

# Town of Milton

115 Federal St  
Milton, DE 19968



[www.milton.delaware.gov](http://www.milton.delaware.gov)

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## **ORDINANCE NO. 2017-001**

### **AN ORDINANCE TO AMEND CHAPTER 183 OF THE MILTON TOWN CODE REGARDING SIDEWALKS**

**WHEREAS**, Section 29(a)(7) of the Town Charter of the Town of Milton vests power in the Town Council to define, prevent, abate or remove nuisances, obstructions or any other condition detrimental to the public safety, health, welfare; or the health and capacity of eco-systems that support the natural areas of the town; and

**WHEREAS**, Section 29(a)(3) of the Town Charter of the Town of Milton vests power in the Town Council to “ascertain, locate, layout, establish, open, change, alter, widen, abandon, regulate the use and enjoyment of, prevent, or remove any obstruction of, level, grade, flag, dress, pave, gravel, shell, improve, dredge, erect, remove, repair or replace any new or present street, highway, lane, alley, water course, park, lake, crosswalk, wharf, dock, sewer, drain, aqueduct, or pipeline or portion thereof, or any new or present sidewalk, curb, or gutter or portion thereof in the Town”; and

**WHEREAS**, the Town Council of the Town of Milton has previously enacted an ordinance regarding streets and sidewalks, which is codified in Chapter 183 of the Town Code;

**NOW THEREFORE, BE IT ENACTED AND ORDAINED**, by the Town Council of the Town of Milton:

Section 1. Amend § 183-1 of the Milton Town Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 183-1. Duty of property owner to repair sidewalk.

The owner of any lot in front of which any sidewalk or curbing has been laid or constructed shall, in the event such sidewalk or curbing shall be in any way damaged or broken, cause the sidewalk or curbing to be repaired within 90 days after such sidewalk or curbing shall have been damaged or broken. If the premises shall be vacant at the time of the damaging or breaking of any such sidewalk or curbing, the owner shall cause the sidewalk or curbing to be repaired within 90 days after notice by the Town official charged with Code enforcement, forwarded to such owner by registered or certified mail.

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**I, THEODORE J. KANAKOS**, Mayor of the Town of Milton, hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the Town Council of the Town of Milton at its meeting held on the 23<sup>rd</sup> day of January 2017, following a duly noticed meeting, at which a quorum was present and voting throughout and that the same is still in full force and effect.

  
**MAYOR**

## **SYNOPSIS**

This ordinance amends the Town Code's ordinance relating to notice for sidewalk or curbing repairs. Specifically, for any premises that is vacant, this ordinance allows the Town official charged with Code enforcement to send notice by either registered mail or certified mail. Currently, the Town Code requires owners of vacant properties to receive notice by registered mail only.