



SPONSOR: Rep. Ewing & Sen. Simpson ;  
Reps. Lee, Booth, Hocker, Outten, D. Short,  
Schwartzkopf, Walls

HOUSE OF REPRESENTATIVES  
144th GENERAL ASSEMBLY

HOUSE BILL NO. 118

AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE GENERAL POWERS OF THE GOVERNMENT OF SUSSEX COUNTY.

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 § 6304, Title 9 of the Delaware Code by numbering the existing sentence as (1) and adding as a  
2 new (2) and (3) as follows:

3 "(2) Additional surcharges on any application for a building permit issued by the County:

4 a. In an amount not to exceed .5% of the construction value applicable to said building  
5 permit application to provide funding for volunteer fire companies; and

6 b. In an amount not to exceed 1.25% of the construction value applicable to said building  
7 permit application to provide funding for the local share of any school capital construction program  
8 having received a Certification of Necessity from the Secretary of Education of the Department of  
9 Education pursuant to § 7510, Title 29, Delaware Code, as amended; provided however, this surcharge  
10 shall not be applicable to an application for a building permit having a construction value of \$30,000 or  
11 less and such application is made after the issuance of the original certificate of occupancy.

12 c. In an amount not to exceed .5% of the construction value applicable to said permit  
13 application to provide funding for farmland preservation.

14 (3) The surcharges otherwise added by (b)(3) of this Section shall not be added to building permits  
15 applied for by an organization exempt from tax under §501(c)(3) of the Federal Internal Revenue Code which  
16 provides owner-occupied housing to low and moderate income households by rehabilitating residential properties  
17 and reselling said properties without profit, nor to the Delaware State Housing Authority nor to any applicant  
18 funded by the Delaware State Housing Authority.”.

19 Section 2. If any provision of this Act, or its application to any person or circumstance is held invalid, the  
20 remainder of this Act, or the application of the provision to other persons or circumstances shall remain unaffected.

SYNOPSIS

This Bill authorizes Sussex County to collect a surcharge in an amount not to exceed 2.25% of the construction value applicable to each building permit to provide funding for the local share of any school capital construction program, fire companies and farmland preservation.