

Town of Milton
115 Federal Street
Milton, DE 19968



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ORDINANCE NO. 2021-005

**AN ORDINANCE TO AMEND CHAPTER 188 OF THE TOWN CODE, ENTITLED
“SUBDIVISION AND LAND DEVELOPMENT.”**

WHEREAS, the Charter of the Town of Milton vests power in the Mayor and 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, the Mayor and Town Council of the Town of Milton have previously enacted an ordinance governing Subdivision and Land Development, codified as Chapter 188 of the Town Code; and

WHEREAS, the Mayor and Town Council held an open meeting on the 7th day of June, 2021, to consider amendments to Chapter 188;

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 be incorporated into Chapter 188 of the Town Code:

Section 1. Make deletions shown by strike-through and additions shown by underline to Chapter 188:

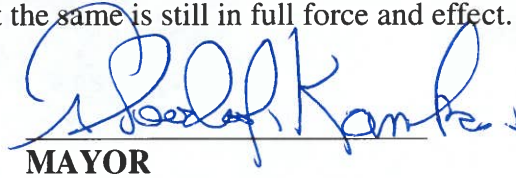
Chapter 188. Subdivision and Land Development

§ 188-42 Violations and penalties.

- A. Any person, partnership, corporation or association or any agent or representative thereof who shall violate any provision of this chapter shall be subject to such penalties as set forth in Chapter 1, Article I.
- B. In addition to Subsection A of this section, in the case of any violation or threatened violation of any of the provisions of this chapter, or conditions imposed by the Town Council or Planning and Zoning Commission of the Town of Milton, in addition to other remedies herein provided, the Town Council may institute any appropriate action or proceeding in a court of competent jurisdiction to prevent, restrain, correct, or abate such violation or threatened violation.

Section 2. This Ordinance shall become effective on August 1, 2021, and shall apply to any violation or threatened violation occurring on or after that date.

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 7th day of June, **2021**, 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.



MAYOR

SYNOPSIS

This ordinance amends the Town Code's subdivision ordinance to include an express provision regarding violations and penalties of that ordinance. A violation of the ordinance shall be punished by a fine not less than \$50 nor more than \$99, plus the costs of prosecution. In addition, the Town Council may elect to file suit seeking to abate a violation or prevent a threatened violation.