

Sponsor: Council Member Freel

AN ORDINANCE TO AMEND CHAPTERS 4 AND 34 OF THE CITY CODE REGARDING CONVERSION OF CRIMINAL ENFORCEMENT SCHEME TO A CIVIL ENFORCEMENT SCHEME

WHEREAS, the Council of the City of Wilmington (the “Council”) has imposed certain requirements on property owners governing the maintenance of their buildings and properties located in the City of Wilmington; and

WHEREAS, Chapter 34 of the Wilmington City Code (Housing Code) imposes certain criminal penalties for violations of the Housing Code; and

WHEREAS, the Council seeks to amend the Housing Code to convert enforcement of said code from a criminal enforcement scheme to a civil enforcement scheme; and

WHEREAS, the Council also seeks to amend Chapter 4 of the Wilmington City Code (Building Code) by deleting duplicative sections that will be contained in the amended Housing Code.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:

SECTION 1. Chapter 4 of the City Code is hereby amended by deleting the provisions of Sections 116.1.1, 116.1.4, 116.1.5, 116.1.6, 116.3, 116.6, 116.7, 119, and 120 in their entirety.

SECTION 2. Chapter 34 of the City Code is hereby amended by deleting the provisions of Chapter 34 in their entirety.

SECTION 3. Chapter 34 of the City Code is hereby further amended by adding thereto a new Chapter 34, as set forth in “Exhibit A”, attached hereto and made a part hereof.

SECTION 4. This Ordinance shall become effective upon passage by City Council and approval by the Mayor.

First Reading November 3, 2016
Second Reading . . . November 3, 2016
Third Reading

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved as to form this _____
day of November, 2016

First Assistant City Solicitor

Approved this _____ day of
_____, 2016

Mayor

SYNOPSIS: This Ordinance amends Chapter 34 of the Wilmington City Code (Housing Code) to convert enforcement of the Housing Code from a criminal enforcement scheme to a

civil enforcement scheme. This Ordinance also amends Chapter 4 of the Wilmington City Code (Building Code) by deleting duplicative sections that will be contained in the amended Housing Code.