



TITLE #: 11
Ordinance #: 01-07-08-005
Revision #: 1

Date: January 7, 2008
June 15, 2023

**ORDINANCE for the Deletion
of Ordinance 01-07-08-005
in Its' Entirety**

**DESCRIPTION: An ordinance of the Town of Cheswold to delete Ordinance 01-07-08-005
In its Entirety.**

The ordinance may at times be referred to as the "Deletion of the Capital School" Ordinance.

Section 1. PURPOSE The purpose of this ordinance is to delete the entirety of Ordinance 01-07-08-005 which specified the creation of a trust fund from the proceeds gained from Building Permit surcharge fees, which were to be used to benefit the Capital School District for capital improvements which solely served and benefitted the Town of Cheswold.

Section 2. AUTHORITY TO ACT

The Town Charter of the Town of Cheswold:

- 2.1.1 Section 4.2.25**, authorizes the Town Council to provide for and preserve the health, peace and safety, cleanliness, ornament, good order and public welfare of the Town and its' inhabitants.
- 2.1.2 Section 4.2.48**, authorizes the Town Council to make, adopt, and establish, alter and amend all such Ordinances, Regulations, Rules and By-Laws not contrary to the laws of this State and the United States as the Town Council may deem necessary to carry into effect any of the provisions of this Charter or any other law of the State relating generally to municipal corporations or which they may deem proper and necessary for the order, protection, and good government of the Town.

Section 3. APPLICABILITY

This Ordinance shall be applicable only to the deletion of Ordinance 01-07-08-005 which Established a Surcharge to be Added to the Town of Cheswold Building Permits to Fund Capital Improvements to the Capital School District.

Section 4. REASONS for DELETION

Ordinance 01-07-08-005 is being cancelled for the following reasons:

- There are no Town records, documents or minutes indicating that the Ordinance was approved by a majority vote of the Town Council.
- There was never a trust fund created to accept Building Permit surcharge fees.
- There are no records, documents or minutes indicating the Capital School District would comply with ensuring that funds received would be used exclusively for the benefit of the Town of Cheswold.
- There was never a surcharge added to Building Permit fees to submit to a trust fund.

Section 5. 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 immediately and after the date of its final passage and adoption.

Section 6.

PASSAGE of ORDINANCE

Whereas, the Town Council of the Town of Cheswold, approved Resolution 09-22-223-116, on November 6, 2023 and then properly posted and held a Public Hearing on January 8, 2024, at 5:00 p.m., in the Cheswold Town Hall, at 691 Main Street, Cheswold, DE 19936, to receive public comment on this Ordinance; and

Whereas, there was not any negative or adverse public comments made against the said Ordinance, at the above mentioned Public Hearing; and

Whereas, the Town Council at their regularly scheduled Town Council meeting, on January 8, 2024, held at 5:30 p.m., in the Cheswold Town Hall, at 691 Main Street, Cheswold, DE 19936, voted unanimously to approve this Ordinance; and

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READINGS & REVIEWS:

Introduction to Council via E-Mail	June 20, 2023
Forwarded for Attorney Review	June 20, 2023
1 st Council Reading	July 10, 2023
Attorney Review	Not Required
2 nd Council Reading/1 st Public Reading	August 7, 2023
3 rd Council Reading/2 nd Public Reading	September 11, 2023
4 th Council Reading/3 rd Public Reading	November 6, 2023
Resolution for Public Hearing	December 4, 2023
Public Hearing	January 8, 2024
Council Vote	January 8, 2024

REVISION LOG

<u>Revision Date</u>	<u>REVISION REASON</u>

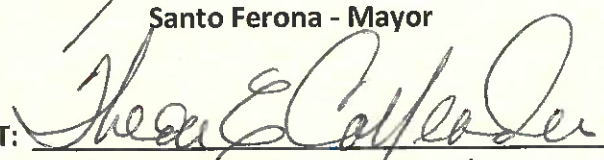
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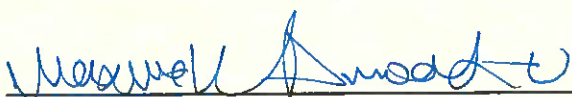
I, Santo Feronea, Mayor of the Town of Cheswold, do hereby certify that the foregoing is a true and correct copy of the Resolution passed by an affirmative majority vote of all elected members of the Town Council of Cheswold at a regularly scheduled Town Council Meeting, held on, Monday, December 4, 2023, at which a quorum was present and voting throughout, and that the same is still in force and effect.

CERTIFIED: 
Santo Feronea - Mayor

Date: January 8, 2024

ATTEST: 
Theon E. Callender - Secretary/Treasurer

Date: January 8, 2024

Agreed: 
Vice-Mayor Maxwell Amoako

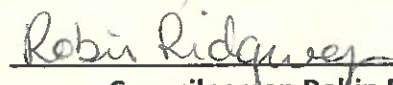
Date: January 8, 2024

Agreed: 
Councilperson Judith Johnson

Date: January 8, 2024

Agreed: 
Councilperson Mark Moxley

Date: January 8, 2024

Agreed: 
Councilperson Robin Ridgway

Date: January 8, 2024

NOTARIZED: 
Camryn Tunnell - Town Clerk

Date: January 8, 2024

Camryn Alexes Tunnell
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires February 6, 2025

Primary Sponsor: Secretary/Treasurer Theon E. Callender

Introduction: June 20, 2023