

LAWS OF DELAWARE
VOLUME 85
CHAPTER 69
153rd GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 146

AN ACT TO AMEND THE CHARTER OF THE CITY OF MILFORD RELATING TO ENUMERATED POWERS AND CITY COUNCIL GOVERNMENT.

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 Article III, Section 3 of the Charter of the City of Milford by making deletions as shown by strike through and insertions as shown by underline as follows:

3.01- Enumerated Powers.

The City of Milford shall have all powers possible for a city to have under the constitution and laws of this State as fully and completely as though they are specifically enumerated in this Charter. Without limiting the scope of the foregoing provision, the City is specifically empowered as follows:

(j) The City Council shall have the power to exercise eminent domain for the purpose of property acquisition as outlined in Title 29, Chapter 95 of the Delaware State Code with the exception of land to be used solely for recreational purposes.

(k) The City Council, by a majority vote, shall have the power to make proclamations to recognize achievements, historical events, special days or months for civic and social purposes, and such other matters deemed appropriate by City Council.

3.07 Mayor - General Powers.

The Mayor shall be the executive of ~~the~~ City Council and shall preside at meetings of the City Council, but shall have no vote except in case of a tie. The Mayor shall execute ~~on behalf of City Council~~ all agreements, contracts, bonds, deeds, leases, proclamations, and other documents as authorized by City Council necessary to be executed subject to Section 3.01(d) herein. The Mayor or his/her designee shall countersign all orders, checks and warrants authorized by City Council; and shall have all and every power conferred and perform the duties imposed upon him/her by this Charter and the ordinances of the City. With the consent of Council, the ~~The~~ Mayor may establish such committees, appoint committee members, and designate the committee Chairs as he or she deems necessary for the proper administration of City Council

Section 2. Amend Article IV, Section 4 of the Charter of the City of Milford by making deletions as shown by strike through and insertions as shown by underline as follows:

ARTICLE IV. – CITY COUNCIL GOVERNMENT – COMPOSITION, QUALIFICATIONS, VACANCIES, AND PROCEDURE

4.01 Composition of Government

The government of the city and the exercise of all powers conferred by this charter except as otherwise provided herein, shall be vested in an elective body called the City Council, consisting of a Mayor and 8 Councilmembers. Whenever the word "Mayor" is used, it shall refer solely to the Mayor. Whenever the words "City Council" are used they shall refer to the 8 duly-elected or appointed Councilmembers. The government of the City of Milford and the exercise of all powers conferred by this Charter, except as otherwise provided herein shall be vested in a Mayor and a City Council. The City Council shall consist of not more than 8 members. Two of the members of the City Council shall reside in that portion of the City known and described as the First Ward, 2 in that portion known as the Second Ward, 2 in that portion known as the Third Ward and 2 in that portion known as the Fourth Ward. The Mayor and City Councilmembers shall each serve for a term of 2 years. After January 1, 2026, any newly elected/appointed Mayor for the 2026 election, and for each election thereafter, shall serve for a term of 3 years. After January 1, 2027, any newly elected/appointed Councilmember for the 2027 and 2028 elections respectively, and for each election thereafter, shall serve for a term of 3 years.

4.02 Annual Organizational Meeting.

At ~~6:00~~ 7:00 p.m. on the second Monday following the annual election, the Mayor and City Council shall meet at the City Council Chamber and shall assume the duties of their offices after being first duly sworn or affirmed to perform their duties with fidelity and in accordance with the Charter of the City.

4.06 Qualification for Mayor and City Council.

(e) Persons in arrears and owing the City funds for taxes, special assessments, utility bills, and any other fees or costs and no longer appealable, shall be ineligible for election as Mayor or Councilperson. Additionally, any sitting Mayor or Councilperson who becomes in arrears more than 2 months and owing the City funds for taxes, special assessments, utility bills, and any other fees or costs and no longer appealable, shall be disqualified to serve the remainder of the term and the seat shall be declared vacant in accordance with Article 4.05 of the Charter.

Approved July 1, 2025