



CITY OF DELAWARE CITY

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**CITY OF DELAWARE CITY
DELAWARE CITY, DELAWARE
Ordinance No. 18-1217-01**

**ORDINANCE TO MODIFY THE CITY OF DELAWARE CITY CODE, CHAPTER 46,
SECTIONS 46-147, RELATING TO THE SCHEDULE OF FEES FOR PERMITS,
SPECIAL EXCEPTIONS, VARIANCES, HOOKUPS, REVIEW, APPROVALS, AND
RELATED MATTERS**

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, § 2-01 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 desire to amend Chapter 46 of the Code setting the fee schedule for permits, special exceptions, variances, hookups, review, approvals, and other related matters.

NOW, THEREFORE, making the express finding that the below changes enhance the health, safety, and welfare of the City of Delaware 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. Modify Chapter 47, Section 150 of the City Code by eliminating the strikethrough language and adding the underlined text identified below:

Section 46-147 Schedule of Fees

No permit, special exception, variance, hookup, review, or approval 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 by the applicable official, the applicable board, the City, or the Mayor & Council, 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

<u>Fee Type</u>	<u>Fee</u>
Property Maintenance Code Appeal	\$100-\$500 (to cover associated attorney fees and minutes)
Property Maintenance Code Show Cause Hearing	\$100
<u>Abatement Administrative Fee</u>	<u>10% of actual cost of work (e.g., cleanout, etc.)</u>
Violation of Property Maintenance Code (including, but not limited to, Sections 302.4, 302.7, 302.8.3, Property Maintenance Code (including, but not limited to, Sections 302.4, 302.7, 302.8.3, 302.8.4, 302.8.6, 302.10, 302.12, and 303.1)	There is no fee charged if violation is remedied within 5 business days of first notice of violation. Failure to remedy violation within 5 business days of first notice = \$50.00 Failure to remedy violation within 5 business days of second notice=\$50.00 Failure to remedy violation within 5 business days of third and final notice = \$500.00 plus \$50.00 per day for each day that violation continues.
Violation by Nuisance Property	\$500.00

²⁵ Ordinance 12-0716-03 Adopted on 8-20-12

Application for New Construction Building Permit for Residential Use (R-1, R-2, R-3 or R-MM)	The greater of (a) \$100 or (b) \$50.00 plus \$0.35 per sq. ft. (based on GFA)*
Application for Building Permit for residential addition, alteration and structural repair for Residential Use (R-1, R-2, R-3 or R-MM)	The greater of (a) \$100.00 or (b) 2.5% of anticipated costs of construction
Application for Building Permit for utility and other miscellaneous work (decks, sheds, swimming pools, garages, retaining walls, etc.) Residential Use (R-1, R-2, R-3 or R-MM)	The greater of (a) \$100.00 or (b) 2.5% of anticipated costs of construction
Application for New Construction Building Permit for Commercial Use (C-1, C-2, C-1M, C-1L, M-1, HPR)	The greater of (a) \$200 or (b) \$85 plus \$0.45 per sq. ft. (based on GFA)*
Application for Building Permit for Commercial Use (C-1, C-2, C-1M, C-1L, M-1, HPR) for alterations and repairs which does not increase square footage and/or area	First \$1,000 of construction costs = \$150; Each additional \$1,000 or fraction thereof of construction costs = \$30.00
Electrical Permits (Minimum Permit Fee)	The greater of (a) \$75.00 \$100 or (b) the aggregate amount of electrical permit items as itemized below (i.e., rough wiring, final wiring, etc.)
Electrical Permits (Service and Feeders)	200 AMP or less...\$45.00 201 AMP to 400 AMP...\$60.00 Over 400 AMP...\$15.00 per 100 AMP Sub-feeders or Sub-panels...1/4 of above fees Over 600 volts...double above fees
Electrical Permits (Rough Wire)	1 to 25 switches receptacles and lighting outlets...\$25.00 Each additional 10... \$10.00
Electrical Permits (Finished Wiring)	1 to 25 switches receptacles and lighting outlets...\$25.00 Each additional 10... \$10.00
Electrical Permits (Heating, Cooling, Cooking, Appliances, Equipment Motors, Generators, Transformers, Capacitors, Etc.)	Less than 1/3 hp, kw, kva...see Electrical Permits (Finished Wiring above) Over 1/3 hp, kw, kva: 1/3 to 1.0\$12.00 1.1 to 5.0... ..\$15.00 5.1 to 10.0... \$20.00 10.1 to 30.0. \$25.00 30.1 to 50.0. \$30.00 50.1 to 100.0. \$35.00 Over 100...\$1.00 per hp, kw, kva
	Over 600 volts...double above fees

