

## **§475-1 Lot requirements; private and public.**

From and after passage of this Part 1, it shall be required that all property owners maintain their lot or lots in accordance with the following provisions:

### **A.**

Drainage and standing water. All lots shall be graded and/or filled, and thereafter maintained, so as to prevent the erosion of soil and to prevent the accumulation of standing water.

### **B.**

Elevation.

#### **(1)**

From the effective date of this Part 1, the elevation or grade of any lot or plot of ground, or any portion thereof, in the Town of Bethany Beach shall not be changed, nor shall the same be cleared, until a building permit is issued. Prior to the issuance of said permit(s), an engineering report evaluating the impact of the elevation change or lot clearing on adjoining properties and the Town's stormwater system and/or infrastructure may be required by the Town by an engineer designated by the Town. Said report(s) shall be completed at the property owner's expense. No building permit and/or certificate of occupancy shall be issued if any grading, elevation changes, or lot clearing is shown, by the engineering report, to have a material negative impact on adjoining properties and/or the Town's stormwater system or infrastructure.

[Amended 8-18-2006 by Ord. No. 414]

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

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

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

## **ORDINANCE #566**

### **AN ORDINANCE AMENDING CHAPTER 475 OF THE TOWN OF BETHANY BEACH CODE**

**Whereas**, The Town Council of the Town of Bethany Beach desires to amend Section Chapter 475 of the Town Code.

**Whereas**, the Town of Bethany Beach deems it appropriate, necessary, and proper for the protections of persons and property and for the preservation of public healthy, welfare and safety of its citizens with Lot Requirements; Private and Public.

**BE IT HEREBY ENACTED** by the Town Council of the Town of Bethany Beach, a majority thereof concurring Council duly met, that the Town Code be and hereby is amended as follows:

**Section 1.** Amend Chapter 475 – Property Maintenance as follows: (All revisions are highlighted in bold below):

#### **Chapter 475 – Property Maintenance**

##### **Article I. Drainage and Elevation Standards**

###### **475-1: Lot Requirements; Private and Public**

###### **A.**

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permit is issued. Prior to the issuance of said permit(s), an engineering report evaluating the impact of the elevation change or lot clearing on adjoining properties and the Town's stormwater system and/or infrastructure may be required by the Town by an engineer designated by the Town. Said report(s) shall be completed at the property owner's expense. No building permit and/or certificate of occupancy shall be issued if any grading, elevation changes, or lot clearing is shown, by the engineering report, to have a material negative impact on adjoining properties and/or the Town's stormwater system or infrastructure.

**Synopsis**

This ordinance amends Chapter 475-1 by adding additional wording, "May be required by the Town."

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This shall certify that this is 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 \_\_\_\_\_, 2024.

Attest: \_\_\_\_\_

Town Clerk

Mayor

This shall certify that the title and synopsis of the foregoing ordinance was posted at the Town Hall on \_\_\_\_\_, 2024 and published in \_\_\_\_\_ on \_\_\_\_\_, 2024.

So Certifies:

\_\_\_\_\_

\_\_\_\_\_

Date

Town Clerk