



Town of Milton

115 Federal Street, Milton, Delaware 19968

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ORDINANCE NO. 2022-013

TO AMEND TOWN CODE CHAPTER 183 RELATED TO SIDEWALK CONSTRUCTION AND USE

WHEREAS, the Town Charter of the Town of Milton, Delaware ("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 authorizes the Town Council to regulate, change, and alter the use or prevent, or remove any obstruction of, any new or present streets and sidewalks; and

WHEREAS, Milton Town Code Chapter 183 prescribes the construction standards and use of streets and sidewalks; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Mayor and Town Council of the Town of Milton, a majority thereof concurring, that the following revisions hereby incorporated into Chapter 183 of the Town Code, entitled "Streets and Sidewalks".

Section 1. Amend §183-16, entitled "Sidewalks to be divided into sections" with deletions shown by strike-through and additions shown by underline:

§ 183-16 Sidewalks to be divided into sections.

A. Sidewalks shall be cut into separate rectangular slabs, not greater than six feet on any one side with the surface edges of each slab rounded to a minimum radius of 1/4 inch. Separation of slabs shall be by division plates of steel of a minimum thickness of 1/8 inch and as wide as the depth of the sidewalk and as long as the width of the sidewalk.

B. Openings for Electric Vehicle (EV) charging station cords shall be a minimum of 2 inches deep a maximum of 2 inches wide and run the entire width of the sidewalk. EV charging station cords shall not be exposed at any part of the sidewalk. A cover for the EV charging station cord opening shall be able to hold 50lbs per square inch and be flush with the top surface of the sidewalk.

Section 2. Amend 183-18, entitled "Inspection; certification of compliance" with deletions shown by strike-through and additions shown by underline:

§ 183-18 ~~Inspection; certification of compliance.~~

The Town Manager, or designee ~~in consultation with the Public Works Supervisor,~~ shall, ~~upon request,~~ inspect any repaired or newly constructed sidewalk ~~laid out~~ within the Town. Should the sidewalk comply and conform to the rules and regulations of this article, the Town Manager, or designee, shall certify that fact, in writing, to the person installing or making repairs ~~requesting the certificate to that effect.~~

Section 3. Amend the title of Chapter 183, Article V, entitled "Use of Streets" with deletions shown by strike-through and additions shown by underline:

Article V
Use of Streets and Sidewalks

Section 4. Amend §183-47, entitled "Unlawful acts" with deletions shown by strike-through and additions shown by underline:

§ 183-47 Unlawful acts.

~~It shall be unlawful for any person, firm or corporation to use any street, from curb to curb, as space for the display of goods or merchandise for sale or rent or to write or make any sign or advertisement on any such pavement.~~

It shall be unlawful for any person to place, maintain or permit any object or obstruction upon any part of any sidewalk or public right-of-way, including streets, alleys, and lanes; provided, however, that nothing herein shall prohibit:

- A. Placement of any object upon any public right-of-way pursuant to written permission first obtained from the Town of Milton in accordance with standards and regulations established by Town ordinance or policy; or
- B. The temporary placement of an object upon a public right-of-way during the process of loading, unloading, transporting or otherwise moving such object from one place to another over, upon or across such public right-of-way.

I, **John Collier**, Mayor of the Town of Milton, hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the Mayor and Town Council of the Town of Milton at its meeting held on the **7th day of November, 2022**, during a duly noticed meeting 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 Town Code Chapter 183 regarding Streets and Sidewalks. Specifically, the ordinance adds language to regulate the use of sidewalks and EV charging station cord use across sidewalks.