



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

September 12, 2023

6:30 PM

VIRTUAL ZOOM WEBINAR MEETING &
LOUIS L. REDDING CITY/COUNTY BUILDING
1ST FLOOR COUNCIL CHAMBERS
800 N. FRENCH STREET, WILMINGTON, DE 19801**

AGENDA

A. Call to Order

- **Moment of Silence**
- **Pledge of Allegiance**
- **Roll Call**

B. Approval of Minutes

C. Announcements

D. Introduction of Ordinances

°23-123: AMEND THE FY2023 APPROVED OPERATING BUDGET: APPROPRIATE STATE OF DELAWARE FUNDING RECEIVED FOR THE NEW CASTLE COUNTY POLICE EMPLOYEE'S RETIREMENT SYSTEM TO THE DEPARTMENT OF PUBLIC SAFETY EMPLOYEE BENEFITS BUDGETARY LINE ITEM Introduced by: Mr. Smiley, Mr. Cartier

°23-124: TO AMEND THE PAY PLAN AND RATES OF PAY FOR UNCLASSIFIED TEMPORARY SEASONAL AND PART-TIME RECURRING EMPLOYEES OF NEW CASTLE COUNTY Introduced by: Ms. Hartley-Nagle

E. Reports from Select and Special Committees

F. Consent Calendar

NOTE: If an item on the Consent Calendar is objected to by a Council member, or a member of the public wishes to obtain additional information about the candidate or proposed legislation, or if a Councilmember intends to offer an amendment to a resolution, seek additional information, or state a conflict, it shall be removed from the Consent Calendar and voted upon separately.

G. Presentations

H. Consideration of Resolutions Removed from the Consent Calendar and Other Resolutions

R23-161: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH INFOR PUBLIC SECTOR INC. TO RENEW THE HANSEN SOFTWARE ANNUAL TECHNICAL SERVICES MAINTENANCE CONTRACT FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES IN THE AMOUNT OF \$190,636.06 Introduced by: Mr. Smiley, Mr. Cartier

R23-162: TO RENAME THE PARCEL RECORDED AS "CHATEAU ORLEANS," TAX PARCEL NUMBER 06-139.00-014, LOCATED AT THE SOUTHWESTERLY SIDE OF THE ROCKWOOD AND SHIPLEY ROAD INTERSECTION, TO "THE CHATEAU APARTMENTS;" APPLICATION NO. 2023-0400; COUNCIL DISTRICT 4 Introduced by: Mr. Hollins

I. Consideration of Ordinances

°23-106: TO APPROPRIATE \$250,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH BE READY COMMUNITY DEVELOPMENT CORPORATION TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Mr. Street

°23-107: TO APPROPRIATE \$400,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH TODMORDEN FOUNDATION TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Mr. Street

°23-108: TO APPROPRIATE \$250,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH STUART ALEXANDER AND ASSOCIATES INC. TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Mr. Street

°23-109: TO APPROPRIATE \$3,500,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH DELAWARE VALLEY DEVELOPMENT CORPORATION TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Mr. Street

°23-110: AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMERGENCY SERVICES EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 3911 Introduced by: Ms. Hartley-Nagle

°23-111: TO APPROPRIATE \$20,000 IN THE NEW CASTLE COUNTY HOUSING TRUST FUND TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Mr. Hollins, Mr. Street

°23-112: AMEND THE PAY PLAN AND RATES OF PAY FOR UNCLASSIFIED SERVICE, SCHOOL CROSSING GUARDS REPRESENTED BY THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 2270, AFL-CIO Introduced by: Ms. Hartley-Nagle

°23-113: AMEND THE GRANTS BUDGET: APPROPRIATE \$58,844.44 IN ACTUAL PROGRAM INCOME TO THE INNOVATIVE DEVELOPMENT EMPOWERMENT AREA (IDEA) HOMEBUYER/HOMEOWNER REHAB GRANT, WHICH IS ADMINISTERED BY THE

DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins, Mr. Street

°23-114: AMEND THE GRANTS BUDGET: APPROPRIATE \$6,128 IN ADDITIONAL STATE OF DELAWARE GRANT-IN-AID FUNDS TO THE ABSALOM JONES SENIOR CENTER FY2024 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, COMMUNITY RESOURCES DIVISION Introduced by: Mr. Hollins, Mr. Street

°23-115: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDS OF \$142,380 PASSED THROUGH THE CITY OF WILMINGTON FROM THEIR ESG-CV FUNDS TO THE HOPE CENTER ESG-CV COW GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins, Mr. Street

°23-116: AMEND THE GRANTS BUDGET: APPROPRIATE \$50,500.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF JUSTICE – SPECIAL LAW ENFORCEMENT ASSISTANCE FUND (SLEAF) TO THE SLEAF – VIKEN HANDHELD X-RAY IMAGER GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY Introduced by: Mr. Bell, Ms. Hartley-Nagle

°23-117: TO PROVIDE FOR THE INSTALLATION OF TRADITIONAIRE STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS IN THE COPPERLEAF AT BACK CREEK EAST AND WEST SUBDIVISION LOCATED IN THE ST. GEORGES HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS Introduced by: Mr. Carter

°23-118: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$100,000 IN FUNDING RECEIVED FROM THE STATE OF DELAWARE FISCAL YEAR 2024 BOND AND CAPITAL IMPROVEMENTS ACT TO THE DEPARTMENT OF PUBLIC WORKS, GENERAL PARKLAND IMPROVEMENTS 2021 CAPITAL PROJECT Introduced by: Mr. Sheldon, Mr. Carter

°23-119: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: REALIGN AUTHORIZED FUNDING IN THE AMOUNT \$1,600,000 WITHIN THE DEPARTMENT OF PUBLIC WORKS, BRANDYWINE LIBRARY HVAC CAPITAL PROJECT FROM BOND FUNDING TO STATE FUNDING AND REALIGN AUTHORIZED FUNDING IN THE AMOUNT OF \$500,000 WITHIN THE DEPARTMENT OF PUBLIC WORKS, GENERAL ROOF RENOVATIONS CAPITAL PROJECT FROM BOND FUNDING TO STATE FUNDING Introduced by: Mr. Sheldon, Mr. Carter

°23-120: AMEND THE FY2024 APPROVED OPERATING BUDGET: APPROPRIATE \$16,000 IN FUNDING RECEIVED FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS CONTRACTUAL SERVICES BUDGET LINE ITEM Introduced by: Mr. Bell, Ms. Hartley-Nagle

°23-121: (STATUS: TO BE TABLED) TO AMEND NEW CASTLE COUNTY CODE CHAPTER 6 (“BUILDING CODE”) REGARDING ARTICLE 1 (“GENERAL”), ARTICLE 2 (“DEFINITIONS”), ARTICLE 3 (“ADMINISTRATION”), ARTICLE 4 (“BUILDING CODE”), ARTICLE 5 (“RESIDENTIAL CODE”), ARTICLE 9 (“EXISTING BUILDING CODE”), ARTICLE 10 (“ENERGY CONSERVATION CODE”), ARTICLE 11 (“SWIMMING POOL AND SPA CODE”), ARTICLE 12 (“VIOLATIONS, ENFORCEMENT, AND PENALTIES”) AND SCHEDULE OF PERMIT AND REVIEW FEES Introduced by: Mr. Bell, Mr. Cartier

°23-092: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 26 (“HUMAN RESOURCES”), ARTICLE 4 (“PENSIONS”), COUNTY 2011 PENSION PLAN TO PROVIDE FOR SERVICE RETIREMENT ANNUITY AFTER TWENTY-FIVE YEARS OF CREDITED SERVICE FOR EMERGENCY MEDICAL SERVICES DIVISION EMPLOYEES AND EMERGENCY COMMUNICATIONS DIVISION EMPLOYEES AND PROVIDING FOR INCREASED EMPLOYEE CONTRIBUTIONS FROM EMERGENCY MEDICAL SERVICES DIVISION EMPLOYEES AND

