

Ordinance # 32

Town of Frankford, Delaware

An ordinance to amend the Code of the Town of Frankford entitled Fees and Licenses:

WHEREAS; The Town of Frankford has recently updated the Town's Zoning and Subdivision ordinance with the adoption of the Frankford Land Development Ordinance to bring the Town's requirements and specifications in line with current development standards and regulations and;

WHEREAS; The Town must make sure that fees associated with development and construction cover the costs of the review and oversight on the Town's behalf for such development and construction and not be a burden on current taxpayers, and

WHEREAS; the demand on the Town's services such as police protection, provision of water, trash collection , building services, town administration and code enforcement continue to increase as the Town grows and systems age, and

WHEREAS; fees and licenses assessed by the Town must aid in the provision of the Town's municipal functions and provision of services, and

WHEREAS; The Town has not reassessed such fees in several years and such fees have impacts on the degree and quality of municipal services provided to Town residents, the Town Council must assure that Town fees and licenses will aid in the provision of necessary Town services,

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Frankford, to amend the Frankford Town Code as follows;

Amend Section 9 of Ordinance No. 2 to provide for updated building permit fees.

Amend Section 9 entitled "Fees" to read as follows:

Applications for a building permit shall be accompanied by a fee, payable to the municipality, based upon the estimated cost of the proposed construction as determined by the Building Permit Officer at the following rates:

Application Fee:	\$50.00
New Construction:	1.25% of construction cost
Renovation or Repair:	1% of renovation or repair

Establish Section 9(a) Fire & Ambulance Protection Fee to read as follows:

A Fire & Ambulance Protection Fee of 0.50% of the construction cost of residential structures (including single-family homes, townhouses, apartment units and other multi-family structures) shall be assessed at the time the building permit is issued; provided that the Fire & Ambulance Protection Fee for any single unit shall not exceed \$5,000. A Fire & Ambulance Protection Fee of 0.50% of the construction cost of non-residential structures of all types (including tenant fit-outs of existing structures) shall be assessed at the time the building permit is issued, provided that Fire & Ambulance Protection Fee for any single permit not exceed \$10,000. The proceeds of the impact fee shall be transferred by the Town to the Frankford Volunteer Fire Company Inc. or its successors at the end of each quarter of each year to be used for capital equipment and facilities to enhance fire protection service to the residents and properties of the Town. In order to be qualified to receive such protection fees, the Frankford Volunteer Fire Company Inc. shall submit an annual audited report, prepared by a certified accountant, of its use of these fees, no later than one month after the close of its fiscal year. If such report is not provided in a timely manner and/or if such report reflects a failure to account for the proper expenditure of fees, the Town Council may withhold fee collected, without interest, until a satisfactory report is accepted. At any time, in the Town Council's sole discretion, the Town Council may amend this chapter to eliminate, change or otherwise modify the provisions contained herein.

Amend Section 4(A) of Ordinance No. 23 entitled Mercantile and Rental Licensing to provide updated business license fees and rental fees.

Amend Section 4(A) to read as follows:

Any person engaged, for profit, in selling any and all merchandise and/or given commodities and/or in providing facilities, services, rental units and/or food service within the Town at or from any given establishment shall pay an annual business license fee to the Town. Business license fees are valid for one calendar year January 1 through December 31, and shall be renewed annually. Annual renewal of business licenses shall also be completed by January 1 of each calendar year. Late renewals may

result in a penalty of \$10.00 per month until paid. A business license must be obtained and fees be paid prior to commencement of work. Failure to obtain a business license may result in a penalty of \$150.00 and/or a stop work order. Fee by business type shall be as follows:

Accounting, Investing Firms	\$45.00
Banks or Lending Institutions	\$45.00
Commercial Rental License 1,000 gross sq. ft. or less per unit/1,001-2,000 gross sq. ft. per unit	\$50.00
Commercial Rental License over 2,000 gross sq. ft. per unit	\$75.00
Contractor, Builder In Town Business	\$45.00
Contractor, Builder Out of Town Business	\$65.00
Medical, Dentist, Physical Therapy Office	\$65.00
Doctor, Dentist, Therapist	\$45.00
General Services (Lawn Cutting, Landscape, House Cleaner, etc.)	\$25.00
Hotel, Motel, Inn, B&B per Room	\$45.00
Law Office	\$65.00
Mobile Home Park per Space	\$50.00
Nursing or Convalescent Home per Sleeping Room	\$5.00
Peddler, Vendor, Solicitor 1 Time Event per Person	\$25.00
Peddler, Vendor, Solicitor Annual Fee per Person	\$65.00
Real Estate Sales, Rental Agent	\$25.00
Real Estate Sales, Rental Office	\$65.00
Real Estate Agent, Doing Business in Town	\$25.00
Rental License, Residential - Apartment, House, Cottage per Unit	\$50.00
Restaurant, Eating Establishment	\$45.00
Retail Stores	\$45.00
Storage Unit Rentals per Rental Unit	\$5.00 w/min. \$50.00
Vending Machines, Food, Drink, Candy, Ice	\$15.00

