



Parks and Recreation Commission Meeting  
April 20, 2026 at 5:00pm  
Bonnie Osler Meeting Room  
Regular Meeting  
AGENDA

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A. CALL TO ORDER & ROLL CALL	
B. ANNOUNCEMENTS & AGENDA REVIEW	
C. APPROVAL OF MINUTES	
1. <a href="#">PARKS 3-16-2026</a>	3 - 8
D. PRESENTATION & POSSIBLE ACTION ON THE FOLLOWING ITEM: <i>Public Art Installation for Summer 2026</i>	
E. PRESENTATION AND DISCUSSION REGARDING THE PARK SYSTEM APPROACH TO THE PARK MANAGEMENT.	
F. COMMISSIONERS REPORTS AND PROJECT UPDATES/STATUS	
G. OLD BUSINESS	
1. Presentation and possible action regarding updated Chapter 63. Beach Ordinance	9 - 14
<a href="#">Chapter 63 Revision Draft 2-5-2026 (Combined GC-AR edits)</a>	
2. Review and possible action of draft Drone ordinance	15 - 22
<a href="#">Drones, City of RB Code, Parks and Recreation</a>	
<a href="#">Drones, Town of BB, Unmanned Aircraft Systems</a>	
3. Review and possible action on the commission's By-laws – tentative	23 - 27
<a href="#">By-Laws Parks Recreation Commission FINAL 11.14.22</a>	
H. PUBLIC COMMENT	
I. ADJOURNMENT	

<https://us02web.zoom.us/j/88489224338?pwd=cDo4uvvw2fil8CXjGBllcYwbAfwCU29.1>

Join via audio:

+1 301 715 8592 US (Washington DC)

Webinar ID: 884 8922 4338

Passcode: 583102

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



**CITY OF LEWES  
PARKS AND RECREATION COMMISSION  
Regular Meeting Minutes  
March 16, 2026**

The regular meeting of the Lewes Parks and Recreation Commission was held on Monday, March 16, 2026 at 5:00 P.M. in the Bonnie Osler Meeting Room of the Rollins Center and via Zoom in accordance with proper notification with the following present: Vice Chair Kay Carnahan, Mardi Thompson, Christine Besche, Barry Dunkin, Rodney Robinson, Ray Fratella, Mark Shue, Parks and Marina Administrator Guilia Kirsch, Parks and Marina Specialist Strohm Edwards, and Ex-Officio Member City Councilman Tim Ritzert.

**A. CALL TO ORDER AND ROLL CALL**

Vice Chair Carnahan called the meeting to order at 5:00 P.M.

**B. APPROVAL OF MINUTES**

- 1. December 15, 2025  
November 4, 2025**

**ACTION:** *Ms. Thompson made a motion to approve the November 4, 2025 meeting minutes as presented and the December 15, 2025 meeting minutes as amended; Mr. Robinson seconded the motion, which passed unanimously.*

**C. ANNOUNCEMENTS**

Ms. Carnahan stated there would be a change to the order of the agenda due to tonight's weather.

Thank you to Anne Colligan for all her work on the Commission as she has resigned and will be moving to Virginia.

Announcements included:

- Juneteenth is scheduled for Saturday, June 27<sup>th</sup> with information to follow.
- The interpretive sign unveiling will be on Saturday, May 30<sup>th</sup> at 10:00 A.M. at Johnnie Walker Beach with images of Mr. Walker and information on what he provided to the community. A QR Code will be included with a link to the City website.
- April 11<sup>th</sup> is the community bonfire and volunteer appreciation event, please RSVP.

Ms. Kirsch announced the Lewes Public Art Committee is having a bus trip Thursday, April 16<sup>th</sup> at a cost of \$175.00 per person to the Calder Gardens and Barnes Museum. This includes admission to the two museums, box lunch, and transportation on the large charter bus.

The Arbor Day Event is Friday, April 24<sup>th</sup> at 10:00 A.M. in Stango Park. Discussion of the tree to be planted will be later in the meeting. Registration for the Junior Lifeguard Program has 37 applicants to date.

The Lawn and Landscape Contract was awarded to Distinctive Landscaping. The City needs volunteers to work on the election polls for the May 9<sup>th</sup> election. If interested, please contact City Clerk Ashley or the reception desk.

Mr. Robinson stated the semiquincennial tree was selected by Ms. Thompson from a nursery in Pennsylvania. The Swamp White Oak will do well in Lewes and be planted next week for the Arbor Day celebration. There will be extra attention to the need for watering.

#### **D. PRESENTATION AND POSSIBLE ACTION:**

##### **2. Presentation by the Lewes Community Garden.**

Jim Stofan, 33120 North Village Loop, Lewes and Community Garden Treasurer, was present and provided a PowerPoint Presentation including the history of and an update on this season's Community Garden.

In answer to questions from the Commissioners, Mr. Stofan stated there are 30 new gardeners this year. For the Environmentally Friendly Tick Control Program, all gardeners are asked to use organic products and materials. A substance is available for the gardeners to take home to apply to their clothes that will repel ticks. Work continues to reduce the habitat for ticks.

Mr. Stofan also spoke about their budget, donations, grants, and how they determine the amount of volunteer hours.

Mr. Dunkin stated the Commission will review uses for the Community Garden and Dog Park to prepare for the City's lease renewal with the State this year.

#### **E. PROJECT UPDATES: Update on monthly activity, projects, and volunteer hours.**

##### **Stango Park**

Ms. Besche reported there is a need for cleanup in the parks due to tree damage from the last snowstorm. No additional report for Stango Park.

##### **Beaches**

Ms. Carnahan reported the two beach parking lots will be closed until April 10<sup>th</sup> for cleanup and sand distribution. Parking blocks will be moved, and benches are being reorganized around the Lions Club Snack Stand. The dog bags are being tied onto branches in the trees around the beach area.

