



ORDINANCE NO. 831

AN ORDINANCE TO AMEND CHAPTER 117 LICENSING OF BUSINESSES, ARTICLE I GENERAL PROVISIONS CONCERNING §117-13 LICENSE FEES

WHEREAS, the Town of Dewey Beach has examined business license fees and determined that increases are warranted given the increased expense associated with the municipal charge to protect and preserve public safety, health, peace, cleanliness, good order and general welfare; and

WHEREAS, the Dewey Beach Budget & Finance Committee met at a properly noticed public meeting on January 18, 2024 and recommended the fee increases as outlined below.

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 §117-13B of the Code of Ordinances as depicted by highlighted insertions, strikeouts, and substitutions depicted below:

B. Licenses shall be required for the following trades, businesses, and occupations in the Town, and the license fee shall be as set forth beside the name(s) of said trades, businesses and occupations:

(1) Residential property rentals: ~~\$182~~ **\$188** base fee, plus ~~\$14~~ **\$15** for each bedroom over two.

(2) Motels and hotels: ~~\$488~~ **\$503** base fee, plus ~~\$28~~ **\$29** per room.

(3) Food and beverage service establishments: ~~\$349~~ **\$359** base fee, plus ~~\$8~~ **\$10** per person, based on Fire Marshal occupancy and seated dining capacity.

(a) Occupancy shall include Fire-Marshall-determined capacities for all patron areas, indoor and outdoor, where food and beverages are or can be served, plus any seated dining capacity for which Fire Marshal determinations are not available.

(b) For small establishments for which the Fire Marshal has not established occupancy (e.g., under 35 persons), the ~~\$8~~ **\$10** per person multiplier shall be based upon seating capacity as reported to and approved by the Town of Dewey Beach.

(c) The Town reserves the right to verify occupancy reporting, and assess appropriate additional license fees if occupancy, as defined and applicable to the establishment, is underreported for purposes of obtaining a license under this section.

(4) One-day business license: ~~\$25~~ **\$27**.

(5) Conference center (2,500 square feet or larger): ~~\$2,788~~ **\$2872**.

(6) Small in-Town businesses not classified above (one to four employees): ~~\$349~~ \$359.

(7) Large in-Town businesses not classified above (five or more employees): ~~\$488~~ \$503.

(8) Small out-of-Town business (one to four employees): ~~\$139~~ \$143.

(9) Large out-of-Town business (five or more employees): ~~\$488~~ \$503.

Section 2. 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 3. This Ordinance shall take effect April 1, 2024 upon its passage by a majority vote of the Commissioners of the Town of Dewey Beach.


Adopted by at least a majority of the Commissioners of the Town of Dewey Beach on this 16th day of February, 2024.

SYNOPSIS

This Act increases various business license fees to offset the increased expense related to the provision of town services referenced above.



William Stevens, Mayor



Bill Zolper, Town Manager