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ORDINANCE NO.

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AN ORDINANCE TO AMEND CHAPTER 117-16 OF THE MUNICIPAL CODE OF THE TOWN OF 4 DEWEY BEACH RELATING TO NOISE CONTROL AND AMPLIFIED SOUND

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6 **WHEREAS**, the Town desires to clarify the permit requirements, application procedures,
7 and standards governing the use of sound-amplifying equipment to promote consistent
8 administration and enforcement; and

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9 **WHEREAS**, the Mayor and Commissioners find that establishing clear permit conditions
10 and revocation provisions will help minimize unreasonable disturbances to residents, businesses,
11 and visitors while preserving opportunities for permitted activities.

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12 **NOW THEREFORE, BE IT ENACTED AND ORDAINED**, by the Commissioners of the Town of
13 Dewey Beach, Sussex County, Delaware, in session met, as follows:

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15 **Section 1.** Amend Section 16 of Chapter 117 of the Dewey Beach Code of Ordinances as depicted
16 by strikeouts and substitutions provided below:

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§ 117-16 Specific acts restricted.

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18 Notwithstanding the other provisions of this article regarding allowed noise levels, the following
19 specific act is prohibited by any person or commercial business regardless of the sound level
20 emitted, subject to the exceptions provided in § 117-18.

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21 A. Sound trucks. No amplifier or loud speaker in, upon or attached to a sound truck or
22 other device for amplifying sound shall be operated or permitted to operate within the
23 Town of Dewey Beach for advertising purposes or to attract the attention of the public.

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24 B. No person shall operate or use any sound-amplifying equipment without first obtaining
25 a permit from the Town Manager. No permittee shall use any sound-amplifying
26 equipment in any manner and at any time so as to unreasonably disturb the peace
and/or quiet of any neighborhood or of the citizens thereof.

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28 1) Any person operating or causing to be operated any sound-amplifying equipment in
29 violation of the sound-amplifying equipment provisions of this section shall have his
permit revoked.

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31 2) Application for use of sound-amplifying equipment; permit content. Each applicant
32 for a permit to use sound-amplifying equipment shall, in writing and on forms
33 required by the Town Manager, submit to the Town Manager the following
information:

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i. Name and address of the applicant.

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ii. Name and address of the person having direct charge of the sound-
36 amplifying equipment.

- iii. Purpose for which the sound-amplifying equipment shall be used.
- iv. General statement as to the areas of the Town in which the sound-amplifying equipment shall be used.
- v. General statement as to the times the sound-amplifying equipment shall be used.
- vi. General description of the sound-amplifying equipment that shall be used.
- vii. Any other information which the Town Manager may require in order to reasonably enforce the provision of this article relating to sound-amplifying equipment.
- viii. Grant of permit; duration. If the Town Manager determines that granting the permit required in subsection A.2(a) above, shall not unreasonably disturb the peace and/or quiet of any neighborhood or the citizens thereof, or the patrons of any duly authorized business, he shall issue to the applicant a permit for the use of the sound-amplifying equipment described in the permit application, which shall be used during the time and in that manner set forth in the permit application and in the sound-amplifying equipment provisions of this Chapter.

Section 2. If any provisions of this Ordinance shall be deemed or held to be invalid or unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect any other provision of this Ordinance which may be given effect without such invalid or unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 3. This Ordinance shall take effect immediately upon its passage by a majority vote of the Commissioners of the Town of Dewey Beach.

Adopted by at least a majority of the Commissioners of the Town of Dewey Beach on this 17th day of July, 2026.

SYNOPSIS

This ordinance amends Chapter 117 of the Town Code to clarify the requirements for obtaining and administering permits for the use of sound-amplifying equipment. The ordinance expands the permit requirements to apply to both businesses and individuals, establishes application requirements, authorizes the Town Manager to issue permits subject to specified conditions, and provides for permit revocation when the provisions of the chapter are violated.

Mayor, William Stevens

Town Manager, Bill Zolper