Mr. Edwards reported 19 lifeguards will be returning this year. There was a tryout held for the beach patrol this weekend along with physical fitness tests for the returning guards. This year's applicants are the best group he has seen.

##### **Trees**

Ms. Thompson reported tree cleanup from the snowstorm continues for park and street trees. Tree City U.S.A. for 2025 has been approved. The Urban and Community Forestry Planting Grant application for 11 trees has been submitted. Met with the State Forester regarding the New Road Field Project with tree and meadow planting to begin in the Spring.

**Great Marsh Park**

Mr. Dunkin reported many trees were damaged in the park during the snowstorm. The trees along the pathway on Park Road have been removed. Work is needed for the trees on the trail around the Dog Park, also from the snowstorm. Invasive Species Grant application is due in the Fall. Met by Zoom with the Dean of Earth, Ocean and Environment from the University of Delaware, Real Estate Director and Associate Vice President for Capital Planning, and the Director of Operations. Met with the Director of Operations in-person last week for a drive through of the park to review boundaries and speak about planning and development.

**Canalfront Park**

Mr. Robinson reported Friends had their Board meeting this morning and will be very busy this season. The Bunny Bonanza will be on Saturday, April 4<sup>th</sup>; seven concerts are planned to include a children's theatre. There are plans to have refreshment trucks for the events. Construction of the Overfalls Museum continues with opening scheduled for May 16<sup>th</sup> on Maritime Day.

**Zwaanendael Park**

Mr. Fratella reported there were trees needing work in the park before and after the snowstorm. Tulips and daffodils were not damaged, but there was damage to the pansies. Lewes in Bloom will be doing a cleanup this week for the start of the Tulip Festival on April 1<sup>st</sup>. The City's budget team recommended that \$130,000 be budgeted in FY27 for repairs to the fountain and bricks.

**George H.P. Smith Park**

Mr. Shue reported there was tree damage in the park from the snowstorm.

**1. Floating Dock Replacement at Canalfront Park**

Ms. Kirsch reported this should be completed by the end of the week, weather permitting.

**2. Fence Installation at George H.P. Smith Park**

Ms. Kirsch reported fencing has been installed around the porta potty areas.

**3. New Road Farm Field**

Discussed earlier in the meeting.

**4. Great Marsh Park Master Plan Update**

Ms. Kirsch reported the extended lease of 20 years was granted and the Master Plan has been accepted with a few items that need review.

Review of Great Marsh Park Master Plan:

- Ms. Kirsch read the requested wording change to the protection of cultural resources as a priority into the record. "Protecting the integrity of cultural resources must be considered during the ground disturbing activities, construction, and trail development. If artifacts are located, we must contact DNREC's Parks and Recreation and Cultural Resource Unit".

- They have requested that mulch not be used for the trail surfaces since it retains moisture and tends to rot. Other natural permeable surface materials are recommended such as crushed stone.

Ms. Kirsch stated she will add these changes to the final report to be submitted.

## **5. Semiquincentennial Tree Update**

Review by Mr. Robinson earlier in the meeting.

### **Additional discussions included:**

Regarding the New Road Field, Ms. Thompson stated the State Forester recommended not to mow before tree planting. The best times are June and October. Mowing begins in June and there will be a review of the quotes for the work.

Mr. Robinson requested there be a survey of the private properties at the City-owned property areas in the New Road Field before planting begins.

In answer to Councilman Ritzert's question about the concrete culvert near Hoornkill and Rodney Streets, Mr. Dunkin stated it was mentioned in the Great Marsh Master Plan to install a more environmentally friendly drainage system. Councilman Ritzert stated the needed cleanup, and repairs are the responsibility of the party who constructed it, not the City.

## **F. OLD BUSINESS**

### **1. Continued discussion and possible action regarding the skill sets that the Commission would like to see in potential Commissioners.**

Discussion included:

- How work responsibilities in the parks for Commissioners have changed over the years.
- Helpful if some of the new members have background in horticulture; knowledge of community engagement; management skills; civil engineering experience; civil service experience.
- Goal is for everyone to have an equal share in the 'Park System'.
- Important to consider public comments; determine the number of Commissioners needed.
- Consider having a member with a property management background in managing commercial properties.
- Commissioner assigned Mary Vessels and 1812 Parks.

### **D. 1. Bright Guard Sunscreen Dispenser partnership with Beebe Healthcare.**

Alaxander Beck was present via Zoom providing a PowerPoint Presentation on Bright Guard.

Due to technical difficulties in Mr. Beck's Zoom transmission, there was an echo making it difficult to hear the audio portion of the presentation and his answers to Commissioner's questions.

Questions and discussion included:

- Determine the 10 locations if decide to move forward with the plan; Beebe has selected some locations and the City may submit additional.
- Reporting empty or damaged machines; to be replaced or repaired within 48 hours.
- Units are battery-powered, usually lasting the full three months; concerns about high winds and securing the umbrellas.
- Sunscreen is dispensed in liquid form.
- To review the 10 Beebe locations list; trial period; concerns about commercializing the parks and the waterfront; does not fit into the Lewes Historic District.
- How to determine if this is an effective contribution; concerns about the City and Beebe contributing something that should be a personal responsibility.
- Legal statements; submit dispenser design changes.
- Review to continue at the April meeting.

**F. 2. Continued discussion and possible action of updated Chapter 63, Beach Ordinance.**

**F. 3. Continued discussion and possible action of Drone Codes from City of Rehoboth Beach and Town of Bethany Beach, prior to drafting City of Lewes draft code.**

**F. 4. Review and possible action on the Commission's Bylaws**

Ms. Carnahan stated Agenda Items F. 2, 3, and 4 will be postponed until the April meeting.

