



SPONSOR: Sen. Hocker & Rep. Collins

DELAWARE STATE SENATE  
152nd GENERAL ASSEMBLY

SENATE BILL NO. 105

AN ACT TO AMEND THE CHARTER OF THE TOWN OF SELBYVILLE RELATING TO IMPACT FEES.

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 4 of the Charter of the Town of Selbyville by making deletions as shown by strike  
2 through and insertions as shown by underline as follows:

3 Section 4. Enumeration Of Powers.

4 4.2 Not by way of limitation upon the power vested in the Mayor and Council members of the Town of Selbyville  
5 to exercise all powers delegated by this Charter to the municipal corporation or to the Mayor and Council members except  
6 as may expressly appear herein to the contrary, but, rather by way of enumeration and for purposes of clarity, the Mayor  
7 and Council members are vested by the Charter with the following powers, to be exercised by them in the interest of good  
8 government and the safety, ~~health~~ health, and public welfare of the Town, its inhabitants and ~~affairs, that is to say:~~ affairs:

9 4.2.51 To impose, upon new development or construction or upon first-time occupancy of new construction, ~~such~~  
10 "impact fees" as are reasonably calculated to ~~recover~~ do any of the following:

11 4.2.51.1 Recover the cost of installing, enlarging, improving, or expanding public or municipal improvements  
12 which have a rational nexus to ~~such~~ the new construction.

13 4.2.51.2 Contribute to the costs of operations of volunteer fire companies, ambulance companies, public  
14 libraries, or police departments providing services within the Town.

SYNOPSIS

This Act amends the Charter of the Town of Selbyville to allow the Town to impose an impact fee to contribute to the costs of operations of volunteer fire companies, ambulance companies, public libraries, or police departments providing services within the Town.

This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

This Act requires a greater than majority vote for passage because § 1 of Article IX of the Delaware Constitution requires the affirmative vote of two-thirds of the members elected to each house of the General Assembly to amend a charter issued to a municipal corporation.

Author: Senator Hocker