



MAYOR & CITY COUNCIL
Public Hearing & Special Meeting
Monday, May 4, 2026, 5:30 PM
The Bonnie Osler Meeting Room
NOTICE

Page

A. ANNOUNCEMENTS

B. CALL TO ORDER & ROLL CALL:

C. PUBLIC HEARING ITEMS:

All public hearing items to follow the following order.

- a. City Briefing (Staff, City Engineer, City Solicitor)
- b. Presentation and comments from applicant
- c. Public Comments

- 1. Public Hearing regarding Ord 2-26 - A proposed ordinance to amend Chapter 197, "Zoning," Section 197-46.1, of the Municipal Code of the City of Lewes "Accessory Dwelling Units (ADUs)". 3 - 23
[\(Current Ordinance\)](#)

[DRAFT ADU ORDINANCE 4.13.2026 REDLINED VERSION](#)

[DRAFT ADU ORDINANCE 4.13.2026](#)

[Draft Ordinance - ADUs 03.25.26](#)

[Draft Ordinance ADUs 02.02.26](#)

[Public Comments Summary- Ordinance 2-26 \(ADU\)](#)

[Supporting Docs - Gail VanGilder Public Comment](#)

- 2. Public hearing regarding proposed amendments to the language of the City of Lewes Charter to include the Resiliency Fund. 25 - 32
[Draft Resolution Proposing Resiliency Fund Charter Amendment 05.04.26](#)
[2026 05 04 Public Hearing - Public Comments from Thierry Poirey](#)

D. CLOSE PUBLIC HEARING AND OPEN SPECIAL MEETING

- 1. Discussion and possible action regarding proposed amendments to the language of the City of Lewes Charter to include the Resiliency Fund.

E. PUBLIC COMMENT:

F. ADJOURNMENT:

Join from PC, Mac, iPad, or Android:

The Zoom link can be found at

<https://us02web.zoom.us/j/81702467699?pwd=B3lFbedGYIAHK5TnZOFcm2HdhJYR01.1>

Webinar ID: 860 8992 1359

Passcode: 623074

International numbers available: <https://us02web.zoom.us/j/81702467699?pwd=B3lFbedGYIAHK5TnZOFcm2HdhJYR01.1>

Pursuant to 29 Del. C. § 10004(e)(3) this Agenda is subject to change; including addition or deletion of items or Executive Sessions. Agenda items may not be considered in sequence and therefore, should not be relied upon by any member of the public. To request special accommodations for persons with disabilities please contact the City Hall office at (302) 645-7777, at least 72 hours in advance of a meeting.

The City of Lewes strives to make our public meetings widely available through Zoom and YouTube broadcasts. While the City is committed to continuing this access, pursuant to 29 Del. Code, §10006A, technological failure does not affect the validity of these meetings, nor the validity of any action taken in these meetings.

The Bonnie Osler Meeting Room is located at 101 Adams Avenue, Lewes DE

TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: April 13, 2026 (Redline indicates changes from version dated 03.17.26 presented on March 25, 2026).

PRESENTATION: TBD

AN ORDINANCE

TO AMEND CHAPTER 197, “ZONING”, SECTION 197-46.1(F), “ACCESSORY DWELLING UNITS (ADUS)” OF THE MUNICIPAL CODE OF THE CITY OF LEWES RELATING TO ACCESSORY DWELLING UNITS

WHEREAS, on September 9, 2024, the Mayor and City Council adopted an ordinance relating to the regulation of accessory dwelling units; and

WHEREAS, the Mayor and City Council find it is in the best interest of the City of Lewes to update said regulations; and

WHEREAS, Title 22, Chapter 3, Section 301 of the Delaware Code provides that “[f]or the purpose of promoting health, safety, morals or the general welfare of the community, the legislative body of cities and incorporated towns may regulate and restrict the height, number of stories and size of buildings and other structures, percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes”; and

WHEREAS, Section 38 of the Charter of The City of Lewes provides that the above-referenced grant of power “shall embrace new buildings or additions to or alterations of existing structures of every kind; to condemn buildings or structures, or portions thereof, that constitute a fire menace and to require or cause same to be torn down, removed or so altered as to eliminate the menace of fires; to prescribe the height and thickness of any building and the kind and grade of materials used in the construction thereof”; and

WHEREAS, Chapter 197, Zoning, Section 197-104, Text and map amendments, of the Municipal Code of the City of Lewes provides that any amendment to the Zoning Ordinance shall be made after a public hearing following fifteen (15) days’ notice by publication in an official paper or a paper of general circulation in the City. *Accord 22 Del. C. § 304*; and

WHEREAS, at least fifteen (15) days’ notice of such hearing was provided by publishing notice of the time and place of such hearing in an official paper or newspaper of general circulation in the City; and

WHEREAS, public hearings were conducted on March 2, 2026, and May 4, 2026.

BE IT ORDAINED by the Mayor and City Council, in session met, a quorum pertaining at all times thereto, in the manner following to-wit:

TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: April 8, 2026 (Redline indicates changes from version dated 03.17.26 presented on March 25, 2026).

PRESENTATION: TBD

42 **Section 1.** Chapter 197, Zoning, Section 197-46.1, Accessory dwelling units
43 (ADUs), is hereby further amended by making insertions as shown by underlining and deletions
44 as shown by strikethrough as follows:

45
46 § 197-46.1 **Accessory dwelling units (ADUs).**

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48

49
50 **F. Requirements.**

51
52 **(1)** Prior to constructing, converting, altering, erecting, improving, or otherwise modifying an
53 ADU, a building permit for an accessory dwelling unit must be applied for and issued by
54 the Planning and Building Department. No more than 40 accessory dwelling unit building
55 permits may be issued within 12 months of September 9, 2024. After the first year, there
56 is no limit on the number of ADUs that may be issued unless a separate number is
57 determined by the Mayor and City Council.

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59 **(2)** A City of Lewes building permit is required for any work in connection with the creation
60 of an ADU as identified in Chapter 70.

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62 **(3)** An ADU shall not be used or occupied in whole or in part, and a change of occupancy of
63 an ADU shall not be made, until the Planning and Building Department has issued a
64 certificate of occupancy for the accessory dwelling unit.

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66 **(4)** The property owner must submit a signed and notarized accessory dwelling unit property
67 owner affidavit prior to receiving an accessory dwelling unit ~~building permit~~ certificate of
68 occupancy, as a condition of having an ADU on the property. This affidavit is provided
69 by the City and must be recorded at the Recorder of Deeds in and for Sussex County
70 prior to submission to the City.

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72 **(5)** Any fraud, material misrepresentations, or false statements contained in the attestations,
73 required documentation, or correlating materials associated with securing approval for an
74 ADU shall be grounds for immediate revocation of a certificate of occupancy for the
75 accessory dwelling unit. Furthermore, all requirements herein shall be continuously
76 maintained throughout the duration of the certificate of occupancy for the accessory
77 dwelling unit.

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79 **(6)** No more than one ADU shall be permitted on a single lot.

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81 **(7)** The property owner must occupy and reside in either the principal dwelling unit or the
82 ADU as their principal legal residence.

