

DIVISION 1. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

Sec. 2-146. Created.

There is hereby created a Legislative, Finance, and Administration Committee.

Sec. 2-147. Members.

(a) The Legislative, Finance, and Administration Committee shall be composed of five (5) members, four (4) of which are appointed by the Council President and one (1) appointed by the committee chair, with all appointments subject to confirmation of a voting majority of the City Council. Three (3) of the members shall be elected city officials, and the two (2) remaining members shall be City residents. The members of the committee shall serve one-year terms unless sooner removed.

(b) A member of such committee shall be removable by a three-fourths (3/4) vote of the City Council excluding any Councilman under consideration after written notice shall have been given the member being considered for removal at a reasonable time prior to the proceeding stating the time, place and date of the removal proceeding.

Sec. 2-148. Functions.

The Legislative, Finance, and Administration Committee shall advise City Council on proposed charter amendments, ordinances to be adopted or amended, and other legislative matters; and shall advise City Council on financial matters, including the City's budget, assessments, and taxation; and advise City Council on administrative issues, policy, procedures, and operations of the City of Dover. The Legislative, Finance, and Administration Committee shall act as an advisory committee to the City Council regarding matters relating to the Mayor, Council, City Manager's Office, Finance Department, Administrative Services, City Clerk's Office, Tax Assessors Office, Human Resources Department, Central Services Department, Information Technology Department, Election Board, Pension Boards, and any omitted or new departments or committees, and other areas as deemed appropriate.

ATTACHMENT #1-B

DIVISION 2. PARKS, RECREATION, & COMMUNITY ENHANCEMENT COMMITTEE

Sec. 2-156. Created.

There is hereby created a Parks, Recreation, and Community Enhancement Committee.

Sec. 2-157. Members.

(a) The Parks, Recreation, and Community Enhancement Committee shall be composed of five (5) members, four (4) of which are appointed by the Council President and one (1) appointed by the committee chair, with all appointments subject to confirmation of a voting majority of the City Council. Three (3) of the members shall be elected city officials, and the two (2) remaining members shall be City residents. The members of the committee shall serve one-year terms unless sooner removed.

(b) A member of such committee shall be removable by a three-fourths (3/4) vote of the City Council excluding any Councilman under consideration after written notice shall have been given the member being considered for removal at a reasonable time prior to the proceeding stating the time, place and date of the removal proceeding.

Sec. 2-158. Functions.

The Parks, Recreation, and Community Enhancement Committee shall advise the City Council on parks, playgrounds, open space, and other recreational facilities and programs; shall advise the City Council on matters relating to the community enhancements by reviewing and commenting on community plans, and recommend appropriate funding for each community improvement project; and advise the City Council on landscaping and beautification programs and tree preservation requirements, and assist in developing an understanding of the objectives and methods of tree conservation. The Parks, Recreation, and Community Enhancement Committee shall act as an advisory committee to the City Council regarding matters relating to the Parks and Recreation Department, Planning Department, Grounds Department, Community Development, Silver Lake Commission, Greater Dover Arts Council, Library Commission, and other areas as deemed appropriate, including funding.

DIVISION 2.5. SAFETY ADVISORY COMMITTEE

Sec. 2-161. Created.

There is hereby created a Safety Advisory Committee.

Sec. 2-162. Members.

(a) The Safety Advisory Committee shall be composed of five (5) members, four (4) of which are appointed by the Council President and one (1) appointed by the committee chair, with all appointments subject to confirmation of a voting majority of the City Council. Three (3) of the members shall be elected city officials, and the two (2) remaining members shall be City residents. The members of the committee shall serve one-year terms unless sooner removed.

(b) A member of such committee shall be removable by a three-fourths (3/4) vote of the City Council excluding any Councilman under consideration after written notice shall have been given the member being considered for removal at a reasonable time prior to the proceeding stating the time, place and date of the removal proceeding.

Sec. 2-163. Functions.

The Safety Advisory Committee shall advise City Council on public safety issues, policies, procedures, and operations relative to emergency operations, and fire and police services. The Safety Advisory Committee shall act as an advisory committee to the City Council regarding matters relating to the Police Department, Fire Department, Inspections Department, and other areas as deemed appropriate.

DIVISION 3. UTILITY COMMITTEE

Sec. 2-166. Created.

There is hereby created a Utility Committee.

Sec. 2-167. Members.

(a) The Utility Committee shall be composed of five (5) members, four (4) of which are appointed by the Council President and one (1) appointed by the committee chair, with all appointments subject to confirmation of a voting majority of the City Council. Three (3) of the members shall be elected city officials, and the two (2) remaining members shall be City residents. The members of the committee shall serve one-year terms unless sooner removed.

(b) A member of such committee shall be removable by a three-fourths (3/4) vote of the City Council excluding any Councilman under consideration after written notice shall have been given the member being considered for removal at a reasonable time prior to the proceeding stating the time, place and date of the removal proceeding.

Sec. 2-168. Functions.

The Utility Committee shall advise the City Council on the installation, maintenance, repair, improvement, and relocation of electric, water, sewer, communication utilities and other infrastructures within the City and lawfully extending beyond the City corporate limits; and shall advise the City Council on the issue of utility consumption rates, suggested code amendments, condemnation of public rights-of-way; and shall act as an advisory committee to determine and establish utility issues, policies, procedures, and operations relative to electric, water, sewer, communications, etc., including, but not limited to, non-consumption utility fees, utility extensions, impact fees, and service connection fees. The Utility Committee shall act as an advisory committee to the City Council regarding matters relating to the Electric Department, and Public Works Department, including Water, Sewer, and Sanitation Divisions, and other areas as deemed appropriate.

DIVISION 3.5. TRANSPORTATION REVIEW COMMITTEE

Sec. 2-170. Created.

There is hereby created a Transportation Review Committee.

