

“A Historic Past”



“A Bright Future”

CITY OF DELAWARE CITY
407 Clinton Street – P.O. Box 4159
Delaware City, Delaware 19706
302-834-4573

ORDINANCE 07-1119-01

AN ORDINANCE TO AMEND CHAPTER 46, ARTICLE XVI OF THE DELAWARE CITY CODE RELATING TO THE SCHEDULE OF FEES FOR LAND USE AND DEVELOPMENT PERMITS AND APPROVALS

WHEREAS, Mayor & Council of the City of Delaware City deem it in the interest of the residents of Delaware City to establish reasonable fees for permits and land use approvals and to provide for their periodic revision;

NOW THEREFORE, the Mayor & Council of the City of Delaware City do hereby ordain as follows:

SECTION 1. Amend Section 46-3 of the Code of the City of Delaware City by adding the following definition in the appropriate alphabetical sequence:

“Dimensional Variance (Area or Bulk Area Variance): A departure from the dimensional or physical requirements of this Chapter, including front, side, and rear set-backs, lot frontage, lot area, building height, off-street parking requirements, and lot coverage percentages.”

SECTION 2. Amend Section 46-146 of the Code of the City of Delaware City by adding the words “by Resolution” at the end of the Section.

SECTION 3. Amend Section 46-147 of the Code of the City of Delaware City by deleting the existing Section in its entirety and substituting therefor a new Section 147 to read as follows:

“Section 46-147 Schedule of Fees

No permit, special exception, or variance shall be issued unless or until such costs, charges, fees, or expenses listed below have been paid in full, nor shall any action

be taken on proceedings before Mayor & Council or the Board of Adjustment unless or until required charges and fees have been paid in full.

Payable to New Castle County

Such fees, charges, costs, or expenses as may be due under New Castle County laws or regulations.

Payable to the City of Delaware City

Building Permit Application	\$ 50.00
Determination Letter for Zoning or Non-Conforming Status	\$ 50.00
Demolition Permit (addition, deck, porch)	\$ 20.00
Demolition Permit	\$100.00
Dimensional Variance for existing residential structure	\$350.00
Dimensional Variance for new construction	\$500.00
All other Variances	\$500.00
Subdivision	\$500.00
Rezoning	\$500.00
Special Exception (not also requiring Building Permit)	\$350.00
Special Exception	\$500.00
Appeals and Special Hearings: Actual legal, advertising, and mailing costs plus	\$500.00”

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Mayor and Council hereby declare that they would have passed this Ordinance and each section, subsection, sentence, clause or phrase irrespective of the fact that any one or more thereof is declared unconstitutional or invalid.

SECTION 5. Ordinances or parts of Ordinances in conflict herewith are hereby repealed; provided that any such repeal shall not abate a right of action already accrued under any repealed Ordinance.

SECTION 6. This Ordinance shall become effective immediately upon passage.


(Signature Page Follows)

ADOPTED BY THE MAYOR AND COUNCIL, this 17th day of December, 2007.

ATTEST:

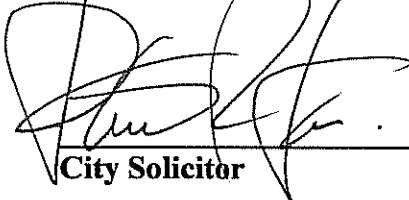


City Secretary

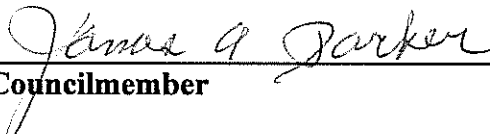


Mayor

APPROVED AS TO FORM:

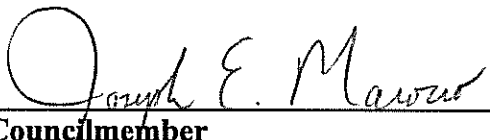


City Solicitor

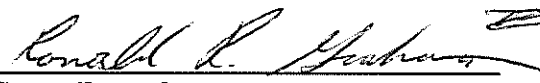


Councilmember

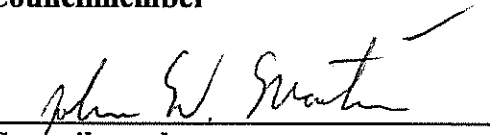
Councilmember



Councilmember



Councilmember



Councilmember

First Reading:
Second Reading and Passage:

November 19, 2007
Dec 17, 2007