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TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: April 8, 2026 (Redline indicates changes from version dated 03.17.26 presented on March 25, 2026).

PRESENTATION: TBD

- 84 (8) One additional off-street parking space is required for an ADU, in addition to the number
85 of spaces required for the existing primary dwelling (§ 197-61).
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- 87 (9) An ADU shall not be sublet.
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- 89 (10) An ADU shall not be used as a short-term rental (Ch. 150).
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- 91 (11) Upon a change in occupancy of an ADU, the property owner agrees to allow the
92 Planning and Building Department the right to inspect the ADU to confirm attestations of
93 all previously submitted application information and applicable code requirements.
94 Inspections shall be performed at an agreed upon time with no less than 48 hours prior
95 notice, except in the case of an immediate threat to public safety. Nonresponse to or
96 refusal of an inspection shall be grounds for the suspension of an accessory dwelling unit
97 certificate of occupancy.
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- 99 (12) An ADU shall not be used for commercial use.
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- 101 (13) Prior to a new tenant moving into the ADU, an inspection shall be performed by the City
102 of Lewes.
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- 104 (14) Existing ADUs. An ADU that was in existence as of January 1, 2027, as evidenced by
105 City rental licensing records (an “Existing ADU”), shall be exempt from the requirements
106 of §§ 197-46.1(F)(7), (8), and (10), provided that the property owner ~~submits evidence of~~
107 ~~gross receipts rental tax (“GRRT”) to the City maintains a valid rental license issued~~
108 ~~pursuant to Chapter 150 for each calendar year. In the event that no GRRT is submitted to~~
109 ~~the City the property owner fails to maintain a valid rental license for two consecutive~~
110 calendar years, the exemption provided by this subsection shall terminate and the
111 property owner shall be required to comply with all requirements of § 197-46.1(F).
112

113 **Section 2.** If any provision of this Ordinance shall be deemed or held to be invalid or
114 unenforceable for any reason whatsoever, such invalidity or unenforceability shall not affect any
115 other provision of this Ordinance which may be given effect without such invalid or
116 unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to
117 be severable.
118

119

120 **Section 3.** This Ordinance shall take effect immediately upon its adoption by the
121 Mayor and City Council.
122

123 I, Timothy Ritzert, Secretary of the City Council of the City of Lewes, do hereby certify that the
124 foregoing is a true and correct copy of the ordinance passed by Mayor and City Council at its
125 regular meeting on _____, at which a quorum was present and voting throughout
126 and the same is still in full force and effect.

TOPIC: Draft Ordinance –Accessory Dwelling Units

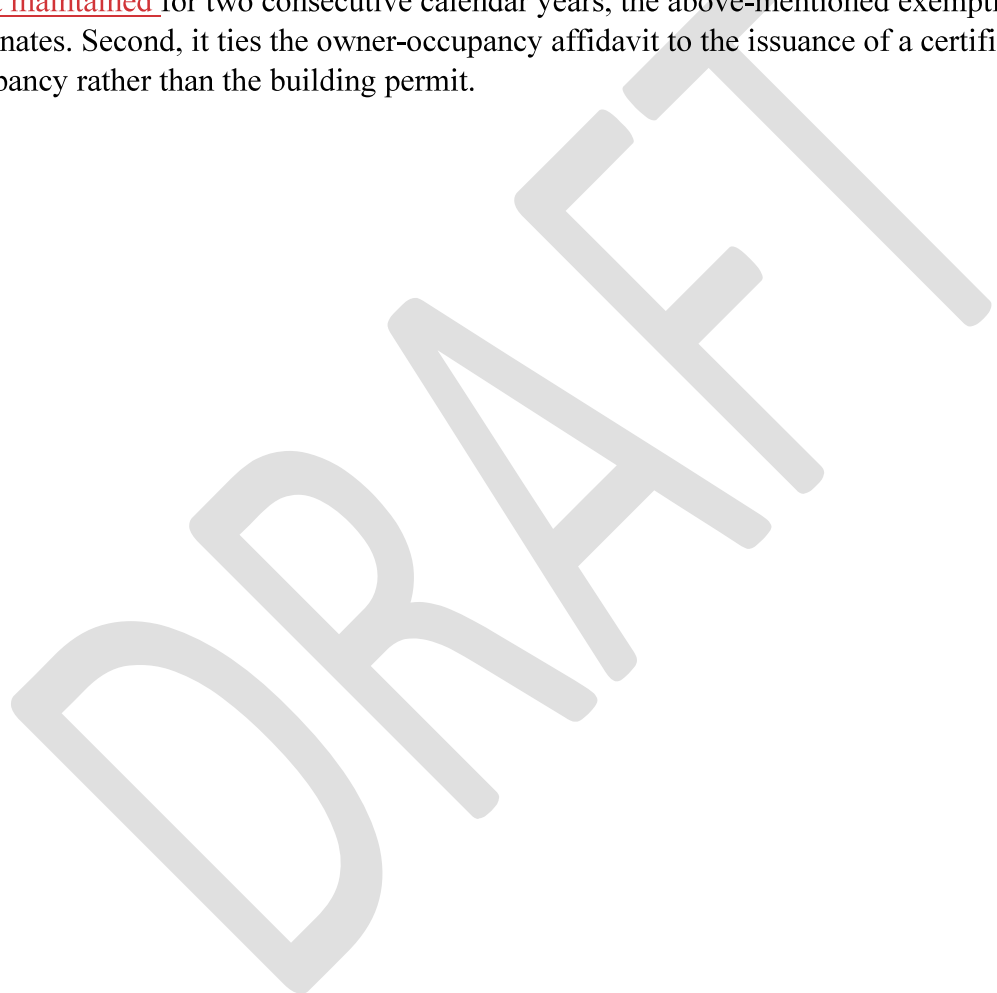
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PRESENTATION: TBD

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Secretary

SYNOPSIS: This Ordinance amends accessory dwelling unit requirements in two respects. First, it adds a new subsection which exempts ADUs in existence as of January 1, 2027, from the owner-occupancy requirement, the additional parking requirement, and the prohibition on the use of an ADU as a short-term rental. If ~~no gross receipts rental tax is submitted~~ a valid rental license is not maintained for two consecutive calendar years, the above-mentioned exemption terminates. Second, it ties the owner-occupancy affidavit to the issuance of a certificate of occupancy rather than the building permit.



TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: April 8, 2026

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WHEREAS, on September 9, 2024, the Mayor and City Council adopted an ordinance relating to the regulation of accessory dwelling units; and

WHEREAS, the Mayor and City Council find it is in the best interest of the City of Lewes to update said regulations; and

WHEREAS, Title 22, Chapter 3, Section 301 of the Delaware Code provides that “[f]or the purpose of promoting health, safety, morals or the general welfare of the community, the legislative body of cities and incorporated towns may regulate and restrict the height, number of stories and size of buildings and other structures, percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes”; and

WHEREAS, Section 38 of the Charter of The City of Lewes provides that the above-referenced grant of power “shall embrace new buildings or additions to or alterations of existing structures of every kind; to condemn buildings or structures, or portions thereof, that constitute a fire menace and to require or cause same to be torn down, removed or so altered as to eliminate the menace of fires; to prescribe the height and thickness of any building and the kind and grade of materials used in the construction thereof”; and

WHEREAS, Chapter 197, Zoning, Section 197-104, Text and map amendments, of the Municipal Code of the City of Lewes provides that any amendment to the Zoning Ordinance shall be made after a public hearing following fifteen (15) days’ notice by publication in an official paper or a paper of general circulation in the City. *Accord 22 Del. C. § 304*; and

WHEREAS, at least fifteen (15) days’ notice of such hearing was provided by publishing notice of the time and place of such hearing in an official paper or newspaper of general circulation in the City; and

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52 (1) Prior to constructing, converting, altering, erecting, improving, or otherwise modifying an
53 ADU, a building permit for an accessory dwelling unit must be applied for and issued by
54 the Planning and Building Department. No more than 40 accessory dwelling unit building
55 permits may be issued within 12 months of September 9, 2024. After the first year, there
56 is no limit on the number of ADUs that may be issued unless a separate number is
57 determined by the Mayor and City Council.

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59 (2) A City of Lewes building permit is required for any work in connection with the creation
60 of an ADU as identified in Chapter 70.

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62 (3) An ADU shall not be used or occupied in whole or in part, and a change of occupancy of
63 an ADU shall not be made, until the Planning and Building Department has issued a
64 certificate of occupancy for the accessory dwelling unit.

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66 (4) The property owner must submit a signed and notarized accessory dwelling unit property
67 owner affidavit prior to receiving an accessory dwelling unit ~~building permit~~ certificate of
68 occupancy, as a condition of having an ADU on the property. This affidavit is provided
69 by the City and must be recorded at the Recorder of Deeds in and for Sussex County
70 prior to submission to the City.

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72 (5) Any fraud, material misrepresentations, or false statements contained in the attestations,
73 required documentation, or correlating materials associated with securing approval for an
74 ADU shall be grounds for immediate revocation of a certificate of occupancy for the
75 accessory dwelling unit. Furthermore, all requirements herein shall be continuously
76 maintained throughout the duration of the certificate of occupancy for the accessory
77 dwelling unit.

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79 (6) No more than one ADU shall be permitted on a single lot.

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84 (8) One additional off-street parking space is required for an ADU, in addition to the number
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92 Planning and Building Department the right to inspect the ADU to confirm attestations of
93 all previously submitted application information and applicable code requirements.
94 Inspections shall be performed at an agreed upon time with no less than 48 hours prior
95 notice, except in the case of an immediate threat to public safety. Nonresponse to or
96 refusal of an inspection shall be grounds for the suspension of an accessory dwelling unit
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105 City rental licensing records (an “Existing ADU”), shall be exempt from the requirements
106 of §§ 197-46.1(F)(7), (8), and (10), provided that the property owner maintains a valid
107 rental license issued pursuant to Chapter 150 for each calendar year. In the event that the
108 property owner fails to maintain a valid rental license for two consecutive calendar years,
109 the exemption provided by this subsection shall terminate and the property owner shall be
110 required to comply with all requirements of § 197-46.1(F).

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112 **Section 2.** If any provision of this Ordinance shall be deemed or held to be invalid or
113 unenforceable for any reason whatsoever, such invalidity or unenforceability shall not affect any
114 other provision of this Ordinance which may be given effect without such invalid or
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DRAFT

TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: March 18, 2026

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AN ORDINANCE

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VERSION: March 18, 2026

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107 gross receipts rental tax (“GRRT”) to the City for each calendar year. In the event that no
108 GRRT is submitted to the City for two consecutive calendar years, the exemption
109 provided by this subsection shall terminate and the property owner shall be required to
110 comply with all requirements of § 197-46.1(F).
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112 **Section 2.** If any provision of this Ordinance shall be deemed or held to be invalid or
113 unenforceable for any reason whatsoever, such invalidity or unenforceability shall not affect any
114 other provision of this Ordinance which may be given effect without such invalid or
115 unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to
116 be severable.
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VERSION: March 18, 2026

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DRAFT

TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: February 2, 2026

PRESENTATION: TBD

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**AN ORDINANCE
TO AMEND CHAPTER 197, “ZONING”, SECTION 197-46.1(F), “ACCESSORY
DWELLING UNITS (ADUS)” OF THE MUNICIPAL CODE OF THE CITY OF LEWES
RELATING TO ACCESSORY DWELLING UNITS**

WHEREAS, on September 9, 2024, the Mayor and City Council adopted an ordinance relating to the regulation of accessory dwelling units; and

WHEREAS, the Mayor and City Council find it is in the best interest of the City of Lewes to update said regulations; and

WHEREAS, Title 22, Chapter 3, Section 301 of the Delaware Code provides that “[f]or the purpose of promoting health, safety, morals or the general welfare of the community, the legislative body of cities and incorporated towns may regulate and restrict the height, number of stories and size of buildings and other structures, percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes”; and

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WHEREAS, a public hearing was conducted on February __, 2026.

BE IT ORDAINED by the Mayor and City Council, in session met, a quorum pertaining at all times thereto, in the manner following to-wit:

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VERSION: February 2, 2026

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44 as shown by strikethrough as follows:

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46 § 197-46.1 **Accessory dwelling units (ADUs).**

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49 **F. Requirements.**

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51
52 (7) In the event tThe property owner does not ~~must~~ occupy and reside in either the
53 principal dwelling unit or the ADU as their principal legal residence, the property owner
54 shall designate an individual to serve as a local contact person, who shall be available 24
55 hours a day to accept telephone calls from the City and, if requested by the City, respond
56 physically to any rented dwellings on the property within a reasonable time period, not to
57 exceed two hours, when the dwellings are rented and occupied.

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60 **Section 2.** If any provision of this Ordinance shall be deemed or held to be invalid or
61 unenforceable for any reason whatsoever, such invalidity or unenforceability shall not affect any
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68 Mayor and City Council.

69
70 I, Timothy Ritzert, Secretary of the City Council of the City of Lewes, do hereby certify that the
71 foregoing is a true and correct copy of the ordinance passed by Mayor and City Council at its
72 regular meeting on _____, at which a quorum was present and voting throughout
73 and the same is still in full force and effect.

74
75
76
77 _____
78 Secretary

79 SYNOPSIS: This Ordinance amends accessory dwelling unit requirements. Specifically, it
80 eliminates the owner-occupancy requirement for ADUs and establishes a local contact
81 requirement for ADUs that are not owner-occupied.

Summary of Public Comments – Ordinance 2-26 (Accessory Dwelling Units)

Category	Count/Details
Total number of comments	5
A. # of comments in support	2
B. # of comments in opposition	3
C. # of 'other' comments	0
Topics addressed in the comments included	
- Requests that existing ADUs be grandfathered or recognized as legal nonconforming uses	Raised by 3 commenters
- Opposition to the ADU ordinance or proposed changes due to concerns about increased density, parking limitations, and impacts to neighborhood character	Raised by 2 commenters
- Concerns regarding impacts on property values, property rights, and potential financial harm to owners who purchased properties under prior regulations	Raised by 2 commenters
- Support for eliminating the owner-residency requirement to preserve existing long-term rental housing	Raised by 1 commenter
- Concerns that existing ADU owners were not adequately consulted during development of the ordinance or review process	Raised by 1 commenter
- Concerns that certain requirements (e.g., owner residency, off-street parking) may be impossible for older properties to meet	Raised by 1 commenter
- Support for enforcing existing zoning ordinances and allowing the current ADU ordinance to remain in place while reviewing the broader rental ordinance and future zoning policies	Raised by 1 commenter
- Concerns that increasing housing supply without safeguards could lead to more short-term rentals, increased density, and reduced quality of life	Raised by 1 commenter

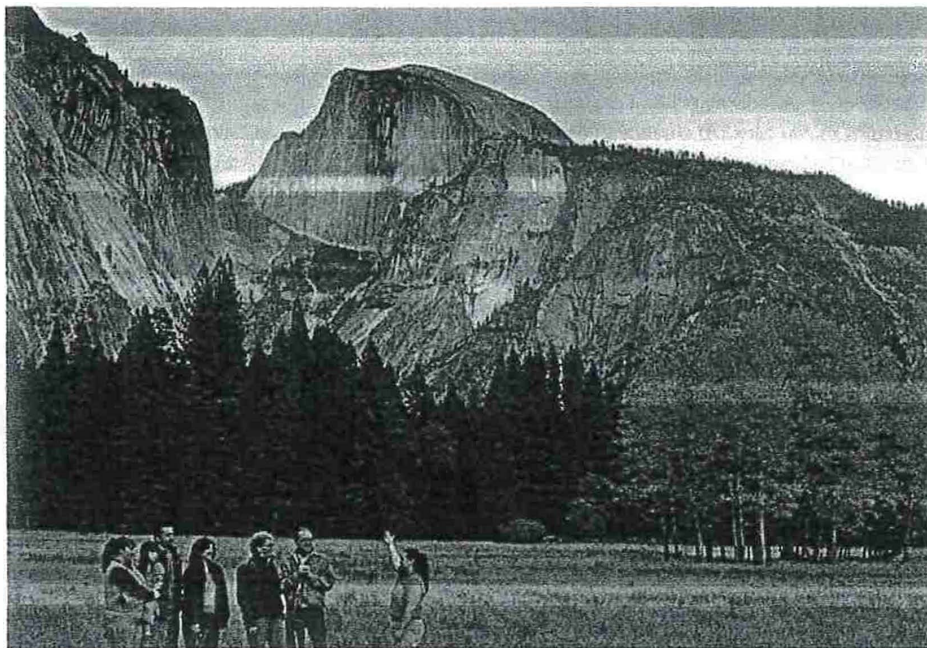
LANDWRITES

Ten Principles for Responsible Tourism

EDWARD T. McMAHON

If a destination becomes too crowded, too commercial, or too much like every other place, then why should tourists bother to go there?

Half Dome rises above Yosemite Valley in Yosemite National Park, California.



NATIONAL PARK SERVICE

WHERE DID YOU GO ON YOUR last vacation? Was it rewarding and satisfying? Would you recommend it to a friend? Did the destination meet your expectations, or were you disappointed? Did traffic congestion, dirty air, crowded beaches, slipshod service, or excessive commercialism leave you feeling frustrated and cheated?

Tourism is big business. Americans spend more than \$800 billion a year on travel and recreational pursuits away from home. Tourism is one of the three largest industries in every American state and a critical factor in the U.S. and world economies.

However, tourism is also a double-edged sword. On one hand, it provides communities with many benefits: new jobs, an expanded tax base, enhanced infrastructure, improved facilities, and an expanded market for local products, art, and handicrafts. In short, it can be an important tool for community revitalization. On the other hand, it can create problems and burdens for communities such as crowding, traffic congestion, noise, increased crime, haphazard development, cost-of-living increases, and degraded resources.

“The impacts of tourism on a community can be beneficial if planned and managed, or extremely damaging if left without controls,” says Michael Kelly, former chair-

man of the American Planning Association’s tourism planning division.

Mass-Market and Sustainable Tourism

How does a community maximize the benefits of tourism while minimizing the problems? First, communities need to recognize the differences between mass-market tourism and sustainable tourism. Mass-market tourism is all about “heads in beds.” It is a high-volume, high-impact but low-yield approach. A classic example is Fort Lauderdale, Florida.

Tourism is about more than marketing. It is also about protecting and enhancing the product communities are trying to promote.

In the 1970s and 1980s, Fort Lauderdale was the “spring break capital” of America. City officials thought it was a great idea to invite hundreds of thousands of college students to visit for a few weeks each year. What they did not count on was that the college kids would sleep six to eight to a room and that the only thing they would spend money on was beer. The city had to hire extra police and cleanup crews, and soon Fort Lauderdale had a reputation as an out-of-control town full of drunken college kids.

Today, Fort Lauderdale is no longer the spring break capital. It may not have as many tourists as it once did, but the tourists who do visit are older and more affluent. They sleep two to a room; they dine at fancy restaurants and shop in high-end stores; their presence does not require the city to hire extra police and cleanup crews. Sustainable tourism is lower volume and lower impact, but has a higher yield.

In order to understand mass-market tourism, think about mega-hotels, theme parks, chain stores, and the new generation of

enormous (4,000- to 5,000-passenger) cruise ships. Mass-market tourism is focused on *quantity*; it is also about environments that are artificial, homogenized, generic, and formulaic. In contrast, sustainable tourism is about high *quality*; its focus is on places that are authentic, specialized, unique, and homegrown. To understand sustainable tourism, think about unspoiled scenery, locally owned businesses, historic small towns, and walkable urban neighborhoods.

Local and state tourism agencies spend millions of dollars each year on tourism marketing and promotion. Marketing is important because it promotes visitation and helps create demand. It identifies and segments potential visitors and provides information about a community and its attractions.

Yet, tourism involves a lot more than marketing. It also involves making destinations more appealing. This means identifying, preserving, enhancing, and/or restoring a community's natural and cultural assets—in other words, protecting its heritage and environment. It is, after all, the unique architecture, culture, wildlife, or natural beauty of a community or region that attracts tourists in the first place.

In today's global marketplace, competition for tourists' spending is fierce. If the destination is too crowded, too commercial, or too much like every other place, then why go? The best marketing a community can have is by word of mouth. This occurs when the reality of the place meets or exceeds the mental image that visitors have been sold through marketing and promotion. Creation of a false image can spoil a vacation. What's more, it can reduce repeat visitation. Tourists may come once, but they will not come back.

The truth is, the more a community comes to look and feel just like everywhere else, the less reason there is to visit. At the same time, the more a community does to enhance its uniqueness, the more people will want to visit. This is the reason why local land use planning, historic restoration, and urban design standards are so important.

To attract and retain tourists, local officials need to become much more aware of the overall character of their community. This is because studies reveal significant differences between resident and tourist perceptions of a community. Tourists are open and receptive to everything they see, while longtime residents tend to tune out the familiar environments along the roads they travel day in and day out.

Ten Recommendations for Responsible Tourism

How can a community attract tourists and their dollars without losing its soul? Ten recommendations follow.

