

Board of Commissioners
229 Rehoboth Avenue
P.O. Box 1163
Rehoboth Beach, Delaware 19971



City of Rehoboth Beach
Telephone 302-227-6181
www.rehobothbeachde.gov

THE COMMISSIONERS OF REHOBOTH BEACH MEETING
City Hall Commissioners Room, 2nd Floor
Monday, April 6, 2026; 9:00 a.m.

AMENDED AGENDA

	Page
1. Call to Order	
2. Pledge of Allegiance	
3. Roll Call	
4. Correspondence (relating to agenda items only)	
<u>Email received March 31, 2026 from Barbara Sommer, 51 Surf Avenue re in opposition to changing the Charter **</u>	4 - 48
<u>Email received March 31, 2026 from Donald Pedersen, 527 North Boardwalk re in opposition to changing the Charter **</u>	
<u>Email received March 31, 2026 from James Pierce, 504 Bayard Street re in opposition to changing the Charter **</u>	
<u>Email received March 31, 2026 from Jeffrey Bernstein, 115 Country Club Drive re in opposition to changing the Charter **</u>	
<u>Email received March 31, 2026 from Jeffrey Goode, City resident re in opposition to changing the Charter **</u>	
<u>Email received March 31, 2026 from John Baldwin, 64 Park Avenue re in opposition to changing the Charter **</u>	
<u>Email received March 31, 2026 from John Cmar, 243 Rehoboth Avenue re in opposition to changing the Charter **</u>	
<u>Email received March 31, 2026 from Lynne Bowman, 110 Henlopen Avenue re in opposition to changing the Charter **</u>	
<u>Email received March 31, 2026 from Pamela Biordi, 78 Columbia Avenue re in opposition to changing the Charter **</u>	
<u>Email received March 31, 2026 from Pamels O'Connell, 27 Pennsylvania Avenue re in opposition to changing the Charter **</u>	
<u>Email received March 31, 2026 from Patti Maloney, 223 Munson Street re in opposition to changing the Charter **</u>	
<u>Email received March 31, 2026 from Patty Derrick, 10 Third Street re in opposition to changing the Charter **</u>	
<u>Email received March 31, 2026 from Rob Blanc, 43 Delaware Avenue re in opposition to changing the Charter **</u>	
<u>Email received March 31, 2026 from Terry Smith, 13 Queen Street re in opposition to changing the Charter **</u>	
<u>Email received March 31, 2026 from Yolanda Pineda, 14 Wilmington Avenue re in opposition to changing the Charter **</u>	
<u>Email received April 1, 2026 from Marjorie Blamc, 43 Delaware</u>	

[Avenue re in opposition to changing the Charter **](#)
[Email received April 1, 2026 from Samuel Rowland, 90 Sussex Street re in opposition to changing the Charter **](#)
[Email received April 2, 2026 from Andy Baxevanis, 409 Rehoboth Avenue Unit 7 re in opposition to changing the Charter](#)
[Email received April 2, 2026 from Carol Holzman, 51 Columbia Avenue re in opposition to changing the Charter](#)
[Email received April 2, 2026 from December Hughes, 74 Columbia Avenue re in opposition to changing the Charter](#)
[Email received April 2, 2026 from Donna White, 333 Hickman Street re in opposition to changing the Charter](#)
[Email received April 2, 2026 from Elizabeth Priest, 159 Henlopen Avenue Unit 1 re in opposition to changing the Charter](#)
[Email received April 2, 2026 from Jeanne Ponko, 113 Henlopen Avenue re in opposition to changing the Charter](#)
[Email received April 2, 2026 from Maurice Adams, 125 New Castle Street re in opposition to changing the Charter](#)
[Email received April 2, 2026 from Seely Gerraughty, 149A Henlopen Avenue re in opposition to changing the Charter](#)
[Email received April 2, 2026 from Stephanie Litz, 37 Olive Avenue re in opposition to changing the Charter](#)
[Email received April 2, 2026 from Steven Schram, 159 Henlopen Avenue re in opposition to changing the Charter](#)
[Email received April 2, 2026 from Susan Robinson, Sussex Street re in opposition to changing the Charter](#)
[Email received April 3, 2026 from Mimi Parvis, 521 Henlopen Avenue re in opposition to changing the Charter](#)
[Email received April 4, 2026 from Don Walker, 10 Sixth Street re in opposition to changing the Charter](#)
[Email received April 6, 2026 from Frances Kelleher, 318 Stockley Street re in opposition to changing the Charter](#)
[Email received April 1, 2026 from Debora Angus, 58 Columbia Avenue re in opposition to changing the Charter](#)
[Email received April 1, 2026 from Ellin Nolan, 124 Henlopen avenue re in opposition to changing the Charter](#)
[Email received April 1, 2026 from Eric Schaeffer, 117 Stockley Street re in opposition to changing the Charter](#)
[Email received April 1, 2026 from Eric Seward, 21 Sixth Street re in opposition to changing the Charter](#)
[Email received April 1, 2026 from Greg Agnew, 124 Stockley Street re in opposition to changing the Charter](#)
[Email received April 1, 2026 from Joseph Chippie, 212 New Castle Street re in opposition to changing the Charter](#)
[Email received April 1, 2026 from Larry Kelly, 125 Saint Lawrence Street re in opposition to changing the Charter](#)
[Email received April 1, 2026 from Neil Holzman, 51 Columbia Avenue re in opposition to changing the Charter](#)
[Email received April 1, 2026 from Thomas Gaynor, 80 Oak Avenue re in opposition to changing the Charter](#)
[Email received April 1, 2026 from Tim Golden, 43 Pennsylvania Avenue re in opposition to changing the Charter](#)
[Email received April 1, 2026 from Vasilios Hatzinikolaou, 111 Country Club Drive re in opposition to changing the Charter](#)
[Email received April 1, 2026 from William Gamuciello, 102 State](#)

[Road re in opposition to changing the Charter](#)

5. City Manager's Report
6. City Solicitor's Report
7. Old Business
 - A. Discuss and possible consideration of proposed legislation to amend the Charter of the City of Rehoboth Beach. 49 - 102
[Charter Changes & Clarifications Presentation - 06 Apr 2026](#)
[Bill Amending Rehoboth Charter Final Legislation](#)
[Synopsis with Line Changes Final](#)
8. New Business
 - A. Discuss an ordinance amending Chapter 208 Property Maintenance of the Municipal Code of the City of Rehoboth Beach by adding new sections regarding Aged Building Safety Inspections. 103 - 123
[Aged Building Inspection Presentation](#)
[Aged Building Inspection Draft Ordinance \(2\)](#)
9. Review future meeting dates.
10. Citizen Comment
11. Commissioner Announcements
12. Executive Session
 - A. Strategy session involving legal advice or opinion from an attorney-at-law with respect to pending or potential litigation, as permitted by 29 Del.C. §10004(b)(4).
13. Adjournment

AGENDA ITEMS MAY BE CONSIDERED OUT OF SEQUENCE

[Time may not allow for consideration of all agenda items.]

*For additional information or special accommodations, please call (302) 227-6181 (TDD Accessible) 24-hours prior to the meeting.

The public will be provided the opportunity to make comments regarding Old Business and New Business. Comments are limited to three minutes or at the discretion of the chair, one time per topic. Speakers are to state their name and address or relationship to the city.

Comments on non-agenda topics will be heard under "Citizen Comment" with the same speaker requirements and time limits.

**This correspondence was embedded in the Agenda when it became available for posting on April 1, 2026.

***This correspondence was embedded in the Agenda when it became available for posting on April 8, 2026.

amw: 03/30/26; posted 03/30/26; amended 04/01/26; reposted 04/01/26;
amended 04/08/26

Ann Womack

From: Barbara Sommer <talk@public-voices.com>
Sent: Tuesday, March 31, 2026 9:33 AM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Mills and Commissioners,

I am writing today as a concerned Rehoboth Beach Citizen to ask you to reverse the recent changes to the Rehoboth Beach Charter, many of which were made with little or no proper public notice. The recent changes to the Charter include a package to raise taxes higher, skyrocket wasteful spending, remove guardrails protecting us, and increase power to the bureaucrats at the expense of protections the legislature put in place for us.

If these changes continue to move forward, we will be surrendering our protections, our ability to limit debt, and our ability to have any say over bureaucratic overreach and financial mismanagement. This is unacceptable, especially when several changes were made in the dark without proper public notice. Rehoboth Beach citizens and property owners deserve for our local government to follow proper procedures and maintain public input. Without this, democracy fails.

At the upcoming Board meeting, I urge you to reconsider these charter changes that violate the civil rights of Rehoboth Beach citizens. The Board must walk back changes to the charter to protect our civil rights.

Rehoboth Beach citizens are counting on you to protect democracy and citizen participation in our local government by reversing the recent changes to the charter.

Thank you,

Barbara Sommer
51 Surf Ave
Rehoboth Beach, DE 19971-2868
bjsommer1947@gmail.com
302-381-5634

Ann Womack

From: Donald Pedersen <now@advocatetakeaction.com>
Sent: Tuesday, March 31, 2026 9:54 AM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Donald Pedersen
527 N Boardwalk
Rehoboth Beach, DE 19971-2831
don3ped@gmail.com
585-755-8837

From: James Pierce <listen@advocatemessage.com>
Sent: Tuesday, March 31, 2026 12:16 PM
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

James Pierce
504 Bayard Street
Rehoboth Beach, DE 19971-2208
retiredjlp@yahoo.com

From: jeffrey bernstein <support@actionmessaging.com>
Sent: Tuesday, March 31, 2026 1:31 PM
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

jeffrey bernstein
115 country club
Rehoboth Beach, DE 19971-1848
jeberns@comcast.net

Ann Womack

From: Jeffrey <jeffreyhgoode@gmail.com>
Sent: Tuesday, March 31, 2026 2:08 PM
To: Ann Womack
Subject: Against Charter Change Preventing a Spouse of a Current Commissioner from Running for Office and, Against Removing \$3 Million Property Cap Limit

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Against Charter Change Preventing a Spouse of a Current Commissioner from Running for Office and, Against Removing \$3 Million Property Cap Limit

Dear Ms. Womack, Please include in correspondence for the April 6 meeting.

Dear Mayor and Commissioners,

At the February 9th Commissioner meeting I was surprised to hear that with no notice to the public and with some of the Commissioners themselves not knowing until that morning that the Commission voted on a charter change that bans the spouse of a current Commissioner from running for office. There was no required 7-days' notice for the public to comment on that provision.

I have never heard of such a ban for elected officials. I did a little research and found that **neither the U.S. Congress nor any state in the nation** has a ban on the spouse of a sitting legislator being eligible to run for the same office. Not the U.S. Congress, not Delaware, not any other state in the country has such a ban. And why is that? A ban on an otherwise qualified married person running for office disenfranchises both the person who wants to run for office and the electorate who vote in the elections. The electorate can easily decide whom they want as their representative on the Commission. They do not need this poorly conceived change to the Charter that is directed against Suzanne and me to achieve that. This is an overbearing and misguided City rule change violating the civil rights of voters and candidates.

Besides the ban on spouses, domestic partners, and cohabitants of a serving Commissioner, the proposed rule change also bans candidates having financial interests with a serving member of The Commission. This is a small town. There are

likely many people who share financial interests with one another. How in the world besides for married couples would this be enforceable? You may have almost no one eligible to run for office.

The entire rule change was not well thought out. Unfortunately the impetus of this rule change was not some major pressing issue. It was clearly directed against Suzanne and me in reaction to the last election. Any attempt at enforcement of such a rule would easily result in another lawsuit against the City for violating candidates' and voters' civil rights. The in-house counsel should have warned against this proposal.

I wish also to comment on the proposed rule change on removing the \$3,000,000 real estate cap on the City's property tax powers. We are currently close to the \$3,000,000 tax cap. I oppose removing this cap for a simple reason. Since moving to Rehoboth full-time 9 years ago, the budget has ballooned from \$19 million to \$50 million. Most of this increase took place in recent years. The City has increased its spending by over twice the rate of inflation over the last several years. The City's debt is currently at \$63 million. Each resident now owes about \$50k per head for the City's debt. I do not trust the City to control its overspending without restraints.

Sincerely,

Jeffrey Goode, Ph.D.

From: John Baldwin <support@actionmessaging.com>
Sent: Tuesday, March 31, 2026 9:43 AM
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

John Baldwin
64 Park Avenue
Rehoboth Beach, DE 19971-2842
jbaldwin@blglaw.org

From: John Cmar <listen@advocatemessage.com>
Sent: Tuesday, March 31, 2026 9:28 AM
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

John Cmar
243 Rehoboth Avenue
Rehoboth Beach, DE 19971-2137
cmarjohn@hotmail.com

From: Lynne Bowman <listen@advocatemessage.com>
Sent: Tuesday, March 31, 2026 9:36 AM
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Lynne Bowman
110 Henlopen Avenue
Rehoboth Beach, DE 19971-1635
lynnesgc@yahoo.com

Ann Womack

From: Pamela Biordi <talk@public-voices.com>
Sent: Tuesday, March 31, 2026 11:35 AM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Pamela Biordi
78 Columbia Avenue
Rehoboth Beach, DE 19971-1657
pamel69@gmail.com
302-547-2634

From: Pamels O'Connell <support@actionmessaging.com>
Sent: Tuesday, March 31, 2026 9:24 AM
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Pamels O'Connell
27 Pennsylvania Ave
Rehoboth Beach, DE 19971-2809
pmoco13@yahoo.com

From: Patti Maloney <support@actionmessaging.com>
Sent: Tuesday, March 31, 2026 9:50 AM
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Patti Maloney
223 Munson St
Rehoboth Beach, DE 19971-3009
ranchdlux@yahoo.com

From: Patty Derrick <listen@advocatemessage.com>
Sent: Tuesday, March 31, 2026 9:35 AM
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Patty Derrick
10 Third Street
Rehoboth Beach, DE 19971-1675
shells@delaware.net

From: Rob Blanc <support@actionmessaging.com>
Sent: Tuesday, March 31, 2026 1:25 PM
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Rob Blanc
43 Delaware Avenue
Rehoboth Beach, DE 19971-2220
blanc.bob@gmail.com

From: Terry Smith <listen@advocatemessage.com>
Sent: Tuesday, March 31, 2026 12:51 PM
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Terry Smith
13 Queen St.
Rehoboth Beach, DE 19971-2915
tobydarby0406@gmail.com

From: Yolanda Pineda <listen@advocatemessage.com>
Sent: Tuesday, March 31, 2026 9:41 AM
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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At the upcoming Board meeting, I urge you to reconsider these charter changes that violate the civil rights of Rehoboth Beach citizens. The Board must walk back changes to the charter to protect our civil rights.

Rehoboth Beach citizens are counting on you to protect democracy and citizen participation in our local government by reversing the recent changes to the charter.

Thank you,

Yolanda Pineda
14 Wilmington Ave
Rehoboth Beach, DE 19971-2926
mariachi.rehoboth@gmail.com

Ann Womack

From: Marjorie Blamc <contact@advocatevoice.com>
Sent: Wednesday, April 1, 2026 1:59 PM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Mills and Commissioners,

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Thank you,

Marjorie Blamc
43 Delaware Ave
Rehoboth Beach, DE 19971-2220
mblanc67@gmail.com
301-728-6757

Ann Womack

From: Samuel Rowland <contact@advocatevoice.com>
Sent: Wednesday, April 1, 2026 2:06 PM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Samuel Rowland
90 Sussex Street
Rehoboth Beach, DE 19971-3116
ski@skirowland.com
703-975-3135

From: Andy Baxevanis <support@actionmessaging.com>
Sent: Thursday, April 2, 2026 11:34 AM
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Thank you,

Andy Baxevanis
409 Rehoboth Avenue #7, Rehoboth Beach, DE
Rehoboth Beach, DE 19971-3140
andy.baxevanis@icloud.com

Ann Womack

From: Carol Holzman <talk@public-voices.com>
Sent: Thursday, April 2, 2026 10:12 AM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

Follow Up Flag: Follow up
Flag Status: Flagged

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Thank you,

Carol Holzman
51 Columbia Avenue
Rehoboth Beach, DE 19971-1652
carol.holzman@gmail.com
302-249-9664

Ann Womack

From: December Hughes <contact@advocatevoice.com>
Sent: Thursday, April 2, 2026 10:36 AM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

Follow Up Flag: Follow up
Flag Status: Flagged

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Thank you,

December Hughes
74 Columbia Ave
Rehoboth Beach, DE 19971-1657
deothughes@comcast.net
302-745-1300

Ann Womack

From: Donna White <talk@public-voices.com>
Sent: Thursday, April 2, 2026 10:38 AM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

Follow Up Flag: Follow up
Flag Status: Flagged

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Thank you,

Donna White
333 Hickman St
Rehoboth Beach, DE 19971-1854
dwhite3721@gmail.com
302-547-8299

Ann Womack

From: Elizabeth A Priest <talk@public-voices.com>
Sent: Thursday, April 2, 2026 3:02 PM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Elizabeth A Priest
159 Henlopen Avenue #1
Rehoboth Beach, DE 19971-1641
eap777@comcast.net
410-960-0922

From: Jeanne Ponko <listen@advocatemessage.com>
Sent: Thursday, April 2, 2026 9:02 AM
To: Stan Mills <smills@rehobothbeachde.gov>
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Jeanne Ponko
113 Henlopen Ave
Rehoboth Beach, DE 19971-1634
amandelinegallery@gmail.com

Ann Womack

From: Maurice Adams <now@advocatetakeaction.com>
Sent: Thursday, April 2, 2026 11:56 AM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Maurice Adams
125 New Castle Street
Rehoboth Beach, DE 19971-2249
Maurice.adams@comcast.net
410-258-6709

Ann Womack

From: Seely Gerraughty <my@constituentmessage.com>
Sent: Thursday, April 2, 2026 10:55 AM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

Follow Up Flag: Follow up
Flag Status: Flagged

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Thank you,

Seely Gerraughty
149A HENLOPEN AVENUE
Rehoboth Beach, DE 19971-1641
seelygerraughty@gmail.com
401-792-9865

Ann Womack

From: Stephanie Litz <contact@advocatevoice.com>
Sent: Thursday, April 2, 2026 11:06 AM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Stephanie Litz
37 Olive Ave.
Rehoboth Beach, DE 19971-2817
stef.rochelle@gmail.com
818-355-9353

Ann Womack

From: steven schram <now@advocatetakeaction.com>
Sent: Thursday, April 2, 2026 11:19 AM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

steven schram
159 Henlopen ave
Rehoboth Beach, DE 19971-1641
sbschram@gmail.com
646-354-9494

Ann Womack

From: Susan Robinson <my@constituentmessage.com>
Sent: Thursday, April 2, 2026 11:36 AM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Susan Robinson
Sussex strèet
Rehoboth Beach, DE 19971
youngqsue@gmail.com
443-336-5587

Ann Womack

From: Mimi Parvis <my@constituentmessage.com>
Sent: Friday, April 3, 2026 2:58 PM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

Follow Up Flag: Flag for follow up
Flag Status: Flagged

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Thank you,

Mimi Parvis
521 Henlopen Avenue
Rehoboth Beach, DE 19971
mimip70@yahoo.com
443-226-2758

Ann Womack

From: Don Walker <talk@public-voices.com>
Sent: Saturday, April 4, 2026 1:44 PM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

Follow Up Flag: Flag for follow up
Flag Status: Flagged

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Thank you,

Don Walker
10 6th st.Rehoboth Beach De.
Rehoboth Beach, DE 19971-1824
donwalker11@yahoo.com
610-999-5020

Ann Womack

From: Frances Kelleher <francesmkelleher@gmail.com>
Sent: Monday, April 6, 2026 12:32 AM
To: Ann Womack
Subject: Correspondence for April 6, 2026 Meeting re Charter Changes

Follow Up Flag: Flag for follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Ann, Would you please provide my letter below to Mayor Mills, the Commissioners, Mr. Tedder and Mr. Evans. I am sorry for sending this so late. Thank you, Frances

Dear Major Mills, Commissioners, Mr. Tedder and Mr. Evans,

I am opposed to the proposed Charter change to drop the dollar amount limit that the Commissioners are empowered to collect annually from property taxes.

Charter 29(a)(30) empowers Commissioners "To levy and collect taxes for any and all municipal purposes upon all real estate within the City, except lands belonging to the City; provided that the amount to be raised from this source shall not exceed the sum of three million dollars (\$3,000,000)."

The dollar limit should not be eliminated; it is an important aspect of the power given to Commissioners with respect to property taxes - it is a 'check' to power - a protection to property owners.

It was just a few years ago that the total amount of property taxes collected was ~\$2,000,000. At budget meetings in 2024, the Commissioners approved a whopping 30% increase on property taxes. It was subsequently determined that incorrect financial information had been provided at the time the decision was made to increase property taxes by 30%.

At budget meetings in 2025, the Commissioners had the opportunity to roll back the 30% increase and Commissioner Their spoke to a number of sound reasons why this would be appropriate. Unfortunately, two former commissioners, Commissioner Gossett and Mayor Mills voted to keep the 30% property tax increase in place.

There is no reason to change the \$3,000,000 cap on the total amount of property taxes at this time. The unnecessary 30% increase in property taxes should rule out the need for the City to raise our property taxes for a number of years to come. New properties will, of course, need to pay their fair share, but that does not mean the total amount of property taxes collected needs to be increased. Instead, and given the unjustified 30% increase, the tax rate could be and should be adjusted, i.e., lowered, to keep the total amount of property taxes collected at or below the current total of ~\$2,700,000.

As has been done in the past (on rare occasion), the cap can be raised via a charter change if and when there is a justifiable basis to do so.

The proposed change of Charter section 29(a)(30) to a percentage of the assessed value of the property would allow the City to raise the total amount collected from property taxes by reassessing property values and there would be no limit to the total amount of revenue the City could collect via property taxes. By loosing a specified maximum amount of

revenue that can be collected by property taxes, this proposed change is fundamentally not in keeping with intent of the founders in writing section 29(a)(30) of the Charter.

The Commissioners need to retain the intent of Charter section 29(a)(30). The proposed change is unacceptable and should not be approved. Section 29(a)(30) of the Charter should be kept as is.

I am opposed to the proposed addition to restrict members of a Commissioner's household from running for a seat on the Commission. In the past, this was the kind of restriction that most often prevented women/wives from running for seats in government. This kind of restriction is inappropriate.

Sincerely,
Frances M. Kelleher
318 Stockley St.

Ann Womack

From: Debora Angus <contact@advocatevoice.com>
Sent: Wednesday, April 1, 2026 10:47 PM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

Follow Up Flag: Flag for follow up
Flag Status: Flagged

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Thank you,

Debora Angus
58 Columbia Ave
Rehoboth Beach, DE 19971-1658
kaoskastle@aol.com
703-615-0308

Ann Womack

From: Ellin Nolan <my@constituentmessage.com>
Sent: Wednesday, April 1, 2026 7:09 PM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

Follow Up Flag: Flag for follow up
Flag Status: Flagged

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Thank you,

Ellin Nolan
124 Henlopen Ave
Rehoboth Beach, DE 19971-1644
ellinnolan@gmail.com
202-256-3169

Ann Womack

From: Eric Schaeffer <now@advocatetakeaction.com>
Sent: Wednesday, April 1, 2026 9:08 PM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

Follow Up Flag: Flag for follow up
Flag Status: Flagged

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Dear Mayor Mills and Commissioners,

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If these changes continue to move forward, we will be surrendering our protections, our ability to limit debt, and our ability to have any say over bureaucratic overreach and financial mismanagement. This is unacceptable, especially when several changes were made in the dark without proper public notice. Rehoboth Beach citizens and property owners deserve for our local government to follow proper procedures and maintain public input. Without this, democracy fails.

At the upcoming Board meeting, I urge you to reconsider these charter changes that violate the civil rights of Rehoboth Beach citizens. The Board must walk back changes to the charter to protect our civil rights.

Rehoboth Beach citizens are counting on you to protect democracy and citizen participation in our local government by reversing the recent changes to the charter.

Thank you,

Eric Schaeffer
117 Stockley St
Rehoboth Beach, DE 19971-2271
beonthe path@gmail.com
302-423-3425

From: Eric Seward <support@actionmessaging.com>
Sent: Wednesday, April 1, 2026 7:40 PM
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Eric Seward
21 6th
Rehoboth Beach, DE 19971-1824
Ericlseward@gmail.com

From: Greg Agnew <support@actionmessaging.com>
Sent: Wednesday, April 1, 2026 7:46 PM
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Greg Agnew
124 Stockley Street
Rehoboth Beach, DE 19971-2272
gregagnew75@gmail.com

Ann Womack

From: Joseph Chippie <my@constituentmessage.com>
Sent: Wednesday, April 1, 2026 7:09 PM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Joseph Chippie
212 new castle st Rehoboth Beach
Rehoboth Beach, DE 19971-3012
Joejoechippie@gmail.com
302-242-2271

From: Larry Kelly <support@actionmessaging.com>
Sent: Wednesday, April 1, 2026 7:55 PM
To: Stan Mills <smills@rehobothbeachde.gov>
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Larry Kelly
125 St Lawrence St
Rehoboth Beach, DE 19971-2267
larrykelly717@gmail.com

Ann Womack

From: Neil Holzman <my@constituentmessage.com>
Sent: Wednesday, April 1, 2026 7:49 PM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Neil Holzman
51 Columbia Avenue
Rehoboth Beach, DE 19971-1652
neil.holzman@gmail.com
302-227-8184

Ann Womack

From: Thomas Gaynor <my@constituentmessage.com>
Sent: Wednesday, April 1, 2026 7:09 PM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Thomas Gaynor
80 oak avenue
Rehoboth Beach, DE 19971-2818
tomsjl1@msn.com
323-868-0724

From: Tim Golden <support@actionmessaging.com>
Sent: Wednesday, April 1, 2026 7:09 PM
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Tim Golden
43 Pennsylvania Ave Rehoboth Beach, DE
Rehoboth Beach, DE 19971-2814
timcgolden@msn.com

Ann Womack

From: Vasilios Hatzinikolaou <now@advocatetakeaction.com>
Sent: Wednesday, April 1, 2026 7:18 PM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

Vasilios Hatzinikolaou
111 country club drive
Rehoboth Beach, DE 19971-1848
Bhatzinikolaou@yahoo.com
302-228-9760

Ann Womack

From: William Gamuciello <now@advocatetakeaction.com>
Sent: Wednesday, April 1, 2026 9:26 PM
To: Ann Womack
Subject: Please Vote NO to Changing the Rehoboth Beach Charter

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Thank you,

William Gamuciello
102 State Rd
Rehoboth Beach, DE 19971-1841
billgamuciello@gmail.com
302-542-7447



Charter Changes & Clarifications

APRIL 6, 2026

Change #1

Adds qualifications for candidates to be eligible for election or appointment to serve as a member of the Commissioners, including the Mayor, and requires a candidate to file an affidavit of eligibility attesting the candidate meets the required qualifications. A candidate for election or appointment must meet all of the following qualifications:

- The candidate is not a spouse, domestic partner, or cohabitant of a serving member of The Commissioners.
- The candidate does not reside in the same household as a serving member of The Commissioners.
- The candidate does not share a financial interest with a serving member of The Commissioners.



Change #2

Eliminates mileage reimbursement for non-resident Commissioners.



Change #3



Updates the process for fixing the salaries for members of the Commissioners, including the Mayor, by allowing the Commissioners to fix the salaries by ordinance.

An ordinance to increase salaries may not take effect earlier than 6 months after the ordinance is adopted.



Change #4

Removes the Mayor's civil and criminal jurisdiction because Rehoboth Beach has an Alderman with civil and criminal jurisdiction.

Adds a new subsection under Section 13 of the Charter to clarify that the Mayor retains the power solemnize marriages in Rehoboth Beach, even though the Mayor's Court is eliminated.



Change #5

Eliminates the penalties for the Mayor failing to return documents and moneys belonging to Rehoboth Beach at the end of the Mayor's term.

Due to advancements in technology, the Mayor does not physically hold moneys belonging to Rehoboth Beach and documents belonging to Rehoboth Beach are stored electronically.



Change #6



For violating an ordinance, increases maximum fine from \$500 to \$2,500 and removes the penalties of imprisonment and being ordered to work while imprisoned.



Change #7

Updates the auditors of accounts section to do all of the following:

- Require the appointment of 1 independent auditor, who may be an individual or a firm, to serve for a 5-year term.
- Prohibit reappointment of an auditor until the expiration of 5 years since the auditor last served.
- Remove the requirement that the auditor to be a substantial freeholder in Rehoboth Beach.
- Change publication of the auditor's report from a newspaper to the Rehoboth Beach website.



Change #8

Removes the minimum valuation (formerly \$1,000) for real estate or improvements subject to assessment.



Change #9



Adds the option for Rehoboth Beach to adopt county assessments for municipal tax purposes in compliance with Chapter 11 of Title 22 of the Delaware Code.



Change #10

If Rehoboth Beach does not adopt county assessments, the Tax Assessor must reassess property at least every 5 years, to mirror the county reassessments required under § 8306 of Title 9 of the Delaware Code.



Change #11

Updates the deadline for certification of a quarterly supplemental tax list to match Rehoboth Beach's fiscal year.



Change #12



Requires Rehoboth Beach to calculate the rolled-back rate and to provide notice of the difference between the rolled-back rate and the tax rate set by the Commissioners, as provided in § 1105 of Title 22 of the Delaware Code.



Change #13

Changes the deadline for preparing the City Budget from May to March and changes the deadline for levying annual taxes from June to March because Rehoboth Beach's fiscal year begins on April 1.



Change #14

Removes The Commissioners' powers to do all of the following because the powers are no longer relevant to present day and are no longer exercised by The Commissioners:

- Regulate the observance of the Sabbath Day.
- Establish and regulate pounds.
- Prohibit or impound wild or domestic animals.
- Impose taxes on dog owners.
- Collect a per capita tax on all persons who are qualified to vote in the annual municipal election.



Change #15

Changes the cap on real estate taxes from \$3,000,000 to 0.1% of the fully assessed value of all real estate located in Rehoboth Beach.



Myth #1:

Taxes are going up

- This is simply not true.
- That change that is the adjustment of the tax cap from a fixed dollar amount to a percentage of property value, with no increase in taxes.
- With future development coming to the City of Rehoboth Beach, this update ensures that hotels and other new developments contribute their fair share for services such as our police department and other municipal operations as their assessed values grow.



Let's break that down...

There is currently a flat limit of \$3M in total property tax revenue per year.

The proposed change is a cap equal to 0.1% of the total assessed value of all real estate properties located within the City.

The current cap is increasingly close to being reached. The FY2027 draft budget anticipates approximately \$2.7M in property tax revenue, leaving limited unused capacity under the \$3M ceiling.



The background of the slide features a serene beach scene. The top half is a clear, light blue sky, while the bottom half shows the ocean with gentle waves. A thin strip of sandy beach is visible at the very bottom. The overall color palette is soft and calming, dominated by various shades of blue and a touch of tan at the bottom.

Questions?



SPONSOR:

DELAWARE STATE SENATE
153rd GENERAL ASSEMBLY

SENATE BILL

AN ACT TO AMEND THE CHARTER OF THE CITY OF REHOBOTH BEACH.

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

1 Section 1. Amend the Charter of the City of Rehoboth Beach by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 Structure Of The Government

4 ~~Section 3~~ Section 3.

5 a. ~~(a)(1)~~ The government of The City of Rehoboth Beach and the exercise of all power conferred by this Charter,
6 except as otherwise provided ~~herein, shall be~~ in this Charter, are vested in The Commissioners of Rehoboth Beach. The
7 Commissioners of Rehoboth Beach ~~shall consist of seven (7) members, to be chosen as hereinafter provided, all of whom~~
8 ~~shall be citizens of the United States of America.~~ consists of 7 members, as follows:

9 a. One of ~~said~~ The Commissioners ~~shall have~~ has the title of Mayor of The City of Rehoboth ~~Beach, with~~
10 ~~duties hereinafter to be prescribed,~~ Beach who has duties, as provided by this Charter, and who shall is also be
11 President of The Commissioners of Rehoboth Beach. ~~Each of the seven (7) Commissioners of Rehoboth Beach, at~~
12 ~~the time of the approval of the Commissioner's qualifications by The Commissioners as hereinafter provided or at~~
13 ~~the time of the Commissioner's appointment as the case may be, shall have attained the age of twenty-one (21)~~
14 ~~years of age. Not less than three~~ The Commissioner with the title of Mayor of The City of Rehoboth Beach must
15 be a bona fide resident and domiciliary of The City of Rehoboth Beach and must have been domiciled in The City
16 of Rehoboth Beach for a period of at least 12 months immediately preceding the date of election.

17 b. At least 3 members of the ~~The~~ Commissioners ~~shall~~ must be designated resident Commissioners. A
18 resident Commissioner ~~shall be a bona fide~~ is a bona fide resident and domiciliary of ~~the City. The Commissioner~~
19 ~~with the title of Mayor of the City of Rehoboth Beach shall also be a bona fide resident and domiciliary of the City~~
20 ~~and shall have been domiciled in the City of Rehoboth Beach for a period of at least twelve (12) months~~
21 ~~immediately preceding the date of election.~~ The City of Rehoboth Beach.

22 c. The other three 3 members of The Commissioners must either have the qualifications of a resident
23 Commissioner as defined above (i.e. a bona fide have at least 1 of the following qualifications:

24 1. Is a bona fide resident and domiciliary of the City) or be The City of Rehoboth Beach.

25 2. Is a freeholder of real estate located within The City. If any of the Commissioners or the Mayor

26 City of Rehoboth Beach.

27 (2) Each member of The Commissioners must have all of the following qualifications:

28 a. The member must be a citizen of the United States of America.

29 b. The member must be at least 21 years old at the time of the approval of the individual's qualifications

30 by The Commissioners, as provided in Section 6 of this Charter, or at the time of the individual's appointment.

31 (b)(1) For purposes of this subsection:

32 a. "Cohabitant" means an individual who lives with another individual in a committed relationship as

33 shown by actions, including sharing a residence, financial interdependence, mutual support, and public

34 representation as a couple, regardless of whether the individuals are legally married or have formally registered a

35 domestic partnership.

36 b. "Domestic partner" means an individual who has a formally registered domestic partnership with

37 another individual, as recognized by The City of Rehoboth Beach or this State.

38 c. "Financial interest" means a material interest, legal share, or right in property.

39 d. "Spouse" means an individual who is legally married to another individual.

40 (2) To be eligible for election or appointment to serve as a member of The Commissioners a candidate must

41 meet all of the following qualifications:

42 a. The candidate is not a spouse, domestic partner, or cohabitant of a serving member of The

43 Commissioners.

44 b. The candidate does not reside in the same household as a serving member of The Commissioners.

45 c. The candidate does not share a financial interest with a serving member of The Commissioners.

46 (3) An affidavit attesting that a candidate meets the qualifications for eligibility required by paragraph (b)(2)

47 of this Section must be filed as follows:

48 a. For a candidate for election to The Commissioners, the affidavit must be filed with the nominating

49 petition filed under Section 6 of this Charter before the candidate's name may be printed on the ballot for the

50 regular municipal election under Section 6 of this Charter.

51 b. For a candidate for appointment by The Commissioners to fill a vacancy on The Commissioners, the

52 affidavit must be filed with The Commissioners before the candidate may be appointed.