Sec. 2-171. Members.

(a) The Transportation Review Committee shall be composed of five (5) members, four (4) of which are appointed by the Council President and one (1) appointed by the committee chair, with all appointments subject to confirmation of a voting majority of the City Council. Three (3) of the members shall be elected city officials, and the two (2) remaining members shall be City residents. The members of the committee shall serve one-year terms unless sooner removed.

(b) A member of such committee shall be removable by a three-fourths (3/4) vote of the City Council excluding any Councilman under consideration after written notice shall have been given the member being considered for removal at a reasonable time prior to the proceeding stating the time, place and date of the removal proceeding.

Sec. 2-172. Functions.

The Transportation Review Committee shall advise City Council on vehicle regulations, traffic, parking, pedestrians, and other transportation related matters; shall advise City Council on the installation, maintenance, repair, improvement, and relocation of streets; and shall advise City Council on the overall planning and programming of transportation improvements. The Transportation Review Committee shall act as an advisory committee to the City Council regarding matters relating to the Streets Division of the Public Works Department, State Department of Transportation, Greater Dover Metropolitan Planning Organization, other organizations concerned with transportation issues in the City of Dover and other areas as deemed appropriate.

Changes to Ordinances containing fines:

Additional language added to every fine section:

Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.

Sections to be amended:

Sec. 1-10. General penalty for violation of Code; separate offenses.

Whenever in this Code or in any ordinance of the city any act or omission is prohibited or is made or declared to be unlawful or a violation, or whenever in said Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful or a violation, and no specific penalty is provided therefor, the violation of any such provision of this Code or any ordinance shall be punishable by a fine not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00). Unless specifically provided otherwise, or the context thereof so dictates, each day any violation of any provision of this Code or any ordinance shall continue shall constitute a separate offense.

Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.

(Code 1968, § 1-12; Ord. of 8-10-87, § 1; Ord. of 8-14-95)

Charter references: Penalty for ordinance violations, Subpart A, § 17.

Sec. 4-7. Animal excrement.

(a) No person having possession, custody or control of any animal shall knowingly or negligently permit any dog or other animal to deposit excrement upon any gutter, street, driveway, alley, curb or sidewalk in the city, or upon the floors or stairways of any building or place frequented by the public or used in common by the tenants, or upon the outside wall, walkways, driveways, alleys, curbs or stairways of any building abutting on a public street or park, or upon any private property other than the property of the owner of such animal.

(b) Any person having possession, custody or control of any dog or other animal which deposits excrement in any area other than the private property of the owner of such dog or other animal, as prohibited in section 4-7(a), shall be required to immediately remove the said excrement from surface and either:

(1) Carry same away for disposal in a toilet; or

(2) Place same in a nonleaking container for deposit in a trash or litter receptacle.

(c) Exceptions. The provisions of this section shall not apply to a guide dog accompanying any blind persons, or to a dog used to assist any other physically handicapped person, or the animals used in any police activities of the city or to horses used by persons for the purposes of transportation on public roadways. Horses on private property other than the owner's must have their droppings removed by the owner.

(d) Enforcement. For the purpose of enforcing the provisions of this section, notice of violation shall be issued by police officers or any other person authorized to enforce ordinances.

(e) If the excrement is properly disposed of by the owner or person in charge of the animal, it will not be considered a violation of section 4-7(a).

(f) Every owner of, or person responsible for, one or more dogs or cats shall take all reasonable measures to prevent accumulation of animal excreta in the area in which such animals are customarily kept. No such owner shall allow animal excreta to accumulate so as to create obnoxious or offensive odors.

(g) Violations. Any person convicted of violating the provisions of this section shall be sentenced to pay a fine not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for each violation. For each subsequent offense, the minimum fine shall be fifty dollars (\$50.00). **Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.**

(Ord. of 8-28-95)

Sec. 4-14. Fines.

Any person convicted of a violation of this chapter shall pay a mandatory and nonsuspendable fine of at least the minimum fine for each offense as follows:

(1) Any person convicted of violating the provisions of section 4-6 of this chapter shall be sentenced to pay a fine not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00) for each violation.

(2) Any person convicted of violating the provisions of sections 4-3, 4-4, 4-4.1, 4-7, and/or 4-12 of this chapter shall be sentenced to pay a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for each violation.

(3) Any person convicted of violating the provisions of section 4-5 of this chapter shall be sentenced to pay a fine not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for each violation.

(4) Any person convicted of violating the provisions of sections 4-8, 4-10, and/or 4-11 of this chapter shall be sentenced to pay a fine of one hundred dollars (\$100.00) for each violation.

(5) **Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.**

(Ord. of 8-28-95)

(Ord. of 10-22-79)

Sec. 4.5-12. Penalties for violation.

Any person who shall violate any of the sections of this chapter, or who shall fail to comply therewith, or with any of the requirements thereof, shall be subject to a fine not to exceed one hundred dollars (\$100.00) and not less than ten dollars (\$10.00). **Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.**

(Ord. of 7-28-86)

Sec. 5-91. Violations; penalty for disregarding notices or orders.

The owner of any dangerous building who shall fail to comply with any notice or order to repair, vacate and close, or demolish said building given by the council shall be guilty of a misdemeanor and upon conviction thereof shall be fined a minimum of one hundred dollars (\$100.00) for each offense. Each day such failure to comply continues shall constitute a separate offense punishable as herein provided.

The occupant or lessee in possession who fails to comply with any notice to vacate and close or who fails to repair said building in accordance with any notice given by the council as provided for in this article shall be guilty of a misdemeanor and upon conviction thereof shall be fined a minimum of one hundred dollars (\$100.00) for each offense. Each day such failure to comply continues shall constitute a separate offense punishable as herein provided.

Any person removing the notice provided for in section 5-89, subsection (i) hereof shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding one hundred dollars (\$100.00) for each offense.

Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.

(Ord. of 2-28-55, § 6; Ord. of 10-28-96)

Sec. 7-75. Penalties.

(a) Anyone found to be in violation of section 7-74(a) shall be issued a summons pursuant to section 13-6.1 of the City of Dover Code of Ordinances.

(b) Any vehicle which has had a summons placed upon it and is found to still be parked in the fire lane for one hour or more from the time the summons was placed upon the vehicle, said vehicle may be towed at owners expense.

(c) Any property owner or tenant found to be in violation of section 7-74(b) shall be issued a summons in the amount of fifty dollars (\$50.00).

(d) Any property owner found to be in violation of section 7-74(c) shall be issued a summons in the amount of fifty dollars (\$50.00). Each day shall constitute a separate offense.

(e) Any property owner found to be in violation of section 7-77(a) through (e) shall be issued a summons in the amount of fifty dollars (\$50.00). Each day shall constitute a separate offense.

(f) **Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.**

(Ord. of 7-28-97)

Sec. 7-62. Smoke detection devices; requirements.

(a) *Installation required.*

(1) *New dwellings.* All new structures and new dwellings shall be equipped with smoke detectors and fire protection equipment as required by the provisions of the BOCA Basic Building Code.

(2) *Existing dwellings.* All existing single-family dwellings, multifamily dwellings, and dwelling units, whether such dwellings are owner-occupied or tenant-occupied, shall be equipped with automatic smoke-detecting devices, which shall be approved smoke detectors of the photoelectric or ionization type or battery powered Underwriter's Laboratory or Factory Mutual Approved type, as required by subsection (b) of this section, as of the settlement date of the next immediate sale of any section, as of the settlement date of the next immediate sale of any such dwelling; or further, for any rental dwelling, as of the effective date of the next rental to a new tenant of such existing single-family dwellings, multifamily dwellings and dwelling units, or as of December 31, 1990, whichever first occurs. Such smoke detectors shall be installed in the number, location and manner required by this section and the rules and regulations of the fire marshal and, when actuated, each such smoke detector shall provide an alarm suitable to warn the occupants within the dwelling. It shall be the responsibility of the seller of lessor of such existing dwellings to make such installations.

(3) *Unlawful acts.* In addition to and not in lieu of any other provisions of this section and of the Code, it shall be unlawful for any person responsible for the installation of a smoke detector to fail to so install it by the time required by this section. It shall be unlawful for any person to tamper with, damage, or render inoperative, such as, but not exclusively, by disconnecting electrical wiring or by removing the batteries from, any smoke detector.

(b) *Type of detection devices.* Detection devices shall be of the photoelectrical or ionization type and shall be electric, one-hundred-ten-volt A.C., or battery powered smoke detectors, Underwriters Laboratory or Factory Mutual Approved.

(1) Electric units shall be direct wired on a separate circuit on the line side of service equipment, immediately fused with proper size fuse. Detector wiring shall be minimum 14 gauge wire. All wiring shall comply with the National Electric Code and shall be performed by registered, licensed electricians or inspected by the appropriate authority.

(2) Battery powered units shall be permitted only in existing structures. Where battery powered units are permitted, the battery shall be of the type approved for the detector and shall provide a minimum of twelve (12) months' service. Battery powered units shall be equipped with an audible sounding device to alert occupants of the need for battery replacements. In rental dwelling units where battery powered devices are permitted, after installation of the detection devices at the landlord's expense, in accordance with subsection (a) above, it shall be the tenant's responsibility, unless otherwise provided in the tenant's lease agreements, to:

a. Make periodic inspections of the unit to determine that it is in proper working order;

b. To notify the landlord of any malfunction of said detection device which the landlord shall then repair or replace at his own expense;

c. To replace the batteries when necessary during the entire term of the rental agreement.

(c) *Audible signal.* Detection devices shall be equipped with an audible sounding device that provides a steady signal with a minimum decibel rating of eighty-five (85) decibels.

(d) *Number of devices required.* The major threat from fire in a family living unit is at night when everyone is asleep. The principal threat to persons in sleeping areas comes from fires in the remainder of the unit; therefore, smoke detector(s) shall be located between the bedroom areas and the rest of the unit. In units with only one bedroom area on one floor, the smoke detector shall be located as shown in figure B-2.1.1 of the Appendix of the NFPA 74-1984 Standard for the Installation, Maintenance, and Use of Household Fire Warning Equipment.

In family living units with more than one bedroom area or with bedrooms on more than one floor, more than one smoke detector will be required, as shown in figure B-2.1.2 of the Appendix of the NFPA 74-1984 Standard for the Installation, Maintenance, and Use of Household Fire Warning Equipment.

In addition to smoke detectors outside of the sleeping areas, this standard requires the installation of a smoke detector on each additional story of the family living unit, including the basement. These installations are shown in figure B-2.1.3 of the Appendix of the NFPA 74-1984 Standard for the Installation, Maintenance, and Use of Household Fire Warning Equipment. The living area smoke detector shall be installed in the living room and/or near the stairway to the upper level. The basement smoke detector shall be installed in close proximity to the stairway leading to the floor above. If installed on an open-joisted ceiling, the detector shall be positioned relative to the stairway so as to intercept smoke coming from a fire in the basement before the smoke enters the stairway.

(e) *Authority having jurisdiction.* The fire marshal shall have jurisdiction for purposes of enforcing compliance with this section.

(f) *Supervision of enforcement.* All general contractors, subcontractors and their agents who install electric one-hundred-ten-volt, A.C.-powered smoke detection devices shall be registered with the office of the city fire marshal in order to sell, distribute, furnish or install smoke detection equipment within the city.

It shall be the responsibility of the contractor, installer or seller of the electrical one-hundred-ten-volt, A.C.-powered smoke detectors to certify in writing to the fire marshal that the device is in compliance with this section.

