SYNOPSIS OF AMENDING THE CODE OF SOUTH BETHANY,
CHAPTER 134, VEHICLES, OPERATION OF,
§134-2A and §134-2F ACTIVITIES PROHIBITED
ORDINANCE 210-23 (SECOND READING)
(Sponsored by Councilwoman Dondero)

This Ordinance amends the Code of the Town of South Bethany, Chapter 134, Vehicles, Operation Of, Activities Prohibited; A. to update the language with regards to the speed limit for specific roads within the Town limits of South Bethany; and F. to update the language with regards to a date change for vehicle entrance on Black Gum Drive and Kent Avenue.

ORDINANCE NO. 210-23

AN ORDINANCE TO AMEND the Code of the Town of South Bethany, Chapter 134, Vehicles, Operation Of, Activities Prohibited; A. to update language regarding speed limits on Evergreen Road, Russell Road, Canal Drive, Tamarack Drive, Cattail Road, and Black Gum Drive; and F. to update the date regarding vehicle entrance on Black Gum Drive and Kent Avenue.

BE IT HEREBY ENACTED by the Council of the Town of South Bethany, Sussex County, Delaware, a majority thereof concurring in Council duly met, that the following ordinance be and hereby is amended as follows: (additions are **bold and highlighted in red text** and deletions are ~~**bold and marked through**~~)

§ 134-2. Activities prohibited.

A. It shall be unlawful for any person to operate an automobile, truck, self-propelled piece of equipment or any other type of motor vehicle on any street within the corporate limits of the Town at a speed greater than 20 miles per hour, ~~except~~ **with the following exceptions:** on Delaware Route 1 (~~Ocean~~ **Coastal** Highway), ~~which is~~ **where it shall be unlawful to exceed the speed limit as** posted by the State Department of Transportation~~.~~**;** ~~On Route 1, it shall be unlawful to exceed the speed limits as posted by the Department of Transportation~~ **and on Evergreen Road, Russell Road, Canal Drive, Tamarack Drive, Cattail Road, and Black Gum Drive, where it shall be unlawful to exceed a speed greater than 15 miles per hour.**

B. It shall be unlawful for any person other than state or Town officials to operate any automobile, jeep or other type of motor vehicle over any sand dune or stretch of sand immediately eastward of the easternmost building setback line along Ocean Drive within the corporate limits of the Town.

C. It shall be unlawful to operate commercial trucks and buses over two axles and/or four wheels, except for pickup trucks, on Black Gum Drive, Cattail Road, Tamarack Drive, Russell Road or Evergreen Road, except for deliveries in South Bethany.

D. The driver of any vehicle shall obey the instructions of any traffic-control device applicable thereto placed in accordance with this chapter, subject to the exceptions granted the driver of an authorized emergency vehicle as defined in 21 Del. C. § 4106.

E. It shall be unlawful to operate any vehicle of any type on any street, driveway or parking area within the corporate limits of the Town for the purpose of selling or vending of any product, material or foodstuff, whether the vehicle is self-propelled or powered by human effort. This prohibition shall not apply to deliveries in response to a specific order made in advance by a customer for such delivery to a specific address within the Town, and further provided that the delivery vehicle departs that address immediately upon making or attempting the delivery.

F. It shall be unlawful for any vehicle to enter Black Gum Drive from Kent Avenue **during the hours** ~~from~~ 10:00 a.m. to 1:00 p.m **annually** ~~May 15 to September 15 inclusive~~ **beginning the Friday preceding Memorial Day and ending on the Tuesday after Labor Day.**

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 _____ 2023.

SEAL: _____

                                          Tim Saxton, Mayor

                                          _____

                                          Dick Oliver, Council Secretary

ATTEST: _____

1st Reading: 2/10/23
2nd Reading: 3/10/23