

"A Historic Past"



"A Bright Future"

CITY OF DELAWARE CITY
407 Clinton Street - P.O. Box 4159
Delaware City, Delaware 19706
302-834-4573

**CITY OF DELAWARE CITY
DELAWARE CITY, DELAWARE
Ordinance No. 14 – 1215-04**

**ORDINANCE TO ADOPT NEW CHAPTER 53 OF THE
CITY OF DELAWARE CITY CODE CREATING DEPARTMENT OF BUILDING
INSPECTION AND CODE ENFORCEMENT AND TO PROVIDE FOR, AMONG
OTHER THINGS, THE REVIEW, INSPECTION AND ENFORCEMENT OF
BUILDINGS, PROPERTY AND THE SUBDIVISION OF LAND**

The City of Delaware City

WHEREAS, pursuant to Article V, Section 5-02(A) of The City of Delaware City Charter ("Charter"), and pursuant to the "Powers of the City," outlined in Article II, § 2-1 of the Charter, the Mayor and the Council of The City of Delaware City ("City Council") possess the authority to adopt, amend, modify, or repeal The City of Delaware City Code ("Code");

WHEREAS, the Mayor and City Council desire to create an independent code process for the review, inspection and enforcement of buildings, structures, property and subdivisions of land within the City and desire to amend the Code by adopting a new Chapter 53 entitled "Department of Building Inspection and Code Enforcement; Permits and Approvals" through this Ordinance;

WHEREAS, the Mayor and City Council believe that proposed revisions to the Delaware City Code attached hereto as Exhibit A enhance the health, safety, and welfare of the City of Delaware City;

WHEREAS, the City Council has also held a public hearing, noticed fifteen (15) days in advance, regarding the amendment to the Code;

WHEREAS, in addition to the notice provided above, under Article V, Section 5-02(B) of the Charter, the Code revisions attached hereto as Exhibit A were introduced at a regular meeting, duly read in full or in abstract, and prominently posted for seven (7) days in The City of Delaware City.

NOW, THEREFORE, the Mayor and the City Council of The City of Delaware City hereby ordain:

Section 1. Chapter 53 entitled “Department Of Building Inspection And Code Enforcement; Permits And Approvals” attached to this Ordinance as Exhibit A is hereby adopted.

Section 2. **Inconsistent Ordinances and Resolutions Repealed.** All Ordinances or parts of Ordinances and all resolutions or parts of resolutions that are in direct conflict herewith are hereby repealed.

Section 3. **Severability.** The provisions of this Ordinance shall be severable. If any provisions of this Ordinance are found by any court of competent jurisdiction to be unconstitutional or void, the remaining provisions of this Ordinance shall remain valid, unless the court finds that the valid provisions of this Ordinance are so essentially and inseparably connected with, and so dependent upon, the unconstitutional or void provision that it cannot be presumed that City Council would have enacted the remaining valid provisions without the

unconstitutional or void provision; or unless the court finds that the remaining valid provisions, standing alone, are incomplete and incapable of being executed in accordance with City Council's intent.

Section 4. **Effective Date.** This Ordinance shall become effective immediately upon its adoption by a majority vote of the City Council.

Signature Page Follows