



CITY OF DELAWARE CITY

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**CITY OF DELAWARE CITY
DELAWARE CITY, DELAWARE
Ordinance No. 14 -1117-02**

ORDINANCE TO AMEND CITY CODE SECTION 46-147 FOR THE PURPOSE OF INCLUDING FEES FOR FLOODPLAIN CODE REQUIREMENTS IN FEE SCHEDULE

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 City Council of the City of Delaware City intends to adopt a floodplain ordinance contemporaneously herewith; and seeks to adopt fee schedules for floodplain code requirements;

WHEREAS, the Mayor and City Council desire to amend Code Section 46-147 ("Fee Amendments") to adopt fee schedules for floodplain code requirements;

WHEREAS, under Article V, Section 5-02(B) of the Charter, the Fee Amendments were introduced at a regular meeting, duly read in full or in abstract, and prominently posted for seven (7) days in The City of Delaware City.

NOW, THEREFORE, making the express finding that the Fee Amendments outlined herein are for and enhance the health, safety, and welfare of the City of Delaware City, and are

reasonably related to the costs incurred by the City, the Mayor and the City Council of The City of Delaware City hereby ordain and adopt the following Code changes and revisions:

Section 1 – Amend Section 46-147 of the City Code of Delaware City, entitled “Schedule of Fees”, to add the following items, designated by “fee type” and “fee” to the schedule of fees under the heading “Payable to City of Delaware City:”

<u>Fee Type</u>	<u>Fee</u>
Floodplain Review	\$300 plus outside technical or engineering costs, if any.
Floodplain Certificate Application	\$500 plus outside technical or engineering costs, if any.
Floodplain Appeal	\$500 plus outside technical or engineering costs, if any.
Floodplain Inspection (required or requested by Owner)	\$50
Floodplain Reinspection	\$50
Certificate of Occupancy (floodplain)	\$200
Floodplain Map Interpretation	\$100
Floodplain Variance Application	\$250

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 Inconsistent Ordinances and Resolutions Repealed.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or parts of Ordinances and all resolutions or parts of resolutions that may be in conflict herewith are hereby repealed.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 its adoption by City Council.

ADOPTED BY THE MAYOR AND COUNCIL, this _____ day of _____, 201__.

ATTEST:

City Secretary

Mayor

APPROVED AS TO FORM:

Council Member

City Solicitor

Council Member

Council Member

Council Member

Council Member

First Reading on _____,

By Council Member _____.

Date of Publication _____.

Second Reading, Public Hearing, and Final Passage on _____.