CHAPTER 354
FORMERLY
HOUSE BILL NO. 393
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH TO GRANT THE TOWN OF DEWEY BEACH THE AUTHORITY TO CHANGE THE DATE OF ANNUAL MUNICIPAL ELECTIONS TO PREVENT CONFLICT WITH JEWISH HOLY DAYS.

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 Subsection (a), Section 10, Chapter 59, Volume 63 of the Laws of Delaware, Charter of the Town of Dewey Beach, as amended, by deleting Section 10(a) in its entirety and inserting in lieu thereof the following:

"(a) Annual municipal elections shall be held on the third Saturday of the month of September, except that, in any year when the third Saturday of the month of September conflicts with either day of Rosh Hashanah (Jewish New Year) or Yom Kippur (Jewish Day of Atonement), annual municipal elections shall be held on the fourth Saturday of the month of September. Annual municipal elections shall be held from 10:00 a.m. to 6:00 p.m. at such place or places as shall be determined by the Commissioners, due notice of which shall be given by posting notices thereof in two (2) conspicuous places within the corporate limits of the Town of Dewey Beach; due notices of which shall be given in compliance with the applicable provisions of 15 Del. C. § 7501 et seq. In the event that there is no contest for any of the several offices up for election in any year, the polls shall not open. The Town Commissioners shall have the power and authority to enact by ordinance certain voter registration procedures as are deemed reasonably necessary to provide for the orderly and efficient conduct of municipal elections, provided that no such ordinance shall alter the qualifications of voters as herein below set forth, nor shall such ordinance unduly impair the right to vote in a municipal election. No person may be eligible to vote unless properly registered. No person may cast more than one ballot."

Section 2. If any provision of this Act 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 Act that may be given effect without the invalid or unenforceable provision, and to this end, the provisions of this Act are hereby declared to be severable.

Section 3. This Act shall become effective upon its enactment into law.

Approved July 12, 2010