1. Preserve and restore historic buildings, neighborhoods, and landscapes. A city without a past is like a person without a memory. Preservation of historic buildings is important because they are the physical manifestations of the past. They tell us who we are and where we came from. Saving the historic buildings and landscapes of a city is about saving the heart and soul of the community. It is also about economic competitiveness. Travel writer Arthur Frommer put it this way: "Among cities with no particular recreational appeal, those that have preserved their past continue to enjoy tourism. Those that haven't receive almost

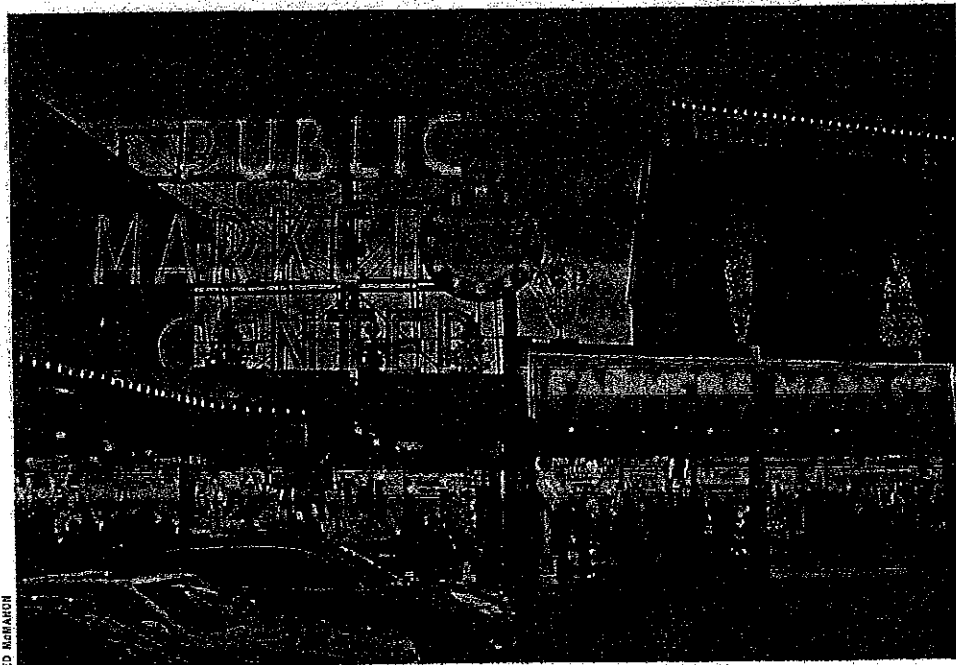
no tourism at all. Tourism simply won't go to a city or town that has lost its soul."

Try to imagine, San Francisco without Alcatraz; Alexandria, Virginia, without its Old Town; New Orleans without the French Quarter; or Seattle without the Pike Place Market. These communities would be lesser places, and they would be diminished as tourist destinations.

Preservation-minded communities like Santa Barbara, California; Charleston, South Carolina; Savannah, Georgia; Santa Fe, New Mexico; Miami Beach, Florida; and Quebec City in Canada are among North America's leading tourist destinations precisely because they have protected their unique architectural heritage. By contrast, cities that have obliterated their past attract few tourists or their money.

2. Focus on the authentic. Communities should make every effort to preserve the authentic aspects of local heritage and culture, including food, art, music, handicrafts, architecture, landscape, and traditions. Sustainable tourism emphasizes the real over the artificial. It recognizes that

Pike Place Market in Seattle, Washington.



ED. MCHAMON

LANDWRITES

the true story of a place is worth telling, even if it is painful or disturbing.

For example, in Birmingham, Alabama, the Civil Rights museum and historic district tell the story of the city's turbulent history during the civil rights era. This authentic representation of the city's past adds value and appeal to Birmingham as a destination, and the museum and sur-

3. Ensure that tourism support facilities are compatible with their surroundings. Tourists need places to eat and sleep, and they appreciate dependable levels of service and accommodation. But wherever they go, tourists also crave integrity of place—something not provided by homogeneous, “off-the-shelf” corporate chain and franchise architecture, which

the centerpiece of a 76-room hotel within walking distance of historic downtown Lexington.

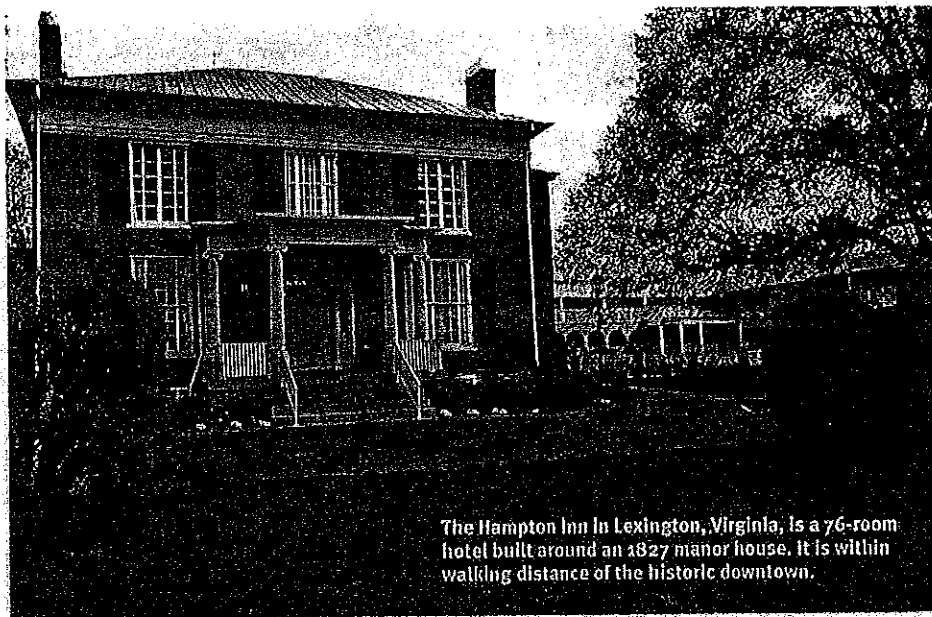
In some cases, historic hotels can be the centerpiece of downtown revitalization efforts. The Mission Inn in Riverside, California; the Martha Washington Hotel in Abingdon, Virginia; and the Peabody Hotel in downtown Memphis are three examples.

Executives at Marriott estimated in 2014 that up to 20 percent of the company's new Courtyard hotels that year would be in repurposed older buildings, and the trend is not confined to hotels. “When a chain store or franchise comes to town, they generally have three designs—A, B, and C—ranging from Anywhere, USA, to unique (sensitive to local character),” says Bob Gibbs, a leading real estate market analyst. “Which one gets built depends heavily upon how much push-back the company gets from local residents and officials about design and its importance.”

Design is critically important for communities trying to compete in the tourism marketplace. Tourism is the sum of the travel experience. It is not just what happens at a museum or a festival; it also involves the places that tourists eat and sleep, the roads they drive down, the main streets they shop on, and so forth.

Every new development should have a harmonious relationship with its setting. Tourism support facilities should reflect the broader environmental context of the community and should respect the specific size, character, and function of their site within the surrounding landscape. A community's food and lodging facilities are part of the total tourism package. Hotels and restaurants should reflect a city and not each other. Hotels in Mississippi, for example, should be different from those in Maine, Missouri, Montana, Morocco, or Malaysia.