EMERGENCY COMMUNICATIONS DIVISION EMPLOYEES Introduced by: Ms. Hartley-Nagle, Mr. Bell

°23-093: (STATUS: TABLED) AMEND THE FY2024 APPROVED OPERATING BUDGET: APPROPRIATE \$1,245,950 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, HUMAN RESOURCE MANAGEMENT FOR 25-YEAR RETIREMENT UNFUNDED LIABILITY Introduced by: Mr. Smiley, Mr. Cartier

J. Time Sensitive Congratulatory/Honorary Resolutions

R23-163: RECOGNIZING AND CELEBRATING HISPANIC HERITAGE MONTH AND NUESTROS RAICES DELAWARE, INC. Introduced by: Ms. Hartley-Nagle

R23-164: RECOGNIZING THE FOUNDING AND CELEBRATING THE 350TH ANNIVERSARY OF NEW CASTLE COUNTY, DELAWARE Introduced by: Ms. Hartley-Nagle

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: September 5, 2023

*The agenda is posted (7) seven days in advance of the scheduled meeting in compliance with 29 *Del. C.* Section 10004(e)(2). The meeting may go into Executive Session to address issues that arise at the time of the meeting.

**Under Title 29, Section 10006A of *Delaware Code*, New Castle County Council is holding this meeting as a

telephone and video conference, utilizing  Webinar. In addition, this meeting is open to the public in Council Chambers (800 N. French Street, Wilmington, DE 19801). The link to join the meeting via computer, smart device, or smart phone is : <https://zoom.us/j/377322142> You may also call into the meeting (audio) using the following call in numbers: 1-312-626-6799 or +1-646-558-8656 or +1-346-248-7799 or +1-669-900-9128 or +1-253-215-8782 or +1-301-715-8592. Then enter the Webinar ID: 377 322 142. If you do not have a good connection with one, please try the others. Additional information regarding phone functionality during the meeting is available at: <https://support.zoom.us/hc/en-us/articles/360029527911-Live-Training-Webinars>

Meeting materials, including a meeting agenda, legislation to be addressed during the meeting, and other materials related to the meeting are electronically accessible at <https://www.nccode.org/2351/Agendas-and-Minutes> Members of the public joining the meeting may be provided an opportunity to make comments in real time. A comment period will be administered by a moderator to ensure everyone may have an opportunity to comment.

If permitted to comment, you will not be able to speak until called upon by the moderator. For those appearing virtually, there are functions in the program that allow you to do this. Please see the link in the previous paragraph.

Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: September 12, 2023

ORDINANCE NO. 23-123

**AMEND THE FY2023 APPROVED OPERATING BUDGET:
APPROPRIATE STATE OF DELAWARE FUNDING RECEIVED FOR THE
NEW CASTLE COUNTY POLICE EMPLOYEE'S RETIREMENT SYSTEM TO THE
DEPARTMENT OF PUBLIC SAFETY EMPLOYEE BENEFITS BUDGETARY
LINE ITEM**

WHEREAS, New Castle County receives pension contributions from the State of Delaware for the New Castle County Police Employee's Retirement System; and

WHEREAS, the revenue measures heretofore adopted by the County Council are, in the opinion of the County Executive, estimated to yield sums at least sufficient to balance the proposed expenditures as set forth in the Annual Operating Budget as hereinafter amended.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. The Annual Operating Budget Ordinance for the fiscal year beginning July 1, 2022, is hereby amended by deleting the matter stricken and adding the matter underscored on the attached Exhibit "A".

Section 2. The foregoing amendment shall be considered a part of the Annual Operating Budget for the fiscal year beginning July 1, 2022 and shall be effective as though incorporated initially in the FY2023 Annual Operating Budget Ordinance.

