SPONSOR: Rep. Romer & Rep. Gorman & Rep. Osienski & Sen. Sokola
Reps. Burns, Morrison

HOUSE OF REPRESENTATIVES
153rd GENERAL ASSEMBLY

HOUSE BILL NO. 34
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND THE CHARTER OF THE CITY OF NEWARK AUTHORIZING THE CITY OF NEWARK TO LEVY A TAX ON COLLEGES AND UNIVERSITIES WITHIN THE CITY OF NEWARK.

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

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 power poles or other erections of like character erected within the limits of the City of Newark, together with the wires, cables and

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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.

The council shall have the right to impose 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, which is located within the boundaries of the City Newark.

The council shall have the right to levy and collect a tax from any college or university that hosts in-person classes located within the boundaries of the City of Newark in an amount of up to $50 for each fall and each spring semester, per full or part time undergraduate or postgraduate student. This tax only applies to such students of a college or university enrolled in classes taking place within the City of Newark and is applicable to all colleges and universities including any organizations that are considered subdivisions or agencies of the State of Delaware or are otherwise tax exempt, including but not limited to the University of Delaware. Tax payments made under this paragraph cannot be made via credit card and instead must be processed using the Automated Clearing House (ACH) network or approved payment method as directed by the City Manager.