53 (4) The form of an affidavit filed under paragraph (b)(3) of this Section must be as follows:

54 “Affidavit of Eligibility to Serve as a Member of The Commissioners of Rehoboth Beach
55 STATE OF DELAWARE
56 COUNTY OF SUSSEX
57 I, [Full Legal Name of Candidate], being duly sworn, depose and state as follows:
58 1. I am running for election to The Commissioners of Rehoboth Beach or is being considered for
59 appointment by The Commissioners to a fill a vacancy on The Commissioners of Rehoboth Beach.
60 2. I am of legal age, and I am competent to make this Affidavit.
61 3. I have read and understand the eligibility requirements for a member of The Commissioners of
62 Rehoboth Beach, including those set forth in Section 3 of the Charter of The City of Rehoboth Beach regarding
63 marriage, domestic partnership, cohabitation relationships, and shared financial interests, and attests that all
64 requirements are met.
65 4. I am not the spouse, domestic partner, or cohabitant of any current member of The Commissioners of
66 Rehoboth Beach.
67 5. I do not reside in the same household as any current member of The Commissioners of Rehoboth
68 Beach.
69 6. I do not share a financial interest in any property with a current member of The Commissioners of
70 Rehoboth Beach.
71 7. I understand that a false statement in this Affidavit is punishable under the laws of Delaware.
72 I swear or affirm, under penalty of perjury, that the foregoing statements are true and correct to the best of
73 my knowledge and belief.
74 [Signature of Candidate]
75 [Printed Name of Candidate]
76 [Date]
77 SUBSCRIBED AND SWORN OR AFFIRMED before me this [Day] day of [Month], [Year], by [Printed
78 Name of Candidate], who is known to me to be the identical individual described herein and who executed the
79 same freely and voluntarily.
80 [Signature of Notary Public]
81 [Printed Name of Notary Public]
82 My Commission Expires: [Notary Commission Expiration Date]
83 (SEAL)”

84 (c) If a member of The Commissioners fails to retain the qualifications as aforesaid required by this Section during
85 the term of office, that Commissioner or Mayor shall member ipso facto vacate vacates office. The Commissioners shall be
86 are judges of the qualifications of their The Commissioners' members.

87 Elective Offices

88 ~~Section 5~~ Section 5.

89 a. (a)(1) The six 6 offices of Commissioners of Rehoboth Beach and the office of Commissioner of Rehoboth
90 Beach with the title of Mayor of the The City of Rehoboth Beach, Beach, known as the Mayor, with duties hereinafter to be
91 prescribed, shall be prescribed by this Charter, are elective. All other offices shall be appointive and the person or persons
92 filling such appointive offices shall be are appointed by the The Commissioners of Rehoboth Beach in the manner
93 hereinafter to be prescribed. Six offices of Commissioner of Rehoboth Beach shall be for prescribed by this Charter.

94 (2) The Commissioners, including the Mayor, each serve a three-year 3-year term. The office of
95 Commissioner of Rehoboth Beach with the title of Mayor of the City of Rehoboth Beach shall be for a three year term
96 and in every event that a person shall be

97 (3) Whenever an individual is nominated to this office, for Mayor, the ballots shall not only must specify that
98 the individual seeks the Office of Commissioner of Rehoboth Beach, but also that the individual seeks that office with
99 the title office of Mayor of the City of Rehoboth Beach, with duties hereinafter to be prescribed. with duties prescribed
100 by this Charter.

101 b. (b) The qualifications for the office of Commissioner of Rehoboth Beach as well as Commissioner, including
102 the office of Commissioner of Rehoboth Beach having the title of Mayor of the City of Rehoboth Beach shall be Mayor, are
103 as set forth in Section 3 of this Charter.

104 e. ~~In the case of (c)~~ Notwithstanding paragraph (a)(1) of this Section, whenever a vacancy is created in any office
105 of Commissioner of Rehoboth Beach, or in the office of Commissioner of Rehoboth Beach having the title of Mayor of the
106 City of Rehoboth Beach, either a member of The Commissioners by death, resignation, loss of residence in the The City of
107 Rehoboth Beach, or other disqualifying event, or otherwise, The Commissioners of Rehoboth Beach shall fill such the
108 vacancy for the residue remainder of the whole unexpired term- term.

109 d. (d) Aside from loss of residence, as in those instances specified in Section 3 of this Charter, if any an elected
110 officer be is found guilty of any felony, the elected officer shall is forthwith be disqualified to act as such officer and the
111 elected officer shall, officer, ipso facto, vacate vacates the elective office, which office shall be office. An office vacated
112 under this subsection is filled by the The Commissioners of Rehoboth Beach as in the case of other vacancies. as provided
113 by subsection (c) of this Section.

114 e. ~~The Mayor shall receive a salary of One Thousand Dollars (\$1,000.00) per annum. The Secretary of the~~
115 ~~Commissioners of Rehoboth Beach shall receive a salary of Seven Hundred Fifty Dollars (\$750.00) per annum. Each of the~~
116 ~~other members of the Commissioners of Rehoboth Beach shall receive a salary of Six Hundred Dollars (\$600.00) per~~
117 ~~annum; PROVIDED, HOWEVER, that no salary shall be paid until September 1, 1971. Each non-resident Commissioner~~
118 ~~shall receive an allowance for every mile necessarily driven from the Commissioner's permanent home to Rehoboth Beach~~
119 ~~in order to attend any meeting of the Commissioners of Rehoboth Beach or the meeting of any committee of which the non-~~
120 ~~resident Commissioner is a member; provided however, that no such allowance shall be paid for any meeting attended prior~~
121 ~~to September 1, 1974, said amount per mile to be the same as the standard mileage rate set annually by the Internal~~
122 ~~Revenue Service.~~

123 (e) The Commissioners shall fix the annual salary for the members of The Commissioners ordinance. An
124 ordinance to increase a salary may not take effect before the later of the following:

125 (1) The starting date for the terms of The Commissioners elected at the next regular election.

126 (2) Six months after adoption of the ordinance.

127 **Manner Of Holding Elections**

128 **Section 7 Section 7.**

129 (d)(1) ~~At such annual election, the Annual Municipal Election, every natural person who shall have attained the~~
130 ~~age of Eighteen (18) is 18 years old or older and who shall be freeholder, as defined in this Chapter, is registered on the~~
131 ~~"Books of Registered Voters" of The City of Rehoboth Beach as set forth in this subsection has 1 vote if the person meets at~~
132 ~~least 1 of the following qualifications:~~

133 a. ~~The person is a freeholder in The City of Rehoboth Beach for a period of thirty (30) at least 30 days~~
134 ~~immediately preceding the date of such the Annual Municipal Election or who shall be a leaseholder, as defined in~~
135 ~~this Chapter, a leaseholder in The City of Rehoboth Beach for a period of Six (6) at least 6 months immediately~~
136 ~~preceding the date of such the Annual Municipal Election, whether or not such the person is a resident of the this~~
137 ~~State of Delaware or of The City of Rehoboth Beach shall have One (1) vote, provided such person is registered on~~
138 ~~the "Books of Registered Voters" of The City of Rehoboth Beach as set forth herein. In addition, every natural~~
139 ~~person who shall have obtained the age of Eighteen (18) years on the date of the Annual Municipal Election who~~
140 ~~shall be Beach.~~

141 b. ~~The person is a bona fide resident of the this State of Delaware and The City of Rehoboth Beach on the~~
142 ~~date of the Annual Municipal Election shall be entitled to one (1) vote provided such person shall be registered on~~
143 ~~the "Books of Registered Voters" of The City of Rehoboth Beach as set forth herein. Election.~~

144 (2) The Commissioners of Rehoboth Beach shall provide ~~Two (2) registers to be 2 registers,~~ known as the
145 "Books of Registered ~~Voters~~" Voters", which are to be kept at the office of the City Manager. The Books of Registered
146 Voters ~~shall~~ must contain the names of the registered voters arranged in alphabetical order and all of the following
147 information for each registrant: The names of the voters arranged in alphabetical order, registered voter:
148 a. The registered voter's permanent address of the voter, the address,
149 b. The registered voter's local address of the voter, the address,
150 c. The registered voter's birth date of the voter, the date.
151 d. The date the registrant registered voter became a resident of the State of Delaware, the this State.
152 e. The date the registrant registered voter became a resident of the The City of Rehoboth Beach, the
153 Beach.
154 f. The date the registrant registered voter became a freeholder of the in The City of Rehoboth Beach and
155 other Beach.
156 g. Other pertinent information. No
157 (3) A natural person ~~shall~~ may not be registered upon the Books of Registered Voters unless ~~such~~ the person
158 will ~~have acquired~~ acquire the qualifications to vote in the Annual Municipal Election for the year in which ~~such~~ the
159 person registers.
160 (4)a. A person ~~shall only be~~ is required to register ~~One (1) time; provided however, that only 1 time. But if a~~
161 ~~registered voter fails to vote in Two (2) 2 consecutive Annual Municipal Elections in which there is a contest, the City The~~
162 City of Rehoboth Beach shall send a voter verification request by forwardable first-class mail to the voter at the voter's last
163 known address, provided all similarly situated voters are also sent ~~such~~ a voter verification request at the same time, asking
164 the voter to sign a return card ~~and: (1) authorize and do 1 of the following:~~
165 1. Authorize cancellation of ~~their~~ the voter's Rehoboth Beach voter registration because they are no
166 longer eligible to vote as a resident, ~~Freeholder, or Leaseholder~~ freeholder, or leaseholder in Annual
167 ~~Municipal Elections, or (2) confirm Elections.~~
168 2. Confirm that the voter continues to be eligible to vote in Annual Municipal Elections. ~~The City,~~
169 upon
170 b. Upon receipt of the returned notice and in accordance with the response, ~~shall: (1) cancel The City of~~
171 Rehoboth Beach shall do 1 of the following:
172 1. Cancel the person's registration, ~~or (2) update voter's registration.~~

173 2. Update the ~~person's~~ voter's voter registration record with any new information and certify the
174 person remains eligible to vote.

175 c. Sixty days following a voter verification mailing, ~~the~~ The City of Rehoboth Beach shall place all
176 persons who did not reply to the voter verification request into "inactive status." A person ~~shall be~~ is returned to
177 active status if the person subsequently returns the return card ~~indicating~~ confirming the person continues to be
178 eligible to vote in Annual Municipal Elections, or if the person votes in an Annual Municipal ~~election~~ Election
179 while in "inactive status." The City of Rehoboth Beach shall remove from the Books of Registered Voters any
180 person who remains in "inactive status" for ~~two~~ 2 consecutive Annual Municipal Elections in which there is a
181 contest.

182 (5) The Books of Registered Voters ~~shall~~ must be maintained at the office of the City Manager and ~~shall be~~ is
183 conclusive evidence of the right of any person to vote at the Annual Municipal Election. A person may register at the
184 ~~Office~~ office of the City Manager on any day during the regular business hours until the close of business ~~thirty~~ (30) 30
185 days prior to the Annual Municipal Election.

186 (e) As used in this Chapter Charter:

187 (1) "Freeholder" means a all of the following:

188 a. A natural person who holds title of record to a fee simple estate or life estate in and to an undivided
189 interest in real property in ~~the~~ The City of Rehoboth Beach.

190 b. A natural person who holds title of record to real property in ~~the~~ The City of Rehoboth Beach as a
191 tenant by the ~~entirety or~~ entirety,

192 c. A natural person who is both ~~grantor/settler and~~ trustee and grantor or settlor of a valid revocable trust
193 to which real property located within ~~the~~ The City of Rehoboth Beach has been conveyed, provided that a copy of
194 the trust document identifying a ~~grantor/settler and~~ trustee and grantor or settlor is on file with ~~the City~~ The City
195 of Rehoboth Beach.

196 ~~"Real Property" includes condominiums created under the Delaware Unit Property Act or the Delaware~~
197 ~~Uniform Common Interest Ownership Act.~~

198 ~~As used in this Chapter~~

199 (2) "Lease" means a valid lease to real property in ~~the~~ The City of Rehoboth Beach for a term of at least ~~ten~~
200 ~~(40)~~ 10 years ~~which lease~~ that is recorded in the Office of the Recorder of Deeds in and for Sussex County and upon
201 ~~which~~ that real property is erected an improvement having an assessed valuation of at least ~~one thousand dollars~~
202 ~~(\$1,000.00)~~ \$1,000 as shown by the records of the City of Rehoboth Beach.

203 ~~As used in this Chapter~~

204 (3) "Leaseholder" means a natural person holding title to an undivided interest in a lease or who holds title to
205 a lease as a tenant by the entirety.

206 (4) "Real property" includes condominiums created under the Delaware Unit Property Act or the Delaware
207 Uniform Common Interest Ownership Act.

208 (f) ~~As used herein "resident" shall mean a natural person residing and domiciled in the City of Rehoboth Beach for~~
209 ~~a period of at least thirty (30) days immediately preceding the date of the election. As used herein "domicile" shall mean~~
210 ~~herein:~~

211 (1) "Domicile" means the place where a person has their true, fixed, permanent home, and principal
212 establishment, and to which, whenever the person is absent, the person has the intention of returning.

213 (2) "Resident" means a natural person residing and domiciled in The City of Rehoboth Beach for a period of
214 at least 30 days immediately preceding the date of the election.

215 (g) These provisions shall be construed in accordance with the principle of "one person, one vote" for each elective
216 office.

217 ~~ANNUAL ORGANIZATION MEETING OF COMMISSIONERS~~

218 ~~Section 8-a.~~

219 ~~Annual Organization Meeting of The Commissioners~~

220 ~~Section 8.~~

221 a. ~~The (a)(1) At the first regular meeting following the Annual Municipal Election, known as the annual meeting,~~
222 ~~The Commissioners of Rehoboth Beach, at the first regular meeting in September following the annual election, shall meet~~
223 ~~for the purpose of organization to organize~~ at the usual place for holding meetings of The Commissioners of Rehoboth
224 Beach. ~~Commissioners.~~ The newly elected ~~officers~~ members of The Commissioners shall assume the duties of their
225 respective offices, being first duly sworn or affirmed to perform their duties with fidelity, ~~which fidelity.~~ The oath or
226 affirmation shall ~~must~~ be taken before a Notary Public, a Justice of the Peace ~~Peace~~, or by a holding-over member of The
227 Commissioners. ~~The newly elected Commissioner with the title of Mayor of The City of Rehoboth Beach shall assume the~~
228 ~~chair of the office of Mayor of The City of Rehoboth Beach.~~

229 (2) At the annual meeting, The Commissioners shall likewise select a ~~appoint~~ all of the following:

230 a. A Commissioner to serve as Secretary ~~from their own number to serve~~ until the first regular meeting
231 after the next succeeding election. ~~They shall also choose an annual meeting.~~

232 ~~b. An Assistant Secretary to serve as aforesaid; Secretary,~~ who may ~~or may not~~ be from among their own
233 ~~number and such other~~ a Commissioner, to serve until the next annual meeting.

234 c. Other officers and employees as ~~may be~~ determined to be necessary.

235 e. The Commissioners shall by ordinance fix the salaries and compensation of the employees, officers and agents
236 of the City, and the time and manner of his or her, or their payment; Provided, that the salary or compensation of any such
237 employee, officer or agent shall not be increased, during the term of said office should said appointment thereto be for a
238 designated term. No officer, employee or agent of the City shall in any form have, take, or receive from the City any
239 compensation, in any form, in addition to the salary or compensation fixed by The Commissioners.

240 d. ~~(b)~~ The Commissioners shall cause to be kept a full and complete record of all officers ~~appointed,~~ appointed and
241 employees and agents hired by the City, containing the names of such officers, employees and agents, the dates The City of
242 Rehoboth Beach. The record must include all of the following information about each officer, employee, or agent:

243 (1) Name.

244 (2) Date of their employment, the salary appointment or employment.

245 (3) Salary and compensation to be by them received and the date compensation.

246 (4) Date of the termination of their services. In the event that they shall hold services.

247 (5) If their office is for an indefinite term, the record shall so state. term.

248 Duties And Powers Of The Mayor

249 ~~Section 13~~ Section 13.

250 a. ~~The Mayor of the City of Rehoboth Beach shall be sworn or affirmed to perform the duties of his office with~~
251 fidelity.

252 b. ~~He shall be (a)(1) The Mayor is the chief executive of the City. He~~ The City of Rehoboth Beach. The Mayor
253 shall ~~preside~~ do all of the following:

254 a. Preside at meetings of The Commissioners. ~~He shall receive~~

255 b. Receive all communications and complaints and present the same to The Commissioners. ~~He shall sign~~

256 c. Sign all deeds necessary and contracts made by The Commissioners ~~and shall countersign~~
257 Commissioners.

258 d. Countersign all checks and warrants authorized by The Commissioners and drawn on the Treasurer for
259 the payment of money. ~~He shall be~~

260 (2) The Mayor is a member, ex-officio, of all committees, and shall perform ~~such~~ other duties as may be
261 prescribed by ordinance, or by the ~~by-laws~~ bylaws adopted by ~~the said~~ The Commissioners, and shall have all and

262 every power conferred, and perform the duties imposed upon ~~him~~ the Mayor by this Charter or the ordinances of the
263 City. The City of Rehoboth Beach.

264 e. ~~(b)~~ In the performance of his duties as ~~Mayor of the City of Rehoboth Beach, he shall be~~ Mayor, the Mayor is
265 known and designated as the Mayor of the The City of Rehoboth Beach and in Beach. Whenever executing any a deed,
266 lease, contract, warrant on the Treasurer, or other papers and instruments in writing necessary for ~~him, as such~~ the Mayor of
267 ~~the City of Rehoboth Beach, to sign, he~~ the Mayor shall sign and execute the same as Mayor of the The City of Rehoboth
268 Beach.

