

"A Historic Past"



"A Bright Future"

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

CITY OF DELAWARE CITY
DELAWARE CITY, DELAWARE
ORDINANCE19-1216-02

**AN ORDINANCE AMEND CHAPTER 46-147 OF THE DELAWARE CITY CODE
RELATING TO THE SCHEDULE OF FEES TO INCLUDE FEES FOR THE
INSPECTION OF SPRINKLER SYSTEMS AND RE-INSPECTIONS**

WHEREAS, pursuant to Article V, Section 5-02(A) of The City of Delaware City Charter ("Charter"), and pursuant to the "Powers of the City," outlined in Article II, § 2-1 of the Charter, the Mayor and the Council of The City of Delaware City ("City Council") possess the authority to adopt, amend, modify, or repeal The City of Delaware City Code ("Code");

WHEREAS, the Mayor and City Council of Delaware City desire to amend Chapter 46-147 of the Delaware City Code to adjust fees related to property inspections.

WHEREAS, the Mayor and City Council of Delaware City have determined that fees should be paid for inspections of residential sprinkler systems, which is a service currently being performed by the City, but without charge.

WHEREAS, the Mayor and City Council of Delaware City have determined that fees should be paid specifically for re-inspections, which is a service currently being performed by the City, but without charge.

NOW, THEREFORE, the Mayor and City Council believe this amendment is in the best interest of the City and necessary to enhance the health, safety, and welfare of the City of

Delaware City and to promote new development, the Mayor and the City Council of The City of Delaware City hereby ordain and adopt the following Code changes and revisions:

Section 1. Modify Chapter 46 (Zoning), Section 46-147 (Fees and Schedules), by adding the following language relating to fees for sprinkler inspections and re-inspections.

<u>Fee Type</u>	<u>Fee</u>
Sprinkler System Inspections	\$50.00 for the first \$1,000 of system construction valuation, and \$20.00 for each additional \$1,000 of system construction value.
Re-inspections for any item requiring an initial inspection	Residential - \$25.00, per visit Commercial - \$50.00, per visit

Section 2. Inconsistent Ordinances and Resolutions Repealed. All Ordinances or parts of Ordinances and all resolutions or parts of resolutions that may be in conflict herewith are hereby repealed.

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 City 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 City Council's intent.

Section 4. Effective Date. This Ordinance shall become effective immediately upon passage.

ADOPTED BY THE MAYOR AND COUNCIL, this 27 day of Jan, 2019.

ATTEST:

Brittany Ireland

City Secretary

Paul H. Jung Sr.

Mayor

APPROVED AS TO FORM:

Elizabeth Kautkus

Council Member

[Signature]

City Solicitor

Margaret C. Lutes

Council Member

Robert J. Malinowski

Council Member

Council Member

Council Member

First Reading on 12/16/19,

Second Reading, Public Hearing, and Final Passage on 1/27/20.