4. Interpret the resource. Education and interpretation are other keys to sustainable tourism. Visitors want information about what they are seeing, and interpretation can be a powerful storytelling tool that can make an exhibit, an attraction, even an entire community come alive. It can also result in better-managed resources by



The Hampton Inn in Lexington, Virginia, is a 76-room hotel built around an 1827 manor house. It is within walking distance of the historic downtown.

ED McMAHON

rounding historic district have proved popular with visitors from all over the world.

In Virginia, the Crooked Road Heritage Music Trail is another great example of an authentic attraction rooted in local tradition. The driving route along U.S. Route 58 connects major heritage music venues in southwest Virginia, showcasing the traditional gospel, bluegrass, and mountain music indigenous to the region. Annual festivals, weekly concerts, live radio shows, and informal jam sessions abound throughout the region and attract locals and tourists alike.

A third example is the Manzanar National Historic Site at the foot of the Sierra Nevada near Independence, California. It was established to preserve the stories of the nearly 120,000 Japanese Americans interned during World War II and to serve as a reminder to this and future generations of the fragility of American civil liberties.

reduces a community's appeal as a tourist destination. “Travelers don't want consistency and reliability to come at the expense of authenticity,” notes Henry Harteveldt, at the time a travel analyst for the research firm Hudson Crossing.

Today, reusing and recycling old buildings is becoming much more common in the hotel industry. Hotel chains are repurposing numerous existing buildings like warehouses, hospitals, and office buildings. The Cotton Exchange Hotel in New Orleans is one example; the Chatwal Hotel in New York City, fashioned from the former Lamb's Theatre, is another.

A small-town example of a chain hotel that fits in with a historic community is the Hampton Inn in Lexington, Virginia. Instead of building a generic chain hotel out by the Interstate, the owners of the Lexington Hampton Inn converted an 1827 manor house, the Col Alto Mansion, into

explaining why they are important. Interpretation instills respect and fosters stewardship. Education about natural and cultural resources can instill community pride and strengthen sense of place.

Gettysburg, Pennsylvania, developed a communitywide interpretation program that involves public art, wayside exhibits, and interpretive markers that tell the story of the town and its role in the Civil War's Battle of Gettysburg. The city did this after it realized that most tourists were driving around the national military park and then leaving town without realizing that



Interpretation results in better-managed resources.

the town itself was a big part of the story. Since the interpretative program was completed, the number of visitors spending time and money in downtown Gettysburg has measurably increased.

Richmond, Virginia, is another community that has done a great job of telling its story. The Richmond Slave Trail, for example, is a walking trail that chronicles the trade of enslaved Africans from Africa to Virginia until 1775 and away from Virginia until 1865. There are numerous historic markers along the route that explain the various sites and cast new light on a dark chapter of U.S. history.

5. Protect community gateways. First impressions matter. Just as when meeting a person for the first time, a good first impression is important and a bad first impression is hard to change. Some communities pay attention to their gateways. Other do not. Many communities have gotten used to ugly-



ness, accepting it as an inevitable side effect of progress. More-enlightened communities recognize that community appearance is important. It affects a community's image and its economic well-being.

For instance, a first visit to New Market, Virginia, in the 1970s revealed it to be a Norman Rockwell sort of town in the Shenandoah Valley. But a visit a decade later proved very disappointing: giant new fast-food and gas-station signs towered over the town's historic buildings, obliterating the scenery and diminishing the town's appeal as a tourist destination.

Downtown is the heart of most communities, but the commercial corridors leading to downtown are the front door. Corridor enhancements are critical to making a good first impression. Commercial corridors also offer some of the best redevelopment opportunities. Arlington County, Virginia, for example, has used a form-based code to incentivize redevelopment along Columbia Pike. Unsightly automobile-oriented development is now being displaced by walkable, mixed-use development. Other communities like Cathedral City, California; Camel, Indiana; and Charlotte, North Carolina, have used corridor overlay zoning to improve the character of new development along entry corridors.

6. Control outdoor signs. Protecting scenic views and vistas, planting street trees, and landscaping parking lots all make economic sense, but controlling outdoor signs is probably the most important step a tourism-oriented community

can take to make an immediate, visible improvement in its physical environment. Almost nothing will destroy the distinctive character of a community faster than uncontrolled signs and billboards. Sign clutter is ugly, ineffective, and expensive.

Sign clutter is ugly, ineffective, and expensive. When the streetscape becomes overloaded with signs, the cumulative effect is negative: the viewer actually sees less, not more. Almost all of America's premier tourist destinations have strong sign ordinances because they understand that attractive communities attract more business than ugly ones.

7. Enhance the journey as well as the destination. As noted, tourism is not just what happens at the destination; it involves everything that people see and do from the time they leave home until the trip is over. Getting there can be half the fun, but frequently it is not.

Though there are many great destinations in America, very few noteworthy journeys remain. Except for a few special roads like the Blue Ridge Parkway or the Natchez Trace Parkway, a drive along a typical American highway can be a profoundly depressing experience. The late author and television commentator Charles Kuralt put it this way: "Thanks to the interstate highway system, it is now possible to drive across the country from coast to coast

LANDWRITES

without seeing anything.” Tourists want to see places that are different, unusual, or unique. This is why it is in the interest of state and local officials to encourage development of heritage corridors, bike paths, rail trails, greenways, and scenic byways.

8. Get tourists out of their cars. If you design a community or development around cars, you will get more cars. But if you design a community or development around people, you will get more pedestrians. Walkability is very good for business, especially tourism-oriented businesses. In

become a coherent and powerful attraction. The Blues Highway in Mississippi—a.k.a. U.S. Route 61—connects Memphis to New Orleans and passes through numerous small towns in the Mississippi Delta. Each of these small towns tells a part of the story of America’s musical history, but few of them would attract tourists on their own without being part of a bigger story.

Birding trails, wildlife trails, literary heritage trails, and Civil War heritage trails are all examples of this linkage concept. The Katy Trail in Missouri—running 240 miles

residents and the eventual destruction of the very attributes that attracted tourists in the first place. Too many cars, tour buses, condominiums, or people can overwhelm a community and harm fragile resources.

