



Ordinance No: 09-08-11-032

Date: 09-16-2011

REPEAL of ORDINANCE #01-07-08-005

An Ordinance Establishing a Surcharge Added to the Town of Cheswold Building Permits to Fund Capital Improvements in the Capital School District

Whereas, the Town of Cheswold has collected surcharge fees from new construction building permits issued by the Town of Cheswold, for the purpose of providing financial support to the Capital School District, which provides educational needs for the Town of Cheswold, and;

Whereas, the proceeds from the collection of the surcharge has been held in a trust in the name of the Capital School District, and;

Whereas, all transfers of funds must be approved by the Mayor and Town Council, and;

Whereas, such transfers must be identified and used for capital improvements only, and;

Whereas, collected funds must only be used for the planned and identified capital improvements benefitting the Town of Cheswold, and;

Whereas, the Town has determined from the Business Manager of the Capital School District, that there is no imminent or remote plan to build a school facility in or near the Town of Cheswold that would benefit the Town of Cheswold, and;

Whereas, the Town as full power and authority to use the money in the Treasury of the Town.....as Council may deem proper, etc., per Town Charter – Section 13, and;

Whereas, by a unanimous vote of the Town Council on September 6, 2011, at the monthly Town Council meeting, to repeal Ordinance #01-07-08-005, and;

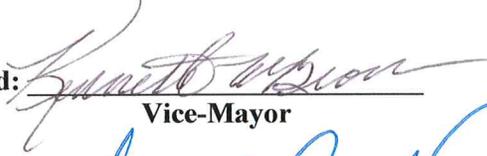
Whereas, by a unanimous vote of the Town Council on September 6, 2011, to determine, at a later date, the plan and process of disbursing the current funds associated with Ordinance #01-07-08-005;

Be it resolved that Ordinance #01-07-08-005 is hereby repealed and surcharge taxes will not be added to new construction building permits issued by the Town of Cheswold, effective, September 6, 2011.

Ordinance No. 07-07-08-005 entitled, An Ordinance Establishing a Surcharge Added to the Town of Cheswold Building Permits to Fund Capital Improvements in the Capital School District, was duly repealed by a majority vote of the Cheswold Town Council at the Council meeting held on Tuesday, September 6, 2011, at which a quorum was present.

I, **Kenneth H. Brown**, Vice-Mayor of the Town of Cheswold, do hereby certify that the foregoing is a true and correct copy of the Act passed by affirmative vote of all elected Members of the Cheswold Town Council on Tuesday, September 6, 2011.

Certified:



Vice-Mayor

Date: September 20, 2011

ATTEST:



Secretary/Treasurer

Date: September 20, 2011

Sponsored by: **Theon E. Callender** – Councilperson

Date: August 5, 2011