



SPONSOR: Rep. Baumbach & Sen. Sokola
Reps. Hensley, Kowalko; Sen. Henry

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 435

AN ACT TO AMEND THE CHARTER OF THE CITY OF NEWARK RELATING TO THE POWERS OF COUNCIL.

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

Section 1. Amend Article IV of the Charter of the City of Newark by making insertions as shown by underline and deletions as shown by strikethrough.

1. ARTICLE IV. - POWERS OF COUNCIL

1. 404 - - POWER TO RAISE REVENUE.

The council shall have the power to levy and collect taxes on real property within the city, except that which is not assessable and taxable by virtue of any law of the State of Delaware, which shall not be more than two (2) per cent of the assessed valuation of the assessable and taxable real estate within the city in any year clear of all delinquencies and expenses of collection; provided, however, in addition thereto, the council shall have the power to levy the taxes necessary to service the bonded indebtedness of the city.

The council shall have the right to grant or refuse, and to charge fees for licenses or permits for traveling shows and other businesses of any description within the city and to control their use of any property within the city.

The council shall have the power to levy and collect franchise fees and to impose sewer rentals on sanitary sewers.

The council shall have the power by ordinance to allow discounts for early payment of taxes, to impose reasonable penalties and forfeitures for tax delinquencies, and to review and determine proper and appropriate properties to be exempt from taxation. The council shall have the power by ordinance to exempt from taxation not more than five thousand dollars (\$5,000.00) of assessed value of real property of persons over sixty-five (65) years of age whose income does not exceed three thousand dollars (\$3,000.00) per annum, as defined by ordinance.

The council shall have the power to fix the rates for utilities operated by the city and to collect and utilize revenues from such utilities for the benefit of the city.

The council shall have the right to levy and collect taxes upon all gas mains, water lines and telephone, telegraph power poles or other erections of like character erected within the limits of the City of Newark, together with

23 the wires, cables and appliances thereto or thereon attached, as well as such wires, cables and appliances which may be
24 installed underground, and to this end may, at any time, direct the same to be included in or added to the city assessment.
25 In case the owner or lessee of such poles or erections and such wires, cables and appliances shall refuse or neglect to pay
26 the taxes that may be levied thereon, the said taxes may be collected as in the case of other taxes.

27 The council shall have the right to impose a lodging tax of no more than 3 percent of the rent, in addition to the
28 amount imposed by the State, for any room or rooms in a hotel, motel or tourist home, as defined in §6101 of Title 30,
29 which is located within the boundaries of the City of Newark.

SYNOPSIS

This bill permits the Council of the City of Newark to impose and collect a lodging tax of no more than 3 percent on hotel and motel rooms located in the City of Newark so long as it is approved by a majority of the council pursuant to the provisions of the Charter of the City of Newark.