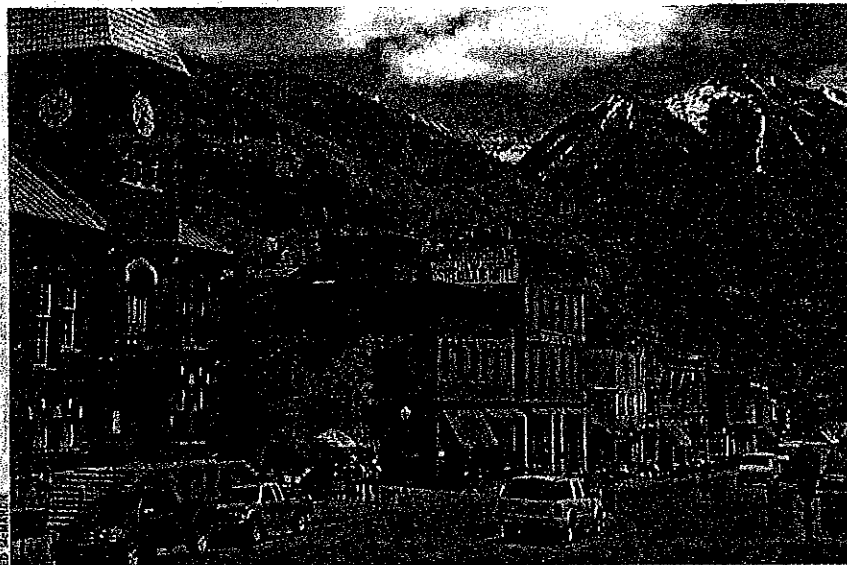
Sustainable tourism requires planning and management. Annapolis, Maryland; Charleston, South Carolina; and Williamsburg, Virginia, are examples of communities with tourism management plans. Charleston, for example, bars large tour buses from the neighborhood south of Broad Street, known as the Battery. It also directs travelers to the city’s visitor center, which is located well away from historic residential neighborhoods that were being overrun by tourists. It has also built new attractions, like the South Carolina Aquarium, in underserved areas of the city instead of concentrating everything in one or two overcrowded neighborhoods.

More Than Marketing

In recent years, American tourism has had steadily less to do with America and more to do with mass marketing. As farmland, forests, and open lands decrease, advertising dollars increase. As historic buildings disappear, chain stores proliferate. As Main Streets come back to life, congested commercial corridors spread on the outskirts of towns. Unless the tourism industry thinks it can continue to sell trips to communities clogged with traffic, look-alike motels, overcrowded beaches, and cluttered commercial strips, it needs to create a plan to preserve the natural, cultural, and scenic resources on which it relies.

Tourism is about more than marketing. It is also about protecting and enhancing the product communities are trying to promote. Citizens, elected officials, and developers alike can take a leadership role in creating a sustainable tourism agenda that will strengthen the American economy and at the same time preserve the natural and cultural assets that make the United States unique. **UL**

EDWARD T. McMAHON is a ULI senior resident fellow and the Charles Fraser Chair for Environmental Policy.



Promoting tourism means protecting authentic destinations, such as Telluride, Colorado.

fact, it is hard for people to spend money when they are in a car, so getting tourists out of their cars is a key to sustainable tourism and increased business. The best way to get people out of their cars is to create places where people can safely walk and bike in attractive settings. The Embarcadero in San Francisco, the Inner Harbor in Baltimore, Beale Street in Memphis, and the River Walk in San Antonio are all destinations that demonstrate how walkability increases profitability.

9. Link sites. Though very few rural communities or small towns can attract out-of-state or international visitors on their own, linked with other communities, they can

(386 km) from Machesn near St. Louis to Clinton in western Missouri—is considered one of the best rail trails in the country. This multipurpose trail has brought thousands of tourists and new life to an economically distressed part of the state. Similarly, the Journey through Hallowed Ground Heritage Area in Maryland and Virginia has provided a framework for promoting and interpreting nine presidential homes, numerous Civil War sites, more than 30 historic Main Street communities, and numerous other historic and natural attractions.

10. Recognize that tourism has limits and must be managed. Savvy communities always ask how many tourists are too many. Tourism development that exceeds the carrying capacity of an ecosystem or that fails to respect a community’s sense of place will result in resentment by local

Version: Draft – May 4, 2026 Meeting



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**A RESOLUTION
OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LEWES, DELAWARE,
TO PURSUE AMENDMENTS TO THE CHARTER OF THE CITY OF LEWES,
CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, AS AMENDED,
RELATING TO THE ESTABLISHMENT OF THE LEWES RESILIENCY FUND.**

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WHEREAS, the Mayor and City Council of the City of Lewes have conducted a review of the Charter of the City of Lewes and agreed to seek an amendment to the Charter of the City of Lewes (the “Charter”) in an effort to promote the long-term economic and environmental resilience of the City of Lewes; and

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WHEREAS, the Mayor and City Council of the City of Lewes deem it desirable to establish a dedicated Lewes Resiliency Fund within the Charter to provide a permanent, restricted source of funding for the enhancement of the City’s ability to withstand and adapt to environmental challenges inherent in a coastal community; and

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WHEREAS, the proposed Charter amendment would establish the Lewes Resiliency Fund within the Charter for the purpose of protecting our local economy and City operations through investments in sustainable infrastructure, ecosystem restoration, flood mitigation, and community-driven solutions; and

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WHEREAS, the proposed Charter amendment would restrict the use of the funds exclusively to resiliency mitigation, prevention, and post-disaster activities, prohibiting use for ongoing City operations; and

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WHEREAS, the proposed Charter amendment would require a supermajority vote of the City Council to authorize expenditures from the Fund, except in emergency circumstances; and

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WHEREAS, the proposed Charter amendment would clarify that the establishment and maintenance of the Fund does not constitute municipal debt and does not create any borrowing obligation of the City; and

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WHEREAS, the proposed Charter amendment would authorize the Mayor and City Council, by resolution, to establish a funding formula or other mechanism for deposits into the Fund; and

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WHEREAS, the proposed Charter amendment would require the affirmative vote of at least four (4) of the five (5) members of the City Council to abolish the Fund or transfer Fund assets to any other City fund or purpose, thereby ensuring appropriate protection for the Fund’s dedicated resources; and

WHEREAS, on May 12, 2025, the Mayor and City Council of the City of Lewes adopted a Resolution establishing the Lewes Resiliency Fund, evidencing the City’s commitment to long-term environmental resilience and the protection of dedicated resiliency resources; and

WHEREAS, the Mayor and City Council of the City of Lewes now desire to further protect the Lewes Resiliency Fund by enshrining its establishment, purpose, and fiscal safeguards in the Charter, thereby providing a permanent and durable foundation that cannot be altered without specific legislative action; and

WHEREAS, on May 4, 2026, the Mayor and City Council of the City of Lewes held a properly noticed public hearing regarding the proposed changes to the City Charter and considered additional public feedback.

WHEREAS, the Mayor and City Council of the City of Lewes provided ample and meaningful opportunity for public comment in relation to the aforementioned proposed City Charter changes; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Lewes, Delaware, in session met on the _____ day of _____, 2026, that:

Section 1. The Mayor and City Council of the City of Lewes shall pursue Charter Amendments relating to the aforementioned Charter provisions in accordance with the Act attached hereto as **EXHIBIT A**, titled:

**AN ACT TO AMEND THE CHARTER OF THE CITY OF LEWES
TO ESTABLISH A DEDICATED FUND KNOWN AS
THE LEWES RESILIENCY FUND**

Section 2. The Mayor and City Council of the City of Lewes hereby request that the Delaware General Assembly pass, and that the Governor of the State of Delaware sign, the Act attached hereto as **EXHIBIT A**.

Section 3. This Resolution shall be effective immediately upon its adoption by the Mayor and City Council of the City of Lewes.

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Adopted by the Mayor and City Council
of the City of Lewes

I, Timothy Ritzert, Secretary of the City Council of the City of Lewes, do hereby certify that the foregoing is a true and correct copy of the Resolution passed by the Mayor and City Council at its meeting on _____, at which a quorum was present and voting throughout and the same is still in full force and effect.