Section 3. This Ordinance shall become effective immediately upon its adoption by County Council and signature of the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council
of New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$2,786,838.56 of revenue received from the State of Delaware to the New Castle County Department of Public Safety Employee Benefits Budgetary Line Item. New Castle County receives pension contributions from the State of Delaware for the New Castle County Police Employee's Retirement System.

FISCAL NOTE: This Ordinance, if approved, will appropriate \$2,786,838.56 of revenue received from the State of Delaware to the New Castle County Department of Public Safety Employee Benefits Budgetary Line Item.

Prior to 1996, New Castle County would deposit the revenue received from the State directly to the Pension Trust Fund. Upon the passage of Governmental Accounting Standards Board Statement # 24 (GASB 24), the County was required to record all on-behalf payments in the General Fund as revenue and expense the proceeds to the General Fund. The revenue is then recorded in the Pension Trust Fund.

The fiscal impact of this Ordinance, if approved, will increase the Employee Benefits line of the Department of Public Safety by \$2,786,838.56.

The fiscal impact in subsequent years will be contingent upon any change by the State of Delaware in regards to the police pension program.

Overview of the Police Pension Funding from the State:

Police Officers hired subsequent to January 31, 1993 become members of the State of Delaware's County and Municipal Police/Firefighter's Pension Plan (C/M Plan). The pension contribution rate is established annually by the C/M Plan's actuary.

Since at least 1990, the County receives distributions of tax proceeds from the State of Delaware for County police (*18 Del. C. 707*). The State of Delaware funds distributions through a special tax levied on gross insurance premiums. The tax proceeds are deposited into a special fund, managed by the State Board of Pension Trustees and distributed based on two components:

1. Under *18 Del. C. 708 (b)*, the State Board of Pension Trustees allocates the special fund deposits based on eligibility and proportionately distributes the funds on a per capita basis based on the total number of state, county and municipal police entitled to benefits from an annual registry in accordance with *18 Del. C. 709(a)*. Funds are distributed to the proper officers of the state, county or municipal police department or bureau. Distribution takes place twice annually, on or before June 30 and December 31.
2. Under *18 Del. C. 708 (c)*, the allocation of the special fund for "state police" provides post-retirement increases for retired county and municipal police and firefighters. The State Board of Pension Trustees allocates these funds on a per capita basis to the account of each eligible county or municipality upon the annual registry in accordance with *18 Del. C. 709(b)*. Any county or municipality wishing to grant a post-retirement increase from the special fund shall submit a proposal to the State Board of Pension Trustees. In addition, prior to the implementation of such increase, the County must deposit into the special fund sufficient funds to cover 25% of the total actuarial cost of such increase.

COUNTY COUNCIL

Salaries and Wages	\$	2,109,895
Benefits		1,263,991
Training and Civic Affairs		50,190
Communication and Utilities		20,836
Materials and Supplies		35,414
Contractual Services		294,435
Equipment		4,898
Grants and Fixed Charges		172,965
Operating Transfer Charges		144,715
Total	\$	4,097,339
Total Authorized Full-Time Positions	35	

COUNTY EXECUTIVE

Salaries and Wages	\$	1,643,392
Benefits		957,407
Training and Civic Affairs		39,404
Communication and Utilities		16,780
Materials and Supplies		22,236
Contractual Services		147,991
Equipment		1,000
Grants and Fixed Charges		1,893,000
Contingency		47,000
Operating Transfer Charges		76,382
Total	\$	4,844,592
Total Authorized Full-Time Positions	14	

DEPARTMENT OF ADMINISTRATION

Salaries and Wages	\$	11,229,226
Benefits		6,540,308
Training and Civic Affairs		124,486
Communication and Utilities		6,979,246
Materials and Supplies		163,208
Contractual Services		6,509,695
Equipment		510,745
Grants and Fixed Charges		3,830,289
Operating Transfer Charges		1,024,227
Operating Transfer Credits		(11,775,518)
Total	\$	25,135,912
Total Authorized Full-Time Positions	166	

