

ORDINANCE NO. C-8

**AN ORDINANCE PROVIDING FOR RESIDENTIAL RENTAL PROPERTY
REGISTRATION AND LICENSING, THE PAYMENT OF AN ANNUAL FEE, AND
PROVIDING PENALTIES FOR THE VIOLATION THEREOF**

BE IT ORDAINED by the Town Council of the Town of Greenwood, in council duly met, that the previous Ordinance No. C-8, including all amendments thereto, is hereby repealed in its entirety and replaced with the following, to wit:

Section 1. Notice and questionnaire. The Town Manager, or his or her agent is hereby authorized and directed annually and not later than September 1 of each year commencing September 15, 2001 to direct a notice and questionnaire to each property owner advising the property owner of the license fee imposed for the rental of rooms, apartments, cabins and houses and of the license fee for each such type of rental, together with a penalty for the nonpayment of such fee. The questionnaire so included shall set forth the following:

PLEASE CHECK THE APPLICABLE BLOCK

- (1) I do not intend to rent any property []
- (2) I rent rooms, apartments, cabins, houses []
- (3) If you check the second block, state the following:
 - The number of rooms rented _____
 - The number of apartments rented _____
 - The number of cabins rented _____
 - The number of houses rented _____

Section 2. Annual fee for renting of rooms. Persons engaged for profit in renting rooms, cottages, cabins, private houses, or apartments within the limits of the Town, or any of them or any combination thereof, on a monthly, seasonal, or annual basis, shall pay an annual rental fee to the Town Manager. The annual rental fee shall be set by the Town Council in conjunction with the adoption of the annual budget or at such other times as decided by a majority of the Town Council.

Section 3. Residential rentals not permitted without license and basis for denial of license.

- A. It shall be unlawful for any property owner to rent or lease a residential rental unit within the Town of Greenwood without having paid the annual licensing fee and obtained a rental license from the Town of Greenwood by January 1 of each year commencing November 15, 2001.
- B. The Town Manager shall, unless specifically provided otherwise, supervise the enforcement of this ordinance and shall have authority to grant, deny, or revoke licenses.

- C. The Town Manager may withhold the issuance of a rental license or suspend or revoke a rental license for the failure to pay the annual fee, and for other lawful reasons, including the right to withhold a license from any property owner for a rental property where the occupants or users, or the persons(s) in lawful possession of such property, have been convicted on two (2) or more occasions, of a violation of Section 3 of the Ordinance Defining and Regulating Disorderly Houses, Requiring Rental Units to be Crime Free, and Providing Penalties for the Violation Thereof (Ordinance No. D18) as amended; or the State of Delaware offense of disorderly conduct (11 Del. C. §1301, as amended) if such offense occurred on the premises of the residential rental unit during the previous calendar year. In such event the Town may withhold the issuance of a rental license for up to three (3) years, or until the persons entitled to lawful possession of the subject property have voluntarily surrendered possession or have been evicted from the subject property pursuant to the order of a court of competent jurisdiction, whichever first occurs.
- D. The Town Manager may withhold the issuance of a rental license or suspend or revoke a rental license for failure of the property owner/landlord to initiate and prosecute with effect eviction proceedings under Ordinance D-18 (“An Ordinance Defining and Regulating Disorderly Houses, Requiring Rental Units to be Crime Free, and Providing Penalties for the Violation Thereof”) following notification by the Town that the terms of the crime free housing lease addendum have been violated.

Section 4. Violations and penalties. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction in a court of competent jurisdiction, shall be fined not less than One Hundred Dollars (\$100.00) and not more than three hundred dollars (\$300.00) and shall pay the costs of prosecution.

Section 5. Repealer. All ordinances and parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

Section 6. Effective date. The Town Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law. This Ordinance shall take effect and be in force from and after its approval by Council.

PASSED by a majority of the elected members of the Town of Greenwood, Delaware,
this 7TH day of JANUARY, 2014

**MAYOR AND COUNCIL OF
GREENWOOD, DELAWARE**

ATTEST: Willard T. Russell (SEAL)
Willard T. Russell, Secretary

BY: Donald Donovan
Donald Donovan, Mayor

**This shall certify that this is a true and correct copy of the Ordinance adopted by
the Town Council of the Town of Greenwood at a duly called and duly noticed meeting of
the Town Council at which a quorum was present held on JANUARY 7TH, 2014.**

Lisa R. Marks
Town Clerk