

LAWS OF DELAWARE
VOLUME 85
CHAPTER 53
153rd GENERAL ASSEMBLY
FORMERLY
SENATE BILL NO. 195

AN ACT TO AMEND THE CHARTER OF THE TOWN OF DELMAR RELATING TO NOMINATIONS AND ELECTIONS AND THE POWER TO BORROW MONEY AND ISSUE BONDS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Section 1. Amend Section 7 of the Charter of the Town of Delmar by making deletions as shown by strikethrough and insertions as shown by underline as follows:

Nominations And Elections

Section 7

(a) The municipal election shall be held ~~biannually~~ biennially on the first Monday in October between the hours of 7:00 a.m. and 7:00 p.m. prevailing time, at such place as designated by Town Council, the first municipal election to be held pursuant to this Charter to be held on the first Monday in October, A.D., 1988.

(h) Not less than ~~ten (10)~~ thirty (30) days prior to the election, each candidate shall notify the Town Manager in writing of his or her candidacy for the office for which he or she is nominated. All such notifications of candidacy must be filed in the office of the Town Manager during the regular business hours of the Town. It shall be the duty of the Town Manager to have a list of names of all candidates so filed with him or her printed in a newspaper of general circulation in the Town of Delmar at least five (5) days prior to the date of the municipal election next ensuing; or, in the discretion of the Town Council, the Town Manager may post a list of names of all candidates designating the office sought by each candidate in at least five (5) public places within the Town of Delmar, such public places to be designated by the Town Council.

(i) The Town Council shall be empowered to make such ordinances, rules and regulations as it deems advisable concerning the conduct and the affairs of the election that is not inconsistent with the provisions of this Charter.

(j) The members of the Town Council of the Town of Delmar who hold office at the time of the passage of this act shall continue to hold office as members of the Town Council of the Town of Delmar, until their respective successors have been duly elected and qualified.

(k) The Town of Delmar establishes the use and adoption of the State's Voter Registration System as the source of its list of registered voters as detailed in Title 15 of the Delaware Code.

~~(l) The Town of Delmar reserves the right to deny any names of voters from the State's registration list who have either moved from the Town, no longer own property within the incorporated Town limits, or are otherwise disqualified from voting as listed within this Charter.~~ (l) The Town of Delmar reserves the right to deny a voter registered in the State's Voter Registration System if the voter is no longer a resident of the Town on the day of the election or is otherwise disqualified from voting under this Charter.

Section 2. Amend Section 24(b) of the Charter of the Town of Delmar by making deletions as shown by strikethrough and insertions as shown by underline as follows:

Power To Borrow Money And Issue Bonds

Section 24

(b) Notwithstanding the foregoing provisions of this Section, the Town Council may authorize the issuance of bonds or other obligations of the Town under this Section in an aggregate amount of up to ~~\$1,000,000~~ \$10,000,000 outstanding at any time, without regard to the requirements set forth in paragraphs (1) - (7) of Section 24(a), if: (i) the Town Council, by Resolution (adopted by at least a majority of all of the members of Town Council) approves of the issuance of bonds or other obligations pursuant hereto for a proper municipal purpose with such Resolution stating the amount of such issuance, the purpose of such issuance, the manner of securing the same, that the amount of all other bonds and obligations issued pursuant to this paragraph (b) does not exceed \$10,000,000 and any other facts relating to the issuance which are deemed pertinent by the Town Council and in their possession at that time. Such Resolution (or a subsequent Resolution adopted by at least a majority of a quorum as established pursuant to Section 10 hereof) shall establish the form of the bonds or certificates of indebtedness, the time or times of payment, the interest rate or rates, the classes, the series, the maturity or maturities, the registration, any callable or redeemable features, the denominations and the name or names thereof and any other relative or appurtenant matter pertaining thereto. Except for the provisions of paragraphs (1) - (7) of Section 24(a), all other provisions of this Section 24 shall be applicable to the bonds and other obligations issued pursuant to this paragraph (b).

Approved June 30, 2025