#### **G. NEW BUSINESS**

##### **1. Discussion and possible action regarding the Public Art Committee 2026 art placement—Wally Dion.**

Mr. Dunkin provided a picture of previous quilt work by Mr. Dion, who is a Native American designer of quilts. The plan is for one quilt installed on an aluminum poll anchored to the ground with a plate and located in George H.P. Smith Park. Information to follow on the size and the exact design, which is a natural material that usually disintegrates from the weather after nine months. The plan is for it to be removed in October.

Additional pictures of his work are available on the website. Mr. Dion will be here next week to review locations.

Mr. Shue stated he would be available to meet Mr. Dion at the park to help review locations.

**ACTION:** *Mr. Robinson made a motion to encourage the Public Art Committee to proceed with the plans for the proposed art by Wally Dion; Mr. Fratella seconded the motion, which passed unanimously.*

#### **H. PUBLIC COMMENT**

There was one comment online from George Terrell regarding the continued care and replacement of the flags at Canary Creek. He also stated they were informed that BPW is not responsible for cleaning or maintaining the concrete swale.

Ms. Carnahan stated there will be a follow-up on Mr. Terrell's comments.

**I. ADJOURNMENT**

**ACTION:** *Mr. Robinson made a motion to adjourn: Ms. Thompson seconded the motion, which passed unanimously.*

The meeting was adjourned at 7:10 P.M.

Respectfully submitted,  
Jackie Doherty, Recording Secretary  
Lewes Parks and Recreation Commission

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City of Lewes, DE  
 ThursdayFriday, February 56, 2026

**Chapter 63. Beaches**

[HISTORY: Adopted by the City Council of the City of Lewes as indicated in article histories. Amendments noted where applicable.]

**GENERAL REFERENCES**

Community Events – See Ch. 80  
 Docks - See Ch. 86.  
 Dogs on beaches - See Ch. 88, Art. II. [See note below in § 63-6(B)]  
 Littering — See Ch. 121.  
 Loitering — See Ch. 123.

[Adopted 8-4-1947; amended 5-12-1980]

## § 63-1. Scope.

This Chapter provides guidance and restrictions for the usage of the City Beach as that term is defined in Section 63-2.

## § 63-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated.

- (a) CITY BEACH means any Delaware Bay shoreline within the City of Lewes including the Restricted Area, whether or not guarded.
- (b) PEAK SEASON means the Friday of Memorial Day weekend through and including September 30 of each year.
- (c) RESTRICTED AREA is the beach area encompassing the guarded area of the City Beach extending from a point 100 feet west of Savannah Road to a point 275 feet easterly from Georgia Avenue including a swimming area that shall extend offshore a distance of 300 feet. Buoys will mark the swimming area during the Peak Season. The Restricted Area includes the recreational areas now known as Savannah Beach and Johnnie Walker Beach.
- (d) RESTRICTED WATER EQUIPMENT means: (i) any hard-shell (plastic, wood, fiberglass, or metal) boat or raft, (ii) any inflatable capable of seating/carrying more than two people, and (iii) any motorized or wind-powered equipment for personal use of any kind. Examples include and are not limited to kayaks, canoes, stand up paddleboards, surfboards, row boats, sailboats, personal watercraft, efoils, underwater scooters,

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floating lounges, multi-person floating mats, and any like equipment that the lifeguard staff deems potentially dangerous to the user or a danger or nuisance to others.

- (e) RESTRICTED BEACH EQUIPMENT means any shelter or canopy closed on two or more sides, any shelter or canopy with metal legs or supporting structures, any shelter or canopy covering greater than 64 square feet, and any toy or game involving projectiles that the lifeguard staff deems potentially harmful.
- (f) **SPECIAL EVENT** means any pre-organized, pre-planned, multi-person gathering [lasting longer than twenty minutes,?] including without limitation, parties, weddings, or bonfires.

**Commented [AR1]:** Definition requires further refinement. Possibilities include time limitation as suggested in brackets above, minimum number of persons involved, or carryover of language from definition of "Community Event" in Chapter 80.

§ 63-3. Activities Prohibited or Regulated in Restricted Area During Peak Season.

- A. During the Peak Season, the following activities are prohibited within the Restricted Area:
1. Boating.
  2. Crabbing, fishing, seining, or netting (larger than handheld nets).
  3. Storage of personal items on the beach.
  4. Sleeping, loitering, or camping between the hours of 11 p.m., prevailing time, and 6 a.m. the following morning. [Could be merged w/section 63-6(D) by changing one hour in either direction?]
  5. Use of any Restricted Water Equipment.
  6. Use of any Restricted Beach Equipment.
  7. Fires of any kind without a permit (see Section 63-6(E)).
  8. Digging or causing a hole or trench deeper than 12 inches. [Is this necessary here in light of section 63-6(A)(2)?]
  9. Preparing hot food by use of grills, hibachi, camp stoves, or other cooking equipment, with or without a bonfire permit.
  10. Sale of any food, goods, or services without a permit or concession to do so.
  11. Smoking of any tobacco or cannabis product, or use of any e-cigar/cigarette or vaping device.
  12. Holding Special Events without a permit pursuant to section 63-8.
- B. No dogs shall be allowed in the Restricted Area during the Peak Season, provided that nothing contained in this subsection shall prohibit any certified service animal or dog acting for any law enforcement agency, or acting for any branch of the U.S. armed forces. To the extent dogs are allowed upon the beach as aforesaid, the owner or person in control of such dog shall keep the dog under leash and shall carry and use a bag or other device to pick up and remove from the beach any excrement which said dog shall drop.
- C. Lifeguards may take reasonable actions to restrict activities or equipment for the protection of wildlife.

**Commented [AR2]:** Decision needed.

**Commented [AR3]:** Decision needed.

§ 63-4. Lifeguard Discretion and Enforcement.

