

# **DRAFT**

**SYNOPSIS OF AMENDING THE CODE OF SOUTH BETHANY,  
CHAPTER 94, PARKING.  
ORDINANCE 202-21 (SECOND READING)  
(Sponsored by Mayor Tim Saxton)**

This ordinance amends Chapter 94, Section 94-4 "Prohibited Parking", to address requirements for permitted on-street bicycle parking within the Town

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**ORDINANCE NO. 202-21**

**AN ORDINANCE TO AMEND** the Code of the Town of South Bethany, Chapter 94, **PARKING**, to place restrictions on the parking of bicycles within the public rights-of-way within the Town.

**BE IT HEREBY ENACTED** by the Council of the Town of South Bethany, Sussex County, a majority thereof concurring in Council duly met, that Chapter 94, Section 94-4 ("Prohibited parking") be amended as follows:

Note: Deleted wording will be displayed in ~~**Bold with a strikeout line**~~. New wording will be in **bold and the color red**.

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## Chapter 94

### PARKING

#### § 94-1. Authority.

This article is authorized by § C-4B of the Town Charter.

#### § 94-2. Permitted Parking

Vehicles assigned residential or handicapped parking permits may park where permitted by signage, on the West side of Ocean Drive with parked vehicles headed South. Vehicles with residential permits may also park where designated by signage, on public streets East of Highway Route 1 and perpendicular to Ocean Drive and on public streets west of Highway Route 1 only where designated by signage.

#### § 94-3. Manner of Parking

All parking within Town rights-of-way shall be parallel to and in the same direction as the flow of traffic with the right-hand wheels as far to the right as is practical so as not to obstruct traffic. On one-way streets where parking is permitted on the left side of the street, the left-hand wheels should be as far to the left as practical so as not to obstruct traffic.

#### § 94-4. Prohibited Parking

- A. Unlicensed, inoperable, disabled, derelict or abandoned vehicles or any part thereof shall not be permitted to be parked or maintained on any street. Trailers, campers, recreational vehicles, motor homes or boats may not park on the street rights-of-way within the corporate limits of the Town for more than 24 hours, except by special permit, for good cause as determined by the South Bethany Police Department; provided, however, that in no event may such vehicle be parked at such locations for more than 72 hours, and provided further that nothing in this subsection shall be interpreted so as to prohibit or restrict the mooring of boats. Vehicles in violation of this section shall be towed at owners' expense.

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- B. No parking or blocking shall be permitted in appropriately marked driveways, designated handicapped zones, designated lifeguard spaces, within 15 feet of any fire hydrant, where parking has been prohibited by the State of Delaware on Route 1, or on any Town street designated as NO PARKING and so posted with signs.
- C. No fifth-wheel tractors or tractor-trailers or other commercial vehicles in excess of 30 feet shall be parked on any public rights-of-way except by special permit or for loading or unloading.

## **D. Bicycle parking**

- 1. Bicycles parked in the Town's public rights-of-way shall be parked in Town-provided bike racks only. Any bicycles parked within the Town in the public rights-of-way outside of those bike racks are subject to removal.**
- 2. Any bicycles parked within a right-of-way that are secured to a street sign, light post, utility pole, fence or other support (other than a Town bike rack) by use of a bike chain and lock device are subject to removal. The Town assumes no responsibility for any damage inflicted to the bicycle, chain or locking device caused by the removal process.**
- 3. Bicycles that are found to be parked on private property, without the private property owners' consent, may be removed by the police if the property owner completes and submits a removal request document. Removal request documents can be obtained at the South Bethany police department. Bicycles parked on private property, with the property owner's permission, are not subject to removal.**
- 4. Any bicycles removed by the police will be secured at the South Bethany police department and may be recovered by**

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the owner by calling the police department and arranging for a pickup time.

5. Any bicycle left in the same Town provided bike rack continuously, without being moved, for more than 30 days will be considered as abandoned and is subject to removal.
6. Any bicycle removed and secured by the police that remains unclaimed by the owner for more than 30 days from the date of removal will be considered by the Town to be abandoned and may be disposed of in any manner convenient to the Town. For bicycles removed by the police that carry identification of their being a rental, the police will attempt to notify the rental company and provide an opportunity for them to claim their property.
7. Bicycle parking may be prohibited within various rights-of-way within the Town in order to ensure adequate vehicular access for emergency responders.
8. The Town will place applicable signage in areas where bicycle parking is prohibited, and where it is permitted, to provide suitable notification to the public

No further modifications are made to this Chapter (**Chapter 94 - Parking**) as a result of this ordinance. Chapter sections **§ 94-5 “Handicapped parking and signage for persons with disabilities”** through **§ 94-8 “Penalties for offenses”** remain unaltered by this ordinance.

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**Effective date: This ordinance shall become effective upon the date of adoption.**

**ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF SOUTH BETHANY, SUSSEX COUNTY, DELAWARE, ON THE \_\_\_\_ OF \_\_\_\_\_ 2020.**

SEAL:

\_\_\_\_\_  
Tim Saxton, Mayor

\_\_\_\_\_  
Carol Stevenson, Council Secretary

ATTEST: \_\_\_\_\_

1<sup>st</sup> Reading: 2/12/21  
2<sup>nd</sup> Reading: 3/12/21

Sponsored by Councilmember Stevenson  
TS:Ordinance 202-21  
Second Reading