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	22,695,548
Benefits		13,293,757
Training and Civic Affairs		34,445
Communication and Utilities		24,792,906
Materials and Supplies		5,169,663
Contractual Services		9,467,752
Equipment		750,378
Grants and Fixed Charges		1,234,007
Land and Structures		35,000
Operating Transfer Charges		4,659,870
Operating Transfer Credits		(8,009,063)
Total	\$	74,124,263
Total Authorized Full-Time Positions		379

DEPARTMENT OF LAND USE

Salaries and Wages	\$	7,384,566
Benefits		4,337,774
Training and Civic Affairs		63,515
Communication and Utilities		115,975
Materials and Supplies		82,117
Contractual Services		1,536,061
Equipment		70,115
Grants and Fixed Charges		55,500
Operating Transfer Charges		1,126,134
Operating Transfer Credits		(800,651)
Total	\$	13,971,106
Total Authorized Full-Time Positions		118

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	11,533,050
Benefits		5,178,773
Training and Civic Affairs		17,000
Communication and Utilities		1,054,027
Materials and Supplies		1,377,892
Contractual Services		2,131,761
Equipment		35,627
Grants and Fixed Charges		3,110,149
Operating Transfer Charges		1,215,694
Operating Transfer Credits		(188,230)
Total	\$	25,465,743
Total Authorized Full-Time Positions		161

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages		\$	64,723,978
Benefits	36,335,447		<u>39,122,286</u>
Training and Civic Affairs			180,183
Communication and Utilities			1,021,720
Materials and Supplies			1,160,237
Contractual Services			1,999,992
Equipment			1,652,292
Grants and Fixed Charges			6,458,350
Operating Transfer Charges			7,938,182
Total	121,470,381	\$	<u>124,257,220</u>
Total Authorized Full-Time Positions	711		

REGISTER OF WILLS

Salaries and Wages		\$	978,974
Benefits			565,901
Training and Civic Affairs			35,150
Communication and Utilities			12,266
Materials and Supplies			8,384
Contractual Services			25,448
Equipment			1,950
Operating Transfer Charges			80,523
Total		\$	<u>1,708,596</u>
Total Authorized Full-Time Positions	19		

RECORDER OF DEEDS

Salaries and Wages	\$	1,066,594
Benefits		618,100
Training and Civic Affairs		39,820
Communication and Utilities		33,977
Materials and Supplies		12,898
Contractual Services		84,446
Equipment		5,000
Grants and Fixed Charges		18,350
Operating Transfer Charges		150,152
Total	\$	2,029,337
Total Authorized Full-Time Positions		24

SHERIFF

Salaries and Wages	\$	1,173,906
Benefits		689,894
Training and Civic Affairs		29,452
Communication and Utilities		16,181
Materials and Supplies		20,684
Contractual Services		56,398
Equipment		5,000
Operating Transfer Charges		163,243
Total	\$	2,154,758
Total Authorized Full-Time Positions		21

CLERK OF THE PEACE

Salaries and Wages	\$	449,603
Benefits		265,680
Training and Civic Affairs		14,130
Communication and Utilities		5,256
Materials and Supplies		5,424
Contractual Services		23,593
Operating Transfer Charges		30,639
Total	\$	794,325
Total Authorized Full-Time Positions		7

DEBT SERVICE

Debt Service	\$	46,374,026
Total	\$	46,374,026
Total Authorized Full-Time Positions		

ETHICS COMMISSION

Salaries and Wages	\$	39,347
Benefits		3,860
Training and Civic Affairs		10,500
Communication and Utilities		2,223
Materials and Supplies		2,450
Contractual Services		291,116
Equipment		500
Operating Transfer Charges		6,066
Total	\$	356,062
Total Authorized Full-Time Positions		0

