

First reading: 1/17/2013  
Second reading: 2/21/2013

**TOWN OF NEWPORT  
DELAWARE**

**ORDINANCE # 2013-1**

**AN ORDINANCE TO AMEND AND CLARIFY THE PARKING LAWS AND REGULATIONS (NEWPORT ORDINANCE 385-B) RELATING TO THE OPERATION OF MOTOR VEHICLES FOR APPLICATION WITHIN THE BOUNDARIES OF THE TOWN OF NEWPORT**

**WHEREAS**, the Commissioners of the Town of Newport desire to provide its citizens with the assurance of safety upon the municipal highways within the boundaries of the Town of Newport; and

**WHEREAS**, the Commissioners of the Town of Newport desire to employ traffic laws consistent with the State of Delaware while determining penalties for violations within the Town and providing for local regulation of parking; and

**WHEREAS**, the Commissioners of the Town of Newport adopted Ordinance 385-B on November 7, 1985 regulating parking in the Town of Newport.

**NOW, THEREFORE, BE IT ENACTED AND HEREBY ORDAINED BY THE COMMISSIONERS OF NEWPORT THAT:**

- Section 1: Regulation of Parking. Town of Newport Ordinance 385-B is hereby ratified and affirmed in its entirety, as the sole source of parking laws for the Town of Newport.
- Section 2: Newport Traffic Code. "*The Newport Traffic Code*" (Title 37) which was adopted as the law within the boundaries of Newport shall govern all offenses, except parking in the Town of Newport. The Newport Traffic Code shall include all offenses and language currently or subsequently included in Title 21 of the Delaware Code, with the exception of penalties for offenses, defined in Section 3 of this Ordinance and with the exception of parking as set forth herein.
- Section 3: Penalties. Penalties for specific offenses defined in Ordinance 385-B shall be established in Table A, attached.
- Section 4: Future Amendments to Title 21. Any subsequent amendments to Title 21 of the Delaware Code shall be recognized as included in Title 37, *The Newport Traffic Code*, and enforceable by the Commissioners of Newport, unless specifically excluded by ordinance and except for all parking regulations and laws.

Section 5: Severability. It is hereby declared to be the policy of the Town of Newport that if any section, clause, or phrase of this Ordinance be declared invalid or unconstitutional by the judgment of any court of competent jurisdiction, such invalidity shall not affect the remaining sections, clauses or phrases of this Ordinance.

Section 7. Conflicts. Other ordinances or parts of other ordinances deemed to be in conflict with this Ordinance are hereby repealed and superceded to the extent that other such ordinances or parts of ordinances are in conflict, provided that such repeal shall not abate a right of action already accrued under any repealed ordinance.

Section 8. Effective Date. The Town Secretary shall certify to the adoption of this Ordinance and this Ordinance shall take full force and effect immediately after the date of final passage and approval.

The Commissioners of the Town of Newport hereby adopt this ordinance and its provisions to be held in full effect from this 21 day of FEBRUARY, 2013.

\_\_\_\_\_  
Town Secretary

  
\_\_\_\_\_  
Town Solicitor

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

TABLE A

All parking offenses, except Handicapped Parking and Fire have violations:

In substitution/replacement of all dollar fine amounts, insert the following fines in Ordinance 385-B:

“not less than \$50.00 nor more than \$80.00” per violation.

All Handicapped Parking and Fire Lane violations:

“not less than \$100.00 nor more than \$200.00” per violation.