

Town of Bellefonte, Delaware  
Ordinance 2016-01

Zoning Ordinance Amendment

**ARTICLE I: Re-Zoning Code Fees**

The following amendment, after public hearing and careful consideration, amends the Bellefonte Land Use Code, Ordinance 2010-01, which was adopted on August 2, 2010.

Article 10. Amendment, § 10-01, B. Initiation, [4] of the Bellefonte Land Use Code (2010) is hereby repealed and replaced with:

[4] A petition fee payable to The Town of Bellefonte in the amount of \$3,000 and 50% of the Town's legal costs. This fee is to be based on an estimate of fees by the Town Solicitor of Record and is payable before the hearing for said Re-zoning. Once the application fee is filed with the required payment, the application fee is not refundable.

**ARTICLE II: Animal Control Ordinance** - The following section is an amendment to Bellefonte Ordinance 2005-03, Property Maintenance Code, adopted August 8, 2005.

WHEREAS the Town of Bellefonte has named New Castle County as enforcement agent of its Property Maintenance Code, this amendment hereby affirms that "Sec. 4.02.004. - Prohibited animals in certain residential areas" of New Castle County Code is adopted by the Bellefonte Town Commission, enforceable by New Castle County Department of Land Use Property Maintenance Code Enforcement division.

**ARTICLE III: Severability** - The provisions of this Ordinance shall be severable. If any provisions of this Ordinance are found by any court of competent jurisdiction to be unconstitutional or void, the remaining provisions of this Ordinance shall remain valid, unless the court finds that the valid provisions of this Ordinance are so essentially and inseparably connected with, and so dependent upon, the unconstitutional or void provision that it cannot be presumed that the Bellefonte Town Commission would have enacted the remaining valid provisions without the unconstitutional or void provision; or unless the court finds that the remaining valid provisions, standing alone, are incomplete and incapable of being executed in accordance with Bellefonte Town Commission's intent

Effective Date: \_\_\_\_\_ February 8, 2016 \_\_\_\_\_

First Reading: \_\_January 11, 2016\_\_\_\_ Second Reading: \_\_February 8, 2016\_\_\_\_

Approved: \_\_Scott McKenzie\_\_\_\_\_ Date: \_\_February 8, 2016\_\_\_\_\_  
President

Affirmed: \_\_Brandon Dougherty\_\_\_\_\_ Date: \_\_February 8, 2016\_\_\_\_\_  
Secretary