



Town of Camden

P.O. DRAWER 1002
CAMDEN, DELAWARE 19934

Mayor Robert A. Mooney
Town Manager Donald H. Mulrine, Jr.

ORDINANCE #2007-103

PARKING

“ORDINANCE ESTABLISHING PARKING REGULATIONS FOR THE STREETS AND ROADWAYS WITHIN THE LIMITS OF THE TOWN OF CAMDEN AND PENALTIES FOR VIOLATIONS THEROF”

SECTION 1. General Provisions

§ 1.1. Title and scope.

This ordinance shall be known as the "Town of Camden Parking Ordinance," which establishes standards for parking areas covered by this ordinance and is herein sometimes referred to as the "Town Parking Code" or "Code" and shall apply to and include the entire Town of Camden, Delaware.

§ 1.2. Purpose.

This ordinance is intended to protect the public safety, health and welfare, on existing streets, as hereinafter provided, by:

- A. Establishing parking standards for existing streets within the Town of Camden and for safe, thoughtful parking patterns along said streets;
- B. Fixing the parking responsibilities of owners, operators and occupants of all vehicles; and
- C. Providing for administration, enforcement and penalties.
- D. Limit commercial vehicle parking on Town of Camden streets.

§ 1.3. Applicability.

The provisions of the Town Parking Code shall apply to existing streets within the Town of Camden. The provisions are designed to eliminate or prevent substandard parking conditions with respect to vision and to provide adequate requirements for emergency vehicular traffic, eliminate unsafe conditions and overcrowding. Every portion of a street used or intended to be used for parking purposes shall comply with the provisions of this ordinance.

§ 1.4. Interpretation.

The provisions of this ordinance shall be interpreted by the enforcing Police officer from these ordinance's specifications in order to minimize threat to the health, safety and general welfare of the

residents and vehicle owners.

§ 1.5. Effect on other regulations.

- A. This ordinance does not replace or modify requirements otherwise established for the parking requirements or use of parking areas related thereto.
- B. Nothing in this ordinance shall be deemed to abolish or impair existing rights or remedies of the Town of Camden or its Police officers or agencies relating to the removal of any vehicle(s) which is deemed unsafe, or in violation with other Town Ordinances or State Law.
- C. As determined by the Police officer in any case, where a provision of any other ordinance, regulation or statute of the Town of Camden existing on the effective date of this ordinance or hereafter enacted establishes a lower standard for the promotion and protection of the safety and health of the public, the provisions of this ordinance shall govern.

§ 1.6. Word usage and definitions.

- A. **Word usage.** Words used in the present tense include the future. The singular includes the plural, and the plural includes the singular. Unless otherwise expressly stated, where terms are not defined under the provisions of this ordinance, they shall have ascribed to them their ordinarily accepted meanings or such as the context herein may imply. Whenever the words "roadway," "motor vehicle," "alley," "highways," "lanes," or "avenues" are used in this ordinance, they shall be construed as though they were followed by the words "or any part thereof."
- B. As used in this ordinance, the following terms shall have the meanings indicated:

“Chief of Police” shall mean the Chief of Police of the Town of Camden.

“Police officer” shall mean any certified police officer of the Town of Camden.

“Roadway” shall include all streets, alleys, roadways, highways, lanes and avenues within the limits of the Town of Camden.

“Vehicle” shall mean every device in, upon or by which any person or property is or may be transported or drawn upon a public roadway, excepting devices moved by human power or used exclusively upon stationary rails or tracks and excepting electric trackless trolley coaches and electric personal assistive mobility devices.

“Motor Vehicle” shall mean any vehicle which is self propelled, except farm tractors and electric personal assistive mobility devices.

“Commercial Vehicle” is a vehicle of a type required to be registered in the state, used or maintained for the transportation of persons or property for hire, compensation or profit, except taxicabs.

“Parking permitted except where otherwise prohibited by law” shall mean parking is permitted under this ordinance unless it is prohibited by Title 21 of the Delaware Code.

“Towing” shall mean the act of removing vehicles from public roadways.

§ Section 1.7. Special Permit Parking:

Special permit parking shall be allowed in the following manner.

- A. A special event or occasion held at a resident's home where several motor vehicles will be present may apply for a special parking permit to allow temporary parking which would not otherwise be permitted on the street(s) near the resident's home.
- B. Only Town of Camden residents may apply for a permit.
- C. A resident must apply at Town Hall at least one week prior to the event.
- D. The Town Clerk will supply a permit application which must be filled out completely with the requested information.
- E. The permit will be forwarded to the Police Department for review and approval.
- F. If approved by the Police Department, the permit will be returned to the administrative office.
- G. The applicant will be notified with regard to the approval or denial of the special parking permit request.
- H. In the case of denial, the applicant will be advised of the reason for the denial.
- I. Only one (1) free special parking permit will be issued per calendar year per Camden residence.
- J. Any subsequent request for a special parking permit will be assessed a \$25.00 fee.
- K. If an event or occasion is held without a special parking permit, parking restrictions and penalties based on this Ordinance will apply.

SECTION 2. Administration and Enforcement

§ 2.1. Administrative liability.

Except as may otherwise be provided by state statute, no police officer, agent or employee of the Town of Camden charged with the enforcement of this ordinance shall be rendered personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of duties under this ordinance. No person who institutes or assists in the prosecution of a criminal proceeding under this ordinance shall be liable for damage therefore unless such person acted with actual malice and without reasonable grounds for believing that the person accused or prosecuted was guilty of an unlawful act or omission. Any civil suit brought against any police officer, agent or employee of the Town of Camden as a result of any act required or permitted in the discharge of duties under this ordinance shall be defended by the Town Solicitor until the final determination of the proceedings therein.

§ 2.2. Conflict of interest.

No police officer or employee who has an official duty in connection with the administration and enforcement of this ordinance shall engage in any activity, which is inconsistent with the public interest and the police officer's official duties.

§ 2.3. Records.

A. The Police officer shall keep or cause to be kept records concerning the enforcement of this ordinance's provisions.

§ 2.4. Violations and penalties.

A. **Unlawful acts.** It shall be unlawful for any person, firm or corporation to park any motor vehicle in conflict with or in violation of any of the provisions of this ordinance.

B. **Penalty for violation.** Any person who shall violate any provisions of this ordinance or who fails to comply with any notice issued by a Police officer pursuant to the provisions of this ordinance shall be assessed a civil assessment of \$25.00 if paid within 24 hours or \$30.00 if paid after 24 hours. Handicap parking violation fee is \$100.00 if paid within 24 hours and \$120.00 if paid after 24 hours. This fee is to be collected at the Camden Town Hall.

§ 2.5. Existing violations.

This ordinance shall not affect violations of any other ordinance, code or regulation of the State of Delaware or municipality existing prior to the effective date hereof, and any such violation shall be governed and shall continue to be enforced to the full extent of the law under the provisions of such ordinances, codes or regulations in effect at the time the violation was committed.

SECTION 3. Scope of Conditions

§ 3.1. Parking areas determined.

STREET	AREA	RESTRICTIONS
Alice Court	Jacks Way to Hardesty Loop	Parking permitted on both sides of roadway.
Annie Circle	Lonetree Dr. to Cul-De-Sac,	Parking permitted on both sides of the roadway.
Apple Street	Wesley Street to Pear Street	Parking prohibited on both sides of the roadway.
Blair Court	Old North Road to Cul-De-Sac	Parking permitted except where otherwise prohibited by law.
Caboose Lane	Old Camden Road to U.S. 13	Parking prohibited on both sides of the roadway.

Caesar Rodney Avenue	Camden-Wyoming Avenue to Stevens Street	Parking permitted except where otherwise prohibited by law.
Cambridge Road	Chapel Drive to Cul-De-Sac,	Parking permitted except where otherwise prohibited by law.
Camden-Wyoming Avenue	U.S. 13 to East Street	Parking prohibited on both sides of the roadway.
Camden-Wyoming Avenue	East Street to Main Street	Parking <u>permitted</u> on North side of the roadway except where otherwise prohibited by law. Parking <u>prohibited</u> on South side of the roadway.
Camden-Wyoming Avenue	Main Street to Caesar Rodney Avenue	Parking <u>permitted</u> on North side of the roadway except where prohibited by law. Parking <u>prohibited</u> on South side of the roadway.
Carter Lane	Chapel Drive to Cambridge Road	Parking permitted except where otherwise prohibited by law.
Cedar Lane	Willow Avenue to End	Parking permitted except where otherwise prohibited by law.
Center Street	Caesar Rodney Avenue to Main Street	Parking prohibited on both sides of road.
Chalet Court	Cambridge Road to Cul-De-Sac	Parking permitted except where otherwise prohibited by law.
Chapel Drive	Main Street to Cambridge Road.	Parking permitted except where otherwise prohibited by law.
Cochran Drive	Willow Grove Road to End	Parking prohibited on both sides of the roadway.

