

Town of Milton

115 Federal Street
Milton, DE 19968



www.milton.delaware.gov

Phone: 302-684-4110

Fax: 302-684-8999

ORDINANCE NO. 2020-007
AN ORDINANCE TO AMEND THE TOWN CODE, CHAPTER 67, ENTITLED
“ANNEXATION AGREEMENT”

WHEREAS, the Town Charter of the Town of Milton authorizes the Town Council to provide for and preserve the health, cleanliness, ornament, good order and public welfare of the Town, its inhabitants and affairs; and

WHEREAS, the Town Charter, in Section 3, provides procedures for the Town to annex property and therefore enlarge its limits and territory when it becomes feasible or necessary in the future; and

WHEREAS, Section 3 of the Town Charter was amended to elaborate and revise the annexation process; and

WHEREAS, the Town of Milton currently has an Ordinance regulating annexation agreements with the Town; and

WHEREAS, the Town of Milton seeks to amend and update its regulations regarding annexation agreements;

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 Chapter 67.

Section 1. Amend § 67-2 of the Town Code by making additions as shown by underline and deletions shown by strikethrough as follows:

~~C. Any application for a rental unit for which the license was allowed to lapse shall be considered an initial application and subject to inspection.~~

§ 67-2. Annexation agreement procedure.

A. When annexation proceedings are initiated by a property owner, the Town Charter provides specific procedures for reviewing and acting upon that application. ~~That procedure requires Council to refer the matter to the committee of the Planning and Zoning Commission to recommend the pros and cons of the proposed annexation. That procedure requires a public hearing. During this procedure terms and conditions, including cost and credits related to the~~

~~application may be considered by the applicant and the Commission. When the Planning and Zoning Commission makes its recommendation to Council, that recommendation shall include proposed terms and conditions for an annexation agreement, if any.~~

B. ~~When Town Council considers the recommendation of the Planning and Zoning Commission,~~ the Any annexation agreement terms and conditions shall not be finalized ~~but only until~~ after a public hearing on the entire annexation application. The Town Council may approve the annexation contingent on the annexation agreement and consistent with the terms of its Charter.

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 3rd day of August, 2020, 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 regulations relating to annexation agreements to remove inconsistencies with the more recently adopted provisions of the Town Charter.