



SPONSOR: Rep. D. Short & Sen. Richardson

HOUSE OF REPRESENTATIVES
148th GENERAL ASSEMBLY

HOUSE BILL NO. 251

AN ACT TO AMEND THE CHARTER OF THE CITY OF SEAFORD RELATING TO ANNUAL ELECTIONS.

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 the City of Seaford by making deletions as shown by strike through and insertions as shown by underline as follows:

Annexation Of Territory.

Section 2.

(H) The Mayor shall appoint three (3) persons to act as a Board of Special Election, at least one of whom must reside and own property in the City, and at least one of whom must own property in the territory proposed to be annexed. One of the said persons so appointed shall be designated the Presiding Officer. Voting shall be conducted in the Municipal Building and the Board of Election shall have available, clearly marked, two (2) ballot boxes. All ballots cast by those persons, partnerships or corporations authorized to vote as residents or property owners in the territory proposed to be annexed shall be deposited in one such ballot box, and all ballots cast by those persons, partnerships or corporations who are authorized to vote as residents or property owners of the City shall be deposited in such ballot box. The polling place shall be opened from ~~2:00 p.m.~~ 7 a.m. prevailing time, until ~~6:00 p.m.~~ 3:00 p.m. prevailing time, on the date set for the special election. Absentee voting shall be permitted in conformity with Chapter 75 of Title 15 of the Delaware Code.

Good Government.

Section 32.

That the said Council of the City of Seaford for the good government and welfare of said City, shall have power to make, establish, publish and modify, amend or repeal ordinances, rules, regulations and by-laws for the following purposes: to prevent vice, drunkenness and immorality, to preserve peace and good order; to prevent and quell riots, disturbances and disorderly assemblages; to restrain and suppress disorderly and gaming houses and houses of ill fame; all instruments and devices for gaming, and to prohibit all gaming and fraudulent devices; to prohibit, restrain and regulate all sports, exhibitions of natural and artificial curiosities, moving pictures, merry-go-rounds, caravans of animals, theatrical exhibitions, circuses or other public performances and exhibitions for money, and fix the sum to be paid for such licenses to the City; to ascertain and establish the boundaries of all streets, avenues, highways, lanes and alleys in said City, and

24 prevent and remove all encroachments on said streets, avenues, highways, lanes or alleys; to regulate, clean and keep in
25 repair the streets, highways, avenues, parks, lanes and alleys, wharves and docks in said City; to prescribe the manner in
26 which corporations or persons shall exercise any privilege granted to them in the use of any street, avenue, highway, lane or
27 alley in said City, or in digging up any street, avenue, highway, lane or alley for the purpose of laying down pipes, or for
28 any other purpose whatsoever, and to prohibit and prevent any such use or work at such times and seasons of the year as
29 they may designate; to direct and regulate the planting, rearing, trimming and preserving of ornamental shade trees in the
30 streets, avenues, parks and grounds of said City and to authorize or prohibit the removal or destruction of such shade trees,
31 and to enforce the removal of snow, ice or dirt from the sidewalks and gutters by the owner or occupants of the premises
32 fronting thereon; to level, grade, flag or re-flag, curb or re-curb, gutter or re-gutter, pave or re-pave, macadamize, gravel, or
33 shell the streets, avenues, highways, lanes and alleys of said City, and the sidewalks and gutters thereof, or any of them, or
34 any parts or sections of the same, and to prescribe the manner in which any such work shall be performed; to direct the
35 digging down, draining, filling up or fencing of lots, pieces or parcels of ground in said City, which shall be by said City
36 Council deemed dangerous or unwholesome, or when such digging down, draining, filling up or fencing shall be deemed
37 necessary, to carry out any improvement authorized by this Act, to prescribe the manner in which said work shall be
38 performed and to cause the expenses thereof to be assessed on such lots, tracts, pieces or parcels of ground, whether
39 improved or unimproved, and to determine the time and manner in which such assessment shall be collected; to prevent or
40 regulate the erection of any porch, step, platform, or bay window, cellar door, gate, aerie, descent into a cellar or basement
41 sign or any post or erection, or any projection or otherwise, in, over or upon any street, sidewalk, lane, alley or avenue, and
42 to remove the same where already erected, at the expense of the owner or occupant of the premises; to regulate, protect and
43 improve the public grounds of said City; to provide lamps and to light the streets and public places of every description in
44 said City; to make and regulate wells, pumps, aqueducts and cisterns in the public streets; to restrain the running at large of
45 horses, cattle, swine, goats, and other animals, geese and other poultry, and to authorize the impounding and sale of the
46 same, for the penalty incurred, and the cost of keeping, impounding and sale; to regulate and prevent the running at large of
47 dogs; to authorize the destruction of dogs running at large, and to impose taxes on the owners of dogs; to locate, regulate
48 and remove slaughter houses and hog pens, privies and water closets; to prescribe and regulate the places of vending and
49 exposing for sale wood, hay, straw and other articles from wagons or other vehicles, to regulate or prohibit any practice
50 having a tendency to frighten animals or to annoy persons passing in the streets or on the sidewalks in said City; to restrain
51 drunkards, vagrants, mendicants and street beggars; to prescribe the manner in which all contracts for performing work or
52 furnishing materials for the City shall be made and executed; to abate or remove nuisances of every kind, at the expense of
53 those maintaining the same, and to compel the owner or occupant of any lot, house, building, shed, cellar, or place wherein
54 may be carried on any business, or calling, or in or upon which there may exist any matter or thing, which is or may be

