



SPONSOR: Sen. Lopez

DELAWARE STATE SENATE  
151st GENERAL ASSEMBLY

SENATE AMENDMENT NO. 1  
TO  
SENATE BILL NO. 173

1 AMEND Senate Bill No. 173 by deleting lines 34 through 40 in their entirety and inserting in lieu thereof the  
2 following:

3 “(2)a. ~~Following the public hearing, but in no event later than thirty (30) days thereafter, a Resolution shall~~  
4 ~~then be passed by a majority of The~~ No later than 30 days following the public hearing, the Town Council shall pass a  
5 Resolution, by a majority vote of the Commissioners of Dewey Beach at a properly-noticed Town Council meeting,  
6 ordering a Special Election to for Annexation. The passage of this Resolution shall, ipso facto, be considered the  
7 determination of the Town Council to proceed with the matter of the proposed annexation.

8 b. The Special Election for Annexation must be held not less than thirty (30) 30 days nor or more than  
9 sixty (60) 60 days after the said public hearing on the subject of the proposed annexation. The passage of this  
10 Resolution shall ipso facto be considered the determination of the Commissioners of Dewey Beach to proceed  
11 with the matter of the proposed annexation. Town Council meeting under paragraph (2)a. of this section.”.

12 FURTHER AMEND Senate Bill No. 173 by deleting lines 108 through 111 in their entirety and inserting in lieu  
13 thereof the following:

14 “Town of Dewey Beach from the time of recordation. ~~The failure of The Commissioners~~ If the Town Council of Dewey  
15 Beach fails to record the description and plot within ~~the time hereinbefore specified shall not make the annexation invalid~~  
16 ~~but such~~ 90 days, the annexation shall be is deemed to be effective at the expiration of the ~~ninety (90) day~~ 90-day period  
17 from the date of favorable election.”.

18 FURTHER AMEND Senate Bill No. 173 on line 868 by deleting “\$1,500,000.” after “~~(\$1,500,000).~~” and inserting  
19 in lieu thereof “\$3,000,000.”.

SYNOPSIS

This Amendment makes the following technical corrections:

1. Clarifies which meeting is used to count the time period for holding a Special Election for Annexation.
2. Removes confusing language regarding when an annexation becomes effective if the description and plot of the annexed territory is not recorded in the time period required.
3. Corrects the total amount that the Town of Dewey Beach can borrow in Section 23 of the charter to correspond to the increased limit in Section 26.

Author: Senator Lopez