This subsection shall not apply to persons who perform the actual installation of smoke detectors in dwellings units they own; however, such installations shall still require any applicable inspections required by the building code.

(g) *Penalties.* Any violation of the provisions of this section shall render the owner or operator or agent of the owner or operator of the building, or the tenant of rental property if the rental agreement so provides in accordance with subsection (b) above, and/or the general contractor, subcontractors, or their agents, liable for suspension or revocation of any existing license to do business in the city, or a fine of not more than one hundred dollars (\$100.00) per violation, or both such penalties. **Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.** Copies of this section shall be made available to the public by the building inspector.

(h) *Requirements for secured key system.* A secured key system shall be required for any new or existing building where a fire alarm or sprinkler system is being installed. It shall be the responsibility of the owner or occupant to keep a set of keys in the secured key box that are current to the locks of the protected occupancy. Buildings with twenty-four-hour staffing or guard service shall be exempt from this subsection.

(1) The secured key system shall be located as close to the main entrance as possible. Should the building design not allow the secured key system to be located by the main entrance, the fire marshal and fire chief shall come to an agreement as to an alternate location for the key box. A secured key system, once installed, shall not be obstructed from view or obstructed by any means that would delay the fire department access to the box.

(2) Keys to be secured in the key box shall include keys to all points of ingress or egress whether on the interior or exterior of the building; keys to locked mechanical rooms, electrical rooms, elevator rooms, fire alarm and sprinkler controls and any area protected by automatic fire detection. Keys to individual residential apartment units are not required.

(3) It shall be the responsibility of the general contractor to order the key box for new buildings. It shall be the responsibility of the owner or tenant to order the key box for existing buildings.

(4) No acceptance test for sprinklers or fire alarms shall be conducted before the installation of a key box.

(Ord. of 2-13-89; Ord. of 11-22-93; Ord. of 2-9-98)

Editor's note: An ordinance adopted November 22, 1993 renumbered § 7-61 as 7-62 in order to facilitate the addition of a new § 7-61.

Sec. 8-15. Penalties for violation.

Any person convicted of violating any provision of this chapter shall be fined in an amount not in excess of one hundred dollars (\$100.00), nor less than five dollars (\$5.00) for each violation and if the violation amounts to an unlawful deposit of rubbish, refuse or other offensive matter in the corporate limits of the City of Dover, he shall be directed to remove the same and in the event of his failure to do so, the offensive matter shall be removed by the city at the expense of the violator. **Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.**

(Ord. of 8-23-82)

DIVISION 2. PERMIT

Sec. 10-96. Generally.

(a) *Single family dwellings.* It shall be unlawful for any person to operate any single family rental dwelling without obtaining a permit from the license department in order to determine compliance with the appropriate provision of this article. The permit shall expire annually on January 31st, the fee for the annual permit shall be ninety dollars (\$90.00) for each single family detached dwelling, and seventy dollars (\$70.00) for each single family attached dwelling.

(b) *Multiple family dwellings.* It shall be unlawful for any person to operate any multiple dwelling, without first obtaining an annual permit therefore from the license department in order to determine compliance with the appropriate provisions of this article. The permit shall expire annually on January 31st, and the fee for the annual permit shall be ninety dollars (\$90.00) for multiple dwellings consisting of three (3) or less dwelling units and ninety dollars (\$90.00) for the first three (3) dwelling units of a

multiple dwelling with four (4) or more dwelling units, and thirty dollars (\$30.00) for each additional dwelling unit in excess of three (3). The fee for condominium units and accessory apartments located within structures principally used for owner occupancy, shall be thirty dollars (\$30.00).

(c) *Penalty for late payment.* In the event that the permit fee set forth herein is not paid on the date due, then the permittee shall incur a penalty fee in the amount of ten (10) percent per month of the amount of the license fee until the same is paid.

(c) **Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.**

(d) *Reinstatement of suspended permit.* An owner whose permit has been suspended in accordance with section 10-97 shall pay a one-hundred-dollar reinstatement fee.

(e) *Failure to pay fees.* In the event that the property owner fails to pay said fees within thirty (30) days from the date the same are mailed to the owner, then such fees shall be entered in the municipal lien docket as a lien owing the city; and the same may be turned over to the city solicitor for collection.

(f) *Fee payment required for receipt of city utilities.* The owner or occupant of any rental unit shall not be entitled to receive city utilities until the permit fee required in this chapter is paid in full and city personnel shall refuse to provide sewage, water and electricity to the property until satisfactory proof is furnished that such license fee has been paid.

(Ord. of 4-10-00)

Sec. 13-15. Off road motor vehicle regulations.

(a) Off road motor vehicles as designated in this section shall mean any motor vehicle or other motorized vehicle not licensed to travel on the public roads of the State of Delaware or permitted to travel on the public roads of the State of Delaware.

(b) All off road motor vehicles shall comply with the following regulations:

(1) The operator must obtain a license from the City of Dover in order to operate the vehicle within the corporate limits of the City of Dover, which license shall be issued according to regulations adopted by the City of Dover regarding the amount of fee, display of the license, proof of insurance coverage, etc.

(2) The vehicle must have a muffler system which limits engine noises to state noise violation standards.

(3) The operator must have, in his possession, written approval of the owner of the property upon which he operates the vehicle or he must operate the vehicle on a site which is licensed and designated for such purpose.

(4) If any person witnesses a violation of subsections (1), (2), or (3) of this section by a person on or in a motor vehicle and the identity of the offender is not otherwise apparent, there shall be a rebuttable presumption that the person in whose name such motor vehicle is registered committed such violation.

(c) Anyone violating any provision of this section shall be fined a minimum of twenty-five dollars (\$25.00) and a maximum of one hundred dollars (\$100.00). **Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.**

(Ord. of 9-13-82, § 2)

Sec. 13-16. Violations.