Secretary of City Council
City of Lewes

EXHIBIT A

SPONSOR: Sen. _____
Rep. _____

HOUSE OF REPRESENTATIVES
153rd GENERAL ASSEMBLY

HOUSE BILL NO. _____

AN ACT TO AMEND THE CHARTER OF THE CITY OF LEWES TO ESTABLISH A DEDICATED FUND KNOWN AS THE LEWES RESILIENCY FUND FOR THE PURPOSE OF ENHANCING THE CITY'S ABILITY TO WITHSTAND AND ADAPT TO ENVIRONMENTAL CHALLENGES AND TO FACILITATE RECOVERY FROM WEATHER EVENTS INHERENT TO A COASTAL COMMUNITY.

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 Lewes by inserting a new Section 20B to read as follows:

2 Section 20B. Lewes Resiliency Fund.

3 (a) The Mayor and City Council shall establish and maintain a dedicated fund to be known as the Lewes Resiliency
4 Fund (the "Fund"). The purpose of the Fund shall be the enhancement of the City's ability to withstand and adapt to
5 environmental challenges and to facilitate recovery from weather events inherent to a coastal community, including
6 but not limited to investments in sustainable infrastructure, ecosystem restoration, flood mitigation, and community-
7 driven climate solutions.

8 (b) Moneys deposited into the Fund shall be used exclusively for resiliency mitigation, prevention, response, and
9 post-disaster activities. Except as provided in subsection (e), the Fund shall not be used for routine or ongoing City
10 operations. The Mayor and City Council may, by resolution, further define and clarify allowable uses of the Fund,
11 provided such uses remain consistent with the purposes of this Section.

12 (c) The Mayor and City Council may, by resolution, establish and amend a funding formula or other mechanism for
13 periodic deposits into the Fund.

14 (d) Except as provided in subsection (e), no moneys shall be expended from the Fund except upon the affirmative
15 vote of at least four (4) of the five (5) members of the City Council.

16 (e) In the event of a sudden emergency affecting the City, including emergencies recognized under the City's
17 Emergency Operations Plan, including but not limited to a major fire, flood, storm, toxic spill, or any emergency
18 declared by Sussex County, the State of Delaware, or the Federal government whose scope includes the City, the
19 Mayor, or the Deputy Mayor in the Mayor's absence, may unilaterally authorize expenditures of Fund moneys when
20 immediate action is necessary to protect life, property, or critical infrastructure and there is insufficient time for the

EXHIBIT A

21 City Council to convene. Any such emergency expenditure shall be reported to the City Council as soon as
22 practicable and presented to the City Council for review at its next regular meeting.

23 (f) The establishment and maintenance of the Fund shall not constitute or create municipal debt or any obligation of
24 the City.

25 (g) The abolition of the Fund or the transfer of Fund assets to any other City fund or purpose shall require the
26 affirmative vote of at least four (4) of the five (5) members of the City Council.

27 Section 2. If any provision of this Act shall be deemed or held to be invalid or unenforceable for any
28 reason whatsoever, then such invalidity or unenforceability shall not affect any other provision of this Act that may
29 be given effect without the invalid or unenforceable provision, and to this end, the provisions of this Act are hereby
30 declared to be severable.

SYNOPSIS

This Act amends the Charter for the City of Lewes to add a new Section 20B establishing the Lewes Resiliency Fund (the "Fund"). The Fund is a dedicated municipal fund whose purpose is to enhance the City's ability to withstand and adapt to environmental challenges and to facilitate recovery from weather events inherent to a coastal community, including investments in sustainable infrastructure, ecosystem restoration, flood mitigation, and community-driven climate solutions. Moneys in the Fund may be used exclusively for resiliency mitigation, prevention, response, and post-disaster activities as further defined by the Mayor and City Council by resolution. The Fund may not be used for routine or ongoing City operations, nor shall the Fund constitute or create municipal debt. The Mayor and City Council may, by resolution, establish a funding formula for deposits into the Fund. Expenditure of Fund moneys generally requires the affirmative vote of at least four (4) of the five (5) members of the City Council; provided, however, that in the event of a sudden emergency, the Mayor, or the Deputy Mayor in the Mayor's absence, may unilaterally authorize emergency expenditures from the Fund when immediate action is necessary and there is insufficient time for the City Council to convene, subject to Council review at its next regular meeting. Abolition of the Fund or transfer of its assets likewise requires a supermajority vote of at least four (4) of the five (5) members of the City Council.



Fw: Charterization of resiliency fund

From Ellen Lorraine McCabe <emccabe@ci.lewes.de.us>

Date Mon 5/4/2026 5:09 PM

To Ashley Akgoren <aakgoren@ci.lewes.de.us>

Cc Janet Reeves <jreeves@ci.lewes.de.us>

Ashley - Below is a comment for the public hearing topic...charter change being requested.

Thank you,

Ellen Lorraine McCabe, MBA, ICMA-CM

Direct Dial: 302.645.7777 ext. 116

The City of Lewes



The First Town in The First State

From: Thierry Poirey <TPoirey@ci.lewes.de.us>

Sent: Monday, May 4, 2026 3:19 PM

To: Amy Marasco <AMarasco@ci.lewes.de.us>; Khalil Saliba <KSaliba@ci.lewes.de.us>; Tim Ritzert <tritzert@ci.lewes.de.us>; Joe Elder <jelder@ci.lewes.de.us>; Trina Brown-Hicks <tbrownhicks@ci.lewes.de.us>

Cc: Ellen Lorraine McCabe <emccabe@ci.lewes.de.us>

Subject: Charterization of resiliency fund

Ensuring the prosperity of the Resiliency Fund is a sound objective. However, enshrining it in the City Charter may be premature or even—depending on how it is done—unwise. There is currently no State policy governing resiliency funds or the treatment of communities that establish such instruments. For obvious reasons, the State is pleased to see municipalities set money aside for difficult times, and Delaware is certainly glad to see Lewes do so without making any commitment about how we will be treated in the event of a disaster.

Logically, the State should encourage and reward communities that plan for disasters with potential countywide or statewide impacts. It would not be unreasonable for the State to adopt a policy guaranteeing an additional layer of assistance for communities that have established a resiliency fund. But in the absence of such a policy, the outcome could be the opposite. When the time comes to allocate funds after a disaster, the State may choose to prioritize communities that did *not* set money aside, while providing less to those that acted responsibly and relied less on Dover's generosity.

This does not mean Lewes should avoid growing the Resiliency Fund; we should continue to strengthen it to the best of our ability. But it likely means we should retain maximum flexibility in how the fund is structured, financed, and managed—at least for now—rather than imposing constraints that would result from charterization. This approach also preserves our ability to take full advantage of any benefits that may arise if and when the State adopts statewide rules.

Furthermore, Lewes should lead an effort to encourage Dover to establish a statewide policy that rewards communities—municipalities and counties alike—that set funds aside for disaster recovery in amounts consistent with their respective capacities. The long-term benefits of such a policy are clear, and Lewes should maintain a fully flexible posture until one is adopted.