269 d. As a Commissioner of Rehoboth Beach and as Mayor of the City of Rehoboth Beach, he shall have

270 (c) The Mayor has the same right as other Commissioners to vote on all ~~matters and may at any time~~ matters. The
271 Mayor may appoint another Commissioner to preside at meetings of the Commissioners if ~~he desired~~ the Mayor wants to
272 make a motion, move the adoption of a resolution, second ~~either, a motion,~~ a motion, or debate any question from the floor and may
273 thereafter afterwards immediately resume his the Mayor's duties as presiding officer.

274 e. ~~In addition to his powers and duties as Mayor of the City of Rehoboth Beach, he shall, as Mayor of the City of~~
275 Rehoboth Beach, have all powers of a Justice of the Peace within said City and shall have jurisdiction and cognizance on all
276 breaches of the peace and other offenses committed within the limits of the City as far as arrest and hold to bail and fine
277 and imprisonment offenders. He shall have jurisdiction and cognizance of all fines and penalties prescribed by this Charter,
278 ordinances enacted hereunder, or any law of the State of Delaware; of all neglects, omissions or defaults of any member of
279 the Police Force or other Town Officer, agent or employee; provided, that he shall impose no fine and penalty in excess of
280 that fixed by the ordinance; which, in any event, shall not exceed a fine of \$500.00, or such sum as may hereafter be made
281 the maximum fine under the State Motor Vehicle Code, and shall not commit to prison for a longer term than thirty days;
282 provided, however, that in motor vehicle violations the fines and penalties imposed under the ordinances of the City of
283 Rehoboth Beach shall be the same as those provided by the Laws of Delaware for the same offense. The jails of Sussex
284 County may be used for imprisonment under the provisions of this Charter; provided, that The Commissioners shall pay for
285 the board of persons committed for breaches of ordinances, which are not breaches of the General Law.

286 f. As Mayor of the City of Rehoboth Beach, he shall also have jurisdiction in suits of civil nature for the collection
287 of taxes and assessments, recovery of amounts due and payable for the construction of sidewalks, curbs or pavements,
288 expenses of abatement of nuisances, and all other matters which may arise in the proper government and control of the City
289 under the provisions of this Charter. Within his jurisdiction, he shall have all the powers and authority and shall be subject
290 to all the limitations of a Justice of the Peace of Sussex County, except as herein otherwise provided; and his fee shall be

291 the same as those of a Justice of the Peace for like services. For any service or duty in which no fee is provided by law,
292 such fee shall be established by ordinance.

293 g. Upon the expiration of this term of office or upon resignation or removal from office, he shall forthwith turn
294 over all records, books, papers, documents and other things belonging to or appertaining to his office of Mayor of the City
295 of Rehoboth Beach. He shall also pay over to the Treasurer all monies in his hands belonging to the City. Upon neglect of
296 failure to make such delivery or payment for the space of five (5) days, he shall be deemed guilty of a misdemeanor and,
297 upon conviction in the Court of General Sessions of the State of Delaware, shall be fined not more than \$500.00, or
298 imprisoned for not more than one year, or shall suffer both fine and imprisonment at the discretion of the Court.

299 h. As Mayor of the City of Rehoboth Beach, he shall, at every regular monthly meeting of The Commissioners,
300 report in writing all fines imposed by him and all fines and penalties and other money received by him for the preceding
301 month belonging to the City. He shall pay all such monies to the Treasurer within ten (10) days after making report thereof
302 to The Commissioner and failure to make report thereof to The Commissioners, or for failure to make payment to the
303 Treasurer for the space of ten (10) days, he shall be deemed guilty of a misdemeanor and shall be punished upon conviction
304 as hereinbefore provided.

305 i. As Mayor of the City of Rehoboth Beach, he shall keep a docket in which all his official acts shall be entered
306 which shall be open to public inspection and examination at all times.

307 (d) The Mayor may solemnize marriages in The City of Rehoboth Beach.

308 Auditors Auditor of Accounts

309 Section 18 Section 18.

310 a. Three auditors of accounts, who may or may not be residents, but who shall be substantial free holders of The
311 City, shall be appointed by (a)(1) The Commissioners at each annual meeting hereinbefore provided to serve for the term of
312 one year or shall appoint a qualified individual or firm to serve as an independent Auditor of Accounts, also known as the
313 Auditor.

314 (2) The Auditor serves for a term of 5 years, but the Auditor may continue to serve after the term expires until
315 their successors shall have been a successor is duly appointed and qualified. An individual or firm who has served as
316 Auditor for 5 years may not be appointed as Auditor again until the expiration of an interim period of at least 5 years
317 since the individual or firm last served.

318 b. It (b) The Auditor shall be their duty to audit the accounts of The City of Rehoboth Beach and all of its officers
319 whose duty involves the collection, custody custody, and or payment of monies moneys to The City. They City of
320 Rehoboth Beach. The Auditor shall audit the books of the Mayor of The City of Rehoboth Beach, and the records of all

321 fines, ~~penalties~~ penalties, and costs imposed or collected by him the Mayor pursuant ~~by~~ to any judgment, order, or decree
322 made. ~~The auditors on or before the fifteenth day of September, annually, next following their appointment,~~

323 (c) Annually on or before September 15, the Auditor shall make and deliver a detailed report of every and all
324 accounts, records, and books by them examined and audited, which audited by the Auditor. The report under their hands
325 and seals shall the Auditor's hand and seal must be printed in a newspaper published in on The City of Rehoboth Beach
326 website in the issue immediately succeeding their after the Auditor delivers the annual report. The auditors, in the
327 performance of their duties, shall have

328 (d) In the performance of the Auditor's duties, the Auditor has access to all records and accounts of the offices of
329 The Commissioners and they are authorized and empowered to Commissioners. The Auditor may employ such clerks and
330 accountants as in their judgment may be necessary in the proper performance of their duties to properly perform the
331 Auditor's duties, at such a compensation as may be determined by The Commissioners.

332 Tax Assessor

333 Section 22.

334 a. (a) The Commissioners of Rehoboth Beach shall appoint a qualified person individual or firm to serve as the
335 Tax Assessor. Such person The individual or firm shall serve until a new person individual or firm has been duly appointed
336 by the The Commissioners.

337 b. ~~No person~~ (b) An individual or firm shall may not be appointed as the Tax Assessor of the City of Rehoboth
338 Beach who if the individual or firm is not fully qualified under the regulations and Code of the laws of this State of
339 Delaware to perform real estate tax assessments.

340 e. ~~It shall be the~~ (c) If The Commissioners do not choose to use the county assessments under Section 23 of this
341 Charter, the Tax Assessor's duty to Assessor shall make a fair and impartial assessment of property subject to taxation
342 situated within the City and to The City of Rehoboth Beach. The Tax Assessor shall perform such other related duties in
343 reference thereto as shall be prescribed, from time to time, by The Commissioners of Rehoboth Beach. Commissioners.

344 Assessment Of Taxes

345 ~~Section 23~~ Section 23.

346 a. ~~The~~ (a)(1) In compliance with Chapter 11 of Title 22 of the Delaware Code, The Commissioners may choose to
347 use the county assessments for real estate located within The City of Rehoboth Beach for municipal tax purposes.

348 (2) Subject to Chapter 11 of Title 22 of the Delaware Code, if The Commissioners choose to use county
349 assessments as provided in paragraph (a)(1) of this Section, a copy of the county assessments for the properties located

350 in The City of Rehoboth Beach must be received under § 1103 of Title 22 of the Delaware Code by the first Monday of
351 March.

352 (3) Appeals of county assessments adopted under this subsection must be made as provided in Chapter 11 of
353 Title 22 of the Delaware Code.

354 (b)(1) If The Commissioners do not choose to use the county assessments, the Tax Assessor shall, shall make,
355 prior to the first Monday in March, make a just, true true, and impartial annual valuation or assessment of all real estate and
356 of all improvements having a valuation of at least One Thousand Dollars (\$1,000.00) of the following located within The
357 City of Rehoboth Beach:

358 a. Real estate.

359 b. Improvements located on land which that has been leased under a valid lease lease, recorded in the
360 Sussex County Office of the Recorder of Deeds, for a term of at least ten (10) years and which lease has been
361 recorded in the Office of the Recorder of Deeds, in and for Sussex County, located within The City of Rehoboth
362 Beach. 10 years.

363 (2) In making such the assessment, the rules and exemptions now applicable by law to the for making of the
364 County Assessment of persons and properties shall be county assessments are applicable insofar as to the extent the
365 rules and exemptions are consistent with the provisions of this Charter.

366 (3) All real estate and all improvements located on land under a valid lease, as aforesaid, shall lease must be
367 described with sufficient particularity to be identified.

368 (4)a. Real estate shall must be assessed to the owner or owners if he or they be are known. If the owner or
369 owners of real estate cannot be found or ascertained, the real estate may be assessed to "Owner Unknown".

370 b. All improvements located on land under a valid lease, as aforesaid, shall lease must be assessed to the
371 leaseholder. If the owner or owners of real estate cannot be found or ascertained, it may be assessed to "Owner
372 Unknown".

373 c. A mistake in the name of the owner or owners, or a wrong name, or an assessment to "Owner
374 Unknown," shall does not affect the validity of the assessment of any municipal tax or assessment based thereon;
375 provided, if the assessment shall specify specifies the last record owner or owners thereof of the real estate as the
376 same shall owner or owners appear from the records in the Sussex County Office of the Recorder of Deeds of
377 Sussex County at Georgetown, Delaware. Deeds.

378 (5) Beginning in 2030, all property assessed under this subsection must be reassessed at its fair market value.
379 After the 2030 reassessment, all property assessed under this subsection must be reassessed at least once every 5 years.
380 Each 5-year period begins on the date the assessments are finalized under paragraph (g)(1) of this Section.

381 b. ~~(c)~~ The Tax Assessor shall in a timely manner send by first-class mail a written notice to any property owner
382 whose assessment is changed indicating the new ~~valuation placed thereon;~~ valuation.

383 ~~e. The Tax Assessor, after (d)(1) After making such the annual assessment, shall,~~ assessment under subsection (b)
384 of this Section, the Tax Assessor shall deliver, on the first Monday of May, aforesaid, deliver March, to The
385 Commissioners of Rehoboth Beach a list containing the names of all persons assessed and the amount of the assessment
386 against each. They At the same time, the Tax Assessor shall also deliver at such time as many copies of said the list as The
387 Commissioners shall direct.

388 d. (2) The annual assessment list shall must be arranged so that the assessment of land, land; the
389 improvements thereon, thereon; and any improvements located on lands under lease lease, as defined herein in
390 paragraph (b)(1)b. of this Section, appear in separate columns or spaces. All assessments of value made by the Tax
391 Assessor shall must be made accordingly.

392 ~~e. Any (e) If the Tax Assessor is an individual, The Commissioners shall assess any real property owned in whole~~
393 ~~or in part by a the Tax Assessor or a member of a the Tax Assessor's immediate family, if an individual, shall be assessed~~
394 ~~by the Commissioners of Rehoboth Beach. Any family. If the Tax Assessor is a firm, The Commissioners shall assess any~~
395 ~~real property owned in whole or in part by an owner or employee of the Tax Assessor or a member of their immediate~~
396 ~~family, if a firm, shall be assessed by the Commissioners of Rehoboth Beach. family.~~

397 f. ~~(f)(1) Immediately upon receiving the annual assessment list from the Tax Assessor, the The Commissioners of~~
398 ~~Rehoboth Beach shall cause a full and complete alphabetically arranged copy of the same, containing the amount assessed~~
399 ~~to each taxable annual assessment list to be posted in City Hall in the City of Rehoboth Beach, and there it shall remain for~~
400 ~~a period of at least ten 10 days for the information of and examination by all concerned. Appended thereto~~

401 (2) Notices must be attached to the annual assessment list and also posted in five 5 or more public places in
402 said City shall be posted notices advising The City of Rehoboth Beach. The notices must advise all concerned that any
403 that, if a property owner or leaseholder who desires wants to appeal their assessment shall assessment, the property
404 owner or leaseholder must file an appeal, in writing, with the City Manager of the City of Rehoboth Beach stating the
405 reason or reasons therefor not for the appeal no later than a certain day mentioned therein which the date specified in
406 the notices. The date shall may not be earlier than ten 10 days after the date of posting the true and correct copy of the
407 annual assessment list.

408 g. ~~(g)(1)~~ At the first regular meeting of ~~the~~ The Commissioners ~~of the City of Rehoboth Beach~~ following the
409 expiration of the ~~time set~~ deadline for filing an appeal, ~~the~~ The Commissioners ~~of Rehoboth Beach~~ will ~~shall~~ fix a time and
410 date when ~~the~~ The Commissioners ~~of Rehoboth Beach~~ will sit as a Board of Appeals to hear appeals timely filed in writing
411 taken from the ~~said~~ annual assessment as determined by the Tax Assessor. Any person taking an appeal before the
412 ~~Commissioners of the City of Rehoboth Beach sitting as a~~ Board of Appeals may appear in person or may be represented
413 by any third party who has written authorization to ~~so~~ appear. The decision of the ~~Commissioners of Rehoboth Beach~~
414 ~~sitting as a~~ Board of Appeals ~~shall be~~ is final ~~and conclusive~~ unless an appeal is taken to the Superior Court of the State of
415 Delaware, in and for Sussex County, within ~~ten~~ 10 days from the date of the ~~said hearing, and the hearing.~~ The
416 Commissioners ~~of Rehoboth Beach~~ shall revise and complete ~~said~~ the assessment at this sitting.

417 h. ~~No~~ (2) A Commissioner ~~shall~~ may not sit as a member of the Board of Appeals upon ~~his~~ The
418 Commissioner's own appeal, but the appeal. A Commissioner's appeal ~~by any Commissioner of the City of Rehoboth~~
419 ~~Beach shall~~ must be heard and determined by the other members of the Board of Appeals in the same manner as
420 hereinbefore provided.

421 i. (3) The Tax Assessor ~~shall~~ must be present on the day fixed for hearing appeals and shall ~~furnish~~ give to ~~the~~
422 The Commissioners ~~such~~ any information and answer ~~such~~ any questions ~~as the Commissioners may require in respect~~
423 ~~relating to any assessment from which an appeal has been taken.~~ an appealed assessment, as The Commissioners may
424 require. The Commissioners ~~shall have authority to~~ may enforce the attendance of the Tax Assessor by appropriate
425 process.

426 Supplemental Assessment

427 Section 23A.

428 a. ~~In~~ (a) Subject to Section 23(a) of this Charter, ~~in~~ addition to the annual assessment ~~provided for herein,~~
429 ~~assessment,~~ the City Manager ~~may, at the City Manager's option,~~ may direct the Tax Assessor to prepare a quarterly
430 supplemental list for the purpose of adding property not included on the last assessment or increasing the assessed value of
431 property ~~which was~~ included on the last assessment. The supplemental list may be used to correct errors on the prior
432 assessment rolls and to remove or modify any exemption from taxation applicable to property in ~~the City.~~ The City of
433 Rehoboth Beach.

434 b. ~~Such~~ (b) The supplemental list ~~shall be~~ is prepared quarterly in each tax year. The ~~first such~~ supplemental list
435 ~~shall~~ must be certified ~~on July 1 of each year; the second on October 1 of each year; the third on January 1 of each year;~~
436 ~~and the fourth on April 1 of each year.~~ quarterly based on the fiscal year.

437 e. ~~(c)(1)~~ On the date of certification of a supplemental list, the property owners ~~listed thereon shall be on that~~
438 supplemental list are liable to pay taxes equal to the assessed value of the property multiplied by the tax rates for the then
439 current tax year that are applicable to the property, reduced by as follows:

440 a. By 25% where the for property is listed on the second supplemental assessment roll; by roll.

441 b. By 50% where the for property is listed on the third supplemental assessment roll; and by roll.

442 c. By 75% where the for property is listed on the fourth supplemental assessment roll; and the roll.

443 (2) The amount of such tax shall be and remain imposed under this Section is a lien on such the assessed property
444 from the time of its certification. In the collection of said taxes;

445 (3) There is no penalty imposed for taxes collected before the first day of the second month after certification,
446 there shall be no penalty. On all taxes paid after the first day of the second month after certification, certification. All taxes
447 unpaid on or after the first day of the second month after certification are delinquent and a penalty at the rate of one and
448 one-half percent (1½%) shall be 1 ½% is added until the same shall have been tax and any penalty imposed is paid. All
449 taxes unpaid after the first day of the second month after certification shall be considered delinquent. In effecting collection
450 of any For delinquent tax, the taxes, The Commissioners of the City of Rehoboth Beach may impose a collection charge not
451 to exceed eighteen percent (18%) of up to 18% of the amount of the tax and any penalty imposed thereon. imposed.

452 d. Appeals shall (d)(1) If The Commissioners choose to use the county supplementary assessments, appeals must
453 be made as provided in Chapter 11 of Title 22 of the Delaware Code.

454 (2) If the Tax Assessor prepares the supplement list, appeals must be made to the Board of Appeals as
455 provided in Sections Section 23(f) through (i). In no case shall the Section 23(g) of this Charter.

456 (e) The supplemental assessment procedure may not be employed used to impose taxes retroactively.

457 Levy Of Annual Taxes

458 Section 24

459 a. (a) At the a regular meeting in June, March, after having revised and completed the assessment, The
460 Commissioners shall determine, to their best judgment and knowledge, the total amount necessary to be raised by The City
461 of Rehoboth Beach needs to raise to meet all fixed and anticipated expenses and obligations of The City, City of Rehoboth
462 Beach, including reasonable and appropriate reserve, reserve for the then current fiscal year year, as set forth in the City
463 Budget for such year that fiscal year, plus a reasonable amount to cover unanticipated expenses and emergencies.

464 b. (b)(1) The Commissioners shall then proceed to determine, in their sole discretion, from which sources of the
465 authorized revenues of the The City of Rehoboth Beach the amount so determined by them shall be under subsection (a) of
466 this Section is raised and, within the limits prescribed by this Charter with respect to any such each source, the amount to be

467 raised from each such source. The Commissioners shall then proceed to determine, assess, ~~fix and/or levy~~; fix, and levy 1 or
468 more of the following:

469 ~~1. the a.~~ The rate of tax on real estate all of the following:

470 1. Real estate, including improvements thereon thereon, per One Hundred (\$100.00) \$100 of
471 assessed value and the rate of tax on improvements value.