Commons Lane	Cul-De-Sac to Cul-De-Sac	Parking prohibited on both sides of the roadway.
Darby Circle East	Burwood Avenue to Wilder Road	Parking permitted except where otherwise prohibited by law.
Darby Circle West	Wilder Road to Burwood Avenue	Parking permitted except where otherwise prohibited by law.
Dewitt Circle	Hardest Loop to Cul-De-Sac	Parking permitted except where otherwise prohibited by law.
East Fred Circle	Newell's Creek Drive to Cul-De-Sac	Parking permitted except where otherwise prohibited by law.
East Street	Camden-Wyoming Avenue to Voshell Mill Road	Parking prohibited on both sides of the roadway except from end of asphalt road.
Goggin Court	Vining Run East to Cul-De-Sac	Parking permitted except where otherwise prohibited by law.
Hanson Way	Vining Run East to Vining Run West	Parking permitted except where otherwise prohibited by law.
Hardesty Loop	Theater Lane to Dewitt Circle	Parking permitted except where otherwise prohibited by law.
Hillcrest Court	Center Street to Cul-De-Sac	Parking permitted except where otherwise prohibited by law.
Inner Circle	Burwood Avenue to Wilder Road	Parking permitted except where otherwise prohibited by law.
Janeka Drive	Willow Avenue to End	Parking is permitted except where prohibited by law.

Jack's Way	Thomas Harmon Drive to US 13	Parking permitted except where otherwise prohibited by law.
Kathleen Court	Newell's Creek Drive to Cul-De-Sac	Parking permitted except where otherwise prohibited by law.
Lonetree Drive	Thomas Harmon Drive to Cul-De-Sac	Parking permitted except where otherwise prohibited by law.
Main Street (North)	Old North Road to Camden Wyoming Avenue	Parking prohibited on both sides of the roadway.
Main Street (South)	Camden Wyoming Avenue to South Street	Parking permitted on East side of roadway, except where otherwise prohibited by law.
Main Street (South)	South Street to Voshell Mill Road	Parking permitted on West side of roadway except where otherwise prohibited by law.
Meeting House Lane	Old North Road to Commons Lane	Parking prohibited on both sides of the roadway.
Muriel Court	Lonetree Drive to Cul-De-Sac	Parking permitted except where otherwise prohibited by law.
Nanticoke Drive	East Darby Circle to Wilder Road	Parking permitted except where otherwise prohibited by law.
Newell's Creek Drive	Jacks Way to Hardesty Loop	Parking permitted except where otherwise prohibited by law.
Old Camden Road	U.S.13 to Chapel Drive	Parking permitted except where otherwise prohibited by law.
Old Camden Road	320 feet south of Chapel Drive	Parking is prohibited on both sides of the roadway.

Old Camden Road	850 feet North of Old North Road	Parking is permitted on East side of roadway except where otherwise prohibited by law.
Old Camden Road	850 feet North of Old North Road	Parking is prohibited on West side of roadway during normal school hours. NO PARKING AT ANY TIME adjacent to emergency exit to football stadium on Old Camden Road.
Old North Road	Old Camden Road to Vining Run	Parking prohibited on both sides of the roadway during normal school hours.
Old North Road	Vining Run to Blair Court	Parking permitted except where otherwise prohibited by law.
Peach Street	Caesar Rodney Avenue to Wesley Street	Parking prohibited on both sides of the roadway.
Pear Street	South Street to Apple Street	Parking prohibited on both sides of the roadway.
Prattis Street	Wesley Street to Caesar Rodney Avenue	Parking prohibited on both sides of the roadway
Shelter Circle	Cochran Road to Cul-De-Sac	Parking permitted except where otherwise prohibited by law.
South Street	Main Street to West Street	Parking permitted on North side of roadway except where otherwise prohibited by law. Parking prohibited on the South side of the roadway.

South Street	West Street to Caesar Rodney Avenue	Parking prohibited on both sides of the roadway.
Stevens Street	Caesar Rodney Avenue to End	Parking prohibited on both sides of the roadway.
Tamarac Court	Wilder Road to Cul-De-Sac	Parking permitted except where otherwise prohibited by law.
Theater Lane	Jack's Way to Lonetree Drive	Parking permitted except where otherwise prohibited by law.
Thomas Harmon Drive	U.S. 13 to Newell's Creek Drive	Parking prohibited on both sides of the roadway.
Thomas Harmon Drive	Newell's Creek Drive to Jacks Way	Parking permitted except where otherwise prohibited by law.
Thornley Drive	Old North Road to End	Parking permitted except where otherwise prohibited by law.
Upper King Road	Voshell Mill Road to Wilder Road	Parking permitted except where otherwise prohibited by law
Vining Run (East)	Old North Road to End	Parking permitted except where otherwise prohibited by law.
Vining Run (West)	End to Old North Road	Parking permitted except where otherwise prohibited by law.
Wal-Mart Drive	Lochmeath Way to End	Parking prohibited on both sides of the roadway.
Weeks Drive	Old North Road to End	Parking permitted except where otherwise prohibited by law.

