



SPONSOR: Rep. Longhurst & Sen. Poore

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 68

AN ACT TO AMEND THE CHARTER OF THE CITY OF DELAWARE CITY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

1 Section 1. Amend Section 8-04 of the Charter of the City of Delaware City by making deletions as shown by
2 strike through and insertions as shown by underline as follows:

3 Sec. 8-04. Voter Qualifications.

4 A "qualified voter" is a natural person that has reached the age of eighteen (18) years of age, who is a citizen of the
5 United States, is registered to vote under the State voter registration system maintained by the Department of Elections, ~~and~~
6 maintains his or her permanent place of residence within the City limits of the City of Delaware City, and is registered to
7 vote 30 days prior to any scheduled regular or special elections and referenda. Any person who can prove the foregoing by
8 proper identification, as required by Del. Code Ann. tit. 15, § 7554(d) as may be amended from time to time, shall be
9 entitled to vote at all regular and special municipal elections and referenda.

10 Section 2. Amend Section 3-06 of the Charter of the City of Delaware City by making deletion as shown by strike
11 through and insertions as shown by underline as follows:

12 Sec. 3-06. Election and Terms of Office.

13 The general municipal election shall be held on the first Tuesday in April each and every year from 12 o'clock
14 noon until 8 o'clock in the evening, local time. The Mayor and Council of said City shall continue to hold office during the
15 respective terms for which they were elected or until their successors have been duly chosen and qualified. On the first
16 Tuesday in April of every year which has the last digit as an odd, the Mayor and two (2) members of Council shall be
17 elected to hold office for the term of two (2) years or until their successors have been duly chosen and qualified. On the first
18 Tuesday in April of every year which has the last digit as an even number, the remaining three (3) members of Council
19 shall be elected to hold office for the term of two (2) years or until their successors have been duly chosen and qualified.

20 The term of the Mayor and the Councilmembers shall begin on the date they take the oath of office. ~~Within ten~~
21 ~~(10) days after any election, a special meeting shall be called for the purpose of swearing in the newly elected Mayor or~~
22 ~~Councilpersons.~~ The newly elected officials shall be sworn in at the next meeting of Mayor and Council following the

election. The oath shall be administered by the Mayor, and the Councilperson with the most seniority shall administer the oath of office for any newly elected Mayor.

Section 3. Amend Section 4-01 of the Charter of the City of Delaware City by making deletion as shown by strike through and insertions as shown by underline as follows:

Sec. 4-01. Property Assessment Procedure.

D. Assessment Board of Appeals. Each year, at least thirty (30) days before the beginning of the tax year, the Mayor and Council shall hold a Board of Appeals, ~~which Board shall continue open from 7 p.m. to 9 p.m.,~~ during which time the Mayor and Council acting as such Board shall hear and determine appeals from assessments and shall make such corrections and additions as may be deemed necessary and proper.

Section 4. Amend Section 11-01 of the Charter of the City of Delaware City by making deletion as shown by strike through and insertions as shown by underline as follows:

Sec. 11-01. Planning Commission.

The Mayor, with the advice and consent of a majority of all members of Council, shall appoint a Planning Commission consisting of seven (7) members at large. Appointments shall be made as vacancies arise and shall be for terms of ~~two (2)~~ three (3) years. The compensation of the Planning Commission, if any, shall be determined by the Mayor and Council. They shall receive reimbursement for actual and necessary expenses incurred in traveling on official business approved by the Mayor and Council.

SYNOPSIS

This bill amends the Charter of the City of Delaware City. Section 1 aligns the City of Delaware City's Charter Section 8-04 with the law of the State of Delaware, HB 395, by setting the maximum deadline for registration at 30 days prior to a municipal election, special election, and referenda. Section 2 amends the City of Delaware City's Charter Section 3-06 and changes the timing for conducting oaths of office for the Mayor and Councilpersons of the City of Delaware City. Section 3 amends the City of Delaware City's Charter Section 4-01 and eliminates the predetermined time for the meeting of the Property Assessment Board. Section 4 amends the City of Delaware City's Charter Section 11-01 and extends the term limits for the Planning Commission members.