

Town of Milton

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Milton, DE 19968



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ORDINANCE NO. 2012- 09

AN ORDINANCE TO AMEND CHAPTER 164 OF THE TOWN CODE RELATING TO RENTAL LICENSES.

WHEREAS, Section 29(a)(1) of the Town Charter of the Town of Milton vests power in the Town Council to provide for and preserve the health, peace, safety, cleanliness, ornament, good order and public welfare of the Town and its inhabitants; and

WHEREAS, Section 29(a)(29) of the Town Charter of the Town of Milton vests power in the Town Council "to license, tax and collect fees annually for any and all municipal purposes (including the cost and expenses of advertising to the Town) of such various amounts as the Town Council from time to time shall fix from any individual, firm, association, or corporation carrying on or practicing any business, profession, or occupation within the limits of the Town..."; and

WHEREAS, Chapter 164 of the Town Code currently regulates the issuance of rental licenses;

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Town Council of the Town of Milton, a majority thereof concurring, that the following revisions hereby by incorporated into the Town Code at the referenced Code Sections, with additions shown by underlining and deletions shown by strike-through as follows:

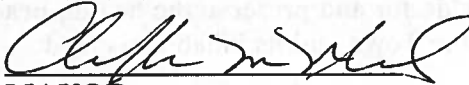
§ 164-10. Violations and penalties.

- A. No person shall engage in, carry on, aid or assist in the business, occupation, or activity of providing a rental unit or rental room without having first obtained an annual rental license for said rental unit or rental room within the Town of Milton. Within 30 days of a request by the Town, any property owner who provides for rent any unit or room in conjunction with said property shall be required to verify the property's rental status on a Declaration of Property Status form prescribed by the Town.
 - B. Any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$100 nor more than \$300, plus costs, including Town Attorney's fees and Victim's Compensation Fund assessment for each offense, and for the purposes of this chapter, a separate offense shall be deemed to be committed on each day during or on which a violation occurs or continues.
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SYNOPSIS

This Ordinance amends Chapter 164 of the Town Code relating to rental licenses. That Chapter already identifies the process for obtaining a rental license, implying that a rental license is necessary. The amendment merely expressly provides that requirement, with language largely tracking with Chapter 93 of the Town Code relating to business licenses. Additionally, this Ordinance specifically authorizes the Town to request that a property owner verify this the property is not rented.

I, CLIFFORD M. NEWLANDS, 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 duly noticed meeting held on the 10th day of September, 2012, at which a quorum was present and voting throughout and that the same is still in full force and effect.


MAYOR