472 2. Improvements per One Hundred (\$100.00) \$100 of assessed value located on land under a lease
473 for a period of at least ten (10) 10 years which said lease has been recorded in the Sussex County Office of the
474 Recorder of Deeds, in and for Sussex County; and/or Deeds.

475 ~~2. the b.~~ The rate of tax upon all poles, constructions, erections, wires wires, and appliances more
476 particularly mentioned, or intended so to be in sub-Section 29(a)(32) levied under Section 29(29) of this Charter,
477 as amended; and/or Charter.

478 ~~3. the c.~~ The several license fees to be charged for carrying on or conducting of the several businesses,
479 professions professions, or occupations more particularly mentioned, or intended so to be, in sub-Section 29(a)(33)
480 under Section 29(30) of this Charter, as amended; and/or Charter.

481 ~~4. the d.~~ The several rates to be charged for furnishing water service, sewer service, electric service, gas
482 service, garbage and refuse collection; and/or collection.

483 ~~5. the e.~~ The fees or rates to be charged in respect of connection to any other authorized source of revenue
484 sufficient that are sufficient, in their The Commissioners' best judgment and estimation estimation, to realize the
485 amount to be raised from each such authorized revenue source determined by them The Commissioners to be used,
486 used as aforesaid: Provided, however, that sources 3, 4 and 5 aforementioned, allowed under paragraph (b)(1) of
487 this Section.

488 (2) The authorized revenue sources listed under paragraphs (b)(1)c. through (b)(1)e. of this Section may be
489 determined, fixed, assessed, levied levied, and/or altered or changed upon other than a fiscal year basis and at any other
490 regular or special meeting of The Commissioners as they The Commissioners in their own proper discretion shall
491 determine.

492 (3) Whenever there is a total reassessment of taxable properties located in The City of Rehoboth Beach, all of
493 the following must be done as provided in § 1105 of Title 22 of the Delaware Code:

494 a. The rolled-back rate must be computed.

495 b. The difference between the rolled-back rate and the tax rate determined under paragraph (b)(1)a. of this
496 Section must be advertised.

497 e. ~~(c)~~ Immediately after ~~their~~ the regular meeting in ~~June~~ March of each ~~and every~~ year, The Commissioners shall
498 make, or cause to be made, a full, ~~true~~ true, and correct annual tax list showing the amount of tax levied against each
499 taxable ~~thereon from sources 1 and 2 abovementioned.~~ under paragraphs (b)(1)a. and (b)(1)b. of this Section. This list ~~shall~~
500 ~~be is~~ known as the annual tax list of ~~the~~ The City of Rehoboth Beach. In addition to the information contained in the
501 assessment list, ~~it shall likewise~~ the annual tax list must contain information as to the rate of tax upon real estate per \$100 of
502 assessed ~~value thereof.~~ value.

503 ~~d.~~ (d) The Commissioners shall cause to be delivered to the City Manager a duplicate of ~~said~~ the annual tax list,
504 and the City Manager shall immediately proceed to collect the ~~same~~ annual taxes as ~~hereinafter provided.~~ provided in
505 Section 25 of this Charter.

506 e. (e) Nothing contained in this Charter ~~shall~~ may be construed to effect or impair in any way the validity of any
507 tax, fee, ~~assessment~~ assessment, or other charge lawfully levied, assessed, or due ~~the~~ The City of Rehoboth Beach under
508 existing laws ~~in reference~~ relating to ~~said~~ The City of Rehoboth Beach and the same are ~~hereby~~ declared to be valid,
509 ~~binding~~ binding, and vested in ~~the~~ The City of Rehoboth ~~Beach created hereby.~~ Beach.

510 Town City Budget

511 ~~Section 28~~ Section 28.

512 a. (a) The fiscal year of ~~the~~ The City of Rehoboth Beach ~~shall be~~ is established from time to time by resolution
513 adopted by ~~the Commissioners of Rehoboth Beach.~~ The Commissioners.

514 ~~b. Annually each year and not later than May 1st,~~ (b) Annually, the City Manager shall prepare a rough draft of a
515 City Budget. From this rough draft, ~~the~~ The Commissioners ~~of Rehoboth Beach shall, not later than the regular meeting~~
516 ~~held in May of each year,~~ shall prepare the City ~~Budget,~~ Budget containing the financial plan for conducting the affairs of
517 The City of Rehoboth Beach for the ~~ensuing~~ following fiscal year.

518 e. (c) The City Budget ~~shall~~ must contain all of the following information:

519 (1) A detailed estimate showing the expense of conducting each department and office of ~~the~~ The City of
520 Rehoboth Beach for the ~~ensuing~~ following fiscal year.

521 (2) The value of supplies and materials on hand, together with the nature and kind of machinery or other
522 implements and the condition thereof.

523 (3) The amount of the debt of ~~the City,~~ The City of Rehoboth Beach together with a schedule of maturities of
524 bond issues.

525 (4) An itemized statement of all other estimated expenses to be incurred in the affairs of ~~the City.~~ The City of
526 Rehoboth Beach.

527 (5) A statement of the amount required for interest on the bonded debt, the amount necessary to pay any ~~Bond~~
528 bond maturing during the year year, and the amount required for the "Sinking Fund" or "Sinking Funds".

529 (6) An estimate of the amount of money to be received from taxes, assessments, scrap ~~assessments~~
530 assessments, and all other anticipated income of ~~the~~ The City of Rehoboth Beach from any ~~source or sources~~
531 whatsoever source.

532 ~~d.~~ (d) To the extent possible, The Commissioners ~~shall, so far as possible,~~ shall adhere to the City Budget so
533 adopted in the making of appropriations.

534 (e)(1) In the City Budget, The Commissioners shall fix the salaries and compensation of The City of Rehoboth
535 Beach's employees, officers, and agents and the time and manner of payment. If the employee, officer, or agent is
536 appointed for a designated term, the salary or compensation of the employee, officer, or agent may not be increased during
537 the term.

538 (2) An officer, employee, or agent of The City of Rehoboth Beach may not have, take, or receive any
539 compensation from The City of Rehoboth Beach in addition to the salary or compensation fixed by The
540 Commissioners.

541 Enumeration Of Powers

542 ~~Section 29~~ Section 29.

543 a. Not by way of limitation upon the power vested in ~~the~~ The Commissioners to exercise all powers delegated by
544 this Charter to ~~the municipal corporation of the Commissioners~~ The City of Rehoboth Beach except as may expressly
545 appear ~~herein~~ in this Charter to the contrary, ~~but, rather,~~ but by way of enumeration and for purposes of clarity, ~~the~~ The
546 Commissioners are vested by this Charter with all of the following powers, to be exercised by ~~said the~~ The Commissioners
547 in the interest of good government and the safety, ~~health~~ health, and welfare of ~~the City, The City of Rehoboth Beach and~~
548 its inhabitants and affairs:

549 1. (1) To prevent vice, drunkenness and immorality.

550 2. (2) To provide for and preserve the health, peace, safety, cleanliness, ~~ornament~~ ornament, and good order of
551 ~~the~~ The City of Rehoboth Beach and its inhabitants.

552 3. (3) To prohibit all gaming and fraudulent devices.

553 4. (4) To prohibit, restrain, ~~license~~ license, or regulate all public sports, exhibitions, shows, parades,
554 productions, ~~circuses~~ circuses, or other public performances, amusements, and games.

555 5. (5) To ascertain, locate, lay out, establish, open, change, alter, widen, abandon, regulate the use and
556 enjoyment of, prevent or remove any obstruction of, level, grade, flag, dress, macadamize, pave, gravel, shell, improve,

dredge, erect, remove, ~~repair~~ repair, or replace any ~~new~~ future or present street, highway, lane, alley, watercourse, park, lake, strand, crosswalk, wharf, ~~deck~~ dock, sewer, drain, ~~aqueduct~~ aqueduct, or pipe line, or portion thereof, or any ~~new~~ future or present sidewalk, ~~curb~~ curb, or gutter, or portion thereof, in ~~the City~~; The City of Rehoboth Beach; to specify the grade thereof, the materials to be used in the doing thereof and the manner in which the same ~~shall be~~ is done; and to enter into contracts or agreements for the doing thereof, including contracts or agreements with the ~~State Highway of the State of Delaware~~ Delaware Department of Transportation for the permanent maintenance, ~~repair~~ repair, and upkeep of any street, lane, alley, ~~roadway~~ roadway, or other highway within ~~the City~~; The City of Rehoboth Beach.

~~6. To regulate or control the observance of the Sabbath Day.~~

~~7. To establish and regulate pounds and to restrain, prohibit and impound any domestic or wild animal, beast, bird or fowl running at large, and to authorize the destruction of the same, and to impose taxes on the owners of dogs.~~

8. (6) To locate, regulate, license, ~~restrain~~ restrain, or require the removal of slaughter houses, wash houses, laundries, canning establishments, phosphate, fish, fertilizer or manure plants or establishments, swine pens, privies, water closets closets, and any ~~businesses or buildings~~ businesses, buildings, or conditions detrimental to the public ~~health or health~~, constituting a public ~~nuisance~~ nuisance, or of an offensive or noxious nature.

9. (7) To enforce the removal of snow, ice, ~~dirt~~ dirt, or other foreign substance from sidewalks and gutters by owners or abutting owners.

~~10. (8) To prohibit, remove, or regulate the erection and maintenance of, of any stoop, step, platform, bay window, cellar door, gate, area, descent, sign, post, or any other erection or projection in, over, upon~~ upon, or under any street, highway, alley, lane, watercourse, park, lake, strand, sidewalk, crosswalk, wharf, dock, sewer, drain, ~~aqueduct~~ aqueduct, or pipeline of ~~the City~~; The City of Rehoboth Beach.

~~11. (9) To define, prevent, abate~~ abate, or remove nuisances, ~~obstructions~~ obstructions, or any condition detrimental to the public safety, ~~health~~ health, or welfare.

~~12. (10)a. To provide an ample supply of pure water for the~~ The City of Rehoboth Beach and its inhabitants ~~and and, to this end~~ end, to acquire, lease, erect, construct, maintain, operate, extend, enlarge, renew, replace, ~~control~~ control, and dispose of wells, reservoirs, pumps, machines, stations, tanks, standpipes, water mains, fire ~~hydrants~~ hydrants, and all other equipment, ~~property~~ property, or rights used in and about the collection, storage, purification, conveyance, ~~distribution~~ distribution, or sale of water; to regulate and prescribe for what private or public purposes the water furnished by ~~the municipal corporation~~ The City of Rehoboth Beach may be used, the manner of its use, the amounts to be paid by the users thereof, the ~~means whereby such amounts shall be collected~~ method for collecting the users' payments, and the ~~finer or fines~~, penalties, or ~~both~~, both for any willful or negligent injury or damage to or

interference with the water system or equipment of ~~the City; The City of Rehoboth Beach~~; to furnish, or refuse to furnish, water from ~~the The City of Rehoboth Beach~~ system to places and properties outside ~~the The City of Rehoboth Beach~~ limits; and to contract for and purchase water and distribute the same to users ~~within or without the inside or outside~~ The City of Rehoboth Beach with the same full powers as though such water had been initially reduced to usefulness by ~~the municipal corporation~~ The City of Rehoboth Beach itself.

b. For all purposes of this Charter, ~~the word “user”~~ when referring to the users of either the public water system or the public sewer system ~~shall be deemed to mean~~ system, “user” means either the owner to whom the real estate is assessed or a leaseholder who holds land under a valid lease for a term of not less than ~~ten (10) 10 years and years~~, whose lease is of record in the Sussex County Office of the Recorder of Deeds, ~~in and for Sussex County; Deeds~~ and who has erected upon the leasehold an ~~improvement having an assessed valuation of at least One Thousand Dollars (\$1,000.00)~~ improvement.

43. (11) To provide, ~~construct.~~ construct, extend, maintain, ~~manage~~ manage, and control a sewer system ~~and/or system~~, a sewage treatment and disposal plant and ~~facilities~~ facilities, or both for the health, ~~sanitation~~ sanitation, and convenience of the inhabitants of ~~the City; The City of Rehoboth Beach~~; to regulate and prescribe for what private or public purposes the system may be used, the manner of its the system’s use, the amounts to be paid by the users thereof, ~~system’s users~~, the ~~means whereby such amounts shall be collected~~ methods for collecting the users’ payments, and the ~~finer or fines~~, penalties, or both, for any willful or negligent injury or damage to, or interference with with, the said system, ~~plant~~ plant, or facilities; to ~~furnish~~ furnish, or refuse to furnish, sewer disposal service from ~~the The City of Rehoboth Beach~~ system to places and properties outside ~~the The City of Rehoboth Beach~~ limits; in the interest of the public's health, to compel any ~~and all~~ properties in ~~the The City of Rehoboth Beach~~ to be connected to the sewer system of ~~the City; The City of Rehoboth Beach~~ and to contract for and purchase sewer disposal service and to resell the same to users ~~within or without the inside or outside~~ The City of Rehoboth Beach with the same full powers as though ~~such~~ the service had been initially provided by the facilities ~~therefor of the municipal corporation of~~ The City of Rehoboth Beach itself.

44. (12) To ~~provide~~ do any of the following:

a. Provide, construct, extend, maintain, ~~manage~~ manage, and control a plant and system, or plants and systems, for the generating, ~~manufacturing~~ manufacturing, and distributing of electric ~~current or current~~, gas, or both, to the inhabitants of ~~the The City of Rehoboth Beach~~ and for lighting the streets, highways, lanes, alleys, watercourses, parks, lake, strands, sidewalks, crosswalks, wharves, docks, public ~~buildings~~ buildings, or other public places of ~~the City, and The City of Rehoboth Beach and~~, to this ~~end~~ end, to acquire, lease, erect, construct,

~~maintain, operate,~~ maintain, operate, extend, enlarge, renew, replace, ~~control~~ control, and dispose of transmission and distribution lines, pipes, ~~mains~~ mains, and other conveyances for any ~~such~~ electric current or gas as ~~may be~~ is necessary ~~properly~~ to light ~~the City,~~ The City of Rehoboth Beach, and to furnish proper connections for electric current and gas to the properties of the inhabitants of ~~the~~ The City of Rehoboth Beach who ~~may~~ desire the same; ~~to regulate~~ electric current or gas.

b. Regulate and prescribe for what private or public purpose the electric current or gas furnished by ~~the municipal corporation~~ The City of Rehoboth Beach may be used, the manner of its use, the amount to be paid by the users thereof, the ~~mains whereby such amounts shall be collected~~ methods for collecting payment from users, and the ~~finer or fines,~~ penalties, or both, for any willful or negligent injury or damage to ~~or interference or~~ interference with ~~the an~~ an electric or gas system or systems of ~~the City; to furnish~~ The City of Rehoboth Beach.

c. Furnish, or refuse to furnish, electric current or gas from ~~the City's~~ The City of Rehoboth Beach's system or systems to places and properties outside ~~the The City limits; and to of Rehoboth Beach's limits;~~ contract for and purchase electric current or gas and distribute the same to user ~~within or without~~ the users inside or outside The City of Rehoboth Beach with the same full powers as though ~~such the electric~~ the electric current or gas had been initially reduced to usefulness by ~~the municipal corporation~~ The City of Rehoboth Beach itself.

~~15. To~~ (13) Within The City of Rehoboth Beach's limits, to fully control ~~within the City~~ the drainage of all water and, to that end, to alter or change the course and direction of any natural water course, ~~runs~~ runs, or rivulet within ~~the City,~~ The City of Rehoboth Beach; to regulate, maintain, ~~clean~~ clean, and keep the same open, ~~clean~~ clean, and ~~unobstructed,~~ unobstructed; and to provide, construct, extend, maintain, ~~manage~~ manage, and control a surface water drainage system and facilities for the ~~health, sanitation~~ health, sanitation, and convenience of the inhabitants of ~~the City,~~ The City of Rehoboth Beach.

16. (14) To provide, ~~construct,~~ construct, extend, maintain, ~~manage~~ manage, and control jetties, bulkheads, embankment, flood gates, piers, ~~boardwalks~~ boardwalks, or fills for the preservation of ~~any strand~~ any strand or high land within the limits of ~~the~~ The City of Rehoboth Beach or contiguous ~~thereto, to the end to~~ The City of Rehoboth Beach so that the same may be preserved, property ~~protected~~ protected, and the general public might enjoy the use thereof.

17. (15) To grant nonexclusive franchises or licenses to any responsible person, firm, ~~association~~ association, or corporation, for ~~such period of time,~~ the period, for ~~the consideration,~~ and upon ~~such~~ the terms, restrictions, ~~stipulations~~ stipulations, and conditions ~~and for such considerations as~~ The Commissioners shall deem wise, to use the present and future streets, highways, lanes, alleys, watercourses, parks, lakes, strands, sidewalks, crosswalks, wharves,

docks, and other public places of ~~the~~ The City of Rehoboth Beach for the purpose of furnishing heat, light, power, gas, water, sewer, drainage, electric current, telephone, telegraph, railroad ~~excepting railroads or railways not~~ engaged in interstate commerce, bus, ~~taxi~~ taxi, or other transportation, ~~carrier~~ carrier, or public service to ~~the~~ The City of Rehoboth Beach and to the persons, firms, or corporations residing or located ~~therein in~~ The City of Rehoboth Beach and for the purpose ~~any of transmitting the following purposes:~~

a. Transmitting the same from or through ~~the~~ The City of Rehoboth Beach to points outside ~~the limits thereof, and for the purpose of erecting~~ The City of Rehoboth Beach's limits.

b. Erecting wharves and piers, ~~and for the purposes of vending piers.~~

c. Vending any article of merchandise or service upon, or from any vehicle upon, any ~~such~~ present and future street, highway, lane, ~~alley, etc.;~~ provided, that no exclusive franchise or license shall be granted for any such purpose to any person, firm, association or corporation whomsoever. alley, etc.

