



TITLE #: 7
Ordinance #: 02-20-14-015
Date: February 20, 2014

**ORDINANCE for the Establishment of a Surcharge
to be Added to Construction Building Permits to Support the
Town of Cheswold Administrative Offices and Police Department**

Description: This Ordinance of the Town of Cheswold adopts the following assessment and process for the collection of a Surcharge that will be added to all new construction building permits. The fee collected will be deposited in the budget for the Town of Cheswold Administrative Offices and Police Department and General Fund as appropriate to promote and protect the public safety, health, convenience and general welfare of the residents of the Town and Cheswold and neighboring communities when necessary.

Section 1. PURPOSE

The purpose of the surcharge is to provide financial assistance to the Administrative Offices and Police Department of the Town, who will realize increased demand for facilities, services, personnel, maintenance and vehicles as a result of the increased population or infrastructure from new construction.

Section 2. APPLICABILITY

The surcharge will apply to all requests for new building constructions permits including residential, commercial and industrial of all types.

Section 3. DEFINITIONS

3.1 As used in this ordinance, the following terms shall have the specified meaning:

3.1.1 Administrative Offices – shall mean all departments, sections, groups, divisions of municipal employees, processes, procedures, documents, equipment and materials required to provide typical office support to other departments, sections, groups, divisions and/or employees for the orderly functioning of the Town.

3.1.2 Commercial – shall mean all building types of new construction in the C-1; C-2 Zoning Districts.

3.1.3 Industrial - shall mean all building types of new construction in the I-1; I-2 and M-1 Zoning Districts.

3.1.4 New Construction – shall mean the act of process of building inhabitable buildings that did not previously exist.

Section 3. DEFINITIONS – “continued”

3.1.5 Police Department – shall mean the collective body of employees employed by the Town of Cheswold to ensure the safety. Liberty, well-being and general welfare for the Town of Cheswold.

3.1.6 Residential – shall mean all building types of new construction in the R-1; R-2; R-3 and R-4 Zoning Districts.

3.1.7 Surcharge – shall mean the additional percentage of cost added to the building permit fee for new construction permits.

3.1.8 Town of Cheswold – shall mean all lands; lots; properties; residents; property owners; municipal departments; municipal officers; municipal employees, visitors as it may apply, within the corporate limits of the Town of Cheswold.

3.1.9 Zoning District – shall mean a specifically delineated area in the Municipality within which uniform regulations and requirements govern the use, placement, spacing, and size of land and buildings.

Section 4. DESCRIPTION OF ASSESSMENT

The Town of Cheswold shall add a Surcharge to every new construction building permit issued by the Town of Cheswold as follows:

	<u>Residential</u>	<u>Commercial</u>	<u>Industrial</u>
Town of Cheswold Administrative Fee	1.2%	1.5%	1.0%
Town of Cheswold Fire Company Fee*	.3%	.3%	.3%
Town of Cheswold Police Department Fee	1.5%	2.0%	1.0%

*The Fire Company Building Permit Surcharge Fee was established and approved by Ordinance #01-07-08-004.

The Surcharge percentage charged will be on the total cost of the new construction as calculated on the Building Permit Fee Application – New Construction. (Form # PW 09-13-020-007)

Section 5. AUTHORITY TO ACT

The Town of Cheswold is authorized to create and implement such a Surcharge Fee by the Town Charter of the Town of Cheswold, Section 4.2.34: *“the Town Council may regulate and control the manner of building, moving or removal of dwellings or other structures and may provide for granting permits for same.”*, and Section 4.2.40 *“the Town Council may grant licenses and impose fees for licenses, issue permits, and regulate any activity within the corporate limits of the Town”*.

Section 6. - USE of SURCHARGE

Income acquired from Building Permit Surcharge fees shall be deposited in the General Fund and Police Department accounts, as appropriate, and used for general operating expenses.

Section 7 – DISTRIBUTION of SURCHARGE

The collected Surcharge shall be available as needed, documented, recorded and requested by the Chief of Police, Town Clerk or appropriate Department Head of the Town Cheswold, and will be expended as provided for in the requisition process of the Town.

Section 8 - EFFECTIVE DATE

This ordinance and the rules, regulations, provisions, requirements, orders, administration and management and matters established and adopted hereby shall take effect and be in full force and effect April 8, 2014, from and after the date of its final passage and adoption.

Ordinance No. 02-20-14-015 entitled, Establishment of a Surcharge to be Added to Building Permits to Support the Town of Cheswold Administrative Offices and Police Department, was duly adopted by a majority vote of the Cheswold Town Council.

I, Donald F. Tinari, 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 at a regularly scheduled Town Council Meeting, (or Special Meeting), held on Monday, April 7, 2014, at which a quorum was present and voting throughout, and that the same is still in force and effect.

Certified: Donald F. Tinari
Mayor

Date: 4/23/14

ATTEST: Sherry Lamberton
Secretary/Treasurer

Date: 4/23/14

Agreed: Robt WSS
Vice-Mayor

Date: 4-23-14

Agreed: Sherry Lamberton
Councilperson

Date: 4-23-14

Agreed: Vacant
Councilperson

Date: N/A

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Agreed:

Vacant
Councilperson

Date:

N/A

NOTARIZED:

Gonea
Town Clerk

Date:

**Sponsored by: Councilperson Theon E. Callender – Councilperson
Co-Sponsor: Chief Christopher Workman – Cheswold PD**

Introduction: 03/04/ 2014