Electrical Permits (Signaling, Communication and Alarm Systems)	1 to 10 devices...\$40.00 Each additional device...\$2.00
Demolition Permit	\$150
Sign Permit	Greater of \$100.00 or \$5.00 sq. ft. of size of sign
Trailer (Mobile Home, Construction, etc.) Placement	\$100 \$30 per 100 sq. ft. of gross floor area
Construction Dumpster	\$50.00
Temporary Storage Units (i.e. Pods)	\$25.00 for 30-day permit
Reinspection Fee	\$100 \$50
Dimensional Variance for existing residential structure	\$350
Rezoning Application	\$500
Special Exception	\$350
Special Use Permit	\$35
Water Impact Fee	\$750 per dwelling unit
Water connection/hook-up fee	Fee charged by administrator (pass through)
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
<u>Temporary Certificate of Occupancy (valid for 6 months)</u>	<u>1st request - \$50</u> <u>2nd request - \$100</u> <u>3rd request - \$250</u>
Certificate of Occupancy (Residential)	\$25
Certificate of Occupancy (Commercial)	\$50
Certificate of Compliance (Residential)	\$25
Certificate of Compliance (Commercial)	\$50
Floodplain Map Interpretation	\$100
Floodplain Variance Application	\$250
Mechanical Permits	The greater of (a) \$100 or (b) \$50 for the first \$1,000.00 or fraction thereof of installation costs and \$20.00 for each additional \$1,000.00 or fraction

	thereof of installation costs.
Plumbing Permit	The greater of (a) \$100 or (b) \$50 for the first \$1,000.00 or fraction thereof of installation costs and \$20.00 for each additional \$1,000.00 or fraction thereof of installation costs.
Preliminary Major Subdivision Plan Application	\$250 per lot, plus outside technical or engineering costs, if any. **
Concept Subdivision Plan Application	\$100
Resubdivision/Minor Subdivision Plan Application	\$250 per lot, plus outside technical or engineering costs, if any. **
Final Subdivision Plan Application	\$500 plus outside technical or engineering costs, if any.
Resubmission of Subdivision Application	\$100
Determination Letter for Zoning or Non-Conforming Status	\$300
All other Variances or Appeals of Subdivision or Zoning Interpretations	\$500
Other Appeals not otherwise specified herein, Beneficial Use Appeals, Special Hearings or required fees not otherwise specifically enumerated	\$500, plus outside technical or engineering costs, if any, and actual legal, advertising and mailing costs, if any. **

***GFA** – Gross Floor Area defined as the total square footage of all floors within the perimeter of the outside walls, including basements, cellars, garages, roofed patios, breezeways, covered walkways and attics with floor to ceiling height of 6’6” or more.

****Engineering costs** will be estimated and applicant will be required to pay the estimated engineering costs at the time of application. Such estimated amounts will be held in escrow during the duration of the project and will be drawn down by the City of Delaware City to pay engineering costs as they become due and payable. The City of Delaware City may request the escrow funds to be replenished at any time during the project. Any unused monies in escrow will be returned to applicant upon final completion of the project.²⁶

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 4. 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 5. Effective Date. This Ordinance shall become effective immediately upon its adoption by City Council.

ADOPTED BY THE MAYOR AND COUNCIL, this ____ day of _____, 20__.

ATTEST:

City Secretary

Mayor

APPROVED AS TO FORM:

Council Member

City Solicitor

Council Member

Council Member

Council Member

Council Member