~~18. (16)~~ To regulate and control the exercise of any license or franchise ~~mentioned in Section 29 (17) that may be granted under paragraph (15) of this Section of this Charter or intended so to be.~~ Charter.

~~19. (17)~~ To direct, ~~regulate~~ regulate, and control the planting, rearing, ~~treatment~~ treating, and preserving of ornamental shade trees in the streets, highways, avenues, ~~parks~~ parks, and grounds of ~~the~~ The City of Rehoboth Beach and to authorize or prohibit the removal or destruction of ~~said~~ ornamental shade trees.

~~20. (18)~~ To direct the digging down, draining, filling up, cleaning, ~~cutting~~ cutting, or fencing of lots, tracts, ~~pieces~~ pieces, or parcels of ground in ~~the~~ The City of Rehoboth Beach which may be deemed dangerous or unwholesome or necessary to carry out any improvements authorized by this Charter.

~~21. (19)~~ To provide for or regulate the numbering of houses and lots on the streets, and the naming of streets and avenues.

~~22. (20)~~ To regulate, ~~control~~ control, or prevent the ~~use of~~ storage of gunpowder, fireworks, tar, pitch, ~~resin~~ resin, and all other combustible materials and the use of candles, ~~lamps~~ lamps, and other lights in stores, shops, ~~stables~~ stables, and other places; to suppress, remove, or secure any fireplace, stove, chimney, oven, broiler, or other apparatus which may be dangerous in causing fire.

~~23. (21)~~ For the prevention of fire and the preservation of the beauty of ~~the City,~~ The City of Rehoboth Beach, to ~~regulate~~ do any of the following:

a. Regulate and control the manner of building or ~~removal of~~ removing dwelling houses and other ~~buildings; to establish~~ buildings.

676 b. Establish a code for the same building or removing dwelling houses and other buildings and to provide
677 for the granting of permits for the same; to establish same.

678 c. Establish a building line for buildings to be erected; zone erected.

679 d. Zone or district the The City of Rehoboth Beach and make particular provisions for particular zones or
680 districts with regard to building or building materials; and, generally to materials.

681 e. Generally exercise all the powers and authorities vested in the legislative body of cities and
682 incorporated towns under and by virtue of Chapter 179, Revised Code of Delaware, 1935, and all amendments
683 thereto; incorporated municipalities under Title 22 of the Delaware Code.

684 24. (22) To acquire, build, erect erect, and maintain a suitable place as a lock-up or jail for the The City of
685 Rehoboth Beach, which shall be is used as a place of detention for persons convicted of violation of law or ordinance,
686 or for the detention of persons accused of violation of law or ordinances for a reasonable time, in cases of necessity,
687 prior to hearing and trial; and to provide for the restraint, support support, and employment of paupers, beggars
688 beggars, and vagrants; provided, that the vagrants. The jails of Sussex County may be used for any such purpose, in
689 which event the City purpose allowed under this Section. If a Sussex County jail is used, The City of Rehoboth Beach
690 shall pay for the board of persons committed thereto to that jail for violations of The City of Rehoboth Beach
691 ordinances of the City which that are not violations of any general law of the this State.

692 25. (23) To acquire, build, erect erect, and maintain buildings and facilities necessary or required for housing
693 and equipping offices of the City, The City of Rehoboth Beach.

694 26. (24) To regulate or prevent the use of guns, air guns, spring guns, pistols, sling shots, beanshooters, and
695 any other devices for discharging missiles which might cause bodily harm or injury to property; and to regulate or
696 prevent the use of fireworks, bombs bombs, and detonating works of all kinds.

697 27. (25) To provide for the punishment of a violation of any ordinance of the The City of Rehoboth Beach by
698 a fine or imprisonment, or both, not exceeding Five Hundred Dollars (\$500) or sixty (60) days, and for working any
699 person sentenced to such imprisonment or any person who shall refuse to so work when ordered. \$2,500.

700 28. (26) To provide do any of the following:

701 a. Provide for the organization organization, control, and government of a fire department and the control
702 and government thereof; to establish department.

703 b. Establish fire limits and do all things necessary for the prevention or extinguishment of fires; and, in
704 their discretion, to contribute, donate to prevent or extinguish fires.

705 c. ~~Donate~~ or give such ~~amounts of money~~ money, as ~~they may~~ The Commissioners deem appropriate ~~unto~~
706 appropriate, to any ~~Volunteer Fire Company or Companies~~ volunteer fire company incorporated under the laws of
707 ~~Delaware, this State or any Volunteer Fire Association or Associations~~ volunteer fire association maintaining and
708 operating ~~fire fighting~~ firefighting equipment and service to ~~the City~~; ~~provided that any such~~ The City of Rehoboth
709 Beach. A contribution, ~~donation~~ donation, or gift may be made subject to ~~such~~ conditions and stipulations ~~as to the~~
710 ~~use thereof~~ on using the contribution, donation, or gift as The Commissioners ~~shall~~ deem advisable.

711 29. ~~(27)~~ To purchase, ~~take~~ take, and hold real and personal property ~~when~~ sold for any delinquent tax,
712 assessment, water rent, electric bill, gas bill, license fee, tapping fee, charge growing out of abatement of nuisances and
713 the like, laying out and repairing sidewalks, or other charge due ~~the~~ The City of Rehoboth Beach and to sell the same.

714 30. ~~(28)~~ To levy and collect taxes for any ~~and all~~ municipal purposes upon all real estate located within ~~the~~
715 City, The City of Rehoboth Beach, except lands belonging to ~~the~~ The City ~~provided that the~~ of Rehoboth Beach. The
716 amount to be raised from ~~this source shall~~ real estate taxes may not exceed ~~the sum of three million dollars~~
717 ~~(\$3,000,000.00).~~ 0.1% of the fully assessed value of all real estate located within The City of Rehoboth Beach.

718 31. ~~To levy and collect a personal or per capita tax upon all persons otherwise qualified to vote at any annual~~
719 ~~municipal election to be used for any and all municipal purposes and not to exceed the sum of One Dollar (\$1.00) in~~
720 ~~any one year for each such person.~~

721 32. ~~To~~ (29) Except telephone, telegraph, power lines or poles, and rail lines owned or operated by any railroad
722 or railway company engaged in interstate commerce, to levy and collect taxes upon all telephone, telegraph, power
723 poles, pipe lines, rail ~~lines~~ lines, or other constructions or erections of a like character erected within the limits of ~~the~~
724 City, The City of Rehoboth Beach, together with the wire or other appliances thereto or thereon attached, ~~expressly~~
725 ~~excepting all telephone, telegraph, power lines or poles and rail lines owned or operated by any railroad or railway~~
726 ~~company engaged in interstate commerce,~~ for any ~~and all~~ purposes, and to this end may at any time direct the same to
727 be included in or added to the ~~City Assessment.~~ In case annual assessment. If the owner or lessee of such constructions
728 or erections, ~~wires~~ wires, or other appliances ~~shall refuse~~ refuses or ~~neglect~~ neglects to pay the taxes levied thereon, in
729 addition to the remedies for the collection ~~thereof~~ of taxes set forth in Section 27 of this Charter, The Commissioners
730 ~~shall have authority to~~ may cause the same to be removed.

731 33. (30) To license, ~~tax~~ tax, and collect fees annually for any ~~and all municipal purposes (including purposes,~~
732 ~~including the cost and expense of advertising the City)~~ The City of Rehoboth Beach, of ~~such~~ various amounts as The
733 Commissioners from time to time ~~shall~~ fix, from any individual, firm, ~~association~~ association, or corporation carrying
734 on or practicing any business, ~~profession~~ profession, or occupation within ~~the limits of the Town;~~ ~~provided, however,~~

735 ~~that nothing herein shall~~ The City of Rehoboth Beach's limits. Nothing in this paragraph may be so construed as to
736 make it mandatory ~~upon~~ for any resident of ~~the~~ this State to apply for a license in order to ~~sell~~ sell, in ~~the~~ The City of
737 Rehoboth Beach, any farm produce or products grown upon a farm owned by the vendor or any member of ~~his~~ the
738 vendor's family with whom he the vendor resides.

739 34. (31) To determine from which authorized sources and in what proportions taxes ~~shall be~~ are levied and
740 used each year to raise the revenue or funds required to meet the general expenses of ~~the municipal corporation~~ The
741 City of Rehoboth Beach and all funding, ~~amortization~~ amortization, and interest requirements on ~~it's the~~ The City of
742 Rehoboth Beach's outstanding bonds or other indebtedness.

743 35. (32) To provide for the collection of and disbursement of all ~~monies~~ moneys to which ~~the~~ The City of
744 Rehoboth Beach may become entitled by law, including licenses and fines, ~~where~~ if no provision for the collection and
745 disbursement ~~thereof~~ of the moneys is otherwise provided in ~~the~~ this Charter.

746 36. (33) To borrow money in the name of ~~the~~ The City of Rehoboth Beach for any proper municipal purpose,
747 and in order to secure the payment of the same, to issue bonds or other kinds or forms of certificate or certificates of
748 indebtedness, pledging the full faith and credit of ~~the~~ The City of Rehoboth Beach or such other security or securities
749 as The Commissioners ~~shall~~ select, for the payment of the principal ~~thereof~~ and ~~the interest due thereon~~, ~~all of which~~
750 interest. The bonds or other kinds or forms of certificates of indebtedness issued by ~~the~~ The City shall be of Rehoboth
751 Beach are exempt from all State, County state, county, or municipal taxes; provided, that in no event shall the taxes.
752 The indebtedness of the City for any and all purposes, The City of Rehoboth Beach for all purposes may not at any one
753 time exceed in aggregate ~~seventy-five million dollars (\$75,000,000.00).~~ \$75,000,000.

754 37. ~~To acquire, and/or~~ (34) By way of condemnation or eminent domain, to acquire or to vacate the use of,
755 lands, tenements, personalty, property, easements, rights of way, or any interest in property, ~~either within or without~~
756 inside or outside the limits of ~~the City, by way of condemnation and eminent domain,~~ The City of Rehoboth Beach, for
757 any proper and lawful municipal purpose or whenever required properly to carry out, ~~exercise~~ exercise, or fulfill any
758 power conferred upon or delegated to ~~the municipal corporation~~ The City of Rehoboth Beach by ~~the~~ this Charter.
759 Proceedings by way of condemnation ~~in any such case shall be~~ are the same ~~or prescribed hereafter in Section 33 of~~
760 this Charter as for the opening and laying out of new streets or the vacating or abandoning of old streets and the under
761 Section 33 of this Charter. The resolutions referred to in said Section 33 shall must be changed and modified to cover
762 any case contemplated ~~hereby.~~ under this paragraph.

763 38: (35) To appropriate money to pay the debts, ~~liabilities~~ liabilities, and expenditures of ~~the City, or any part~~
764 ~~or item thereof, The City of Rehoboth Beach~~ from any ~~fund applicable thereto, applicable fund~~, and to temporarily
765 transfer ~~temporarily~~ money from one fund to another fund of ~~the Town~~ in case of emergency.

766 39: (36) To provide for the payment of any tax, fine, penalty, license, forfeiture, assessment, fee, ~~charge~~
767 ~~charge~~, or other amount due ~~the The City of Rehoboth Beach~~ by the performance of labor or service for ~~the The City of~~
768 Rehoboth Beach by any person owing the same.

769 40: (37) To inquire into and investigate the conduct of any office, officer, agent, or employee of ~~the The City~~
770 of Rehoboth Beach or any municipal ~~affair, and for~~ affair. For any such ~~purpose or purposes~~ purpose, The
771 Commissioners may subpoena witnesses, administer oaths or affirmations, and compel the attendance of witnesses and
772 production of books, ~~papers~~ papers, or other evidence by summary process.

773 41: (38)a. To make, ~~adopt~~ adopt, and establish ~~all such~~ ordinances, regulations, ~~rules~~ rules, and ~~by-laws,~~
774 bylaws, not contrary to the laws of this State ~~and or~~ the United States, as The Commissioners ~~may~~ deem necessary to
775 carry into effect any of the provisions of this Charter or any other law of ~~the this~~ State relating generally to municipal
776 corporations or which ~~they The Commissioners~~ may deem proper and necessary for the good government of ~~the City,~~
777 The City of Rehoboth Beach, the protection and preservation of persons and ~~property~~ property, and of the public health
778 and welfare of ~~the The City of Rehoboth Beach~~ and its ~~inhabitants; provided, that any~~ inhabitants.

779 b. Any ordinance relating to the public health of ~~the The City of Rehoboth Beach~~ and its inhabitants, or
780 designed to prevent the introduction or spread of infectious or contagious ~~diseases,~~ diseases or to prevent
781 nuisances affecting the same, ~~shall apply not only~~ applies within the corporate limits of ~~the The City but as well of~~
782 Rehoboth Beach and to all areas and persons within 1 mile outside the The City ~~within one mile from said of~~
783 Rehoboth Beach limits.

784 42: (39) To establish, by ordinance ~~duly adopted in accordance with~~ under this ~~Chapter,~~ Charter, a pension
785 ~~plan or plan,~~ a health and welfare plan, or both, for the employees of The City of Rehoboth Beach under ~~such the~~ terms
786 and conditions as The Commissioners, in their discretion, deem most ~~appropriate; provided, that the~~ appropriate. If
787 deemed advisable by The Commissioners, the method of funding may, if deemed advisable by The Commissioners,
788 may be accomplished through an insurance company licensed by the State of Delaware or authorized to do business in
789 this State and approved by a majority of The Commissioners.

790 43: (40)a. To borrow ~~money up to \$1,000,000 a year~~ in anticipation of revenues on the full faith and credit of
791 The City of Rehoboth Beach ~~sum or sums not exceeding One Million Dollars (\$1,000,000) in any one year when, if, in~~

792 the opinion of a majority of ~~the Commissioners of Rehoboth Beach~~, The Commissioners, the needs of The City of
793 Rehoboth Beach require it.

794 b. Any sum so borrowed ~~shall~~ must be secured by promissory notes of The City of Rehoboth ~~Beach~~
795 Beach, which are duly authorized by a ~~Resolution~~ resolution adopted by the ~~The~~ Commissioners of ~~Rehoboth~~
796 Beach and signed by the Mayor of ~~The City of Rehoboth Beach~~ and attested by the Secretary of ~~the~~
797 ~~Commissioners of Rehoboth Beach~~ with the corporate seal ~~affixed and no~~ affixed. ~~An~~ officer or Commissioner
798 ~~shall be~~ is not liable for the payments of ~~such~~ the promissory notes because ~~it is~~ the officer or Commissioner
799 ~~signed by them~~ the promissory notes as ~~officers~~ an officer or Commissioner of The City of Rehoboth Beach and is
800 the promissory notes are authorized by the ~~Resolution~~ resolution of ~~the Commissioners of Rehoboth Beach~~;
801 ~~PROVIDED, HOWEVER, that The Commissioners. But~~ the total sum outstanding at any one time ~~shall~~ may not
802 exceed ~~One Million Dollars (\$1,000,000); AND PROVIDED FURTHER, that any \$1,000,000.~~

803 c. Any sum of money ~~so borrowed, as aforesaid, borrowed under this paragraph (40)~~ in any fiscal year
804 ~~shall must~~ be paid from the general fund of The City of Rehoboth Beach, and ~~shall~~ may be completely repaid at
805 any time but must be completely ~~paid~~ paid, with interest, at the end of ~~ten (10)~~ 10 fiscal years following the first
806 fiscal year when ~~said the sum or sums were borrowed with interest thereon; and PROVIDED FURTHER, that~~
807 ~~such ad~~ was borrowed. Ad valorem taxes shall be levied as are necessary to pay the principal of and interest on
808 ~~said the~~ bonds ~~as is required~~ without regard to any other limitation concerning the maximum rate of ~~taxation and~~
809 ~~such~~ taxation. The notes and the interest ~~thereon shall be~~ on the notes are exempt from all taxation by ~~the this~~ State
810 ~~of Delaware~~ or by any political subdivision, ~~agency~~ agency, or subdivision ~~thereof~~ of this State.

811 44. (41) To impose and collect a lodging tax of no more than 3% of the rent, in addition to the amount imposed by
812 ~~the this~~ State, for the occupancy of any room ~~or rooms~~ in a hotel, motel, or tourist home ~~which is~~ located within the
813 boundaries of ~~the City~~, The City of Rehoboth Beach, under Chapter 61 of Title 30 of the Delaware Code.

814 Indemnification Of City Officers And Employees

815 Section 29A.

816 (a) For purposes of this ~~section, the term~~ Section, “city officers and employees” ~~shall include~~ includes the Mayor
817 and ~~the Commissioners of the City of Rehoboth Beach~~, other Commissioners, all appointed ~~officers~~ officers, and all
818 employees of ~~the~~ The City of Rehoboth Beach.

819 (d)(1) The ~~city solicitor~~ City Solicitor shall undertake the representation or defense without charge of any city
820 officer or employee in a civil action arising out of or related to the performance ~~by said officer or employee of his~~ of the
821 city officer’s or employee’s public duties; or duties.

822 (2) The City Solicitor may undertake the representation or defense without charge of any city officer or
823 employee in a criminal action arising from the performance of his the city officer's or employee's duties and which
824 duties, if the action does not allege official misconduct, profiteering, bribery, receiving unlawful gratuities, improper
825 influence influences, or other use of his their office or employment. An A city officer or employee may select his or
826 her their attorney with the concurrence of the city solicitor City Solicitor and the The Commissioners.