Wesley Street	Camden-Wyoming Avenue to South Street	Parking permitted except where otherwise prohibited by law.
West Street	South Street to Old North Road	Parking prohibited on both sides of the roadway.
Wilder Road	Upper King Road to Inner Circle	Parking permitted except where otherwise prohibited by law.
William Street	East Street to End	Parking permitted except where prohibited by law.
Willow Avenue	Main Street to End	Parking permitted except where prohibited by law.

SECTION 4. Trailers and Commercial Vehicles

§ 4.1. Trailers and Commercial Vehicles

- A. No trailers or commercial vehicles designed or used for hauling or transportation, and no trailers or commercial vehicles designed or used for dwelling purposes shall be regularly parked or stored in the vicinity of any lot in a residential zone; nor shall any of the same be parked or stored in the vicinity of any lot in a non-residential zone; nor shall any of the same be parked or stored in the vicinity of any lot in a non-residential zone for more than a four (4) hour loading or unloading period. No commercial vehicle shall be parked out-of-doors overnight in a residential zone, provided, however, that said restrictions shall not apply to one (1) commercial motor vehicle of a rated capacity of three-quarter (3/4) ton or less, owned or used by a resident of the premises to go to and from business, which vehicle may be parked or garaged overnight on any premises within a residential zone. Overnight parking shall consist of continuous parking for a duration of six (6) hours between the hours of eleven (11) p.m. and seven (7) a.m. prevailing time. Excluded from these prohibitions are emergency or service vehicles while actually engaged in emergency or service calls.
- B. Section A shall not apply to vehicles parked in parking spaces approved for such size vehicles by the Town of Camden on a site plan at sites such as hotels, motels, restaurants, truck terminal, or loading docks.
- C. No commercial vehicles are permitted to park on Town of Camden public streets at anytime, except local deliveries.

1st violation : \$100.00 if paid within 24 hours
\$200.00 if paid after 24 hours

2nd violation: \$200.00 if paid within 24 hours
\$400.00 if paid after 24 hours

- (g) Any person convicted of a violation of this ordinance shall be fined not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00), or upon failure to pay such fine' as shall be imposed, shall be imprisoned for not more than thirty (30) days. Jurisdiction over such violation is hereby vested in Justice of the Peace Court No. 7.
- (h) Each license granted under this ordinance shall be for the sole use and benefit of the licensee to whom it is issued and shall not be transferable. In case of the death of any licensee, his personal representative shall succeed to all rights there under until the date of expiration of the license issued.
- (i) A license granted which specifies the place of business thereby licensed shall not authorize the licensee to carry on any trade, business, pursuit or occupation specified in such license in any other place than the place of business set forth in such license. If a licensee changes the location of his place of business during the period for which the license issued, the license may be transferred to such new location.
- (j) Every person holding a license shall display same in a conspicuous manner in the principal office or place of business of such person. (The license is not transferable.)
- (k) The agents or other representatives or any person, association of persons, firm or corporation who are doing business in the Town shall be personally responsible for the compliance with this ordinance by their principals.
- (l) The applicant must provide a Town of Camden business license application, a true copy of current State of Delaware business license and a true and undated copy of the certificate of liability insurance. If the expiration of the business insurance expires prior to the Town of Camden business license the applicant must provide the Town of Camden and update copy. The penalty for failure to produce an updated copy of the business certificate of insurance is set forth in item (f). The business may also face suspension of business their business license after official notification to applicant.
- (m) A license shall be obtained for each branch establishment or location of the business engaged in as if each branch or establishment or location were a separate business; provided that warehouses and distributing plants used in connection with and incidental to a business licensed under the provisions of this ordinance shall not be deemed to be separate places of business or branch establishments.
- (n) No license shall be required of any person for any mere delivery in the Town of any property purchased or acquired in good faith from another person at his regular place of business outside of the Town where no intent by that person is shown to exist to evade the provisions of this ordinance. Nor shall a license be required of nonresident wholesalers.
- (o) The Town shall issue special permits without the payment of any license fees, to any person or organization for the conduct or operation of a non-profit enterprise, either regularly or temporarily, when it is found that the applicant operates without private profit for a public, charitable, educational, literary, fraternal or religious purpose.
- (p) All police officers duly employed by the Town of Camden shall serve as license agents and shall assist in the enforcement of this ordinance.
- (q) No building permits shall be issued to unlicensed contractors.
- (r) Any person aggrieved by any decision of the Town of Camden shall have the right to a hearing before Mayor and Council by filing a written application within ten (10) days following the effective date of the action or decision rendered. The application shall include a statement of facts relied upon by the applicant to avoid the action or decision complained of.
- (s) Mobile Home Parks
 - (1) Mobile Home Parks must complete application similar to rental license application (see figure 2)
 - (2) The Mobile Home Park fee is based on the number of units per Mobile Home Park with a maximum fee of \$500.00.
 - (3) The Park must submit total approved site to the Town of Camden. The site occupied must have owner information attached to application.
 - (4) The Mobile Home Park is responsible for all tenants' information or application or unpaid fees will be the responsibility of the Mobile Home Park.
- (t) All code enforcement official duly employed by the Town of Camden shall serve as license agent and shall assist with enforcement of the ordinance. This shall also include the Town of Camden Police Department.
- (u) Noise Regulation. No person shall permit any construction to occur between the hours of 8:00 p.m. and 7:00 a.m. prevailing time, which requires outside lighting or which produces noise which would reasonably be expected to disturb any person in the neighborhood.

