



ORDINANCE NO. 823

AN ORDINANCE TO AMEND CHAPTER 93-3 BEACH FIRE PERMITS, AND 65-6 OCEAN BEACH FIRES, OF THE MUNICIPAL CODE OF THE TOWN OF DEWEY BEACH, DELAWARE, CONCERNING BEACH BONFIRES

WHEREAS, the Town of Dewey Beach has experienced an increase in the number of businesses and individuals seeking to acquire beach bonfire permits; and

WHEREAS, the current booking process for beach bonfires requires applicants to appear in person to reserve their beach bonfire, which has proven to be labor-intensive for Town staff and a burden for out-of-town customers; and

WHEREAS, the Town acknowledges a need for a more streamlined approach to beach bonfire reservations and the ability to explore online booking options which are not feasible with the current reservation process.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Commissioners of the Town of Dewey Beach, Sussex County, Delaware, in session met, as follows:

Section 1. Amend §93-3 of the Code of Ordinances as depicted by highlighted insertions, strikeouts, and substitutions depicted below:

§ 93-3 Beach fire permits.

Fee of \$30 for Dewey Beach property owners and \$50 for non-property owners, ~~plus a cleanup fee deposit of \$100, which will be refundable after 1:00 p.m. the following day if no cleanup is required.~~

Section 2. Amend §65-6 of the Code of Ordinances as depicted by highlighted insertions, strikeouts, and substitutions depicted below:

§ 65-6 Ocean beach fires.

A. No person shall have a beach fire without receiving a permit and paying the fee required by the Town of Dewey Beach Fee Schedule.

B. All fires must be extinguished and the beach cleaned up by 11:00 p.m. All residue from the bonfire, including burned wood or coals, must be completely removed from the beach and disposed of in a proper trash receptacle. Residue cannot be buried, dumped in the ocean, bay, dunes, or any public trash receptacle.

C. ~~Any cleanup fee deposit not used shall be refundable after 1:00 p.m. the day following the permitted fire.~~ Any individual found in violation of this section shall be subject to a civil violation and fined no more than \$150.

D. Seasonal **P**ermits may be revoked for failure to comply with the regulations. Upon revocation, fees paid shall not be refundable.

Section 3. If any provisions of this Ordinance shall be deemed or held to be invalid or unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect any other provision of this Ordinance which may be given effect without such invalid or unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall take effect April 1, 2024 upon its passage by a majority vote of the Commissioners of the Town of Dewey Beach.

SYNOPSIS

This Act removes the \$100 refundable deposit for all beach bonfires. This Act also specifies the protocol for proper cleanup of beach bonfires which was previously only provided on bonfire permit applications, and adds a fine of \$150 for individuals in violation of § 65-6.

William Stevens, Mayor

Bill Zolper, Town Manager