827 (e) ~~An A~~ A city officer or employee who is held liable for the payment of any claims arising out of a civil action, or
828 settlements, judgments, expenses, costs costs, and awards of attorneys attorney's fees arising therefrom, shall be from the
829 civil action, is entitled to indemnification therefor from the where The City of Rehoboth Beach, if the City Solicitor
830 determines, subject to The Commissioners' approval, that the claim shall have been determined by the city solicitor, subject
831 to the approval of the Commissioners, to have resulted from activities; which: activities that were all of the following:

832 ~~1. Were done~~ (1) Done in good faith; and faith.

833 ~~2. Where done~~ (2) Done in the reasonable belief that such the activities were in the The City of Rehoboth
834 Beach's best interest of the City, and in the furtherance of the The City of Rehoboth Beach's official practices and
835 policies of the City; and policies.

836 ~~3. Were within~~ (3) Within the city employee's or officer's the scope of authority of the person so acting; and
837 authority.

838 ~~4. Were within the~~ (4) Within the city employee's or officer's course of employment of the person so acting;
839 and employment.

840 ~~5. Were not wilful, malicious~~ (5) Not willful, malicious, or wanton.

841 (f) In addition to ~~the City's~~ The City of Rehoboth Beach's obligation to indemnify ~~City~~ city officers and
842 employees, the City ~~Manager~~ Manager, on behalf of ~~the~~ is hereby authorized to The City of Rehoboth Beach, may enter
843 into contracts of insurance for the indemnification of ~~City~~ city officers and employees who are determined to be entitled
844 thereto to indemnification in accordance with ~~subparagraph (e)~~ subsection (e) of this section; Section, or for ~~such~~ broader
845 coverage as ~~he the City Manager~~ deems advisable.

846 (g)(1) The Commissioners ~~may, upon resolution, authorize~~ may authorize, by resolution, the payment of legal fees
847 incurred by a ~~City~~ city officer or employee for representation in a criminal action, if the charge arose out of or in the course
848 of City employment. the city officer's or employee's official duties. The Commissioners shall review an application for
849 reimbursement based ~~upon on~~ on the criteria set forth in subsection (e). ~~In no event shall any payment (e) of this Section.~~

850 (2) ~~Payment~~ under this ~~section~~ subsection may not be authorized where the if the city officer or employee has
851 has, after trial and any appeal, been found guilty of, ~~after trial and any appeal,~~ or has entered a plea of guilty or nolle
852 contendere nolo contendere, to a crime involving a breach of public trust.

853 Drainage

854 Section 38.

855 (a)(1) ~~The Commissioners of Rehoboth Beach shall have the full jurisdiction and control, within the limits of the~~
856 City, within The City of Rehoboth Beach's limits, have all of the following:

857 a. The full jurisdiction and control of the drainage of all ~~water thereof, together with the water.~~

858 b. The right to alter and change the course and direction of any of the natural water courses, runs and
859 rivulets ~~within the limits of the~~ The City of Rehoboth Beach's limits. and

860 (2) ~~The Commissioner~~ Commissioners may pass ordinances for the opening of gutters, surface water and
861 underground drains and sewers ~~within the limits of the City.~~ The City of Rehoboth Beach's limits.

862 (b)(1) ~~The Commissioners of Rehoboth Beach shall also~~ have full power to regulate, maintain, ~~clean~~ clean, and
863 keep the natural water courses, ~~runs~~ runs, and rivulets ~~within the~~ The City of Rehoboth Beach's limits ~~open and clean~~ open,
864 clean, and unobstructed and for that purpose may authorize the entry upon private lands and take, ~~condemn~~ condemn, and
865 occupy the ~~same~~ private lands in the same manner and by the same condemnation proceedings as ~~hereinbefore~~ provided by
866 Section 33 of this ~~Charter, which is concerned with the opening and laying-out of any streets.~~ Charter. By like proceedings
867 ~~The Commissioners of Rehoboth Beach shall also~~ have the power and authority to enter upon private lands and take,
868 ~~condemn~~ condemn, and occupy the ~~same~~ private lands for the purpose of laying-down ~~gutters, surface~~ any of the following
869 within The City of Rehoboth Beach's limits:

870 a. Gutters.

871 b. Surface water and underground water ~~drains or sewers, or any of them, within the City limits.~~
872 Provided, however, that the drains.

873 c. Sewers.

874 (2) ~~The~~ resolutions referred to in Section 33 of this Charter ~~shall~~ must be changed and modified to cover those
875 cases contemplated by this ~~particular~~ Section ~~of the Charter shall be changed and modified to cover those cases~~
876 ~~contemplated by this particular~~ Section of the Charter.

SYNOPSIS

This Act amends the City of Rehoboth Beach's Charter by making all of the following changes requested by The Commissioners (The Commissioners) of the City of Rehoboth Beach (Rehoboth Beach):

1. Adds qualifications for candidates to be eligible for election or appointment to serve as a member of The Commissioners, including the Mayor, and requires a candidate to file an affidavit of eligibility attesting that the candidate meets the required qualifications. A candidate for election or appointment must meet all of the following qualifications:
 - The candidate is not a spouse, domestic partner, or cohabitant of a serving member of The Commissioners.
 - The candidate does not reside in the same household as a serving member of The Commissioners
 - The candidate does not share a financial interest with a serving member of The Commissioners
2. Eliminates mileage reimbursement for non-resident Commissioners.
3. Updates the process for fixing the salaries for members of The Commissioners, including the Mayor, by allowing The Commissioners to fix the salaries by ordinance. An ordinance to increase salaries may not take effect earlier than 6 months after the ordinance is adopted.
4. Eliminates the Mayor's civil and criminal jurisdiction because Rehoboth Beach has an Alderman and Assistant Alderman with civil and criminal jurisdiction. Also eliminates the Mayor's duty to keep a docket of official acts because the Mayor's Court is eliminated. The Alderman and Assistant Alderman are required to record all official acts in the Alderman's docket. Also, information regarding actions taken by the Mayor and the other Commissioners is available on Rehoboth Beach's public website.
5. Adds a new subsection under Section 13 of the Charter to clarify that the Mayor retains the power to solemnize marriages in Rehoboth Beach, even though the Mayor's Court is eliminated.
6. Eliminates the penalties for the Mayor failing to return documents and moneys belonging to Rehoboth Beach at the end of the Mayor's term. Due to advancements in technology, the Mayor does not physically hold moneys belonging to Rehoboth Beach and documents belonging to Rehoboth Beach are stored electronically.
7. For violating an ordinance, increases the maximum fine from \$500 to \$2,500 and removes the penalties of imprisonment and being ordered to work while imprisoned.
8. Updates the Auditors of Accounts section to do all of the following:
 - Require the appointment of 1 certified public accountant or accounting firm to serve as an independent Auditor of Accounts (Auditor) for a 5-year term.
 - Prohibit reappointment of an Auditor until the expiration of 5 years since the Auditor last served.
 - Remove the requirement that the Auditor to be a substantial freeholder in Rehoboth Beach.
 - Change publication of the auditor's report from a newspaper to the Rehoboth Beach website.
9. Removes the minimum valuation for real estate or improvements subject to assessment.
10. Adds the option for Rehoboth Beach to adopt county assessments for municipal tax purposes in compliance with Chapter 11 of Title 22 of the Delaware Code.
11. If Rehoboth Beach does not adopt county assessments, the Tax Assessor must reassess property at least every 5 years, to mirror the county reassessments required under § 8306 of Title 9 of the Delaware Code.
12. Updates the deadline for certification of a quarterly supplemental tax list to match Rehoboth Beach's fiscal year.
13. Requires Rehoboth Beach to calculate the rolled-back rate and to provide notice of the difference between the rolled-back rate and the tax rate set by The Commissioners, as provided in § 1105 of Title 22 of the Delaware Code.
14. Changes the deadline for preparing the City Budget from May to March and changes the deadline for levying annual taxes from June to March because Rehoboth Beach's fiscal year begins on April 1.
15. Updates the process for fixing the compensation or salary for Rehoboth Beach's employees, officers, and agents, other than the members of the Commissioners, to conform with modern practices. Salary or compensation is fixed in the City Budget instead of at the annual meeting.
16. Removes The Commissioners' powers to do all of the following because the powers are no longer relevant to present day and are no longer exercised by The Commissioners:
 - Regulate the observance of the Sabbath Day.
 - Establish and regulate pounds.
 - Prohibit or impound wild or domestic animals.
 - Impose taxes on dog owners.
 - Collect a per capita tax on all persons who are qualified to vote in the annual municipal election.
17. Changes the cap on real estate taxes from \$3,000,000 to 0.1% of the fully assessed value of all real estate located in Rehoboth Beach.

This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual, including reorganizing paragraphs, deleting redundant language, correcting typos and misspellings, fixing tabulation, and editing outdated or unclear language. The changes to Sections 7, 29A, and 38 of the Charter are technical changes and not substantive changes. These changes to these Sections to fix typos and misspellings, correct internal references, use consistent terms, and reorganize the Sections so that the language is more clear.

This Act requires a greater than majority vote for passage because § 1 of Article IX of the Delaware Constitution requires the affirmative vote of two-thirds of the members elected to each house of the General Assembly to amend a municipal charter.

Author: Senator Huxtable

SYNOPSIS – the Synopsis in legislation is not considered part of the legislation, but rather provides a explanation of the purpose and effect of the language.

1.Adds qualifications for candidates to be eligible for election or appointment to serve as a member of The Commissioners, including the Mayor, and requires a candidate to file an affidavit of eligibility attesting that the candidate meets the required qualifications. A candidate for election or appointment must meet all of the following qualifications:

- The candidate is not a spouse, domestic partner, or cohabitant of a serving member of The Commissioners.
- The candidate does not reside in the same household as a serving member of The Commissioners
- The candidate does not share a financial interest with a serving member of The Commissioners **LINES 32-83**

2.Eliminates mileage reimbursement for non-resident Commissioners. **LINES 117-122**

3.Updates the process for fixing the salaries for members of The Commissioners, including the Mayor, by allowing The Commissioners to fix the salaries by ordinance. An ordinance to increase salaries may not take effect earlier than 6 months after the ordinance is adopted. **LINES 123-126**

4.Eliminates the Mayor's civil and criminal jurisdiction because Rehoboth Beach has an Alderman and Assistant Alderman with civil and criminal jurisdiction. Also eliminates the Mayor's duty to keep a docket of official acts because the Mayor's Court is eliminated. The Alderman and Assistant Alderman are required to record all official acts in the Alderman's docket. Also, information regarding actions taken by the Mayor and the other Commissioners is available on Rehoboth Beach's public website. **LINES 274-306**

5.Adds a new subsection under Section 13 of the Charter to clarify that the Mayor retains the power to solemnize marriages in Rehoboth Beach, even though the Mayor's Court is eliminated. **LINE 307**

6. Eliminates the penalties for the Mayor failing to return documents and moneys belonging to Rehoboth Beach at the end of the Mayor's term. Due to advancements in technology, the Mayor does not physically hold moneys belonging to Rehoboth Beach and documents belonging to Rehoboth Beach are stored electronically **LINE 293-298**

7. For violating an ordinance, increases the maximum fine from \$500 to \$2,500 and removes the penalties of imprisonment and being ordered to work while imprisoned. **LINES 697-699**

8. Updates the Auditors of Accounts section to do all of the following: **LINES 308-331**

Require the appointment of 1 certified public accountant or accounting firm to serve as an independent Auditor of Accounts (Auditor) for a 5-year term.

- Prohibit reappointment of an Auditor until the expiration of 5 years since the Auditor last served.
- Remove the requirement that the Auditor be a substantial freeholder in Rehoboth Beach.
- Changes publication of the auditor's report from a newspaper to the Rehoboth Beach website.

9. Removes the minimum valuation for real estate or improvements subject to assessment. **LINE 356**

10. Adds the option for Rehoboth Beach to adopt county assessments for municipal tax purposes in compliance with Chapter 11 of Title 22 of the Delaware Code. **LINES 346-347**

11. If Rehoboth Beach does not adopt county assessments, the Tax Assessor must reassess property at least every 5 years, to mirror the county reassessments required under § 8306 of Title 9 of the Delaware Code, beginning in 2030. **LINES 378-380**

12. Updates the deadline for certification of a quarterly supplemental tax list to match Rehoboth Beach's fiscal year. **LINE 384**

13.Requires Rehoboth Beach to calculate the rolled-back rate and to provide notice of the difference between the rolled-back rate and the tax rate set by The Commissioners, as provided in §1105 of Title 22 of the Delaware Code. LINES 492-496

14.Changes the deadline for preparing the City Budget from May to March and changes the deadline for levying annual taxes from June to March because Rehoboth Beach's fiscal year begins on April 1. LINE 497

15.Updates the process for fixing the compensation or salary for Rehoboth Beach's employees, officers, and agents, other than the members of the Commissioners, to conform with modern practices. Salary or compensation is fixed in the City Budget instead of at the annual meeting. LINES 534-540

16.Removes The Commissioners' powers to do all of the following because the powers are no longer relevant to present day and are no longer exercised by The Commissioners: LINES 564-566

- Regulate the observance of the Sabbath Day.
- Establish and regulate pounds.
- Prohibit or impound wild or domestic animals.
- Impose taxes on dog owners.
- Collect a per capita tax on all persons who are qualified to vote in the annual municipal election. LINES 718-720

17. Changes the cap on real estate taxes from \$3,000,000 to 0.1% of the fully assessed value of all real estate located in Rehoboth Beach. LINE 716-717

This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual, including reorganizing paragraphs, deleting redundant language, correcting typos and misspellings, fixing tabulation, and editing outdated or unclear language. The changes to Sections 7, 29A, and 38 of the Charter are technical changes and not substantive changes. The changes to these Sections fix typos and misspellings, correct internal references, use consistent terms, and reorganize the Sections so that the language is clear.



Aged Building Safety Inspection Program

A New Property-Maintenance Program
for Rehoboth Beach

Department of Building & Licensing | 2026

TODAY'S OVERVIEW



Why We're Here

The problem this solves



What Buildings Qualify

Who this applies to



How It Works

The inspection process



What Owners Must Do

Requirements & timelines



Why This Approach

How we designed the program



What Comes Next

Timeline & next steps

WHY WE'RE HERE



Older buildings can hide serious problems.

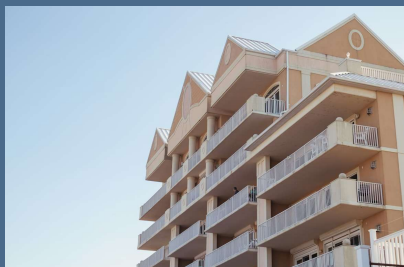
Coastal conditions speed up wear.

This program finds risks before failure happens.

WHAT BUILDINGS QUALIFY?



COVERED BUILDINGS



4+ stories or over 50 feet

Typically multi-family, lodging,
or mixed-use
Detached single-family homes excluded

LIMITED-SCOPE BUILDINGS



Some smaller buildings with exposed exterior elements

Applies where balconies, decks,
or exterior components create
identified risk

NOT INCLUDED



Detached single-family homes

Excluded from this program.

HOW IT WORKS



1



Trigger

Building reaches inspection age
— or sooner if safety
concerns arise

2



Inspection

Owner hires a licensed
Delaware engineer
or architect

3



Report & Repair

Report is submitted and
repairs are made
if needed

Inspection Cadence: Façade & Exterior — every 5 years | Structural (PLBS) — every 10 years

WHAT OWNERS MUST DO



01

Hire a licensed professional

A Delaware-licensed engineer or architect performs the inspection and signs the report.

02

Submit the report to the City

Report must be complete and meet City requirements.

03

Address any deficiencies found

Submit a Repair Plan within 30 days. Extensions available for good cause on written request.

04

Repeat on schedule

Façade inspection every 5 years. Full structural inspection every 10 years.

WHY THIS APPROACH?



Targeted, Not Broad

Single-family homes excluded. Focus is on multi-story buildings and smaller buildings with exterior risk.



Property-Maintenance, Not Zoning

No change to zoning, height limits, density, or development rights.



Licensed Professionals Evaluate

Engineers and architects inspect and certify. The City reviews for compliance and sufficiency.



Repairs, Not Code Upgrades

Buildings do not have to meet current construction codes. Only unsafe or deteriorated conditions must be addressed.



The City Can Require Adequate Reports

The Building Official can reject superficial reports and require additional investigation where necessary.



Designed for Rehoboth Scale

Risk-based, phased, and proportional to our building stock and coastal conditions.

WHO DOES WHAT?



PROPERTY OWNER

Hires and retains the licensed professional responsible for evaluation

Submits the required report

Pays for inspection and repair work

Addresses deficiencies and follows the schedule

Responsible for responding to findings and completing corrective action

CITY OF REHOBOTH BEACH

Administers the program

Reviews reports for compliance and sufficiency

May require additional information where needed

Enforces deadlines and corrective action

Does NOT inspect or certify buildings as safe

The City administers. Licensed professionals evaluate. Owners are responsible.

COMMON QUESTIONS



Q Does this force buildings to meet current codes?

A No. Only unsafe or deteriorated conditions must be addressed. Building age alone does not trigger code upgrades.

Q Is the City inspecting every building?

A No. This is a targeted program focused on higher-risk buildings. Detached single-family homes are excluded.

Q What if there is disagreement about a designation or decision?

A Owners receive written notice and may seek reconsideration or appeal final determinations.

Q Why do this now?

A To identify risks earlier and protect public safety — before problems become emergencies.

CONCLUSION



This program is designed to:

Identify risk early

Protect public safety

**Support responsible
long-term building
maintenance**

This ordinance is designed to identify and address building deterioration before it becomes a life-safety event, while staying within the City's authority and administrative capacity.

City of Rehoboth Beach | Department of Building & Licensing

Version: 1

Authors: Corey Shinko

Topic: An ordinance to amend the City of Rehoboth Beach Code by establishing an aged building safety inspection program for certain existing buildings and exterior building components

Presentation Date: Mayor and Commissioners Meeting, April 6, 2026.

