

Sponsor:\_\_\_\_\_

First Reading:\_\_\_\_\_

Second Reading:\_\_\_\_\_

**AN ORDINANCE TO AMEND CHAPTER 223, BEACH, ARTICLE II OF  
THE BETHANY BEACH TOWN CODE AND  
CHAPTER 1, GENERAL PROVISIONS, ARTICLE 1**

**WHEREAS**, the Town Council of the Town of Bethany Beach desires to amend Chapter 223, Article II (Unlawful Activities) of the Town Code by adding a new Section 223-8 restricting the size of holes, trenches or depressions dug on the beach and requiring that they be completely filled in before leaving the beach; renumbering Sections 223-8 through 223-22 as Sections 223-9 through 223-23; and renumbering Section 223-8 of Chapter 1, General Provisions, Article 1, Penalties as Section 223-9.

**WHEREAS**, the purposes of this amendment are to protect people using the beach from risking injury from walking into holes, trenches or depressions and from hazards associated with collapsing sand; and further, to allow public safety, emergency and beach cleaning vehicles to conduct necessary activities on the beach without risk of injury to personnel or damage to equipment caused by such digging.

**BE IT HEREBY ENACTED** by the Town Council of the Town of Bethany Beach, a majority thereof concurring in Council duly met, that the following Sections of the Town Code be and hereby are amended as follows [additions are underlined and deletions are struck through]:

§ 223-8     Digging holes, trenches and depressions on the beach.

- A. It shall be unlawful to dig a hole, trench or depression anywhere on the beach deeper than twelve inches and more than two feet in length or width, in order to protect people using the beach from risking injury from walking into a hole, trench, or depression and from hazards associated with collapsing sand; and further, to allow public safety, emergency and beach cleaning vehicles to conduct necessary activities on the beach without risk of injury to personnel or damage to equipment.
- B. It shall be unlawful to dig any hole, trench or depression anywhere on the beach and leave the area without completely filling in the hole, trench or depression.

**Amend Chapter 1, General Provisions, Article I, Penalties as follows:**

§ 223-9	Unlawful activities	Not less than \$50 nor more than \$100
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**Effective Date.** These amendments shall be effective on the date of Council approval.

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### Synopsis

This ordinance amends Chapter 223, Article II, by adding a new Section 223-8 restricting the size of holes, trenches or depressions dug on the beach and requiring that they be completely filled in before leaving the beach; renumbering Sections 223-8 through 223-22 as Sections 223-9 through 223-23; and renumbering Section 223-8 of Chapter 1, General Provisions, Article 1, Penalties as Section 223-9.

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This shall certify that this is a true and correct copy of the ordinance duly adopted by the Town Council of the Town of Bethany Beach at a duly-noticed and convened meeting at which a quorum was present on \_\_\_\_\_ 2021.

Attest: \_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

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This shall certify that the title and synopsis of the foregoing ordinance was posted at the Town Hall on \_\_\_\_\_, 2021, and published in \_\_\_\_\_ on \_\_\_\_\_, 2021.

So Certifies:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Town Clerk

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This shall certify that the title, synopsis, date of adoption, and effective date of the foregoing ordinance was published in \_\_\_\_\_ on \_\_\_\_\_, 2021 and that a copy of the foregoing ordinance was posted at the Town Hall on \_\_\_\_\_, 2021.

So Certifies:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Town Clerk