



Resolution No.: 09-22-23-116

Date: 09-22-2023

**RESOLUTION PROPOSING PUBLIC HEARING OF
TWO, (2), ORDINANCES
WITHIN THE
CORPORATE LIMITS OF THE TOWN OF CHESWOLD**

Whereas; Section 4.2.25 of the Town Charter of the Town of Cheswold provides that the Town Council may provide for and preserve the health, peace, **safety**, cleanliness, ornament, good order and public welfare of the Town and its inhabitants; and

Whereas; the Secretary/Treasurer of the Council has been directed to properly prepare and post a resolution for a Public Hearing to provide the opportunity for residents and property owners of the Town of Cheswold to express their opinions about and concerning the following two, (2) Ordinances; and

ORDINANCE #05-03-23-071 FARM ANIMALS Within Town Limits

Purpose: The purpose of this ordinance is to clarify and specify the types of animals that are generally known as farm animals and will thus be prohibited from habitation within the corporate limits of the Town and to specify that there are no conditions or situations that will permit the housing, feeding or breeding of such animals within the corporate limits of the Town, other than the exception expressed within this Ordinance in Section 8.

In addition, this ordinance supports and additionally clarifies Article 7. Use Regulations of the Land Use Ordinance Table 7-2 Permitted Uses & Structures which states that Agriculture _ Related Uses in Zones, R-2, (1 & 2 Family Residential); R-3, (1, 2, 3 Family & Townhouse Residential); R-5, (Age-Defined Residential); C-1, (Neighborhood Commercial) and C-2, (Highway Commercial), are permitted and prohibited in Zones R-1, (Old Town Residential);

R-4, (Manufactured Home & Trailer Park); I-1, (Light Industrial) and I-2, (Heavy Residential).

The Land Use Ordinance provides that Farms, customary and conventional farming operations including the raising of vegetables, flowers, and horticulture materials not to be construed to include commercial poultry and swine production, cattle feeder lots, and fur bearing animals.

ORDINANCE #01-07-08-005 Revision #1 – DELETION of Ordinance in Its' Entirety

Purpose: The purpose of this ordinance is to delete the entirety of Ordinance 01-07-08-005 which specified the creation of a trust fund from the proceeds gained from Building Permit surcharge fees, which were to be used to benefit the Capital School District for capital improvements which solely served and benefitted the Town of Cheswold.

Be it resolved that:

1. A Public Hearing is to be held by the Town Council, who shall sit to hear comments and opinions from any concerned party regarding the proposed Ordinances specified on Page 1.
2. The Public Hearing shall be held before the Town Council Meeting scheduled for the *December 4* 6th day of ~~November~~ 2023, beginning at 5:00 p.m., in the Cheswold Town Hall, 691 Main Street, Cheswold, DE 19936.

The purpose of the hearing is to obtain public comment and legislative fact findings from any concerned party, on the question of the approval of the Two, (2), Ordinances shown on Page 1 of this Resolution for the associated stated purpose.

The Town Council is not bound to react in response to any comments or information offered at the hearing.

Anyone desiring to provide comments must submit their names to the Town Clerk at 302-734-6991, by close of business on Friday, October 27, 2023.

This resolution was duly adopted by the Town Council at the Town of Cheswold Town Council Meeting, held on Monday October 2, 2023.

I, Santo Faronea, Mayor of the Town of Cheswold, do hereby certify that the foregoing is a true and correct copy of the Resolution passed by an affirmative majority vote of all elected members of the Town Council of Cheswold at a properly scheduled Town Council Meeting, held on, Monday, October 2, 2023, at which a quorum was present and voting throughout, and that the same is still in force and effect.

CERTIFIED: [Signature] Date: November 6, 2023
Santo Faronea - Mayor

ATTEST: [Signature] Date: November 6, 2023
Theon E. Callender - Secretary/Treasurer

Agreed: [Signature] Date: November 6, 2023
Vice-Mayor Maxwell Amoako

Agreed: [Signature] Date: November 6, 2023
Councilperson Judith Johnson

Agreed: [Signature] Date: November 6, 2023
Councilperson Robin Ridgway

Agreed: [Signature] Date: November 6, 2023
Councilperson Mark Moxley

NOTARIZED: [Signature] Date: November 6, 2023
Shadina Jones - Town Clerk

Shadina Darcell Jones
NOTARY PUBLIC
STATE OF DELAWARE
Commission Expires June 11, 2026