

Agenda No. #4257

Sponsor: Council Member Dorsey Walker

**AN ORDINANCE TO AMEND CHAPTER 5 OF THE WILMINGTON CITY CODE
RELATING TO PROVIDING TENANTS WITH INFORMATION ON HOW
TO REGISTER TO VOTE IN THE STATE OF DELAWARE**

WHEREAS, a significant portion of the City of Wilmington’s housing stock consists of rental dwellings; and

WHEREAS, in many urban areas, including the City of Wilmington, there remains a wide gap between the number of residents who are eligible to vote and the number of residents who are actually registered to vote; and

WHEREAS, increasing the number of residents who are registered to vote will help to increase voter turnout and participation, and the more that people participate in this fundamental part of democracy, the stronger the City and the country will become; and

WHEREAS, requiring landlords to provide voter registration information to their new tenants is a practical way for ensuring that state and local election administrators have accurate and updated voter information; and

WHEREAS, the minimal burden imposed on landlords in requiring them to provide voter registration information is far outweighed by the need to increase voter turnout and participation; and

WHEREAS, the City Council deems it necessary and proper to amend Chapter 5, Section 5-92 of the Wilmington Code entitled “Rental dwelling units” by amending the section to require owners, operators and lessors of any rental dwelling unit to provide voter registration information to tenants, at or prior to the time the tenants take possession of the property.

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

SECTION 1. Chapter 5 of the City Code is hereby amended at Section 5-92 by deleting the stricken language and by adding the underlined language to read as follows:

Sec. 5-92. – Rental dwelling units.

(a) The license fee specified by section 5-101 shall be paid per year by the owner, operator and/or lessor of any dwelling unit at the same time and as a condition of such license. Notwithstanding any exemptions from payment provided by [section 5-31\(1\)](#) of this chapter, any non-profit entity that owns, operates or leases a rental dwelling unit shall pay the fees set forth in this section as a condition of such license. For the purpose of this section, a rental dwelling unit means any room or group of rooms located within one or more buildings and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating, and which is let or rented to another for the purpose of living therein. In determining the number of dwelling units under this provision, a dwelling unit occupied by the licensee shall not be included.

...

(g) The owner, operator and/or lessor of any dwelling unit shall provide information on how to register to vote in the State of Delaware to all tenants aged eighteen (18) or older, at or prior to the time the tenants take possession of the property. This requirement may be satisfied by either providing an electronic or paper copy of a State of Delaware Voter Registration Application or by providing an electronic link to the website of the State of Delaware, Department of Elections.

~~(g)~~ (h) Failure to comply with the provisions of this section shall be grounds for revocation of the licensee's license and such failure shall be prosecuted as a violation of this article.

SECTION 2. This ordinance shall become effective upon passage by City Council and approval by the Mayor.

First Reading September 1, 2016
Second Reading . . . September 1, 2016
Third Reading.

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved as to form this _____
day of September, 2016

Assistant City Solicitor

Approved this _____ day of _____, 2016

Mayor

SYNOPSIS AND FISCAL IMPACT: This Ordinance amends Chapter 5, Section 5-92 of the Wilmington City Code, by amending the section to require owners, operators and lessors of any rental dwelling unit to provide voter registration information to all tenants aged eighteen (18) or older, at or prior to the time the tenants take possession of the property. This requirement may be satisfied by either providing an electronic or paper copy of a State of Delaware Voter Registration Application or by providing an electronic link to the website of the State of Delaware, Department of Elections. There is no negative fiscal impact associated with this Ordinance.