

CHAPTER 403
FORMERLY
HOUSE BILL NO. 419

AN ACT TO AMEND THE CHARTER OF THE TOWN OF DELMAR.

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 5 of the Charter of the Town of Delmar as follows:

Section 5

(a) The government of the Town and the exercise of all powers conferred by this Charter, except as otherwise provided herein, shall be vested in the Town Council, consisting of a Mayor and four Council Members. The term of the Mayor shall be for a Period of two years and the term of each Council Member shall be for the period of four years, each term commencing at the annual meeting of the Town Council following his or her election and continuing until his or her successor is duly elected and qualified;

(b) If any member during his term in office is no longer in compliance with the qualifications for office prescribed by this Charter, is found to have committed an ethical violation by the State Public Integrity Commission, is convicted of a felony, is determined to have committed a felony prior to assuming his office, or fails to attend Council meetings for 3 consecutive months without being excused by the Council, such member may be found to be disqualified from holding office. A majority of the remaining Mayor and Council may vote to remove the offending or absent Mayor or Council Member, provided written notice of the potential removal is sent to the offending or absent Mayor or Council Member at least 15 days in advance, and the offending or absent Mayor or Council Member is given the opportunity to be heard on the potential removal;

(c) The Mayor shall receive an annual salary; the time of payment is to be determined by the Town Council by Resolution, but in no event shall such salary be paid less frequently than monthly. The salary of the Mayor may be increased or decreased from time to time by Resolution adopted by two-thirds of the elected members of the Town Council; and

(d) Each member of the Town Council shall receive an annual salary, the time of payment to be determined by the Town Council, by Resolution, and to be, as to the time of payment, the same as the salary of the Mayor, but in no event shall such salary be paid less frequently than monthly. The salary of the members of the Town Council may be increased or decreased by Resolution adopted by two-thirds of the elected members of the Town Council, but in no event shall the salary for a member of the Town Council equal or exceed the salary to be paid to the Mayor.

Approved August 12, 2014