

# TOWN OF MAGNOLIA

## ARTICLE IV MISCELLANEOUS

### 401. Water Usage

The Town of Magnolia shall restrict the excessive use of water in drought conditions, by notice to the public by placing such notice within five locations of public or frequent attendance within the town limits. Such water restrictions shall be made only in times of drought conditions where there may be a shortage of water and/or a need to conserve water resources as determined by the Town Council. Any violation of water restrictions would include, but not be limited to: Car washing, filling pools, excessive running of water hoses for sprinklers, children playing, etc. The fine for violating such water restrictions would be a minimum of \$75.00 and a maximum of \$250.00 plus legal fees for each offense accordingly. Anyone who tampers with and/or attempts to operate any part of the Town of Magnolia water system will be fined no less than \$500.00 for the first offense and for each subsequent offense no more than \$1000.00 plus legal fees.

### 402. Non-Payment of Water Bills

Any resident not paying their water bills within 15 days following the delinquency date as stipulated on their water usage utility bill, shall be sent a notice of intent to disconnect within 5 days. Should said water bill not be paid within the specified period of time, the water will be disconnected or at the Mayor/Council's discretion reduced to a trickle for health and safety reasons. Any resident unable to pay the required water bill may contact the Mayor or any Council member to make arrangements should such person be indigent and make a forthright attempt to meet such financial obligation. The discretion to accept payment arrangements shall be that of the Mayor, who will report such arrangements to the Town Council. Should the water be disconnected for non-payment, a reconnection fee of \$50.00 will be assessed plus legal fees. The reconnect fee shall be double for after hours reconnection; after hours is any time after 5 P.M. and before 8 A.M.

The water bill responsibility for rental properties or vacant properties shall be that of the property owner. Should such property owner elect to charge the tenant for water, such arrangement will be the responsibility of the landlord/tenant agreement. The property owner will at all times be billed for water usage of any and all properties within the Town of Magnolia. Should the landlord not respond to a certified letter from Town Council regarding such, a lien shall be placed upon the rental property accordingly. Water bill delinquencies shall be posted on the Town Hall bulletin board on a monthly basis.

#### 403. Trash Removal

Each resident shall be responsible for trash removal accordingly. Trash shall not accumulate for more than one week.

#### 404. Mowing of Grass

All lawns must be maintained to standards required to maintain the beautification of the Town of Magnolia. The standard is defined as the grass should be no more than 6 inches tall. The property owner will be given one written notice, either personally delivered or by US Postal Service, to mow the lawn and if it is not remedied within 48 hours the Town of Magnolia will have it mowed and charge the owner \$75.00 for the first violation and add \$10.00 to the \$75.00 fee for every cut thereafter for that season. Once one written notice per season has been given no further notices will be given and the Town of Magnolia will mow the lawn when necessary and charge the owner with the fees stated herein.

#### 405. Maintenance of Residential or Commercial Property

The beautification of the Town of Magnolia is defined as, but not limited to: All grass must not be taller than 6 inches, property must be kept free and clear of any trash and/or debris, and the outside appearance of the property structure must be kept up to Code as defined by Kent County.

Any property owner within the Town of Magnolia shall be responsible for maintaining the property according to all standards required within the Town for beautification of the Town, promoting safety, and exhibiting concern for the residents of the Town of Magnolia. Maintenance of any residential property shall conform to the housing regulations of the Department of Health and Social Services, Fire Marshal Code, and Kent County Code Enforcement. If any resident or property owner fails to keep the property up to these standards they will be given one written notice to remedy the problem(s) within a certain amount of time that is decided by Town Council. A fine of \$50.00 per day plus legal fees will be assessed to the property owner until the problems have been corrected.

#### 406. Business Licenses

If any work activity would require the Town of Magnolia to issue a building permit, the contractor or company doing the work will be required to have a Town of Magnolia business license, unless the person doing the work is the property owner. An application will need to be completed, and the company must provide a copy of their liability insurance and pay a fee in the amount of \$25.00. Once the business license is issued it will remain in effect until December 31<sup>st</sup> of the year it was issued. After December 31<sup>st</sup> the company will need to renew their business license for the next year and a fee of \$25.00 paid in full to the Town of Magnolia. Business license fees will not be prorated. Business licenses will be issued by the Mayor and/or Town Council.

#### 407. Construction/Building Permits

Any resident building or adding on to any structure on any property within the Town of Magnolia shall obtain a construction/building permit from the Mayor or Vice Mayor providing a full description of the construction to be completed, estimated time for completion, approximate valuation of the project and pay a permit fee of \$20.00. Such construction permit shall then be submitted to the appropriate Kent County office for issuance of a permit. Each Town of Magnolia permit is good for a period of six months; if work is not completed owner must pay an additional fee of \$20.00 to have a new permit issued. No permit will be issued if the property owner is delinquent on any taxes, water bills, or owes the Town any other fees. Such bills must be paid in full or payment arrangements made and approved by the Mayor and Town Council. The Town of Magnolia follows the guidelines set forth by Kent County Inspection and Enforcement Division as to when a construction/building permit is required.

#### 408. Condemned Property

Any property deemed a fire and/or safety hazard by the Town Council shall immediately be inspected by the appropriate Kent County inspectors, who shall determine if property is condemned, and once condemned shall be immediately posted and legal remedies applied by and through the State of Delaware should the property owner not correct the problem within the required time frame.

Effective July 2012