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	0
Total	\$	0
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	294,800
Total	\$	294,800
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	0
Personal Services - Employee Benefits	\$	0
Total	\$	0
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	121,540
Total	\$	121,540

NEW CASTLE COUNTY

Salaries and Wages		\$	125,028,079
Benefits	70,050,892		<u>72,837,731</u>
Training and Civic Affairs			638,275
Communication and Utilities			34,071,393
Materials and Supplies			8,060,607
Contractual Services			22,568,688
Equipment			3,037,505
Grants and Fixed Charges			16,772,610
Debt Service			46,374,026
Land and Structures			35,000
Contingency			713,340
Operating Transfer Charges			16,615,827
Operating Transfer Credits			(20,773,462)
<i>Sub-Total New Castle County</i>	<i>323,192,780</i>	\$	<u>325,979,619</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,655</i>		

RESERVE ACCOUNTS AS OF JUNE 27, 2023

Tax Stabilization Reserve Account	69,992,392
Sewer Rate Stabilization Reserve Account	10,663,702
General Fund Budget Reserve Account	44,845,412
Sewer Fund Budget Reserve Account	18,362,788
<i>Total Reserves:</i>	<u>143,864,294</u>

ORDINANCE NO. 23-124

**TO AMEND THE PAY PLAN AND RATES OF PAY FOR UNCLASSIFIED
TEMPORARY SEASONAL AND PART-TIME RECURRING EMPLOYEES OF
NEW CASTLE COUNTY**

WHEREAS, on July 19, 2021, Governor Carney signed into law an act to amend the hourly minimum wage over a four-year period, beginning January 1, 2022; and

WHEREAS, the law requires every employer to pay employees in any occupation wages of a rate not less than \$10.50 per hour effective January 1, 2022; \$11.75 per hour effective January 1, 2023; \$13.25 per hour effective January 1, 2024; and \$15.00 per hour effective January 1, 2025; and

WHEREAS, the County Executive recommended amendments to the Pay Plans and Rates of Pay for Unclassified Temporary Seasonal and Part-Time Recurring Employees to reflect increases via Ordinance 21-130 and County Council approved said Ordinance on November 23, 2021; and

WHEREAS, the County Executive has recommended an additional amendment to the Pay Plans and Rates of Pay for Unclassified Temporary Seasonal and Part-Time Recurring Employees for the classification of Summer Worker/Co-op to comply with the State law.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. The Pay Plan and Rates of Pay for Unclassified Temporary Seasonal and Part-Time Recurring Employees, as set forth in Exhibit "A," is hereby amended by adding the material that is underscored and deleting the matter that is stricken.

Section 2. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Section 3. The provisions in this Ordinance shall become effective on January 1, 2024.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, amends the Pay Plan and Rates of Pay for Unclassified Temporary Seasonal and Part-Time Recurring Employees for the classification of Summer Worker/Co-Op from \$12.50 to \$15.00 effective January 1, 2024.

FISCAL IMPACT: This Ordinance, if approved, amends the Pay Plan and Rates of Pay for Unclassified Temporary Seasonal and Part-Time Recurring Employees for the classification of Summer Worker/Co-Op from \$12.50 to \$15.00 effective January 1, 2024. The estimated fiscal impact on the Operating Budget for (Salaries/Wages and Benefits) is \$15,424 for FY2024, \$30,900 for FY2025 and \$30,900 for FY2026.