Amend Section 6 by adding subsection (4) to read as follows:

(4) There is hereby imposed and assessed a gross receipt tax at a rate of 2% of the gross rental receipts for each residential and commercial tax on gross rental receipts as follows:

(A) For income received from January 1 through December 31, tax shall be due on or before January 31.

- (B) The payment of the rental tax shall be the responsibility of the owner of the residential and/or commercial property; provided, however, that any such owner may designate an agent to collect and pay the tax to the Town.
- (C) Every year the Town will send a copy a rental tax form to all currently licensed landlords or their designated agents. This form is to be filled out for each rental property owner and shall be returned to the Town office, along with a check for the current tax due. The tax due shall be calculated by multiplying the current rate by the gross receipts.

Amend Ordinance No. 12 as amended to provide for an updated Equivalent Dwelling Unit (EDU) fee and Area Connection Charge.

Amended Ordinance No. 12 (2) shall read:

The area impact charge shall be \$750.00 per Equivalent Dwelling Unit (EDU). Equivalent Dwelling Units (EDU's) shall be determined and enumerated below:

Amended Ordinance No. 12 (3) shall read:

Calculation to include new fee of \$750.00.

Amended Ordinance No. 12 (14) shall read:

The water area connection charge shall be charged to any person contracting for direct or indirect connections with or the use or services of the respective water system. Such water area connection charge shall be charged to and collected from any person contracting for such connection or use of service or from the owner or occupant, or both of them, of any real property respective water system, and owner or occupant, or both of them, of any such real property shall be liable for and shall pay such respective water area impact charges to the Town. The water connection charge shall be \$2,000.00.

Establishment of Additional Fees:

Municipal Facilities/Building Impact Fee

- (1) There is hereby established a municipal facilities/building impact fee. The municipal facilities/building impact fee is designed to accrue a building fund for construction and improvements of current municipal structures and the anticipated expansion of Town

administrative, police and public works service. The fee will be assessed on any new EDU, such as new residential units or EDU's associated with new commercial uses, such as new construction or tenant fit-outs.

(2) The amount of the municipal facilities/building impact fee: \$500.00 per EDU

Annexation Fee

(1) There is hereby established an annexation fee designated to pay for the equitable portion of the planning, design, and initial capital improvement costs to provide municipal and/or public services to the new parcel(s) regardless of the use or density. The fee is intended to offset some of the risk to the Town for utility extension and capital improvements completed in anticipation of future growth of said properties. The fee is the equitable share of such annexed properties in that such amount creates a balance that distributes the financial burdens previously borne and yet to be borne by those properties in comparison with other properties within the Town as a whole.

(2) Amount of the Annexation Fee: Residential: \$500.00 per acre
Commercial: \$1,000.00 per acre

Town Services and Products

There is hereby established a fee schedule for certain requested Town services and products. The fee associated with these services are identified in the below chart. The Town may periodically update the listed fees from time to time as determined necessary to cover the cost of the request, or copying and printing codes as required.

Submission of FOIA (Freedom of Information Act) Request	Minimum of \$20.00 + \$0.50 per copy
Copy of Comprehensive Plan	
Paper Copy	\$50.00
CD Copy	\$20.00
Copy of Land Development Ordinance	
Paper Copy	\$60.00
CD Copy	\$20.00
Copy of Town Zoning Map	\$15.00

Photo Copy	\$0.50 per page
Fax	\$1.00 per fax
Digital Copy of Meeting Minutes or Meeting Audio	\$10.00 - \$105.00 <i>Depending on Availability of Electronic Files</i>
Accident Reports	\$15.00
Crime Reports	\$15.00
Grass Cutting of Private Property	100.00 per hour

5/16/13