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A. Any lifeguard on duty may require the movement away from the shoreline or elsewhere on the beach of any beach equipment or shelter that is otherwise permitted if the lifeguard determines that it may obstruct the lifeguard's view of the water or would otherwise impede the ability to perform lifeguarding duties.

B. The Captain of the Lewes Beach Patrol is hereby authorized to exercise reasonable discretion to determine and declare the beach and surf area within the City of Lewes closed due to unsafe weather, tide, surf, water conditions, or any other hazard or unsafe situation as determined by the Captain. The Captain is further authorized to enforce all beach rules, regulations, and ordinances adopted by the City of Lewes or otherwise applicable to the beach and surf area. The term "Captain," as used herein, shall also include a deputy or acting Captain as designated by the Captain of the Lewes Beach Patrol.

§ 63-5. Activities Prohibited on All City Beaches During Peak Season

A. Fishing. In addition to the restriction stated in Section 63-3(A)(2), it shall be unlawful during the Peak Season for any person or entity to engage in fishing on that portion of the City Beach extending from the eastern boundary of the development known as "Pilot Point" to 340 feet eastward of the westerlymost boundary line of the property of Lewes Yacht Club from 8:00 a.m., prevailing time, until 6:30 p.m., prevailing time.

**Commented [GC4]:** Corrected to conform to current code Sec. 63-20.

B. Horses. It shall be unlawful for any person to ride, walk, or exercise a horse upon any City Beach during the Peak Season.

§ 63-6. Activities Prohibited or Regulated on All City Beaches Year-Round

A. At any date and time, and on any City Beach, the following activities are prohibited.:

1. Fires of any kind without a permit (see Section 63-6(E)).
2. Digging or causing a hole or trench deeper than 12 inches.
3. Within 300 feet of the shoreline, operating a jet-ski or other personal watercraft defined by the U.S. Coast Guard as a Class A inboard vessel.

B. Dogs. [Adapted from Chapter 88, Article II, section 88-9, which should be repealed together with section 88-10 to avoid conflicts and confusion.] In addition to the prohibition found in section 63-3(B) pertaining to dogs in the Restricted Area during Peak Season, it shall be unlawful for any person who is the owner or who has control thereof to permit or suffer any dog to go upon any City Beach without being attended by a person or persons responsible for the control of such dog; provided that nothing contained in this subsection shall prohibit any certified service animal or dog acting for any law enforcement agency, or acting for any branch of the U.S. armed forces. To the extent dogs are allowed upon the beach as aforesaid, the owner or person in control of such dog shall keep the dog under leash and shall carry and use a bag or other device to pick up and remove from the beach any excrement which said dog shall drop.

**Commented [AR5]:** Include repeals in final ordinance.

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- C. Vehicles. It shall be unlawful for any person to operate or permit to be operated a motor vehicle, licensed or unlicensed, on any City Beach; provided, however, that nothing contained herein shall prohibit any motor vehicle of the City of Lewes, emergency vehicles, vehicles of permit-holding concessionaires, vehicles engaged in beach maintenance, repair, or improvement, including vehicles upon the beach making an inspection of the beach, and other motor vehicles authorized by the City of Lewes from being operated upon the beach or strand.
- D. Hours. It shall be unlawful for any person to be on any City Beach between the hours of 12:00 midnight, prevailing time, until 6:00 a.m. the following morning, prevailing time; provided, however, that the provisions of this section shall not be applicable to any public official on the beach in his official capacity, any police officer in the performance of his official capacity duty, persons upon the beach engaged in beach repair, maintenance, improvement or inspection, or any person upon the beach because of any emergency.
- E. Open Fires.
1. Fires Generally. It shall be unlawful for any person to openly burn or set fire, or to cause to have openly burned or permit to have openly burned, upon any City Beach any leaves, brush, wood, or other combustible matter. Fires contained within a fire ring or barrel (bonfire) may be permitted in accordance with an approved open fire permit.
  2. Bonfires. It shall be unlawful for any person to have a beach fire (or bonfire) at any City Beach without receiving a permit and paying the fee required by the Parks and Marina Department in accordance with the instructions and forms provided by the City of Lewes. Permits can be purchased via the city website ([www.ci.lewes.de.us](http://www.ci.lewes.de.us)).
  3. Extinguishment and Cleanup. All fires must be extinguished and the beach cleaned up by 11:00 p.m. Fires may not be burned directly on the sand. All fires must be contained within a fire ring or barrel. All residue from the bonfire, including burned wood or coals, must be completely removed from the beach and disposed of in a ~~proper trash~~**fireproof** receptacle ~~and removed from the beach~~. It shall be unlawful for any residue from a fire to be buried, dumped in the bay, dunes, or any public trash receptacle.

## § 63-7. Special Events on the Beach.

It shall be unlawful for any person without a permit to conduct or assist in conducting a Special Event ~~northseaward~~ of the dune line on any City Beach.

## § 63-8. Application for Special Event permit.

- A. Any person desiring to have a Special Event on a City Beach shall file an application with the Parks and Marina Department in accordance with the instructions and forms provided by the City of Lewes website ([www.ci.lewes.de.us](http://www.ci.lewes.de.us)), responding to all