detrimental in the opinion of the Council or local Board of Health to the health of the inhabitants of the City, to cleanse, remove or abate the same, under the directions of the Council.

To regulate and control the manner of building or materials used there in or removal of dwelling houses or other buildings, and to provide for granting permits for the same; to establish a building line for buildings hereafter to be erected; provided that such building line for buildings shall not be established more than twenty feet back from the front line of the lots. To exempt from taxation for municipal purposes for a period not to exceed ten years any ~~manufacturing industries~~ economic development projects which may hereafter be located in said City of Seaford, To prohibit within certain limits to be from time to time prescribed by ordinances, the building or erection of stables; to regulate the construction of chimneys, to compel the sweeping thereof, to prevent the setting up or construction of furnaces, stoves, boilers, ovens or other things in such manner as to be dangerous, to prohibit the deposit of ashes in unsafe places, to authorize any City Officer or person whom they may designate for that purpose, to enter upon and inspect any place or places for the purpose of ascertaining whether the same is or are in a safe condition, and if not, to direct or cause the same to be made so; to compel the erection or maintenance of proper and adequate fireescapes on all public buildings; to regulate or prohibit the carrying on of manufactories dangerous in causing or promoting fires; to regulate or prohibit the manufacture, sale or use of fire-works, and the use of fire-arms in said City; to regulate or prohibit the use of candles and lights in barns, stables and other buildings. To establish, regulate and control a suitable sewer and drainage system for said City; to regulate or prohibit swimming or bathing in the river in front of or contiguous to said City; or in the water within the limits of said City; to provide sanitary measures for the health of the citizens, and to prevent the introduction of infectious or contagious diseases; for which purpose their jurisdiction shall extend to any distance within one mile of the limits of said City. The City Council shall have power to enact ordinances not in conflict with the laws of the State of Delaware, as it may deem necessary and beneficial for the safety, regulation and control of pedestrians, automobiles and animal driven traffic over the streets, to define, prevent and abate nuisances within the City and the use of the streets in connection with the operation of public utilities outside of the City, to levy and collect taxes on gas and water mains, underground conduits, telephone, telegraph, electric current or other poles or erections of like character in the said City, together with the wires thereon strung and to this end may at any time direct the same to be included in or added to the City Assessment with the authority of Council to cause such mains, conduits, poles and wires to be removed and suit to be instituted to collect the taxes so levied, in the event the owner or lessees thereof refuse or neglect to pay such taxes; Council may enact ordinances to prevent, abate or regulate electrical or other interferences with radio reception in said City. Council shall have power upon inspection to condemn any existing building or structure that it deems to be a fire menace and to cause same to be torn down or removed.

Power To Borrow Money And Issue Bonds.

Section 35.

86 (E) ~~At the special election, every owner of property whether individual, partnership, or corporation shall have one vote for~~
87 ~~every dollar or part of dollar of tax paid by said owner during the year preceding said election and the said vote may be cast~~
88 ~~either in person or by proxy.~~ At the Special Election, every owner of property, whether an individual, partnership or
89 corporation, shall have one vote and every person who is a bona fide resident of The City of Seaford, but who is not an
90 owner of property within the corporate limits of The City of Seaford shall have one vote. All votes may be cast either in
91 person or by proxy. Any Special Election held pursuant to the provisions of this Section may be conducted by paper ballot
92 ~~and without the~~ or through the use of voting machines. The polling place shall be opened from 7:00 a.m. prevailing time,
93 until 3:00 p.m. prevailing time, on the date set for the Special Election. Absentee voting shall be permitted in conformity
94 with Chapter 75 of Title 15 of the Delaware Code.

SYNOPSIS

This Act amends the Charter of the City of Seaford by altering the voting hours for a special election for annexation, borrowing money, or issuing bonds. It also authorizes the Seaford City Council to offer tax exemptions to economic development projects located within the City for a period not to exceed 10 years. This Act also removes an antiquated provision that provided one vote for every tax dollar owed.