**PAY PLAN AND RATES OF PAY FOR
UNCLASSIFIED TEMPORARY SEASONAL AND PART-TIME RECURRING EMPLOYEES**

Classification	1	2	3	4	5	6	7	8	9	10
Research Aide	\$ 15.50	\$ 16.28	\$ 17.09	\$ 17.94	\$ 18.84	\$ 19.78	\$ 20.77	\$ 21.81	\$ 22.90	\$ 24.05
Intern	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23	\$ 19.14	\$ 20.10	\$ 21.11	\$ 22.16	\$ 23.27	\$ 24.43
Parks Public Safety Specialist										
Community Services Worker I	\$ 15.00	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23					
Public Works Worker I										
Community Services Worker II	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23	\$ 19.14					
Public Works Worker II										
Community Services Worker III	\$ 16.54	\$ 17.36	\$ 18.23	\$ 19.14	\$ 20.10					
Public Works Worker III										
Community Services Worker IV	\$ 17.36	\$ 18.23	\$ 19.14	\$ 20.10	\$ 21.11					
Public Works Worker IV										
Community Services Worker V	\$ 18.23	\$ 19.14	\$ 20.10	\$ 21.11	\$ 22.16					
Seasonal Park Patrol Officer										
Summer Worker	\$ 12.50									
Co-Op	\$ 15.00									

Revised: 6/1/2014 (Executive Order and Ordinance 14-027)

Revised: 4/30/18 (Ordinance 18-037)

Revised: 1/1/2022 (Ordinance 21-130)

Revised: 1/1/2022 (Ordinance 22-153)

Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: September 12, 2023

RESOLUTION NO. 23-161

**AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT WITH
INFOR PUBLIC SECTOR INC. TO RENEW THE HANSEN SOFTWARE ANNUAL
TECHNICAL SERVICES MAINTENANCE CONTRACT FOR THE DEPARTMENT OF
ADMINISTRATION, OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES IN
THE AMOUNT OF \$190,636.06**

WHEREAS, *New Castle County Code* § 2.02.004 requires that all contracts involving expenditures of funds in excess of \$50,000.00 in aggregate to one vendor in a fiscal year, which are not competitively bid, be approved by Resolution of County Council; and

WHEREAS, this contract for \$190,636.06 is to renew the Hansen Software annual technical services maintenance agreement used by the Department of Land Use, Department of Public Works, and the Department of Administration.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby approves the contract listed on the attached Exhibit “A”, entitled “New Castle County Purchase Requisition/Justification Form,” as a valid contract in excess of \$50,000.00 pursuant to *New Castle County Code* § 2.02.004.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: This Resolution approves the execution of the listed contract.

Department of Administration, Office of Technology and Administrative Services

Infor Public Sector, Inc. \$190,636.06

FISCAL IMPACT: This Resolution authorizes the execution of one purchase order contract totaling \$190,636.06. Funding is included in the FY2024 Approved Operating Budget in the Department of Administration, Office of Technology and Administrative Services.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION				VENDOR INFORMATION				
NAME	Kathleen Green			FISCAL YR	2024	NAME	Infor Public Sector, Inc.	
DEPARTMENT	ADMINISTRATION_12			FUND	100 GENERAL	ADDRESS	4213 Solutions Center	
ORGANIZATION	10124001 ADMIN - TECHNOLOGY							
PHONE	(302) 395-5257			REQ#	2024/2403567		Chicago, IL 60677-4002	
DELIVERY LOCATION	87 Reads Way New Castle, DE							
SEND VENDOR PO	☐ YES		☒ NO			CONTACT NAME	Shawnna Wagner	
CURRENT VENDOR	☒ YES		☐ NO			PHONE	(961) 921-0883	EXT
VENDOR #	100431					EMAIL	shawnna.wagner@infor.com	FAX #

ADDITIONAL NOTES	

Introduced by: Mr. Hollins
Date of introduction: September 12, 2023

RESOLUTION NO. 23-162

TO RENAME THE PARCEL RECORDED AS “CHATEAU ORLEANS,” TAX PARCEL NUMBER 06-139.00-014, LOCATED AT THE SOUTHWESTERLY SIDE OF THE ROCKWOOD AND SHIPLEY ROAD INTERSECTION, TO “THE CHATEAU APARTMENTS;” APPLICATION NO. 2023-0400; COUNCIL DISTRICT 4

