

Town of Milton
115 Federal St
Milton, DE 19968



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RESOLUTION 2021-010

TO ADOPT RULES FOR APPEALS UNDER SECTION 220-36 OF THE MILTON TOWN CODE

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 has the power to zone or district the Town and make particular provisions for particular zones or districts with regard to structures, building, and building material, and generally to exercise all powers and authorities vested in the legislative body of cities and incorporated towns under and by virtue of Chapter 3, Title 22 of the Delaware Code; and

WHEREAS, the Mayor and Town Council has previously found it proper for the aforementioned purposes to enact a zoning ordinance, codified as Chapter 220 of the Town Code; and

WHEREAS, pursuant to Article VI of Chapter 220, the Milton Planning and Zoning Commission has authority over site plan reviews and special use permits, with site plan reviews governed by Section 220-34 and special use permits governed by Section 220-35; and

WHEREAS, Subsection A of Section 220-36 (entitled "Appeal") in Article VI of the zoning ordinance provides, "The applicant or any interested person may appeal the decision of the Planning and Zoning Commission. The appeal is made to the Mayor and Town Council and shall be filed within 60 days from the Planning and Zoning Commission's decision"; and

WHEREAS, the Mayor and Town Council seeks to promote an orderly hearing process for any appeal to be heard under Section 220-36;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Milton, that the rules for appeals under Section 220-36, attached hereto as "Exhibit A" and incorporated by reference, are hereby adopted.

I, THE UNDERSIGNED, Secretary of the Town Council of the Town of Milton do hereby certify that the above Resolution was passed at the meeting of the Town Council, duly called and convened, held on this 12th day of July, 2021, at which a quorum was present and voting throughout and that same is still in full force and effect.

TOWN OF MILTON

BY: Lee Revis Plank
SECRETARY OF TOWN COUNCIL

DATE: 7/21/2021