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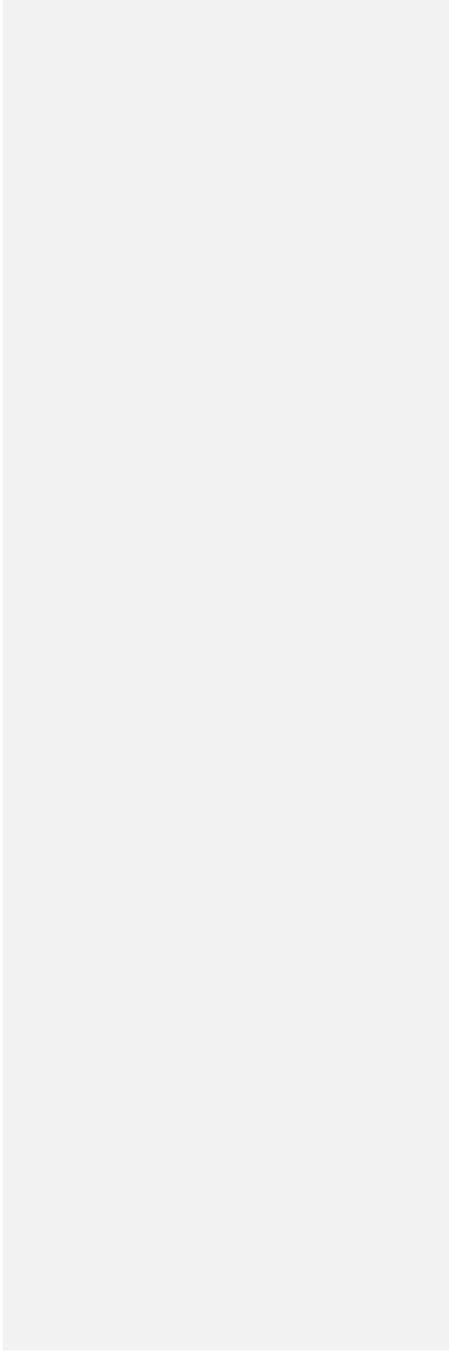
questions therein, at least two business days prior to the date of the Special Event, and including payment of any permit fee specified therein.

- B. Upon the filing of the application, the Parks and Marina Department shall endorse approval upon the application, if it complies with this section and if in the Parks and Marina Department's judgment the proposed event is consistent with past uses of the beach and is not apt to disturb neighboring property owners or tenants. If the application is rejected, the Parks and Marina Department shall notify the applicant of the disapproval with the reason or reasons therefor.

§ 63-9. Enforcement.

Any person or entity violating a provision of this Chapter 63 may be subject to a fine of not less than \$25 or more than \$200. For a second or subsequent violation, any person, firm or corporation shall be subject to a fine of not less than \$50 nor more than \$500 for each such violation. Each day that a violation of any of the provisions of this Chapter continues shall be deemed and taken to be a separate and distinct violation.

***DRAFT REVISION***



## Chapter 195

### PARKS AND RECREATION

<p>§ 195-1.</p> <p>§ 195-2.</p> <p>§ 195-3.</p>	<p><b>Definitions.</b></p> <p><b>General rules and regulations.</b></p> <p><b>Grove Park Canal Dock.</b></p>	<p>§ 195-4.</p> <p>§ 195-5.</p>	<p><b>Exceptions.</b></p> <p><b>Violations and penalties.</b></p>
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**[HISTORY: Adopted by the Commissioners of the City of Rehoboth Beach 4-16-2021 by Ord. No. 0421-05. Amendments noted where applicable.]**

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#### § 195-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**MOTORIZED VEHICLE** — Automobiles (including electric), scooters, mopeds, and motorcycles, not including electric personal assistive mobility devices utilized by persons with a disability.

**PARK** — An area of land with an individual name that is owned and/or managed by the City of Rehoboth Beach and is used by the public for rest and/or recreation. Parks include Mariner's (Surfside) Park, Lewes-Rehoboth Canal bank, Central Park, Grove (Shaw) Park, Grove Park Canal Dock, Deer Park, Stockley Street (Country Club Estates) Park, Cranberry Park, Lake Gerar Park, Lee Street Park, Teardrop (Silver Lane) Park, and Martin's Lawn Park. **[Amended 7-16-2021 by Ord. No. 0721-01; 7-19-2024 by Ord. No. 0724-01]**

**WATERCRAFT** — A boat, flotation device, or any other vessel designed for transport of persons or goods on water.

#### § 195-2. General rules and regulations.

- A. No person shall cut, break, move, take, or otherwise injure, destroy, or deface any tree, shrub, plant, or any building, fence, bridge, sign or other structure, nor foul any lake, stream, pond or water feature, nor dump any earth, rubbish, yard debris or other substance or material.
- B. The sale, consumption or possession of alcoholic beverages is prohibited.
- C. Gambling of any kind is prohibited.
- D. The use of amplified sound is prohibited.
- E. It shall be unlawful for any person to build, start, ignite, or maintain any fire or open flame or use any charcoal or propane-fired grill, cooker, or heating device heated by fire or any cooking device.
- F. No person shall set a trap, snare, shoot, injure, disturb, or poison any animals or birds, or injure or destroy any nests in any park unless such action is requested by the City Manager for public health and safety.
- G. No person shall ride in or drive any unauthorized motor vehicle.
- H. In designated spaces, parking shall be limited to users of the park during the hours of operation. Violators will be towed at the owner's expense.

