

Sponsor: Dr. Corrine Upshue
First Reading: 08/18/2025
Second Reading: 09/02/2025
Third Reading: 09/15/2025

ORDINANCE # 019 -25

AN ORDINANCE TO AMEND CHAPTER 46 (PARKS AND RECREATION) TO UPDATE THE CLOSING TIME FOR CERTAIN TOWN OF SMYRNA MUNICIPAL PARKS

WHEREAS, the Smyrna Town Charter authorizes the Town Council to “regulate or prohibit the use of public streets, alleys, sidewalks, boardwalks, beaches, parks, right-of-ways [sic], public places and Town-owned lands for commercial uses or activities not otherwise protected from such regulation or prohibition by the Constitutions of either the United States or the State of Delaware, or by any controlling federal statute”;

WHEREAS, the municipal park system situated in the Town of Smyrna is a valuable natural resource that provides active and passive recreational opportunities to residents and visitors; and

WHEREAS, in order to preserve and protect the Smyrna municipal park system so that it can be safely enjoyed by residents and visitors in a variety of different ways, in the opinion of the Town Council, it is necessary for the public health, safety, and welfare to update the closing time of certain parks within the Town of Smyrna.

NOW THEREFORE, BE IT HEREBY ENACTED by the Town Council of the Town of Smyrna, a majority thereof concurring in Council duly met, that the Town Code of the Town of Smyrna be and hereby is amended as follows:

Section 1. Amend Chapter 46 (“Parks and Recreation”), Article II (“Use of Town Parks”) by making insertions as shown by underlining and deletions as shown by strike through as follows:

Sec. 46-30. - Hours of operation.

- (a) ~~George C. Wright Jr. Municipal Park's and Little Lass Park's normal hours~~ The hours of operation for George C. Wright Jr. Municipal Park, Little Lass Park, Green Meadows Park, and Sunnyside Village Park are from 8:00 a.m. to 10:00 9:00 p.m. The town police department is responsible for locking the gate at closing time and unlocking at the scheduled opening time.

Section 2. Amend Chapter 46 (“Parks and Recreation”), Article II (“Use of Town Parks”) by making insertions as shown by underlining and deletions as shown by strike through as follows:

Sec. 46-32. - Skateboard park rules and regulations.

- (a) All persons desiring to enter in, upon, and/or use the town's skateboard park located at George C. Wright Jr. Municipal Park shall comply with the following rules and regulations:

(1) The skateboard park will be open from 8:00 a.m. to ~~9:00 p.m~~ 10:00 p.m. No trespassing or skating shall be permitted when the skateboard park is closed.

Section 2. Effective Date. This Ordinance shall become effective immediately upon its adoption by the Town Council.

Section 3. Severability. The provisions of this Ordinance shall be severable. If any provisions of this Ordinance are found by any court of competent jurisdiction to be unconstitutional or void, the remaining provisions of this Ordinance shall remain valid, unless the court finds that the valid provisions of this Ordinance are so essentially and inseparably connected with, and so dependent upon, the unconstitutional or void provision that it cannot be presumed that Town Council would have enacted the remaining valid provisions without the unconstitutional or void provision; or unless the court finds that the remaining valid provisions, standing alone, are incomplete and incapable of being executed in accordance with Town Council's intent.

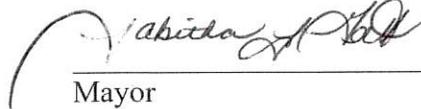
SYNOPSIS

This ordinance sets forth the hours when certain municipal parks within the Town of Smyrna may be used by the public.

This will certify that this is a true and correct copy of the Ordinance duly adopted by the Town Council of the Town of Smyrna at its regular Council meeting on September 15th, 2025.

ATTEST:


Council Secretary


Mayor

This shall certify that the title and synopsis of this Ordinance was published in the "Smyrna/Clayton Sun Times" on August 27th, 2025 and posted at the Town Hall on August 18th, 2025.

So Certifies:


Town Clerk