

**AN ORDINANCE TO AMEND CHAPTER 37 OF THE CITY CODE TO
EXTEND THE FIRE LANE ALONG THE ENTIRE EXTENSION OF
CHRISTINA LANDING DRIVE.**

#0219

Sponsor:

Council
Member
Harlee

WHEREAS, the City Charter § 5-(400)(d) provides that the Department of Public Works shall govern traffic and parking on city streets. They shall establish and determine the type and location of any and all signs, signals, markings and devices for regulating and controlling vehicular and pedestrian traffic as shall be authorized by and not inconsistent with statute or ordinance; and

WHEREAS, *Wilm. C. § 37-91*, Article II, Division 3 governs “Traffic Controls Signs, Signals, Devices and Markings” and provides that all signs and signals required under this chapter for a particular purpose shall be approved by the Department of Public Works; and

WHEREAS, *Wilm. C. § 37-1* defines “Official traffic control device” as all signs, signals, markings and devices placed or erected by authority of the department of public works, for the purpose of regulating, warning or guiding traffic in accordance with this chapter; and

WHEREAS, *Wilm. C. § 37-92* provides that the driver of any vehicle or any pedestrian shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the provisions of this chapter; and

WHEREAS, *Wilm. C. § 37-223 (a)(14)(a)* provides that it shall be unlawful for the driver of a motor vehicle to stop, stand or park such vehicle upon any alley as to narrow the usable portion of such alley in a way that prevents its use for the safe movement of other vehicles, particularly police, fire, or emergency medical vehicles through the alley; and

WHEREAS, *Wilm. C. § 37-231* governs fire zones and provides that is shall be unlawful for the driver of a motor vehicle to stop, stand or park such vehicle in any painted

or marked safety zone in violation of 21 *Del. C. Ch. 70* (§ 7001 et seq.), whether on public or private property; and

WHEREAS, an increased number of citizens are parking their vehicles in the alley along Christina Landing Drive causing blockage to the street, therefore making it difficult for vehicles to pass through and limiting the ability of emergency vehicles to freely move down the drive in the case of an emergency; and

WHEREAS, in light of the foregoing, City Council deems it necessary and appropriate to extend the fire lane along the entire extension of Christina Landing Drive.

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

SECTION 1. Article VI of Chapter 37 of the City Code is hereby amended by adding the underlined language as follows:

Sec. 37-231. - Parking in a safety zone or fire zone.

- (a) It shall be unlawful for the driver of a motor vehicle to stop, stand or park such vehicle in any painted or marked safety zone in violation of 21 Del. C. Ch. 70 (§ 7001 et seq.), whether on public or private property. Any person who violates the provisions of this section shall be subject to and liable for a civil penalty of not less than the amount established at Level 15 for each offense.
- (b) The alley located at Christina Landing Drive shall be deemed a fire zone and it shall be unlawful for the driver of a motor vehicle to stop, stand or park such vehicle in this fire zone.

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

First Reading..... December 8, 2022
Second Reading..... December 8, 2022
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2022.

Mayor

SYNOPSIS: This Ordinance amends Chapter 37 of the City Code by extending the fire lane along the entire extension of Christina Landing Drive.

FISCAL IMPACT STATEMENT: This Ordinance has no anticipated fiscal impact.