

1 **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LEWES,**
2 **DELAWARE, PROPOSING THAT A PUBLIC HEARING BE HELD ON AN**
3 **ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF LEWES,**
4 **CHAPTER 197 ZONING CODE BY CREATING SECTION 197-78.1 TREE DENSITY**
5 **REGARDING REQUIRING TREES ON PROPERTIES.**
6

7 **WHEREAS**, Title 22, Chapter 3, Section 301 of the Delaware Code provides that “[f]or
8 the purpose of promoting health, safety, morals or the general welfare of the community, the
9 legislative body of cities and incorporated towns may regulate and restrict the height, number of
10 stories and size of buildings and other structures, percentage of lot that may be occupied, the size
11 of yards, courts and other open spaces, the density of population, and the location and use of
12 buildings, structures, and land for trade, industry, residence or other purposes”;

13
14 **WHEREAS**, Section 38 of the City's Charter provides that “[f]or the purpose of protection
15 against fire, promoting health, safety, morals or the general welfare of the community, the City
16 Council is hereby empowered to adopt ordinances to regulate and restrict the height, number of
17 stores [sic], size of buildings and other structures, the density of population and the location and
18 use of buildings, structures, and lands for trade, industry, residence or other purposes”;

19
20 **WHEREAS**, the Mayor and City Council of the City of Lewes have deemed it desirable
21 to consider revising, Section 197-91 Administrative review; appeal of administrative decisions and
22 determinations and;

23
24 **WHEREAS**, the Mayor and City Council deem it desirable to consider the question of
25 whether it is in the public interest to amend Chapter 197 Zoning of the municipal code, as
26 aforesaid.

27
28 **NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council, in session
29 met, a quorum pertaining at all times thereto, that a public hearing shall be held
30 on _____, 2023, at 6:00 pm in the Margaret Rollins Community Center at 101 Adams
31 Ave. Lewes, Delaware, 19958 to consider the question of whether it is in the public interest to
32 amend the municipal code, as follows:



33
34 **SEE EXHIBIT 1**

35 **AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF LEWES,**
36 **CHAPTER 197 ZONING CODE TO CREATE SECTION 197-78.1 TREE DENSITY**
37 **REGARDING REQUIRING TREES ON PROPERTIES.**



38
39
40 **BE IT FURTHER RESOLVED** that parties in interest and citizens shall have an
41 opportunity to be heard at said public hearing.

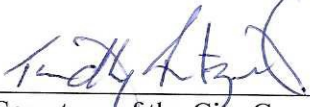
42
43 **BE IT FURTHER RESOLVED**, that the City Manager be and is hereby directed to cause
44 a notice which shall consist of a true copy of this Resolution, in full or by title only, to be published
45 in an official newspaper of the City of Lewes or a newspaper of general circulation in the City at
46 least fifteen (15) days prior to the date set forth in this Resolution for the public hearing.
47

48 **BE IT FURTHER RESOLVED** that the City Manager be and is hereby directed to post
49 a notice and agenda of said public hearing at City Hall more than seven (7) days prior to the date
50 set forth in this Resolution for the public hearing.

51
52 Adopted by the Mayor and City Council
53 of the City of Lewes

54 _____
55

56 I, Timothy Ritzert, Secretary of the City Council of the City of Lewes, do hereby certify that the
57 foregoing is a true and correct copy of the Resolution passed by the Mayor and City Council at its
58 meeting on SEPTEMBER 11 2023, at which a quorum was present and voting throughout and the
59 same is still in full force and effect.

60
61 
62 _____
63 Secretary of the City Council
64 the City of Lewes

65