CAMDEN TOWN COUNCIL HEREBY REPEALS ORDINANCE #22 CREATING A NEW BUSINESS LICENSE FEE SCHEDULE AS FOLLOWS:

Business licenses are issued for approved uses only and shall not be prorated. Subletting shall not be permitted on lease properties.

Professional Services	\$250.00 per year
General Services	\$100.00 per year
Commercial Building Contractor	Minimum of \$200.00; additional fee if over 25 employees (see schedule)
Residential Building Contractor	Minimum of \$100.00; additional fee if over 25 employees (see schedule)
Residential Temporary Contractors (Max.10 days)	\$50.00 (if job exceeds 10 days, may be applied to annual license fee see schedule)
Commercial Temporary Contractors (Max.10 days)	\$100.00 (if job exceeds 10 days, may be applied to annual license fee see schedule)
Eating Establishment no Liquor Lic.	Minimum of \$100.00; additional \$10.00 per table in excess of 10 tables
Eating Establishment with Liquor Lic.	\$250.00; additional fee of \$10.00 per table in excess of 10 tables
Gas Station and/or Auto Repair	Minimum \$100.00; additional fee if over 25 employees see schedule
Lodging—Hotel/Motel/Inn/B&B	\$20.00 per room; Minimum \$100.00;
Wholesale / Warehouse (no membership)	\$200.00 per year
Merchant Retailer or Grocery Wholesaler (with Membership)	\$200.00 for up to 3,000 square feet plus \$50.00 per additional 1,000 square feet
Mobile Home Park	\$15.00 per unit; maximum \$500.00
Pawnbrokers (ordinance #57)	\$500.00 per year
Real Estate Office	\$250.00 per office per year
Real Estate Agent	\$25.00 per agent per year
Any business not listed	See schedule

SCHEDULE IS AS FOLLOWS:


\$100.00 for up to 6 employees working within Town Limits
\$150.00 between 7 and 25 employees working within Town limits
\$200.00 between 26 and 50 employees working within Town limits
\$300.00 between 51 and 100 employees working within Town limits
\$350.00 over 100 employees working within Town limits

ENACTED AND ORDAINED THIS 1st DAY OF OCTOBER, 2007.

Town Council Members voting:


SEAL

APPROVED AS TO FORM:

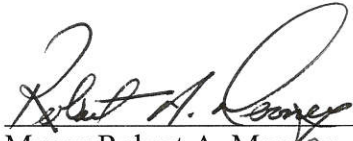


Town Solicitor

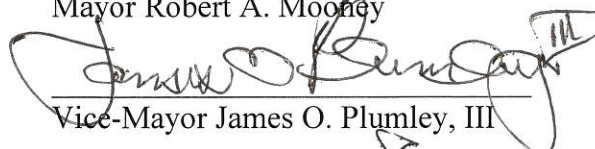
ATTEST:




Town Manager




Mayor Robert A. Mooney



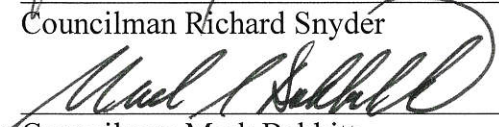
Vice-Mayor James O. Plumley, III



Councilman Robert Hawkins



Councilman Richard Snyder



Councilman Mark Babbitt

1st reading 9/10/2007
2nd reading 10/1/2007
Public Hearing: 10/1/2007
Adopted: 10/1/2007