



Town of Milton

115 Federal Street, Milton, Delaware 19968

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ORDINANCE 2021-006

AN ORDINANCE TO AMEND TOWN CODE AT CHAPTER 215, INCLUDING ARTICLE I'S HEADING, SECTION 215-2, ENTITLED "UNLAWFUL ACTS" AND SECTION 215-3, ENTITLED "VIOLATIONS AND PENALTIES"

WHEREAS, the Town Charter of the Town of Milton, Delaware ("the Town"), provides in Section 29, that, "the Town Council is vested by this Charter with the following powers, to be exercised by the Town Council in the interest of good government, and the safety, health and public welfare of the Town, its inhabitants and affairs"; and

WHEREAS, Section 29(8) of the Town Charter provides in pertinent part that the Town may "...provide an ample supply of potable water for the Town and its inhabitants and to this end to acquire, lease, erect, construct, maintain, operate, extend, enlarge, renew, replace, control and dispose of wells, reservoirs, pumps, machines, stations, tanks, standpipes, water mains, fire hydrants and all other equipment, property or rights used in or about the collection, storage purification, conveyance, or distribution or sale of water; to regulate and prescribe for what public or private purposes the water furnished by the Town may be used, the manner of its use, the amounts to be paid by the users thereof, the means whereby such amounts shall be collected and the fines or penalties, or both, for any willful or negligent injury, or damage to or interference with the water system or the equipment of the Town; to furnish or refuse to furnish water from the Town system to places and properties outside the Town limits;..."

WHEREAS, the Mayor and Town Council previously enacted a water ordinance, codified as Chapter 215 of the Town Code; and

WHEREAS, the Town has determined a need to revise Chapter 215's provisions regarding unlawful acts related to parking over water meters and water supply valves;

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 215 of the Town Code, with deletions shown by strike-through and additions shown by underline as follows:

Article I. Restrictions on Use

§ 215-2. Unlawful acts.

A. No person shall, directly or indirectly, use the water from the mains of the Town for the purpose of washing vehicles or sprinkling streets, grass, shrubbery or gardens if the Town Manager or designee has issued an order provided for in this article.

B. No person shall park a vehicle or place other personal property over a water meter or water supply valve in such a manner that obstructs access to that meter or valve.

C. As an additional and separate offense from subsection B of this Section, following notice, which may be given orally or in writing, no owner of such vehicle or other personal property shall refuse to immediately move the vehicle or other property that obstructs access to any a water meter or water supply valve.

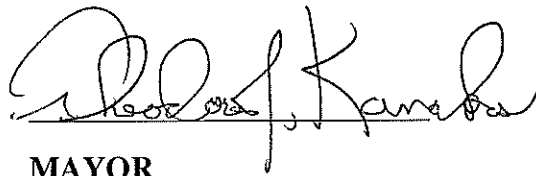
§ 215-3. Violations and penalties.

A. Any person violating any provision of this article shall be subject to such penalties and pay such fines as set forth in Chapter 1, Article II, General Penalty.

B. The application of any violation and/or penalty set forth herein shall not be held to prevent the enforced removal of any prohibited condition under this article, including immediate removal of the vehicle or other personal property that is over a water meter or water supply valve.

C. The owner of any vehicle or personal property removed as in violation of §215-2B or C shall be responsible for payment of all charges for towing and storage of such vehicle or property.

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 2nd day of August, 2021, at which a quorum was present and voting throughout and that the same is still in full force and effect.



MAYOR

Synopsis

This ordinance hereby amends the water ordinance, codified as Town Code Chapter 215, regarding the removal of vehicles or personal property from blocking access to a water meter or water supply valve regardless if the water meter or water supply valve is on private property.