Except as otherwise provided, any person who violates any provision of this chapter which is a moving offense shall be fined a minimum of ten dollars (\$10.00), and any person who violates a provision of this chapter which is a nonmoving offense shall be fined a minimum of fifteen dollars (\$15.00), except that any parking violations shall carry a fine of twenty dollars (\$20.00), for each offense, but if the fine is paid within seventy-two (72) hours from the date the offense is recorded in time, the fine shall be fifteen dollars (\$15.00). **Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.**

(Code 1968, § 31-114; Ord. of 8-25-71, § 2; Ord. of 7-12-82; Ord. of 8-23-82; Ord. of 9-13-82, § 1; Ord. of 6-26-89; Ord. Of 9-9-02(1))

Sec. 14-3.5. False alarms to police.

(a) *Definitions.* For purposes of this chapter, the following words and phrases shall have the meanings respectfully ascribed to them by this section:

(1) *Alarm system:* An assembly of equipment and devices arranged to signal the presence of a situation requiring urgent attention and to which police are expected to respond.

(2) *Alarm user:* Any person, firm, partnership, corporation, or other entity or any agent, officer, or employee thereof on whose premises an alarm system is maintained within the city.

(3) *False alarm:* The activation of an alarm system through negligence of the alarm user causing the city police to respond. Negligence does not include, for example, alarms caused by hurricanes, tornadoes, earthquakes, mechanical failure, malfunction, or improper installation, provided, however, that in the event that during the course of the calendar year an alarm user has three (3) mechanical failures, malfunctions, or improper installations causing a false alarm, then the third such mechanical failure, malfunction, or improper installation within the calendar year shall constitute negligence.

(b) *Maintenance of alarm system.* Every alarm user shall maintain its alarm system in such a manner as to minimize the number of incidents of false alarms to the police.

(c) *Violation; penalty.* When there is a false alarm signal eliciting notification to and a response by the City of Dover Police Department when a situation requiring a response by the police does not in fact exist, but is in fact negligently caused by the alarm user, then the alarm user shall be fined twenty-five dollars (\$25.00) for each false alarm transmitted during the calendar year. Effective October 1, 2000, an alarm user is permitted to have two (2) false alarms every calendar year. Thereafter, the following fees shall be initiated:

TABLE INSET:

Number of False Alarms Per False Alarm	Amount of Fine
3--5	\$25.00
6--9	50.00
10--15	100.00
16 and over	150.00

Such fines shall be paid directly to the City of Dover Police Department within thirty (30) days. **Fines not paid within thirty (30) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.**

(Ord. of 8-9-82; Ord. of 8-28-00)

Editor's note: An ordinance adopted Aug. 9, 1982, enacted provisions designated as §§ 7.5-1--7.5-3, which provisions have been redesignated by the editor as § 14-3.5 for purposes of classification.

Sec. 14-6.1. Consumption or possession of alcoholic liquor.

(a) Except when permitted by federal, state, county or municipal law, it is unlawful for any person to consume any alcoholic liquor or possess with intent to consume any alcoholic liquor in or upon any street, alley, highway, public way, public building or public place within the City of Dover.

(b) Whoever, being under the age of twenty-one (21) years, has alcoholic liquor in his possession at any time, or consumes or is found to have consumed alcoholic liquor, shall

be fined one hundred dollars (\$100.00). **Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.** This section shall not apply to the possession or consumption of alcoholic liquor in connection with any religious service or by members of the same family, provided at least one of the members is of age, within the private home of any of the said members.

(c) For purposes of this section, "alcoholic liquor" shall be defined per Title IV of the laws of the State of Delaware as amended.

(d) For purposes of this section, "public place" shall mean any place to which the general public has access and a right to resort for business, entertainment, or other lawful purposes, but does not necessarily mean a place devoted solely to the uses of the public. It shall also include the front or immediate area of any store, shop, restaurant, tavern, or other place of business and also public grounds, areas, or parks.

(Ord. of 6-11-84; Ord. of 10-25-99)

Editor's note: An ordinance adopted June 11, 1984, adding § 14-14 to the Code, has been redesignated § 14-6.1, for purposes of classification and reference, at the discretion of the editor.

Sec. 14-8. Excessive noise prohibited.

(a) It shall be unlawful for any person to make, continue, or cause to be made or continued any excessive, unnecessary or unusually loud noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, or creates the risk thereof, within the limits of the city.

(b) The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of the section, but said enumeration shall not be deemed to be exclusive:

(1) *Horns, signaling devices, etc.* The sounding of any horn or signaling device on any automobile, motorcycle, street car or other vehicle on any street or public place of the city, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for an unnecessary and unreasonable period of time. The use of any signaling device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust; and the use of any such signaling device when traffic is for any reason held up.

(2) *Radios, phonographs, etc.* The using, operating, or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section, however, this does not preclude conviction of the violation during any other hour.

- (3) *Loudspeakers, amplifiers for advertising.* The using, operating or permitting to be played, used, or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is case upon the public street for the purpose of commercial advertising or attracting the attention of the public to any building or structure unless authorized by permit.
- (4) *Yelling, shouting, etc.* Yelling, shouting, hooting, whistling, or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m. or at any time or place so as to annoy or disturb the quiet, comfort, or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.
- (5) The keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comfort or repose of any persons in the vicinity.
- (6) *Whistles.* The flowing of any locomotive whistle or steam whistle attached to any stationary boiler except to give notice of time to begin or stop work or as a warning of fire or danger, or upon request of property city authorities or in compliance with the state law.
- (7) *Exhausts.* The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motorboat, or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (8) *Defect in vehicle or load.* The use of any automobile, motorcycle, or vehicle so out of repair, so loaded or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.
- (9) *Loading, unloading, opening boxes.* The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.
- (10) *Construction or repairing of building.* The erection (including excavation), demolition, alteration or repair of any building other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and 10:00 a.m. and 6:00 p.m. weekends, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building inspector, which permit may be granted for a period not to exceed three (3) days or less while the emergency continues and which permit may be renewed for periods of three (3) days or less while the emergency continues.
If the building inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration, or repair of any building or the excavation of streets and highways within the hours of 6:00 p.m. and 7:00 a.m. weekdays and 6:00 p.m. and 10:00 a.m. weekends, and if he shall further determine that loss or inconvenience would result to any part in interest, he may grant permission for such work to be done within the hours of 6:00 p.m. and 7:00 a.m. weekdays and 6:00 p.m. and 10:00 a.m. weekends, upon application being made at the time the permit for the work is awarded or during the progress of the work.
- (11) *Schools, courts, churches, hospitals.* The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in use, or adjacent to any hospital, which unreasonably interferes with the workings of such institution, or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets indicating that the same is a school, hospital or court street.

