

ORDINANCE NO. 2119

AN ORDINANCE PROVIDING FOR A SIX MONTH MORATORIUM ON APPLICATIONS FOR CASINO AND/OR GAMBLING OR GAMING VENUES IN SUSSEX COUNTY

WHEREAS, Sussex County does not have an ordinance that specifically deals with handling of land use or zoning applications for a casino and/or gambling or gaming venues in unincorporated areas of Sussex County; and

WHEREAS, Sussex County will use the moratorium time to review and draft appropriate ordinances and regulations to handle applications for a casino and/or gambling or gaming venues; and

WHEREAS, this ordinance is enacted in furtherance of Sussex County Council's decision to put in place a six month moratorium on applications for a casino and/or gambling or gaming venues;

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

**Section 1.** That a six month moratorium shall be imposed for any and all applications for casino and/or gambling or gaming venues in unincorporated areas of Sussex County.

For purposes of this Ordinance, the following words shall have the meaning ascribed to them in this Ordinance:

A. Casino – a facility that houses and accommodates certain types of gambling devices and gambling table activities.

B. Gambling or Gaming – to wager or risk money and/or something of material value on an event that has an uncertain outcome with the primary intent of winning additional money and/or material goods; or the dealing, operating, carrying on, conducting, maintaining or exposing for pay of any game or games.

C. Gambling Device – means any device, machine, paraphernalia or equipment which is used or usable in the playing phases of any gambling or gaming activity, whether such activity consists of gambling or gaming between persons or gambling or gaming by a person involving the playing of a mechanical or electronic machine.

**Section 2.** This Ordinance shall in no way apply to any existing gaming sites or any other forms of gambling or lotteries permitted under the Delaware Code more specifically contained and described in Article 2 of the Delaware Constitution and Title 28 of the Delaware Code. Furthermore this Ordinance shall not affect any state sponsored/approved lottery ticket sales as set forth in Chapter 48, Title 29 of the Delaware Code.

**Section 3.** This Ordinance can be extended, modified or terminated at any time by a majority vote of all members of the County Council of Sussex County, Delaware.

**Section 4.** This Ordinance shall take effect immediately upon its adoption by a majority vote of all members of the County Council of Sussex County, Delaware.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2119 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 18TH DAY OF MAY 2010.

A handwritten signature in black ink, appearing to read "Re Griffith", with a stylized flourish at the end.

ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL