

CHAPTER 139
FORMERLY
SENATE BILL NO. 99

AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE DELETION OF FRONT FOOTAGE CALCULATION AS THE ONLY METHOD OF DETERMINING SEWER ASSESSMENTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 6505, Title 9 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underline as follows:

§ 6505. Action of county government following hearing.

(b) After establishing the boundaries of the district, the county government shall also cause to be prepared by the County Engineer or consulting engineers, an estimate of the cost of proposed immediate construction and also an approximate estimate of ~~the assessment per front foot and the amount to be included in~~ the assessment necessary to take care of interest amortization and costs of construction and financing. The construction cost estimates and assessment estimates shall be advertised in the same manner as provided in § 6504 of this title for advertising the public hearing.

Section 2. Amend § 6514, Title 9 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underline as follows:

§ 6514. Collection of assessments.

The annual assessments, ~~including front foot assessments,~~ shall be collected by the county government as are other county taxes. The properties against which such assessments are levied shall be liable for the payment of the assessments in the same manner as they are liable for other county taxes. Such assessment charges shall, as near the county government deems practicable and equitable, be uniform throughout the area served by the sanitary sewer district, and may be based or computed either on the consumption of water or in connection with the real property, making due allowances for commercial use of water, or on the number and kind of water outlets on or in connection with the real property, or on the number and kind of plumbing fixtures or facilities on or in connection with the real property, or on the number of persons residing or working on or otherwise connected or identified with the real property, or on a front footage basis, or on other factors determining the type, class and amount of use or service of the sanitary sewer system, or on any combination of such factors. No assessment shall be made against any property which is not subject to taxation and assessment for county and municipal purposes.

Approved August 30, 2017