(12) *Hawkers, peddlers, etc.* The shouting and crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.

(13) *Drums.* The use of any drum or other instrument or device for the purpose attracting attention by creation of noise to any performance, show or sale.

(14) *Metal rails, pillars and columns, transportation thereof.* The transportation of rails, pillars or columns or iron, steel or other material, over and along streets and other public places upon carts, trays, cars, trucks, or in any other manner so loaded as to cause loud noises or as to disturb the peace and quiet of such streets or other public places.

(15) *Pile drivers, hammers, etc.* The operation between the hours of 10:00 p.m. and 7:00 a.m. of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliances, the use of which is attended by loud or unusual noise.

(16) The operation of any noise-creating blower or power fan or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise.

(c) Owners, landlords, lessees, or renters of public or private premises where there is a failure to maintain compliance with this section shall be notified of violations and complaints and shall take appropriate and recommended actions necessary to assist in bringing the premises in compliance with this section.

(d) The violation of any provision of this section shall be punishable by a fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00). **Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.**

(Code 1968, § 20-12; Ord. No. 3-77, § 2, 9-26-77; Ord. of 9-13-93; Ord. of 2-26-96; Ord. of 10-25-99; Ord. of 11-26-01)

Sec. 14-15. Smoking regulations.

(a) *Generally.* The Surgeon General of the United States, the National Academy of Sciences, and other health organizations have linked passive exposure to tobacco smoke (secondhand smoke) to a variety of negative health conditions in nonsmokers which has prompted council to enact smoking regulations for the health, welfare and safety of residents of the city and to strike a reasonable balance between the rights of smokers and nonsmokers by regulating smoking in certain public places and places of employment.

(b) *Definitions.* When used in this section, the following words and terms shall have the following definitions and meanings:

(1) *Bar or cocktail lounge area* shall mean that part of any restaurant or other establishment, to a depth of twenty (20) feet from such bar, primarily engaged in the business of selling or dispensing alcoholic or other beverages and duly licensed by the state for the same, but secondary to the restaurant or other primary use of the establishment.

(2) *Employee* shall mean any person who renders or has rendered any service to another for a consideration or its equivalent, under an expressed or implied contract, and who is or was under the control and direction of the latter when rendering the services including temporary, provisional, casual or part-time employment.

- (3) *Employer* shall mean an individual, partnership, association, corporation, governmental body or agency, or any other entity, for whom or for which one or more persons renders or have rendered any services on a salary, commission or other compensation basis.
- (4) *Health care facility* shall mean any office or institution providing individual care or treatment of diseases, whether physical, mental or emotional, or other medical, physiological or psychological conditions.
- (5) *Person* includes individuals, firms, partnerships, associations, corporations, companies and organizations of any kind.
- (6) *Place of employment* shall mean any enclosed area under the control of a public or private employer, which employees normally frequent during the course of employment. A private residence is not considered to be a place of employment for the purpose of this section, nor is a motor vehicle of the employer used by employees in the course of employment.
- (7) *Public conveyance* shall mean any taxi cab, mass transit vehicle or school bus, or any vehicle offered to passengers for a fee.
- (8) *Public meeting* includes any meeting or assembly held in any room, auditorium or chamber wherein public, civic or governmental business is conducted and which is open to the public either as participants or spectators.
- (9) *Public place* includes any enclosed area to which the public is invited or in which the public is permitted, including, but not limited to, banks; educational facilities; health care facilities; day care centers, retirement homes, rest or nursing centers; property owned, occupied or operated by the city or any agency thereof; public transportation facilities; lobbies and reception areas; but not including the offices or work areas not entered by the public in the normal course of business or use of the premises. A private residence is not a public place, but the lobby or common area of a multifamily dwelling is a public place.
- (10) *Restaurant* shall mean any establishment which is regularly used and kept open principally for the purpose of serving complete meals to persons for consideration and which has seating at tables for thirty-five (35) or more persons, and suitable kitchen facilities connected therewith for cooking an assortment of foods under the charge of a chef or cook. The service of only such food and victuals as sandwiches or salads shall not be deemed to be the service of meals. Any such establishment shall be duly licensed as a "restaurant" by the city and state.
- (11) *Retail store* shall mean any establishment whose primary purpose is to sell or offer for sale to consumers, not for resale, any goods, wares, merchandise, articles or food for consumption off the premises.
- (12) *Secondhand smoke* shall mean the smoke to which a person may be involuntarily exposed, either through a smoker exhaling the smoke of, or from a tobacco product, or through the lighting or burning of any tobacco product.
- (13) *Smoking* includes the lighting, burning, holding or carrying of, or emitting, or inhaling, or exhaling the smoke of a pipe, cigar or cigarette of any kind or any form of lighted object or device which contains tobacco.
- (14) *Sports arena* shall mean any indoor facility primarily used for sports, cultural or similar events.
- (15) *Taproom* shall mean any establishment which is regulated and licensed as such by the state pursuant to the Delaware Alcoholic Beverage Control Act and which is

provided with special space and accommodations and operated primarily for the sale by the glass for consumption on the premises of alcoholic beverages with the sale of food as a secondary object as distinguished from a restaurant where the sale of food is the primary object.

