



ORDINANCE NO. 24-02

AN ORDINANCE TO AMEND THE TOWN OF MILLVILLE CODE AT CHAPTER 90, ENTITLED "LICENSES", § 90-3 APPLICATION AND FORMS FOR PUBLIC EVENT PERMITS OR LICENSES

WHEREAS, the Town Council of Millville has the power to adopt ordinances in the interest of good government and the safety, health, and public welfare of the Town, its inhabitants, and affairs, including to provide for and preserve the health, peace, safety, cleanliness, ornament, good order and public welfare of the Town and its inhabitants; and

WHEREAS, the Town of Millville has adopted a License Ordinance for the municipality, which has been codified in Chapter 90 of the Town Code;

WHEREAS, the Town Council may from time to time amend, supplement, or change the regulations and restrictions established by this Ordinance;

NOW, BE IT THEREFORE ORDAINED, by the Town Council for the Town of Millville, Sussex County, Delaware, having duly met and a majority thereof concurring herein, that the following amendment is hereby adopted and incorporated into the Town of Millville Code at Chapter 90, entitled "Licenses", at Article I, § 90-3.

Additions will be shown in black bold and underlined as follows:

Article I. Business Licenses

§ 90-3. Application and forms for public event permits or licenses.

- A. Applications for all licenses required by this chapter shall be made, in writing, to the Town Manager or designee in the absence of provision to the contrary. Forms for all licenses and public event permits, and applications therefor, shall be prepared and kept and filed by the Town Manager or designee.
- B. Application procedure. New applications for a license required by **§ 90-2** hereof shall be made on the prescribed form to the Town of Millville, and no license shall be granted until the license fee shall have been paid in full. Each such license and such

application shall specify to whom it shall be issued and give the following information:

- (1) The home or business address and telephone numbers of the applicant.
- (2) If the applicant is a partnership, the names and addresses and telephone numbers of individuals composing the partnership.
- (3) If the applicant is a corporation or other artificial entity, the names and addresses and telephone numbers of its principal officers.
- (4) A full description of the nature of the business or enterprise for which the license is required.
- (5) The specific location of the business, occupation, rental, or activity.
- (6) The maximum number of employees, rental units, rental rooms, or storage units of a business during the license year.
- (7) A copy of a valid Delaware state business license for the business, Delaware professional license for the individual or business (if applicable).
- (8) For all contractors, proof of liability insurance, issued in the name of the business.
- (9) All other information requested on the application provided by the Town.
- (10) All additional information requested to assist in the approval of the license.

C. Each license applicant and each licensee shall certify, in writing, on a form prepared by the Town, as follows:

- (1) 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.
- (2) The applicant has consistently complied with all provisions of this chapter and all other laws and ordinances of the Town of Millville and other agencies and jurisdictions relating to the business or enterprise for which the license is required, including applicable zoning and building codes, and shall continue to do so throughout the term of the license.

D. Yearly renewal applications for a license required by § 90-2 shall validate the renewal information on the application generated by the Town of Millville and make any changes and corrections as needed. No license shall be granted until the license fee shall have been paid in full and the renewal application signed.

E. Address corrections and changes to existing licenses may be made on the yearly renewal application or a change of address form to the Town of Millville. It is the responsibility of the license holder to notify the Town of Millville, in writing, of any changes to the account. It is further the responsibility of the license holder to notify the Town of Millville, in writing, if the business is no longer valid.

F. Each license or public event permit shall bear the name of the Town Manager.

G. Notwithstanding the foregoing, a public event permit is not required for an event held by a civic association on its parkland when the event is without charge and limited to members of the civic organization, or to the residents of the neighborhood, community, or subdivision. The definitions for terms used in this Subsection are as defined in Title 9, Section 8110 of the Delaware Code. Although a public event permit is not required, the civic association may engage mobile food vendors for such an event, upon compliance with this chapter, including issuance of a mobile food vendor license and mobile food vendor permit.

**ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF MILLVILLE, SUSSEX COUNTY,
DELAWARE, ON THIS 11TH DAY OF JULY 2023.**

SEAL:

MAYOR

ATTESTED:

SECRETARY

SYNOPSIS

This ordinance revises Chapter 90, § 90-3 in the Code for the Town of Millville to exempt the Town's residential communities from obtaining a public event permit for certain events.