City of Rehoboth Beach, DE

§ 195-2

## REHOBOTH BEACH CODE

§ 195-2

- I. No person shall test or repair any motorized watercraft, vehicle, motor, or mechanical device.
- J. No unauthorized sign, advertisement, or circular shall be erected, painted, pasted, or otherwise affixed or distributed on park property. **[Amended 7-16-2021 by Ord. No. 0721-01]**
- K. Solicitation of funds or donations is forbidden.
- L. No person shall expose or offer for sale any article or thing, nor shall any person station or place a stand, cart or vehicle for the sale or display of any such article or thing.
- M. Livestock and domestic animals of any kind are prohibited in any park, except a dog or cat on a leash and under control of a person. Persons with pets shall cleanup after their pet.
- N. Practicing, playing, or using park areas for golf or archery is prohibited.
- O. No person shall operate a drone.
- P. Swimming, diving, wading, and bathing is prohibited.
- Q. No person or group may utilize any park area or facility for personal profit or financial gain, with the exception of the Grove Park Canal Dock as determined in §195-3G.
- R. Park users shall dispose of waste in appropriate receptacles. If there are no receptacles in the park or if the receptacles are full, park users shall remove the waste from the park.
- S. Park hours of use are from sunrise to sunset, except in areas designated for extended use activities.
- T. The City Manager may temporarily close or curtail activities upon any lands or waters, or any portions thereof, when it has been deemed necessary to be in the best interest of public safety, conduct, health, or order.
- U. No entertainment, demonstration, exhibition, or tournament shall be permitted in any park except under the supervision of the Parks and Recreation Department.
- V. No inflatable, slip-n-slide, or bouncing apparatus are permitted.
- W. Fish cleaning and discarding of fish remains shall not be permitted.
- X. No person shall encroach upon any park. It shall be unlawful for any person to construct, erect or place any building, structure, or fence of any kind, whether permanent or temporary, or run or string any utility into, upon or across any Park without a license agreement approved by the City's Board of Commissioners. No person shall place any benches or furniture, planters, clotheslines, landscaping plants, or similar in any park.
- Y. Children under the age of 12 shall be accompanied by a supervising adult at the following locations:
  - (1) Grove Park Canal Dock.
  - (2) Playgrounds and tot-lots.
  - (3) Tennis and pickleball courts.
- Z. No skateboards, bicycles, rollerblades, or scooters shall be permitted on the Canal Dock or tennis and pickleball courts.
- AA. No food or pets shall be permitted on the tennis and pickleball courts.

City of Rehoboth Beach, DE

§ 195-2

## PARKS AND RECREATION

§ 195-5

- BB. Climbing on any fence, railing, retaining wall, structure, or landscaping is prohibited except in designated playgrounds, tot-lots and fitness areas.
- CC. Park users must obey any posted rules and regulations.
- DD. No person shall sleep in, lie in or occupy as a sleeping quarters, or under the guise of pretending to sleep, any structure, facility or area of a park during the hours the parks are closed to the public.

**§ 195-3. Grove Park Canal Dock.**

- A. The Grove Park Canal Dock provides two boat slips that shall only be used for loading and unloading passengers. The maximum time docked shall be 30 minutes.
- B. No watercraft or personal belonging may be left overnight. Any such item may be confiscated by the City. All reasonable charges of impoundment, confiscation, and storage shall be the responsibility of the owner in addition to the penalties set forth in § 195-5.
- C. The City shall not be held responsible for the damage, theft, vandalism, or destruction of any property, including contents and personal items.
- D. The City shall not be held responsible for a failure to secure property, including watercrafts, contents, or personal items.
- E. Any damage, accidental or intentional, to the dock, city structure, ramp, or landscaping, as determined by the City Manager shall be repaired or replaced at the damaging party's expense, including damage done by an individual, group, business, or watercraft.
- F. Fishing is permitted only from the designated fishing portion of the Canal Dock ramp, as indicated by signage.
- G. The City may authorize any person or group to utilize the Canal Dock for personal profit or financial gain by first obtaining a business license under § 120-19T. This exception shall apply to motorized watercrafts only. **[Amended 7-16-2021 by Ord. No. 0721-01]**

**§ 195-4. Exceptions.**

- A. The City Manager may grant exceptions to any section of this chapter either through written permission or the issuance of a special event permit.
- B. The Rehoboth Beach Farmers Market shall be exempt from sections of this chapter as set forth in Chapter 148.

**§ 195-5. Violations and penalties.**

Any violation of this chapter is declared a civil offense pursuant to Chapter 126 of the Municipal Code of the City of Rehoboth Beach. Any person who violates this chapter shall pay a civil assessment of \$100. Each day that a violation continues after due notice has been served shall be a deemed a separate offense. In addition to the civil assessment herein described, the City may avail itself of any and all civil and equitable remedies for the purpose of stopping continuing offenses of this chapter.



ARTICLE III  
**Unmanned Aircraft Systems**  
**[Adopted 6-17-2016 by Ord. No. 524]**

**§ 212-6. Definitions; operating regulations; seizure and unlawful use.**

A. Definitions. As used in this article, the following terms shall have the meanings indicated:

AIRCRAFT — Any contrivance invented, used or designed to navigate or fly in the air.

COMMERCIAL — For pay, profit or any form of compensation and includes but is not limited to the use of small unmanned aircraft to further any commercial enterprise.

FIREARM — Has the meaning ascribed to the term as set forth in 11 Del. C. § 222(12).

HOBBY OR RECREATIONAL PURPOSES — A pursuit engaged in for relaxation, and not for business purposes and not for compensation or hire.

OPERATE — To pilot, steer, direct, fly or manage a small unmanned aircraft through the air whether from within the aircraft or remotely. The term "operate" includes managing or initiating a computer system that pilots, steers, directs, flies or manages a small unmanned aircraft.

OUTDOOR ASSEMBLY — Includes but is not limited to bandstand, beach, boardwalk, public swimming pools, special events, parades.

PUBLIC AIRCRAFT — Has the meaning ascribed to the term in Section 40102 of Title 49 of the United States Code.

SMALL UNMANNED AIRCRAFT — An aircraft that: 1) is operated without the possibility of direct human intervention from within or on the aircraft; and 2) weighs less than 55 pounds at the time of the operation, including the weight of any payload or fuel. The term "small unmanned aircraft" includes drones but does not include "toy aircraft" or "public aircraft" as defined herein.

SURVEILLANCE — The gathering, without permission and in a manner that is offensive to a reasonable person, of visual images, physical impressions, sound recordings, data or other information involving the private, personal, business or familial activities of another person, business or entity, or that otherwise intrudes upon the privacy, solitude or seclusion of another person, business or entity, regardless of whether a physical trespass onto real property owned, leased or otherwise lawfully occupied by such other person, business or other entity, or into the airspace above real property owned, leased or otherwise lawfully occupied by such other person, business or other entity, occurs in connection with such surveillance.