(16) *Tavern* shall mean any business selling spirits, wine or beer by the glass at retail for consumption on the premises, and which is duly licensed and regulated as such pursuant to the Delaware Alcoholic Beverage Control Act, and in which the sale of food is a secondary object as distinguished from a restaurant where the sale of food is the primary object.

(17) *Theater* shall mean any indoor facility primarily used for the exhibition of any motion picture, stage drama, musical recital, dance, lecture or other similar performance.

(c) *Prohibitions.* Smoking is unlawful in public places defined in subsection (b)(9) and in the following public places during the hours in which they are open to the public:

(1) Art galleries, libraries, museums and similar cultural facilities;

(2) Classrooms and lecture halls;

(3) Designated no-smoking areas of restaurants, as set forth in subsection (d);

(4) Elevators;

(5) Health care facilities, not including the in-patient sleeping quarters of any facility; each such facility shall make a reasonable effort to assign patients to sleeping rooms according to the patient's smoking or non-smoking preference; provided, however, that the owner or other person with authority to manage and control such facility may designate separate rooms or areas in which smoking is permitted, using existing physical barriers and ventilation systems to the greatest extent possible to minimize the second-hand smoke in adjacent no-smoking areas;

(6) Public conveyances;

(7) Public meetings;

(8) Retail stores, other than retail tobacco stores whose primary activity is the sale or promotion of tobacco and tobacco products and accessories; provided, however, that smoking may be permitted in those areas of enclosed shopping centers or malls that are external to the retail stores and are used by customers as a route of travel from one store to another and consist primarily of walkways and seating arrangements; further provided that where smoking is permitted, the proprietor shall post a sign to that effect; and

(9) Theaters and sports arenas, except when smoking is part of a theatrical production; provided, however that smoking may be permitted in the area that serves as a lobby if physically separate from the spectator area and if a sign is posted to that effect; and

(10) Restrooms located in public places as defined in subsection (b)(9) and in the facilities listed in subsection (c)(1), (c)(2), (c)(5), (c)(6), (c)(8), and (c)(9). Proprietors of restaurants may either prohibit or allow smoking in restrooms located in their respective restaurants;

(11) Smoking is unlawful in designated no-smoking areas of places of employment, as set forth in subsection (g).

(d) *Restaurants and other establishments and facilities.*

(1) *Nonsmoking area, when required.* Every restaurant, whether currently in existence or to be established in the future, shall designate a nonsmoking area consisting of a reasonable percentage of the indoor seating capacity of the restaurant, as deemed appropriate by the proprietor for his or her clientele, provided, however, that smoking

may be permitted in any part of the restaurant that constitutes a bar or cocktail lounge area as defined in subsection (b)(1).

(2) *Exceptions.* This section shall not apply to:

a. Taprooms and taverns; nor shall the seating capacity of any bar or lounge area and the area within twenty (20) feet of the bar and located within a restaurant be included in the calculation of the total seating capacity of the restaurant;

b. Rooms used for private functions, such as wedding receptions, or banquets that are conducted in private and are not open to the general public, except that the authorized users of such rooms may designate the rooms, for purposes of said private functions, as either smoking or nonsmoking;

(3) *Alternative methods.* Any restaurant that is not subject to subsection (d)(1) and any taproom, tavern, organization, rooms or facilities that are exceptions pursuant to subsection (d)(2) shall be required to have a mechanical system that effectively removes secondhand smoke from the premises.

(e) *Violations and penalties.*

(1) *Violations.* The following acts constitute violations of this section:

a. Smoking in a posted nonsmoking area;

b. Failure to post a no-smoking sign as required by this section;

c. Failure to inform any person who violates this section, when such duty to inform arises as set forth in subsection (g);

d. Willful destruction or defacement of a sign posted as required by this section;

e. Failure to adopt a smoking policy as set forth in subsection (g);

f. Failure to designate a nonsmoking area as required by subsection (d).

(2) *Penalties.* Anyone who violates any provision of this section shall be liable for a fine in an amount not to exceed twenty-five dollars (\$25.00). Each day such violation continues shall constitute a separate offense. **Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.**

(3) *Appeal to council.* In the event that the enforcement of this section causes undue and extraordinary financial hardship peculiar to any person, then that person shall have the right to appeal this hardship to council by written request directed to the city clerk. In considering the appeal, council shall have the power to alter the terms and conditions of this section to meet any peculiar and extraordinary hardship proven by the person so long as such alteration or relief does not detract from the purpose and intent of this section.

(f) *Signs.* The owner or other person having the authority to manage and control any area designated as a no-smoking area pursuant to this section shall post, or cause to be posted, and prominently displayed, and shall maintain, "No Smoking" signs in conspicuous locations within such areas. Such signs shall clearly and conspicuously recite the phrase "No Smoking" and/or use the international no-smoking symbol and shall cite "Section 14-15 of the City Code." Signs shall be of sufficient number and prominent location to convey the message clearly and legibly to a man or woman of reasonable sensibilities. Signs shall be at least one square foot in size, shall be affixed to the structure of the building and/or shall be so distributed that from any point in the no-smoking area at least one such sign is visible. A combination of fixed or pedestal type signs may be used.

