

CHAPTER 258
FORMERLY
SENATE BILL NO. 167

AN ACT TO AMEND THE CHARTER OF FENWICK ISLAND.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Section 1. Amend the Charter of Fenwick Island by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 9. Qualification of Voters

A. Voter qualifications.

(1) Resident:

(a) Every natural person, who is a citizen of the State of Delaware and the United States, age 18 on or before the date of the election, a bona fide resident of the Town ~~as of March 1~~ prior to the annual municipal election, and registered to vote 30 or more days prior to the annual municipal election, if provided by ordinance, shall have ~~one (1)~~ 1 vote.

(b) For purposes of this Section 9, "bona fide resident" means a permanent, full-time resident of the Town. The following documentation may be considered by a registrar in determining whether a person is a bona fide resident of the Town under this section. The registrar does not need to be presented with all of the following documentation in order to conclude that a person qualifies to vote in the annual municipal election as a bona fide resident of the Town:

(i) A current State of Delaware driver's license or identification card showing a Town address that is not a post office box.

(ii) An official government uniformed service ID card showing a Town address that is not a post office box.

(iii) A voter registration card issued by the State of Delaware showing a Town address that is not a post office box.

(iv) Other current photo identification issued by the State of Delaware; U.S. Government; or the voter's employer, high school, or higher education institution showing a Town address that is not a post office box.

(v) Any motor vehicle operator's license, whether or not it is a conventional driver's license, showing a Town address that is not a post office box.

(vi) Any motor vehicle registration, if the registration shows that the motor vehicle is owned by the person in question and the registration shows a Town address that is not a post office box.

(vii) Any other documentation that a person can reasonably and commonly accept as proof of address.

Section 34. Short Term Borrowing.

Town Council may borrow money in anticipation of revenues on the full faith and credit of the Town of Fenwick Island, Delaware, a sum or sums not ~~exceeding five hundred Thousand Dollars (\$500,000.00) in any one year~~ exceeding, in the aggregate, a sum equal to 5% of the total assessed value of all non-tax-exempt real property situated within the bounds of the Town of Fenwick Island, as such boundaries from time to time appear, for general purposes when, in the opinion of the majority of the Town Council ~~or~~ of the Town of Fenwick Island, Delaware, the needs of the Town require ~~it~~; it; provided however, that any new borrowings under this Section 34 made after [the effective date of this act] must, by their terms, be repayable in full within 10 years of the date of such borrowing.

Any sum so borrowed shall be secured by promissory notes of the Town of Fenwick Island, Delaware, duly authorized by resolution adopted by the Town Council of the Town of Fenwick Island, Delaware, and signed by the President of the Town Council with the corporate seal affixed, and no officer or member of the Town Council shall be liable for the payments of such notes because it is signed by them as officers of the Town and is authorized by the Resolution of the Town Council; ~~provided, however, that the total sum outstanding at any one time shall not exceed Five Hundred Thousand Dollars (\$500,000.00) and provided further than any sum of money so borrowed as aforesaid in any fiscal year shall be paid from the general fund of the Town and shall be completely repaid at any time, but must be completely paid at the end of ten (10) fiscal years following the first fiscal year when said sum or sums were borrowed, with interest thereon; and provided that such ad valorem taxes shall be levied as required without regard to any other limitations concerning the maximum rate of taxation and such notes and the interest thereon shall be exempt from all taxation by the State of Delaware or by any political subdivision, agency or subdivision thereof.~~ Council. Any sum of money borrowed on the full faith and credit of the Town must be paid from the general funds of the Town. The aggregate amount of outstanding principal from any such borrowing or borrowings under this Section 34 must not exceed a sum equal to 5% of the total assessed value of all non-tax-exempt real property situated within the bounds of the Town of Fenwick Island.

Approved June 7, 2018