TOWN AIRSPACE — The airspace above the land, water and waterways within the jurisdiction of the Town.

TOY AIRCRAFT —

- (1) A glider or handtossed small unmanned aircraft that is not designed for and is incapable of sustained flight; or

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- (2) A small unmanned aircraft that is capable of sustained flight and is controlled by means of a physical attachment, such as a string or wire.

WEAPON — Any instrument, article or substance that, under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or serious physical injury.

- B. Operating regulations. Except as otherwise provided in Subsection C of this section, no person shall operate any small unmanned aircraft in Town airspace:
- (1) Except for hobby, recreational or permitted commercial purposes only and in conformity with this section;
  - (2) Directly over any person who is not involved in the operation of the small unmanned aircraft, without such person's consent;
  - (3) Over property that the operator does not own, without the property owner's consent, and subject to any restrictions that the property owner may place on such operation;
  - (4) At an altitude higher than 400 feet above ground level;
  - (5) Outside the visual line of sight of the operator. The operator shall use his or her own natural vision (which includes vision corrected by standard eyeglasses or contact lenses) to maintain at all times an unobstructed view of the small unmanned aircraft, without the use of vision-enhancing devices, such as binoculars, night vision goggles, powered vision magnifying devices, goggles designed to provide a "first person view" from the model or similar devices; in a manner that interferes with, or fails to give way to, any manned aircraft;
  - (6) Between dusk and dawn;
  - (7) Whenever weather conditions impair the operator's ability to operate the small unmanned aircraft safely;
  - (8) Over any outdoor assembly, place of worship, police station, public right-of-way, beach, boardwalk, boardwalk plaza, waterway, public thoroughfare or land zoned MORE within the corporate limits of the Town of Bethany Beach;
  - (9) Within 50 feet of the water plant or within 25 feet of any electric distribution facility or of any overhead wire, cable, conveyor or similar equipment for the transmission of sounds or signal, or of heat, light or power, or data, upon or along any public way within the Town, without the facility or equipment owner's consent, and subject to any restrictions that the facility or equipment owner may place on such operation;
  - (10) For the purpose of conducting surveillance, unless expressly permitted by law;
  - (11) While under the influence of alcohol (as defined in Title 21, Section 4169, of the Delaware Code) or other drug or drugs, intoxicating compound or compounds or any combination thereof;
  - (12) That is equipped with a firearm or other weapon;

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- (13) With intent to use such small unmanned aircraft or anything attached to it to cause harm to persons or property;
  - (14) In a reckless or careless manner; or
  - (15) In violation of any federal or state law.
- C. Small unmanned aircraft may be operated for commercial purposes with the issuance of a permit by the Code Compliance Officer. Permitting will require proof of FAA small unmanned aircraft registration and a specific identifier for the aircraft. Aircraft operators will require an FAA certificate of waiver (COA). Permits will be issued on a daily basis and require the day, date, location and purpose of the proposed flight and will be valid for 24 hours from issuance. Commercial flight of small unmanned aircraft, unless otherwise permitted, is regulated by § 212-6B of this Town Code.
- D. Operations authorized by the FAA; exception. Notwithstanding the prohibitions set forth in this section, nothing in this section shall be construed to prohibit, limit or otherwise restrict any person who is authorized by the Federal Aviation Administration to operate a small unmanned aircraft in Town air space, pursuant to Section 333 of the FAA Modernization and Reform Act of 2012 or a certificate of waiver, certificate of authorization or airworthiness certificate under Section 44704 of Title 49 of the United States Code or other Federal Aviation Administration grant of authority for a specific flight operation(s), from conducting such operation(s) in accordance with the authority granted by the Federal Aviation Administration.
- E. Operations prohibited by the FAA; clarification. Nothing in this section shall be construed to authorize the operation of any small unmanned aircraft in Town airspace in violation of any federal statute or rules promulgated thereunder, including, but not limited to, any temporary flight restrictions or notices to airmen issued by the Federal Aviation Administration.
- F. This article shall not prohibit the use of unmanned aircraft systems by any law enforcement agency of the Town of Bethany, and/or any town, state or federal governments or their agents for lawful purposes and in a lawful manner.
- G. Seizure for unlawful use. If a duly authorized enforcement officer or designee has a reasonable basis to believe that any small unmanned aircraft is or has been operating in violation of this section, said small unmanned aircraft may be seized by such duly authorized enforcement official, followed by an opportunity for an administrative hearing, with notice to the owner within seven calendar days of such seizure, for the purpose of reviewing the appropriateness of the seizure, and shall be held by the Town until such time that the owner of such small unmanned aircraft reimburses the Town for the actual cartage costs incurred in connection with the seizure and pays to the Town \$20 for each day, or part of a day, that the small unmanned aircraft is in storage. If criminal charges involving the use, condition or operation of the small unmanned aircraft are pending, the small unmanned aircraft shall be held until disposition of the criminal charges. If it is determined at an administrative hearing, by a preponderance of evidence, that the seized small unmanned aircraft was not operated in violation of this section, such small unmanned aircraft shall be returned to its owner without charge.

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**§ 212-7. Violations and penalties.**

Any person violating this article shall, upon conviction, pay such fine as set out in Chapter 1, General Provisions, Article I, Penalties.

## City of Lewes Parks and Recreation Commission

### Bylaws

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#### **ARTICLE I - AUTHORIZATION**

- A. The authority of the Parks and Recreation Commission is established by Chapters 40 and 177 of the Code of the City of Lewes.

#### **ARTICLE II - PURPOSE AND FUNCTION**

##### **A. PURPOSE**

1. The Commission will have a general responsibility for parks, playgrounds, beaches, recreational activities, and the urban forest (including trees, shrubs, and plants).
2. Commission will have supervisory authority over the maintenance of all areas that fall under its responsibility.
3. The Commission serves as advisors to the Lewes Mayor and City Council on issues presented to the Commission related to parks and recreational activities.

