



Ordinance Number 676

AN ORDINANCE TO AMEND CHAPTER 145 OF THE ELSMERE CODE

Sponsored By: 3rd District Councilwoman Mary Steppi

First and Second Reading: January 9, 2025

Results: Passed 7 In Favor, 0 Opposed

Third and Final Reading: February 13, 2025

Results:

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AN ORDINANCE TO AMEND CHAPTER 145 OF THE ELSMERE CODE

WHEREAS, the Mayor and Council of the Town of Elsmere have noted an increase in the number of properties Town wide which are requiring repeated and excessive Police and Code Department services, and;

WHEREAS, many incidents requiring Police and Code services often threaten the safety and welfare of the law abiding Elsmere residents, and;

WHEREAS, these incidents have a negative impact on the law abiding Elsmere residents, and;

WHEREAS, the Mayor and Council wish to give the Police and Code Departments as many tools as possible to aid them in the enforcement of laws,

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF ELSMERE AS FOLLOWS:

1. Chapter 145, section 145-2 be amended as follows:

PUBLIC NUISANCE

A residence, premises, structure, place or lot, developed or undeveloped, which creates or results in the maintaining of or failure to abate a condition which is in violation of the codes of the Town of Elsmere or the laws of the State of Delaware or which endangers the safety, health or welfare of the public, or which is the location of a confirmed violation of §143-3(B).

2. Chapter 145, section 145-5 be amended as follows:

"D. In addition to any other penalty which may be imposed hereunder, the Town of Elsmere shall, in the event of a Repeat Public Nuisance, revoke any rental licenses or building permits for (i) not only the subject property, (ii) but also any other property located within the Town of Elsmere owned by the offending owner, for the period of twelve months (in the event of a Repeat Public Nuisance arising under section §143-3(B)) or until the Town is satisfied that the problem has been mitigated (for any other Repeat Public Nuisance)."

First and Second Reading
January 9, 2025

Third and Final Reading
February 13, 2025

Eric Thompson, Mayor

Sally Jensen, Secretary

Approved as to form:

Town Solicitor

SYNOPSIS:

This Ordinance amends Chapter 145 to allow the Town of Elsmere to revoke rental licenses and building permits not only for properties in violation of the Nuisance Ordinance and/or requiring excessive police services, but for all properties owned by the offending owner within Town limits until the problem property is mitigated.

Fiscal Impact:

Negligible, if any.