

**AN ORDINANCE TO AMEND CHAPTER 35, ANIMALS,
OF THE MUNICIPAL CODE OF THE TOWN OF HENLOPEN ACRES,
DELAWARE, BY AMENDING SECTIONS 35-5 AND 35-10 RELATING TO
THE PROHIBITION ON DOGS RUNNING AT LARGE
AND RELATED PENALTIES**

WHEREAS, the Mayor and Town Commissioners of the Town of Henlopen Acres deem it appropriate to further clarify the appropriate dog restraints to be utilized within the Town; and

WHEREAS, the Mayor and Town Commissioners of the Town of Henlopen Acres deem it appropriate to declare violations of Chapter 35, Animals, to be civil offenses.

BE IT ORDAINED by the Commissioners of the Town of Henlopen Acres, in session met, a quorum pertaining at all times thereto, in the manner following to-wit:

Section 1. Chapter 35, Animals, Section 35-5, as amended, be and the same is hereby further amended by deleting the word “leash” from Subsection A(2)(b)[2] as such word appears therein, and inserting in lieu thereof the phrase “physical leash not more than six (6) feet in length”.

Section 2. Chapter 35, Animals, Section 35-10, as amended, be and the same is hereby further amended by deleting Section 35-10 in its entirety and inserting in lieu thereof a new Section 35-10 as follows:

§ 35-10 Violations.

Any violation of any provision of this chapter is declared to be a civil offense and is subject to the voluntary assessment and other procedures described in Chapter 55 of this Code.

Section 3. If any provision of this Ordinance shall be deemed or held to be invalid or unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect any other provision of this Ordinance which may be given effect without such invalid or unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall take effect immediately upon its adoption by the Commissioners of the Town of Henlopen Acres.

Version: February 15, 2017

I, Thomas Roth, Assistant Secretary of the Commissioners of the Town of Henlopen Acres, do hereby certify that the foregoing is a true and correct copy of the amendment passed by the Commissioners at their meeting held on March 10, 2017, at which a quorum was present and voting throughout and that the same is still in full force and effect.


Assistant Secretary

SYNOPSIS: This Ordinance further clarifies that dogs off an owner's premises must be restrained by a physical leash not greater than six feet in length, and converts violations of Chapter 35 to civil offenses.