##### **B. GUIDELINES**

In performing its duties the Commission shall adhere to the following procedures:

1. to encourage citizen participation; and
2. to present or discuss policies and programs affecting parks and recreation; to study issues; and
3. to provide input on the values, goals, and objectives of a program; develop program plans; and
4. to contribute to continuous feedback; and make recommendations to the Lewes Mayor and City Council for overall quality program/service deliveries.

## City of Lewes Parks and Recreation Commission

### Bylaws

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#### **ARTICLE III - MEMBERSHIP**

##### **A. MEMBERS**

The Parks and Recreation Commission shall consist of eleven members appointed by the Mayor and subject to confirmation by City Council. Commission members will be selected based on their qualifications and willingness to serve. The Mayor may appoint a designee of the Friends of Canalfront Park Chairman to serve as an ex-officio member to the Commission, except that person shall have no vote.

##### **B. ELIGIBILITY**

1. Members of the Parks and Recreation Commission shall be City residents, City property owners, or City utility customers. Members who are not City residents shall be appointed to provide appropriate expertise or when deemed in the best interest of the Commission.
2. It is desirable that the members of the Commission shall be selected from the following classifications:
  - a. At least one member of the Commission will be a professional in a field complimentary to the Commission's scope.

##### **C. APPOINTMENTS**

1. Each member shall be appointed for a three-year term.
2. It is the responsibility of the Mayor to ensure an appointment is made within thirty days of notification of a vacancy. If an appointment is not made within thirty days by the Mayor, the Commission shall have the authority to request an appointment be agendaed for the next available Commission meeting.

## City of Lewes Parks and Recreation Commission

### Bylaws

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#### **D. VACANCIES**

1. A member's position shall become vacant when:
  - a. when a member's term expires, or
  - b. when a member resigns, or
  - c. a member's continued absence at regular monthly meetings impedes the function of the Commission.
  - d. when Mayor and City Council vote to remove a member.
2. The Chair shall immediately, upon receipt of a resignation or when advised of a vacancy, notify the City Clerk.
3. Should a resignation be submitted to staff, they will immediately notify the Chair and the City Clerk's Office.

#### **ARTICLE IV - OFFICERS AND DUTIES**

##### **A. Chair**

1. The Mayor shall appoint and City Council shall confirm a chairperson for the Commission. The term of office shall be three years.
2. The Chair will appoint the chairs of all subcommittee and workgroups.
3. The Chair will preside over all meetings of the Parks and Recreation Commission.
4. The Chair will call special meetings in accordance with the bylaws.
6. It is the Chair's responsibility to ensure compliance with the Bylaws. The Chair will notify members of removal from the Commission for noncompliance. Specific questions of conflict of interest will be referred to the City Solicitor or designee.
7. The chair will verify that all actions of the Commission are executed.

##### **B. Vice-Chair**

1. The Vice-Chair shall be elected by the Commission for a term of one year at the September meeting and shall assume office beginning immediately following the September meeting
2. The Vice-Chair will act for the Chair in his/her absence.

## City of Lewes Parks and Recreation Commission

### Bylaws

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#### C. Secretary

1. The Secretary shall be elected by the Commission for a term of one year at the September meeting and shall assume office immediately following the September meeting.
2. The Secretary will act as chair in the absence of both the Chair and Vice-Chair.
3. The Secretary shall attend all subcommittee and workgroup meetings to ensure that minutes are kept.

#### ARTICLE VI – ATTENDANCE

1. Each member of the Parks and Recreation Commission who has knowledge of the fact that they will be unable to attend a meeting will notify the Chair at the earliest opportunity and no later than 4:00 pm on the day of the meeting.

#### ARTICLE VII – MEETINGS

##### A. Procedures

1. Meetings will be held on the third Monday of the month at 6:30 pm or at a time to be determined. Public notice shall be posted in accordance with the Delaware Freedom of Information Act. In the event of a scheduling conflict due to holidays or other official City business the meeting shall be rescheduled, and appropriate public notice made.
2. All meetings shall be open to the public.
3. The chair may call a special meeting with support of the majority of the Commission. Appropriate public notice shall be provided in accordance with the Freedom of Information Act.
4. The Chair may form subcommittees or workgroups as needed with membership from the Commission and non-commission members as appropriate.
5. Meeting minutes shall be retained at City Hall.

##### B. Voting Rights

1. Each member shall be entitled to one vote and shall cast that vote on each item submitted. Proxy votes and absentee ballots shall not be permitted. Members shall only recuse from a vote when there is a valid conflict of interest addressed to the Commission.

## City of Lewes Parks and Recreation Commission

### Bylaws

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2. A quorum will be a majority of the voting members currently appointed to the commission.
3. An abstention shall not be counted as a vote to approve or deny a motion.
4. Any member of the Commission who believes they have a conflict of interest regarding any matter which comes before the Commission shall recuse themselves before discussion of the agenda item begins. The recused Commission member shall leave the room during discussion and vote. The Commission member will not be counted for the purpose of establishing a quorum for the agenda item from which the Commission member has recused.

#### **ARTICLE VIII - BYLAWS AND EFFECTIVE DATE**

1. These bylaws may be amended at any regular meeting of the Parks and Recreation Commission by a majority vote of the members of the Commission providing that notice of said proposed changes, amendments or additions is given to each member in writing within ten days prior to meeting and appropriate public notice is made.
2. The bylaws shall be reviewed annually at the September organizational meeting.
3. Any changes, amendments or additions to the by laws shall be submitted to Mayor and City Council for review and approval.
4. These Bylaws shall become effective upon adoption by the Parks and Recreation Commission and the Lewes City Council.

Approved by the Mayor and City Council on November 14 , 2022.