

CHAPTER 94
FORMERLY
SENATE BILL NO. 98

AN ACT TO AMEND THE CHARTER OF THE CITY OF DELAWARE CITY RELATING TO THE POWER TO RAISE REVENUE.

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 VI of the Charter of the City of Delaware City by making deletions as shown by strike through and insertions as shown by underline as follows:

Sec. 6-06. Power to Raise Revenue.

A. The Mayor and Council shall have the power to keep reserves and 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 2% 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 Mayor and Council shall have the power to levy the taxes necessary to service the bonded indebtedness of the City.

B. The Mayor and 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 Mayor and Council shall have the power to levy and collect franchise fees.

C. The Mayor and Council shall have the power to impose reasonable penalties and forfeitures for tax delinquencies, and to review and determine proper and appropriate properties to be exempt from taxation.

D. The Mayor and 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.

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

F. The Mayor and Council shall have the right to impose and collect a lodging tax of no more than 3% percent of the rent, in addition to the amount imposed by the State, for any room or rooms in a hotel, motel, or tourist home, as defined in § 6101 of Title 30 of the Delaware Code, which is located within the boundaries of the City of Delaware City.

Approved July 4, 2019