(g) *Places of employment.*

(1) *Written smoking policy.* Within ninety (90) days following the effective date of this section, every employer of twenty-five (25) or more employees at any one location in the city shall adopt, implement and maintain a written smoking policy which shall contain, at a minimum, the following provisions:

a. A statement providing that the employer shall attempt to reach a reasonable accommodation, insofar as possible, between the preferences of smoking and non-smoking employees; provided, however, that the employers are not required to incur any expense to make structural or physical modifications to accommodate individual preferences; if a satisfactory accommodation cannot be reached, the preferences of nonsmoking employees shall prevail;

b. Smoking may be permitted in private, enclosed offices even though such offices may be visited in the normal course of business by nonsmoking employees;

c. Prohibition of smoking in auditoriums, classrooms, elevators, medical facilities, conference rooms and rooms containing photocopying or other office equipment used in common by employees;

d. Designation of some portion of the seating capacity of cafeterias, lunch rooms and employee lounges as no-smoking areas; provided, however, that if there are two (2) or more lounges available for employee use, one entire lounge may be designated as a smoking area;

e. A procedure to resolve employee disputes and objections arising under the smoking policy; and

f. A statement providing that the employer will not retaliate or take any adverse personnel action against any employee exercising his or her rights granted under the smoking policy.

(2) *Copies of policy to be provided to employees.* Employers shall supply a written copy of the smoking policy to all current employees within thirty (30) days of the date of adoption of such policy and shall supply copies of it to all future employees at the time of their entry into employment.

(3) *Posting of policy.* Employers shall post the smoking policy conspicuously in the place of employment.

(h) *Enforcement.*

(1) *Public places and places of employment.* The owner, proprietor, manager, or other person having the authority to manage and control any public place or place of employment, or a designated agent of such owner or manager, shall inform persons smoking in restricted areas of such places in order to warn them that they are in violation of the law. Any person may file a complaint with the department of licenses and inspections or with the police department alleging a violation of any provision of this section.

(2) *Enforcement procedures.* Upon complaint to the department of licenses and inspections, or to the police department, each department shall have concurrent jurisdiction to enforce the provisions of this section by any of the following actions:

a. Serving notice requiring the prompt correction by the owner, proprietor, manager or other person having the authority to manage and control any public place or place of employment of any violation of this section;

b. Advising the city solicitor of violations of this section in order to maintain an action at law or in equity to enforce the provisions of this section, recover the fines and costs of

prosecution, or to prevent, enjoin, abate or remove or otherwise to cause the correction of any such violation of the provisions of this section.

c. Issue to any person a citation or a summons to appear in the Justices of the Peace Court to answer to a charge of any violation of this section.

(i) *General provisions.*

(1) Nothing in this section shall be construed to permit smoking where it is otherwise prohibited by law or regulation.

(2) Nothing in this section shall be construed to preclude any owner or other person having the authority to manage and control any public place or place of employment from prohibiting smoking to a greater extent than is provided by this section.

(3) Nothing in this section shall be construed to permit or authorize, or be permitted to result in a fire safety hazard or violation, as may be determined by the fire marshal, by anyone in attempting to comply with the provisions of this section.

(4) If any provision of this section or the application thereof to any person or circumstances, shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this section which can be given effect without the invalid provision or application, and to this end the provisions of this section are hereby declared to be severable.

Sec. 15-51. Same--Fine.

Any person who shall violate any of the sections of this chapter, or who shall fail to comply therewith, or with any of the requirements thereof, shall be subject to a fine not to exceed one hundred dollars (\$100.00) and not less than ten dollars (\$10.00). **Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.**

(Ord. of 7-28-86)

Editor's note: An ordinance of July 28, 1986, specifically amended the Code by adding a new § 15-99. For classification purposes, and with permission of the city, the substantive provisions of the ordinance were redesignated as § 15-51 by the editor.

Sec. 19.5-26. Penalty for violations.

Any person guilty of conduct prohibited in section 19.5-25 shall, upon conviction, be punished by imposition of a fine of not more than one hundred dollars (\$100.00). **Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.**

(Ord. of 6-27-88)

Sec. 21-19. Fines.

(a) Any person convicted of a violation of section 21-17 of this Code, regardless of corrective actions taken, shall be punished for that violation by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00). Any such fine shall be in addition to any charges or assessments imposed upon the violator pursuant to section 21-18(a). All fines imposed shall be in accordance with the minimum fine schedule set out in subsection (c) herein.

(b) Every day that a violation of section 21-17 continues shall be considered a separate offense, for which the violator may be tried and convicted without necessity of further notice.

(c) Any fine assessed pursuant to subsection (a) shall be no less than the minimum amount set out in the following schedule:

First offense . . . \$ 25.00

Second offense . . . 50.00

Third and subsequent offenses . . . 100.00

In determining the applicable minimum fine, an offense shall be considered a recurring offense only if the defendant has previously pleaded, or been found guilty of causing or permitting the same nuisance at the same location within the past eighteen (18) months, or for everyday that the violation of section 21-17 continues as per section 21-19(b).

(d) Any fines imposed pursuant to subsection (a) of this section which remain unpaid shall be placed by the city as specified in the municipal lien docket as a lien against the property on which the violation occurred, and the procedures for enforcement or collection of said lien shall be as set out in section 21-18(b) of this Code.

(e) Fines not paid within fourteen (14) days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.

(Ord. of 3-23-92; Ord. of 7-27-92)

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Section 1-10 - General Penalty for Violation of Code; Separate Offenses, of the Dover Code, be amended by deleting that portion indicated in ~~strikeout~~ and adding that portion indicated in ***bold italics***:

Whenever in this Code or in any ordinance of the city any act or omission is prohibited or is made or declared to be unlawful or a violation, or whenever in said Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful or a violation, and no specific penalty is provided therefor, the violation of any such provision of this Code or any ordinance shall be punishable by a fine not less than twenty-five dollars (\$25.00) nor more than ~~one hundred dollars (\$100.00)~~ ***one thousand dollars (\$1000.00)***. Unless specifically provided otherwise, or the context thereof so dictates, each day any violation of any provision of this Code or any ordinance shall continue shall constitute a separate offense.

ADOPTED: *

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