1 **AN ORDINANCE TO AMEND CHAPTER 208, PROPERTY MAINTENANCE**
2 **OF THE MUNICIPAL CODE OF THE CITY OF REHOBOTH BEACH, BY**
3 **ESTABLISHING AN AGED BUILDING SAFETY INSPECTION PROGRAM FOR**
4 **CERTAIN EXISTING BUILDINGS AND EXTERIOR BUILDING COMPONENTS**

5
6 **WHEREAS**, the Mayor and Commissioners of the City of Rehoboth Beach have a
7 responsibility to protect the public health, safety, and welfare by ensuring that buildings and
8 structures within the City are maintained in a safe and sound condition throughout their useful life;
9 and

10
11 **WHEREAS**, the Mayor and Commissioners of the City of Rehoboth Beach possess
12 authority under the laws of the State of Delaware, including Title 22 of the Delaware Code and the
13 City Charter, to enact regulations necessary to protect the public health, safety, and welfare,
14 including the maintenance and safety of buildings and structures within the City; and

15
16 **WHEREAS**, the City recognizes that certain building systems and exterior structural
17 components—particularly in aging, multi-story, and coastal buildings—are subject over time to
18 deterioration, corrosion, water intrusion, and other conditions that may not be readily apparent
19 without professional evaluation; and

20
21 **WHEREAS**, the tragic collapse of an aging residential building in Surfside, Florida,
22 underscored the importance of proactive inspection and maintenance of structural systems,
23 building envelopes, balconies, and similar exterior components in order to identify and address
24 hazardous conditions before they result in loss of life or property; and

25
26 **WHEREAS**, numerous municipalities have since adopted periodic inspection and
27 recertification programs for older buildings as a preventative public-safety measure, particularly
28 for multi-story residential, lodging, and mixed-use buildings; and

29
30 **WHEREAS**, the City of Rehoboth Beach is a coastal community with environmental
31 conditions that may accelerate deterioration of building materials and structural connections,
32 especially in buildings with elevated exterior elements exposed to salt air, moisture, and wind; and

33
34 **WHEREAS**, the Mayor and Commissioners find it appropriate to establish a structured,
35 risk-based inspection and reporting program for certain aging buildings and exterior building
36 components, while avoiding unnecessary regulation of detached single-family dwellings and
37 ensuring flexibility for limited-scope inspections where appropriate; and

38
39 **WHEREAS**, the City has adopted the International Property Maintenance Code and
40 related building codes, and the establishment of a periodic inspection program for existing

41 buildings is consistent with, and supplemental to, those adopted standards and the City's existing
42 enforcement authority; and

43
44 **WHEREAS**, the Mayor and Commissioners further find that the purpose of this Article is
45 to identify and address unsafe or deteriorated building conditions through professional evaluation
46 and appropriate repair, and not to require existing buildings to be retrofitted to current construction
47 codes solely due to age; and

48
49 **WHEREAS**, the Mayor and Commissioners find that the amendments set forth herein are
50 consistent with the public health, safety, and welfare and are necessary to protect residents, visitors,
51 and the general public;

52
53 **BE IT ORDAINED**, by the Commissioners of the City of Rehoboth Beach, in session met,
54 in the manner following to wit:

55
56 **Section 1.** Chapter 208 of the Code of the City of Rehoboth Beach, Delaware, 2001, as
57 further amended by adding a new Article II, consisting of § 208-14 through § 208-26, as follows:

58
59 **ARTICLE II**

60 **Aged Building Safety Inspection Program**

61
62 **§ 208-14. Purpose and intent.**

- 63
64 A. The purpose of this Article is to establish a periodic inspection and reporting program for
65 certain aging buildings and exterior building components to identify conditions requiring
66 corrective maintenance, repair, or immediate protective measures in order to protect the
67 public health, safety, and welfare.
68
69 B. The inspections and reports required by this Article constitute mandatory property-
70 maintenance obligations. This Article supplements—but does not replace—the City's
71 adopted codes and enforcement authority, including Chapter 102 (Building Construction),
72 the International Existing Building Code as adopted therein, the International Property
73 Maintenance Code as adopted in this chapter, and all other remedies available to the City
74 relating to unsafe or dangerous structures or conditions. The identification, or failure to
75 identify, a condition through this Article shall not be deemed a determination of compliance
76 with any other applicable requirement, nor shall it limit the City's authority to address
77 unsafe, unsanitary, or otherwise unlawful conditions under any other provision of law.
78
79 C. This Article shall be implemented in a manner that is risk-based, phased where appropriate,
80 and administratively executable, with particular consideration for coastal environmental
81 exposure and publicly accessible frontage where falling hazards present heightened risk.
82

D. Nothing in this Article shall be construed to create a duty or liability on the part of the City, its officers, employees, or agents to any person or entity. The provisions of this Article are adopted for the protection of the public health, safety, and welfare and shall not be interpreted as creating a private cause of action or expanding civil liability against the City.

§ 208-15. Definitions.

A. Governing definitions; no zoning amendment.

The terms “building,” “structure,” “story,” and “height” are used in this Article solely for purposes of administering this property maintenance inspection program and shall not be construed to amend, supersede, or interpret Chapter 270 (Zoning). Except as expressly defined herein, terms shall have the meanings set forth in the International Property Maintenance Code as adopted in this chapter and the building codes adopted in Chapter 102, as applicable.

For purposes of this Article, the following terms shall have the meanings indicated:

BALCONY/DECK SYSTEM

Any elevated exterior platform, balcony, deck, stair, landing, railing, guard, or associated structural attachment, including waterproofing interfaces, that is attached to or supported by a building and is accessible, occupiable, or located above an area of pedestrian access such that failure could create a falling hazard.

BUILDING OFFICIAL / CODE OFFICIAL

The official(s) authorized by the City to administer and enforce Chapter 102 and Chapter 208, or their designee.

COVERED BUILDING

Any building or structure located within the City meeting one or more of the following criteria:

1. Any building four (4) stories or more or greater than fifty (50) feet in height, excluding detached one-family dwellings; or
2. Any building or structure designated by the Building Official as requiring inspection under this Article based on documented Observable Damage, coastal exposure, public occupancy characteristics, history of deterioration, or other objective risk factors reasonably indicating elevated life-safety risk, documented in writing and provided to the owner.

The story and height thresholds in this definition are program-eligibility criteria only and do not create, modify, or authorize any zoning entitlement, dimensional standard, or nonconformity determination under Chapter 270.

LIMITED-SCOPE COVERED BUILDING

A building that is three (3) stories or less and otherwise excluded from the definition of “Covered Building,” excluding detached one-family dwellings, but that contains one or more Balcony/Deck Systems or exterior appurtenances that, due to age, exposure, configuration, or Observable Damage, warrant a limited-scope inspection to address potential life-safety hazards.

DESIGN PROFESSIONAL

A Delaware-licensed professional engineer and/or architect, as appropriate to the scope of work, competent by training and experience to perform the inspections required by this Article and to sign and seal the required reports.

FAÇADE / BUILDING ENVELOPE

Exterior walls and wall-covering systems and any attached appurtenances, including Balcony/Deck Systems, railings, parapets, cornices, and other exterior-mounted elements that may present falling hazards or indicate envelope failure.

OBSERVABLE DAMAGE

Readily visible deterioration or distress, including cracking, spalling, corrosion staining, displacement, deflection, exposed reinforcement, advanced rot, chronic water-intrusion patterns, or similar visible indicators of deterioration or distress affecting structural elements, façade systems, or Balcony/Deck Systems.

PRIMARY LOAD-BEARING SYSTEM (PLBS)

The assemblage of structural components forming the continuous load path by which gravity and lateral forces are transferred to the foundation, including load-bearing walls, beams, columns, slabs, bracing, and connections.

STORY (FOR PURPOSES OF THIS ARTICLE)

The number of stories above grade as shown on the City’s approved building permit plans and/or certificate of occupancy record, or, if unavailable, as determined and certified by

the Design Professional based on the building's as-built configuration.

BUILDING HEIGHT (FOR PURPOSES OF THIS ARTICLE)

The height shown on the City's approved building permit plans and/or certificate of occupancy record, or, if unavailable, as measured and certified by the Design Professional in a manner consistent with the building codes adopted under Chapter 102.

§ 208-16. Establishment; administration.

- A. There is hereby established an Aged Building Safety Inspection Program administered by the Building Official.
- B. The Building Official shall administer and enforce this Article and shall determine whether submitted inspection reports and Repair Plans comply with the requirements and standards expressly set forth herein.
- C. Nothing in this Article shall be construed as a certification, guarantee, or warranty by the City regarding the structural integrity, safety, or continued serviceability of any building or structure. Responsibility for evaluation, conclusions, and corrective work remains with the property owner and the licensed Design Professional preparing the required reports. The City's review or acceptance of any report, or failure to identify any condition, shall not be deemed a representation that a building or structure is free from defects or unsafe conditions.
- D. Where the Building Official determines that a building may qualify as a Covered Building under the definition of Covered Building in § 208-15, the Building Official shall provide written notice to the owner describing the basis for the proposed designation. The owner shall be provided not less than fifteen (15) days to submit information or request reconsideration prior to final designation.
- E. Where the number of stories or building height cannot be determined from City permit records, certificate-of-occupancy records, or other reliable records or documentation, the Building Official may rely on certification by the Design Professional based on the building's as-built configuration. If a dispute arises regarding the number of stories or building height for purposes of this Article, the determination of the Building Official shall control, subject to the appeal provisions of § 208-25.
- F. Technical assistance.

In administering this Article, the Building Official may consult with or retain qualified licensed design professionals, including engineers or architects, to assist in the review of

inspection reports, Repair Plans, and related submissions where the Building Official determines that such technical assistance would aid in the review. The Building Official may rely on such technical review in making determinations under this Article.

§ 208-17. Inspection triggers; deadlines; first-cycle phasing.

A. Initial inspection (age-based).

Buildings meeting the definition of Covered Building in § 208-15 are subject to the inspection requirements of this Article in accordance with the timing provisions of this section. Each Covered Building shall submit required inspection reports no later than thirty (30) years after issuance of the building's original certificate of occupancy or equivalent first lawful occupancy authorization on record.

B. Recurring inspections.

After initial compliance, each Covered Building shall comply with the inspection cadence established in subsections H and I.

C. Event-based inspection.

If Observable Damage is present, or if conditions otherwise indicate potential risk to public safety, the Building Official may require inspection and reporting within sixty (60) days, or sooner where circumstances warrant.

D. Effect on recurring inspection cycle.

Completion of an inspection required pursuant to subsection C shall not, by itself, reset or modify the recurring inspection intervals established in subsections G and H, unless the Building Official determines, based on the findings and recommendations of the Design Professional, that an adjusted inspection schedule is warranted.

E. Phased first-cycle compliance schedule.

For Covered Buildings existing as of the effective date of this Article, the Building Official may implement subsection A through a phased first-cycle compliance schedule establishing specific inspection deadlines by age cohort or documented risk.

F. Limited-scope trigger.

A Limited-Scope Covered Building shall comply with the façade and exterior inspection requirements of § 208-18(B) upon the earlier of thirty (30) years after first lawful occupancy or written notice from the Building Official based on documented Observable

251 Damage or risk factors.

252

253 G. Notice.

254

255 The City may provide notice to affected owners for administrative convenience. However,
256 inspection deadlines under this Article are determined by the objective criteria set forth
257 herein, including building age, inspection cycle, and event-based triggers. Failure to
258 receive notice shall not excuse or delay compliance.

259

260 H. Façade and exterior inspection cadence.

261

262 Façade, building envelope, and Balcony/Deck System inspections shall be performed at
263 intervals not to exceed five (5) years.

264

265 I. Structural (PLBS) inspection cadence.

266

267 Structural inspections of the Primary Load-Bearing System shall be performed at intervals
268 not to exceed ten (10) years.

269

270 **§ 208-18. Required reports; standards.**

271

272 A. Structural report (PLBS).

273

274 For Covered Buildings, a Design Professional shall submit a signed and sealed report
275 identifying conditions, urgency, corrective actions, and recommended inspection intervals.

276

277 B. Façade / envelope / balcony-deck report.

278

279 For Covered Buildings and Limited-Scope Covered Buildings, a signed and sealed report
280 identifying deterioration, falling-hazard risks, corrective actions, and inspection intervals.

281

282 C. Limited-scope option.

283

284 Inspection scope may be limited where certified by the Design Professional as sufficient to
285 address identified risks.

286

287 D. Electrical report (as required).

288

289 The Building Official may require an electrical safety assessment where observable
290 conditions indicate potential electrical hazards, deterioration of electrical components,
291 evidence of overheating, arcing, or damage, or where such assessment is recommended in
292 the inspection report prepared by the Design Professional, or where an event-based

inspection is required pursuant to § 208-17(C).

E. Professional standards.

Inspection reports required by this Article shall be prepared and certified by a Delaware-licensed Design Professional practicing within their area of competence and in accordance with generally accepted professional standards of engineering or architectural practice applicable to the evaluation of existing buildings and exterior building systems.

At a minimum, inspection methodologies shall be consistent with nationally recognized technical standards applicable to the scope of evaluation, including:

1. Building envelope and façade systems — ASCE/SEI 30-14, Guideline for Condition Assessment of the Building Envelope; and
2. Structural systems — current nationally recognized guidelines and professional practices for the structural condition assessment of existing buildings, including guidance reflected in *Structural Condition Assessment of Existing Buildings* (ASCE, 2024), or equivalent or more comprehensive methodologies.

The Design Professional may employ alternative or more comprehensive methodologies, provided such methodologies are appropriate to the conditions observed and are supported by accepted engineering or architectural practice.

The Building Official shall determine whether submitted reports demonstrate a level of investigation reasonably sufficient to identify deterioration, distress, or conditions affecting structural integrity, façade stability, or life-safety risk, and may require clarification, supplemental evaluation, or additional investigation where necessary.

Nothing in this Article shall require compliance with current construction codes solely due to the age of a building or structure.

§ 208-19. City review; determinations.

Upon receipt and review, the Building Official shall issue one of the following determinations:

- A. Compliant — Recertified;
- B. Compliant subject to Repair Plan; or
- C. Noncompliant submission.

A submission shall be deemed noncompliant where it fails to address the required inspection

elements of § 208-18, lacks required professional certification, omits material findings necessary to evaluate building conditions, or otherwise fails to demonstrate compliance with the sufficiency standard set forth in § 208-18(E).

§ 208-20. Repair Plan; permitting; completion.

- A. Where deficiencies are identified, the owner shall submit a Repair Plan within thirty (30) days after issuance of a “Compliant subject to Repair Plan” determination. The Building Official may, upon written request and for good cause shown, grant a reasonable extension of this deadline, provided that no unsafe or imminently dangerous condition exists requiring immediate corrective action.
- B. The Repair Plan shall include scope of work, sequencing, interim protective measures if applicable, and identification of required permits.
- C. All permitted work shall be performed pursuant to Chapter 102 and the adopted codes.
- D. The Repair Plan shall include proposed completion timelines recommended by the Design Professional. The Building Official may approve, require modification of, or reject the Repair Plan based on reasonableness, public safety, consistency with the findings and recommendations of the Design Professional’s inspection report, and the adequacy of any proposed interim protective measures. Where unsafe or imminently dangerous conditions exist, the Building Official may require immediate protective measures or accelerated action consistent with authority under the International Property Maintenance Code and Chapter 102.
- E. Where corrective work involves structural components, façade or envelope systems, Balcony/Deck Systems, or other life-safety conditions identified in the required inspection report, the owner shall submit a final signed and sealed letter or report from the Design Professional confirming completion of corrective work in accordance with the approved Repair Plan and applicable standards.

§ 208-21. Unsafe or imminently dangerous conditions.

Nothing in this Article limits the City’s authority to take immediate action under applicable codes where unsafe or imminently dangerous conditions exist.

§ 208-22. Noncompliance; enforcement.

Failure to comply with the requirements of this Article, including required inspections, reports, Repair Plans, or corrective work, constitutes a violation subject to enforcement under the International Property Maintenance Code and other applicable provisions of the City Code. Where

deficiencies identified through required inspections are not corrected in accordance with an approved Repair Plan, the Building Official may pursue all remedies available under the adopted codes, including notices of violation, orders to repair or correct unsafe conditions, emergency protective action, and other enforcement actions authorized by law. Failure to provide reasonable access for required inspections upon notice constitutes a violation subject to enforcement under the City Code.

§ 208-23. Fees; costs.

Administrative review fees, if any, shall be established by resolution. All professional and repair costs shall be borne by the owner.

§ 208-24. Records and coordination.

The Building Official may maintain compliance records and coordinate with other City departments as necessary to protect public safety.

§ 208-25. Appeals.

A. Right of appeal.

Appeals from final administrative determinations made under this Article shall be taken to the Board of Adjustment in the manner provided by the City Code.

B. Grounds for appeal.

An appeal may be based on a claim that the provisions of this Article have been incorrectly interpreted, that the requirements of this Article do not apply to the building in question, or that the determination of the Building Official, including any determination regarding the sufficiency of an inspection report or evaluation, was made in error.

C. Limitation of authority.

The Board of Adjustment shall have no authority to waive or modify inspection, certification, or corrective requirements necessary to address unsafe conditions.

D. Enforcement during appeal.

An appeal shall not stay enforcement where the Building Official has determined that unsafe or imminently dangerous conditions exist.

418 **§ 208-26. Effective date.**

419

420 This Article shall take effect on [date].

421

422 **Section 2. Severability.**

423

424 If any provision of this ordinance is held invalid, such invalidity shall not affect the remaining
425 provisions.

426

427

428 Adopted by the Commissioners
429 of the City of Rehoboth Beach

430 _____, 2026

431

432

433

434

435 _____
436 Secretary of the Commissioners of
the City of Rehoboth Beach