

**AN ORDINANCE TO AMEND CHAPTER 95, RENTAL PROPERTY, OF
THE MUNICIPAL CODE OF THE TOWN OF HENLOPEN ACRES,
DELAWARE, RELATING TO RESIDENTIAL RENTAL PROPERTIES**

WHEREAS, the Mayor and Commissioners of the Town of Henlopen Acres wish to promote the peace and tranquility of the Henlopen Acres community through the regulation of residential properties that are periodically rented;

WHEREAS, the proposed amendment will promote the health, safety, and general welfare of the Henlopen Acres community.

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 95, Rental Property, Section 95-3, Application for annual license, as amended, be and the same is hereby further amended by making the following deletions as shown by strikethrough and insertions as shown by underline to Subsection 95-3(C) as follows:

- C. No rental license shall be issued for any rental unit under Subsection A(5) of this section until the applicant shall certify, in writing, on a form prepared by the Town, that:
- (1) Each such rental unit has the minimum number of functioning smoke detection devices, in accordance with National Fire Protection Association (NFPA) requirements.
 - (2) The number of people per unit building is in compliance with the Housing Code of Sussex County and of the State of Delaware and, in any event, shall not exceed 12 persons, and acknowledgement of compliance with Town zoning laws.
 - (3) The rental unit will not be subleased or sublet.
 - (34) The term, duration, or lease period provided in any lease or rental agreement for any rental unit will not be less than seven days, and the rental unit will not be rented more than eight (8) times in a calendar year, with no more than six (6) times rented In-Season, defined as the period of time between and including May 15 and September 15.
 - (5) A copy of all rental agreements will be provided to the Town Manager at least three (3) business days in advance of the commencement of the rental term.
 - (4)(6) The information on the application is true and correct and that a false answer can subject the application to denial or a license to revocation.

Section 2. This Ordinance shall take effect immediately upon its adoption by the Commissioners of the Town of Henlopen Acres for rentals that occur on or after January 1, 2021.

I, Beatrix Richards, Secretary of the Commissioners of the Town of Henlopen Acres, do hereby certify that the foregoing is a true and correct copy of the ordinance passed by the Commissioners at their meeting held on Sept 11, 2020, at which a quorum was present and voting throughout and that the same is still in full force and effect.


Secretary

SYNOPSIS: This Ordinance creates additional requirements for the rental of residential properties in the Town of Henlopen Acres, including a prohibition on subletting and subleasing, and a requirement that a copy of all rental contracts be provided to the Town Manager at least three business days in advance of the rental term. For current and future owners, the Ordinance creates a limitation of eight rental periods of at least seven days each during a calendar year, with up to six rentals occurring In-Season between May 15 and September 15.