

LAWS OF DELAWARE
VOLUME 83
CHAPTER 150
151st GENERAL ASSEMBLY
FORMERLY
SENATE BILL NO. 194
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND THE CHARTER OF THE BOARD OF PUBLIC WORKS OF THE CITY OF LEWES RELATING TO UTILITY SERVICE EXTENSION AND THE POWER TO SUE AND BE SUED.

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 Section 4.20 of the Charter of the Board of Public Works of the City of Lewes by making deletions as shown by strike through and insertions as shown by underline as follows:

4.20 The BPW is hereby authorized and permitted to supply utility services of any utility system to those properties which are located within two (2) miles of the corporate limits of the City as presently constituted or hereafter extended under such terms and conditions as the Board shall deem proper. The BPW, however, may not extend any utility services of any utility system to any property located outside of the municipal limits of the City of Lewes without obtaining the prior consent of the Mayor and City Council of the City of Lewes. The Board is hereby authorized and permitted to enact and adopt such rules and regulations as the said Board may deem proper in order to supply said utility services.

Section 2. Amend Section 4 of the Charter of the Board of Public Works of the City of Lewes by making deletions as shown by strike through and insertions as shown by underline as follows:

4.22 The BPW may sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in all courts and administrative proceedings whatsoever by the corporate name of "The Board of Public Works of the City of Lewes". The BPW, however, cannot sue, or be sued by, the City of Lewes, a municipal corporation of the State of Delaware, until July 1, 2026.

Section 3. Nothing in this Act may be deemed or interpreted as altering or amending the existing service territories for electric utilities established pursuant to §203B of Title 26 of the Delaware Code or the jurisdiction and authority of the Public Service Commission to issue certificates of public convenience and necessity for utility service.

Approved September 15, 2021