

**Charter and Ordinance Review Committee  
Meeting Minutes  
June 20, 2013**

The Bethany Beach Charter and Ordinance Review Committee held a meeting on Thursday, June 20, 2013 at 10:00 a.m. in the Town Meeting Room.

Members present: Chuck Peterson, who presided; Mike Boswell; Mary Sue Forestieri; Bruce Frye; Fulton Loppatto; Jerry Morris; and Lonny Moore.

Also present: Mayor Tony McClenny; Council members, Jerry Dorfman and Margaret Young; Lindsey Good, Administrative Secretary; and interested member of the public.

Call to Order

Mr. Peterson called the meeting to order at 10:00 a.m.

Approval of Agenda

Ms. Forestieri made a motion to approve the agenda. Mr. Boswell seconded the motion and it was unanimously approved.

Approval of the Minutes from the March 14, 2013 Meeting

Mr. Loppatto made a motion to approve the minutes dated March 14, 2013. Seconded by Mr. Morris, the motion was unanimously approved.

Review Proposed Changes to Chapter 102: Business Licensing and Chapter 103: Rental License and Tax of the Code

Mr. Peterson explained that the proposed changes to Chapter 102 and Chapter 103 of the Code that were made at the previous meeting were forwarded to the Town Council. The Town Council has requested that all of the changes that were highlighted in red be incorporated into the drafted document without the tracked revisions being visible. The purpose of this meeting is for members to review the updated draft of Chapter 102 and Chapter 103.

Mr. Peterson noted the following changes that he is recommending:

- *Chapter 102-3. Required information; license fee;*

~~*6.) Premises engaged in the sale of alcoholic liquor for on-premises consumption. <Added 4-24-1992 by Ord. No. 273>:*~~

Mr. Peterson advised that Chapter 217 of the Code already states this regulation, and it is not necessary to duplicate it in Chapter 102. He added that it also exists in the State of Delaware Statute.

Mr. Morris suggested that individuals who are applying for a license may not read the regulation in a different chapter of the Code, so keeping it referenced in Chapter 102 may be the best option.

Mayor McClenny referenced Mr. Morris' comment and noted that there was a previous issue similar to that and Council voted to gather all existing information throughout the Code regarding "signs" to create a new separate chapter on sign regulations.

After some additional discussion, the Committee reached an agreement to recommend to Council to remove Paragraph #6 under Chapter 102-3 of the Code.

- *102-12. Exceptions. <Amended 6-15-1990 by Ord. No. 248>*

***B. — Nothing herein shall be construed to make it mandatory for anyone to apply for a license in order to perform grass-cutting and lawn-mowing.***

Mr. Peterson explained that he has been reviewing this ordinance, and feels that keeping Item (B) under Chapter 102-12 would have minimal impact on the Town's revenue, and it would also be very difficult to define. He added that many of the large landscaping companies already have obtained a business license. Therefore, he is suggesting that it be deleted from the Code.

The Committee members agreed, and will recommend to Council to remove Item (B) under Chapter 102-12 of the Code.

- *103-7. Rental taxes.*

***B. Motel-Hotels, rooming houses, boardinghouses, motor courts, inns or other establishments offering public rental which are subject to paying the State of Delaware accommodations tax.***

Mr. Frye recommended modifying the above statement by replacing the text "Motel" with the text "Hotel". The Committee agreed to recommend the proposed change to Council.

Mr. Peterson stated that the proposed revisions to Chapter 102 and Chapter 103 that were noted at this meeting will be forwarded to Town Council (Chapter 102 will highlight in red all changes and Chapter 103 will incorporate the changes without being highlighted).

Mr. Dorfman is going to present the Charter and Ordinance Review Committee meeting report at the Town Council meeting tomorrow, June 19<sup>th</sup>.

Mr. Morris questioned if there is a FAR requirement in the Code that applies to the number of cars that are permitted to park in the driveways or residents. Mr. Peterson replied that there is no existing regulation. Mr. Dorfman added that regulating that would be very challenging to mandate.

#### Motion to Adjourn

Mr. Boswell made a motion to adjourn the meeting. The motion was seconded by Mr. Frye and unanimously approved. The meeting was adjourned at 10:43 a.m.

There are currently no additional issues that need to be addressed by the Committee, so a future meeting is not yet scheduled.

Respectfully Submitted:

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Lindsey Good, Admin. Secretary