

APPROVED FIRST READING: DECEMBER 6, 2024

**AN ORDINANCE
OF THE TOWN COUNCIL OF
THE TOWN OF FENWICK ISLAND, DELAWARE
AMENDING CHAPTER 61 BUILDING AND UTILITY CONSTRUCTION
OF THE FENWICK ISLAND TOWN CODE**

WHEREAS, the Town of Fenwick Island, Delaware (the “Town”), through its Town Council (the “Council”), has broad authority to enact such ordinances necessary for the protection of public health, safety, comfort or welfare, and the protection and preservation of public and private property;

WHEREAS, the Council desires to amend Chapter 61 Building and Utility Construction, Article I Building Permits, of the Town Code (the “Code”) in order to ensure that construction equipment is promptly removed from a property after the issuance of a certificate of compliance by the Building Official;

NOW THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Fenwick Island, Delaware, in session met, a quorum at all times pertaining thereto, in the manner following, to wit:

Section 1. Chapter 61 Building and Utility Construction, Article I Building Permits, of the Code of the Town of Fenwick Island be, and hereby is, amended by inserting new language to Section 61-3(F) as shown by underlining as follows:

§ 61-3 **Issuance of permits.**

...

F. Prior to occupancy and issuance of a certificate of compliance, it is the duty of the Building Official to inspect all buildings for which building permits have been issued, when the building has been completed, to certify that all provisions of this article and Chapter 88, Flood Damage Prevention, have been complied with. The Building Official shall issue a certificate of compliance upon satisfactory completion of this inspection. Within 5 business days of the issuance of a certificate of compliance under this Section 61-3(F) and/or at the expiration of the building permit, whichever is earlier, all construction equipment shall be removed from the property on which said building is located. Construction equipment shall include, but not be limited to dumpsters, outside toilet facilities and any other construction-related equipment. Failure to so remove all such construction equipment within 5 days shall constitute a violation of this Chapter subjecting the owner or tenant of such property to a civil fine of \$250 for each day any construction equipment continues to remain on the property.

Adopted by the Council
Of the Town of Fenwick Island, Delaware
_____, 2024

Secretary of the Town Council
Of the Town of Fenwick Island