

Ardentown Ordinance #2025-01

Preservation of Historic Character

Purpose

The Village of Ardentown is a nationally recognized historic community founded on the principles of the Single Tax movement, the Arts & Crafts movement, the Garden City movement, and Direct Democracy. Its historic character and tree city environment are integral to its identity and significance. The Ardens Historic District is listed on the National Register of Historic Places. Preserving the visual, architectural, and environmental harmony of the Village is essential for maintaining the integrity and intent of its original design.

Findings

1. **Historical and Cultural Significance:**

- The Village's physical character is rooted in its Garden City layout, open spaces, small-scale development, and architectural modesty. The addition of tall structures would disrupt this design and erode the historic experience and appearance of Ardentown.

2. **Visual Integrity:**

- Modern vertical intrusions – such as high-rise buildings, towers, antennae, or any other tall equipment would conflict with the small-scale and naturalistic setting that defines the Village. Preserving sightlines and quaintness is essential to protect the community's aesthetics and human-centered character.

3. **Precedent and Preservation:**

- Ardentown's designation within the Ardens Historic District places an obligation on the Village and its residents to ensure that new development aligns with preservation goals and standards. Prohibiting incompatible new structures supports these efforts.

Ordinance

Therefore, in order to protect the historic integrity and cultural value of Ardentown, it is hereby ordained by the Village of Ardentown as follows:

1. **Prohibition:**

Village of Ardentown

- No house or building may exceed 45 feet in height. All other structures or objects must not exceed 100 feet. This prohibition includes but is not limited to: spires, cupolas or belfries, chimneys or smokestacks, flag poles, water tanks or towers, fire towers or observation towers, lighthouses, transmission towers, transmission poles, windmills, silos, antenna of any kind (including amateur radio towers), manufacturing or mechanical equipment and its necessary structural supports (including but not limited to HVAC equipment or elevator enclosures).

2. **Definitions:**

- "Structure" refers to any man-made construction or installation, whether permanent or temporary, that is affixed to or projects from the ground or a building.
- "100 feet or taller" refers to the total height from the base at grade level to the highest point of the structure or object, including attachments or extensions.
- "45 feet or taller" refers to the total height from the base at grade level to the highest point of the house or building, including attachments or extensions.
-

3. **Enforcement:**

- This Ordinance shall be enforced by the Village of Ardentown with support of the Ardentown Trustees and any designated officers or agents. Any person or entity found in violation of this Ordinance shall be subject to a fine for each day the violation continues at a rate of \$1,000 per day until the matter is resolved. Ardentown reserves the right to take further legal action to ensure compliance with this Ordinance.
- Any violation or nonpayment of this Ordinance shall be subject to monthly penalties, the same that is used in Land Rent collection.

4. **Severability:**

- If any provision of this Ordinance is found to be invalid or unenforceable, the remaining provisions shall continue in full force and effect.

5. **Effective Date:**

- This Ordinance shall take effect immediately upon its adoption.

VILLAGE OF ARDENTOWN ORDINANCE #01-1

AN ORDINANCE TO REGULATE PARKING IN THE VILLAGE OF ARDENTOWN

- SECTION 1. There shall be no parking on the roads or greens of Ardentown. An exception is the temporary parking of vehicles in the event of a weather emergency or for a special occasion. For the purposes of this ordinance the trustees of Ardentown have granted an enforcement access easement and license to the Village of Ardentown.
- SECTION 2. Parked vehicles must not block traffic, hinder snow removal or damage the greens.
- SECTION 3. Every leaseholder in Ardentown shall provide parking space on the leasehold and off the roads and greens of Ardentown to accommodate every vehicle regularly using the leasehold.
- SECTION 4. The Civic Committee shall administer this ordinance.
- SECTION 5. The Coordinating Committee may grant an exemption from the requirements of Section 2 of this ordinance to any leaseholder if the committee determines extenuating circumstances prevent the leaseholder from complying. Such exemptions shall be in the form of a written statement to be filed with the secretary of the town meeting and the secretary of the trustees.
- SECTION 6. This ordinance shall be effective upon adoption.
- SECTION 7. A. Violation of Section 1 shall be punishable by a fine of up to \$50.00 for each offense.
B. Violation of Section 2 shall be punishable by a fine of up to \$100 for each day of an offense.
- SECTION 8. Vehicles found to be in violation of Sections 1 or 2 on more than three occasions may, after due notice by registered mail to the owner, be subject to towing at the owner's expense.
- SECTION 9. This ordinance supersedes Ordinance #91-1.
- SECTION 10. Should any section of this ordinance be held by a court to be in violation of the Act of Incorporation or of the Laws of the State of Delaware, it shall not affect other sections of this ordinance.

First readings\: 2/12/01 Final reading and approval: 5/14/01

Secretary of Town Meeting

Chairman of Town Meeting

Village of Ardentown, Delaware
Ordinance 2004-01

It shall be the duty of individuals and artificial entities that provide public parking to provide parking spaces for persons with disabilities. The number of spaces required shall be in accordance with the requirements of New Castle County and the State of Delaware.

