

Town of Milton  
115 Federal St  
Milton, DE 19968



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**ORDINANCE NO. 2012- 05**

**AN ORDINANCE TO AMEND THE TOWN CODE, SECTION 220-21, ENTITLED  
"HISTORIC PRESERVATION OVERLAY DISTRICT," AMENDING THE DEFINITION OF  
"HISTORIC PRESERVATION COMMISSION" TO ALLOW FOR FIVE TO NINE  
MEMBERS**

**WHEREAS**, Section 15(b) of the Town Charter of the Town of Milton authorizes the Mayor to appoint, with the advice and consent of the Town Council, members to Boards and Commissions; and

**WHEREAS**, the aforesaid Section of the Town Charter authorizes the number of members serving on such Boards and Commissions to be a minimum of five and a maximum of nine, with new appointee serving a three-year term from the date of appointment; and

**WHEREAS**, Whereas the Town of Milton currently has its ordinances and Town Code, at Section 220-21, the Historic Preservation Commission consisting of five members; and

**WHEREAS**, the Town of Milton seeks to amend the Town Code in order to correspond with the Town Charter and its more flexible number of members;

**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 Section 220-21(E) of the Town Code, with additions shown by underlining and deletions shown by strike-through as follows:

**§ 220-21. Historic Preservation Overlay District (HP-OD).**

...

E. Definitions. In this article, the following definitions shall be applicable, unless the context clearly indicates otherwise.

...

**HISTORIC PRESERVATION COMMISSION** – A board consisting of five to nine members recommended by the Mayor and confirmed by the Town Council to serve a term of three years each. When the initial members are appointed, one member shall serve a one-year term, two members shall serve a two-year term, and two members shall serve a three-year term. Thereafter, all members shall serve a three-year term. At least a majority of the members of the Commission shall reside within the Historic Preservation Overlay District of the Town of Milton.

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Effective Date: While the total number of members in this ordinance shall be effective immediately, the number of members residing within the Historic Preservation Overlay District shall be met via the next appointment(s) for a vacancy.

**SYNOPSIS**

This Ordinance amends the Town Code in order to have the Town Code correspond with the Town Charter and its more flexible number of members on the Historic Preservation Commission. The total numbers of members is from 5 to 9, with at least 4 members living in the Historic District.

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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 meeting held on the 2nd day of July, 2012, following a duly noticed public hearing, at which a quorum was present and voting throughout and that the same is still in full force and effect.

*Clifford M. Newlands*  
MAYOR



*Kristy Rogers*