

1           **AN ORDINANCE TO AMEND ARTICLE XVI MODIFICATIONS TO RESIDENTIAL**  
2           **CODE OF CHAPTER 70, BUILDING CODE, OF THE MUNICIPAL CODE OF THE CITY**  
3           **OF LEWES, DELAWARE, BY ELIMINATING IN ITS ENTIRETY SECTION 70-53**  
4           **AMENDMENT TO SECTION R313**  
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6           **WHEREAS**, the Mayor and City Council deem it appropriate to consider the question of  
7 whether it is in the public interest to amend Chapter 70, Building Code, of the Municipal Code of  
8 the City of Lewes, Delaware, as amended, by amending provisions related to eliminate Section  
9 70-53 in its entirety (this section excludes the requirements that new residences include fire  
10 suppression systems)  
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12           **WHEREAS**, Title 22, Chapter 3, Section 301 of the Delaware Code provides that “[f]or  
13 the purpose of promoting health, safety, morals or the general welfare of the community, the  
14 legislative body of cities and incorporated towns may regulate and restrict the height, number of  
15 stories and size of buildings and other structures, percentage of lot that may be occupied, the size  
16 of yards, courts and other open spaces, the density of population, and the location and use of  
17 buildings, structures and land for trade, industry, residence or other purposes”;  
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19           **WHEREAS**, Section 38 of the City's Charter provides that “[f]or the purpose of protection  
20 against fire, promoting health, safety, morals or the general welfare of the community, the City  
21 Council is hereby empowered to adopt ordinances to regulate and restrict the height, number of  
22 stores [sic], size of buildings and other structures, the density of population and the location and  
23 use of buildings, structures and lands for trade, industry, residence or other purposes”;  
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25           **WHEREAS**, the proposed amendment will promote the health, safety, and general welfare  
26 of the Lewes community.  
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28           **BE IT ORDAINED** by the Mayor and City Council, in session met, a quorum pertaining  
29 at all times thereto, in the manner following to-wit:  
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31           **Section 1.** Chapter 70, Section 70-53, of the Municipal Code of the City of Lewes,  
32 Delaware, be and the same is hereby further amended to eliminate Section 70-53 in its entirety  
33 (this section excludes the requirement that new residences include fire suppression systems)  
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35           **Section 2.** This Ordinance shall take effect immediately upon its adoption by the Mayor  
36 and City Council of the City of Lewes.  
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38 Adopted by the Mayor and City Council  
39 of the City of Lewes  
40 \_\_\_\_\_, 2021  
41

42  
43 I, [INSERT NAME], Secretary of the City Council of the City of Lewes, do hereby certify that the  
44 foregoing is a true and correct copy of the ordinance passed by the Mayor and City Council at its  
45 regular meeting on \_\_\_\_\_, at which a quorum was present and voting throughout and the  
46 same is still in full force and effect.

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Secretary

**SYNOPSIS:** This Ordinance eliminates Section 70-53 in its entirety (this section excludes the requirement that new residences include fire suppression systems)

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