It shall be the duty of individuals and artificial entities that provide public parking to erect and maintain signage on parking spaces for persons with disabilities. The signage shall be in accordance with the requirements of New Castle County and the State of Delaware.

The Ardentown Public Works and Safety Committee shall enforce the requirements of this ordinance. Enforcement shall consist of first writing a warning to the individual or entity that has failed to comply with all provisions of this ordinance. If, after thirty (30) days from the date of the warning, the individual or entity has still not complied, the Public Works and Safety Committee may then issue a summons or apply for a warrant.

The penalty for non-compliance with this ordinance is One Hundred Dollars (\$100) per month until such time as the individual or entity complies with this ordinance.

The above ordinance was enacted at the Village of Ardentown Town Meeting on February 9, 2004 in accordance with Delaware House Bill No. 172 passed on July 25, 2003

ARDENTOWN ORDINANCE 77-2 - DOG CONTROL

1. All dogs over 4 months of age shall be licensed by the proper city, county or state authority, as provided by current law.
2. All licenses shall be attached to a collar and worn at all times.
3. Dogs must be accompanied at all times by the owner or a custodian authorized by the owner and must be under the reasonable control of said owner or custodian.
4. The attack of a person or animal by a dog shall be ipso facto evidence of lack of reasonable control.
5. Unlicensed dogs may be impounded by any constable, game warden, or other peace officer.
6. The fines for allowing a licensed dog to run at large without reasonable control shall be \$5.00 for the first offense, \$25.00 for the second offense, and \$50.00 for each succeeding offense. Offenses over one year old shall be dropped from the records for the purpose of this section. It is to be understood that the total number of offenses is to be attributed to the owner, irrespective of whether one or more dogs under said owner's control is involved.
7. The fines for allowing an unlicensed dog to run at large shall be double those in Section 6, and shall be counted consecutively with violations under Section 6. All other provisions of Section 6 apply. It is to be understood that a dog whose license is not permanently attached to its collar shall be considered to be unlicensed for all sections of this ordinance, whether such dog is in fact licensed or not.
8. Any constable or police officer may issue a ticket, which may be in the form of a letter, for any violation of this ordinance, without having to take a dog into custody. Such tickets may be paid without court costs, as for Ardentown traffic tickets. Optional trial in Magistrate's Court shall be available for owners wishing to plead not guilty.
9. Individuals wishing to have tickets issued under this ordinance shall present evidence of violation to any constable, who will take action if he deems the evidence conclusive. While not the only acceptable evidence, it shall be generally considered that any document delineating a violation of this ordinance, said document being signed by 4 voters, 3 of whom are from different families, shall be considered sufficient evidence to justify issuance of a ticket for violations. It shall be understood that Ardentown constables or other police officers having jurisdiction may issue tickets without such documents provided they have first-hand evidence of violations, or other evidence which they believe would be valid in any resulting trial.

ORDINANCE 75-I OF THE TOWN MEETING OF THE VILLAGE OF ARDENTOWN

An Ordinance to Regulate the Sale and Consumption of Alcoholic Liquor

Whereas it is the sense of the Town Meeting of the Village of Ardentown, to which the governing of the village has been conferred by the General Assembly of the State of Delaware, that the residential nature of the community be preserved, and

Whereas Title 4, Section 714, Delaware Code, confers upon all municipalities the power to regulate the closing hour for any holder of a license for the sale of alcoholic liquor, and

Whereas the Town Meeting wishes to control strictly the sale and consumption of alcoholic liquor by any commercial enterprise,

Now therefore be it ordained by the Town Meeting of the Village of Ardentown:

Section: 1 – No holder of a license for sale of alcoholic liquor shall sell or deliver the same after the hour of 10:30 p.m. and no alcoholic liquor shall be consumed in an establishment holding such a license after 11:00 p.m.

Section: 2 – Every hour beyond the closing hour set by this ordinance shall be considered a violation of said ordinance.

Section: 3 – Whoever, being the holder of an alcoholic license violates this ordinance shall be fined not more than \$100, in addition to the payment of costs, said fine to be paid to the Town Meeting of Ardentown.

Section: 4 – Whoever, being a patron or guest of such holder of an alcoholic license, violates Section 1 through the purchase or consumption of alcohol in the licensed establishment shall be fined not more than \$50, in addition to the payment of costs, said fine to be paid to the Town Meeting of Ardentown.

Section: 5 – Justice of the Peace shall have original jurisdiction to hear, try and finally determine violations of this ordinance.

Section: 6 – Violations of this section shall be brought to the attention of the Alcoholic Beverage Control Commission of the State of Delaware by the chairman or secretary of the Town Meeting for appropriate investigation and action by the commission.

Section: 7 – Should any section of this ordinance be held by a court to be in violation of the Act of Incorporation or of the laws of the State of Delaware, it shall not affect the other sections of this ordinance.