTION 24.04.060 OF THE TOWN CODE TO ADD THE DEFINITION OF COMMERCIAL VEHICLE AND SECTION 24.04.090 OF THE TOWN CODE

Mayor  
Scott Lobdell

Councilman  
Joshua Mertz,  
PhD

Councilman  
Joseph Bangura,  
PhD

Councilman  
Matthew  
Chapman

Councilman  
Marcus Suhr

Town Manager  
Antonina Tantillo,  
MPA,

**WHEREAS**, the Town Code currently states that commercial vehicles may not be parked overnight anywhere within the Town limits; and

**WHEREAS**, the Town Code does not define “commercial vehicle;” and

**WHEREAS**, the Town Council desires to amend the definition section of the Zoning and Unified Development Chapter of the Town Code to include a definition for commercial vehicles.

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

**SECTION 1:** That Section 24.04.060 of the Code of Ordinances, Town of Townsend, Delaware is hereby amended by adding a section after the line beginning “Church” and before the line beginning “Demolition,” which said section shall read as follows:

“Commercial vehicle” shall mean a vehicle of a type required to be registered as commercial under state law or used or maintained for the transportation of persons or property for hire, compensation, or profit, except taxicabs. Commercial vehicles are further defined by the federal Highway Administration as a Class 3- vehicle which is classified as a four tire, single unit vehicle.

**SECTION 2:** That Section 24.04.090 of the Code of Ordinances, Town of Townsend, Delaware is hereby amended by adding a section after G. The overnight parking of trucks or commercial vehicles in a residential area shall be prohibited which said section shall reads as follows:

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

Formatted: Indent: Left: 0"

1. Police Vehicles shall not be considered a commercial vehicle under this definition.
2. Vehicles above a Class 3 – 13 as defined by the FHWA shall be parked in driveways overnight. Overnight parking on streets is prohibited.
3. No buses or mini-buses are allowed to be kept, parked or stored in the community with the exception that they are fully parked within a closed garage or are on a business-service call to an owner or occupant.
4. Recreational Vehicles. Any boat, boat trailer, motor home, self-contained camper, mobile home, trailer, pop-up camper/tent trailer, horse trailer or similarly oriented vehicle as defined in Title 21 of the Delaware Code as amended from time to time are prohibited, with the exception of 48 hours to load and unload. Storage of the vehicles listed in this paragraph is allowed, so long as they are wholly parked within a closed garage.

**Formatted:** Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

**SECTION 32:** 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 43:** In the event any existing Ordinances or parts of Ordinances are in conflict herewith, the provisions of this Ordinance shall control.

**SECTION 54:** 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

\_\_\_\_\_

.....

Mayor

\_\_\_\_\_  
Town of Townsend, Delaware

Attest: \_\_\_\_\_  
Town Clerk

DRAFT