WHEREAS, the owner of record of tax parcel number 06-139.00-014 has petitioned New Castle County to rename the parcel recorded as “Chateau Orleans” to “The Chateau Apartments;” and

WHEREAS, the Department of Land Use contacted the 911 Center and the United States Post Office, per *New Castle County Code* Section 40.31.715, which offer no objection to this renaming.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby renames the parcel recorded as “Chateau Orleans” to “The Chateau Apartments,” pursuant to the Department of Land Use Application No. 2023-0400.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL IMPACT: This resolution will have no immediately discernible fiscal impact on the County.



Department of Land Use

MEMORANDUM

TO: Clerk of Council

FROM: Charuni Patibanda *[Signature]*

RE: Apartment Rename Chateau Orleans to The Chateau Apartments

DATE: August 8, 2023

Upon request of the owners of record for the above subdivision renaming, and whose address range numbering references the street for the above renaming, this department contacted the 911 Center and the Post Office per Section 40.31.715 of the New Castle County Code. Those agencies have no objection to the renamings. The department, therefore, requests that a Resolution of Approval be considered by County Council. The suggested title, synopsis and fiscal note for the resolution are as follows:

RESOLUTION NO. 23 -

TO RENAME THE PARCEL RECORDED AS “**Chateau Orleans**” tax parcel number 06-139.00-014, located at the southwesterly side of Rockwood and Shipley Road intersection to “**The Chateau Apartments**”. Council District 4. (App.# 2023-0400)

Synopsis: Same as Title.

Fiscal Note: This resolution will have no immediately discernible fiscal impact on the County.

cc: Councilman Penrose Hollins

Introduced by: Mr. Hollins, Mr. Street
Date of introduction: August 29, 2023

ORDINANCE NO. 23-106

TO APPROPRIATE \$250,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH BE READY COMMUNITY DEVELOPMENT CORPORATION TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

WHEREAS, Ordinance 21-110 established the Affordable Housing Fund to preserve and develop affordable housing within New Castle County (NCC Code 14.01.020); and

WHEREAS, Ordinance 21-111 allocated \$15,000,000 from the General Fund Tax Stabilization Fund to the Affordable Housing Fund; and

WHEREAS, New Castle County Department of Community Services held public stakeholder meetings to receive feedback and input on the Affordable Housing Fund created to preserve and create affordable housing in New Castle County; and

WHEREAS, from that feedback, the New Castle County Department of Community Services released a public Request for Proposals for eligible applicants to apply for funding through the Affordable Housing Fund; and

WHEREAS, the Be Ready Community Development Corporation was identified during this process for the rehabilitation of properties located between 1500-1514 W 4th Street in Wilmington, Delaware, and rented to those families earning less than 90% area median income (AMI); and

WHEREAS, the Housing Trust Fund is a separate fund from the Affordable Housing Fund, and the Housing Trust Fund can only be expended for projects within unincorporated areas of New Castle County and there are no Housing Trust Funds included in the funding of this Ordinance; and

WHEREAS, the revenue measures heretofore adopted by County Council are necessary to preserve and develop affordable housing within New Castle County; and

WHEREAS, each contract or purchase order funded through this Affordable Housing Fund appropriation will be submitted on a Resolution for Council's consideration as required by *New Castle County Code* § 2.02.004.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. To preserve and develop an affordable housing project, \$250,000 in the New Castle County Affordable Housing Fund is hereby appropriated to be administered by the Department of Community Services.

Section 2. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, appropriates \$250,000 in the New Castle County Affordable Housing Fund. The available funding in the Affordable Housing Fund was transferred from the General Fund via Ordinance 21-111. There are no Housing Trust Funds included in the funding of this Ordinance. The funds will be administered by the Department of Community Services for the Be Ready Community Development Corporation for the rehabilitation of properties located between 1500-1514 W 4th Street in Wilmington, Delaware, and rented to those families earning less than 90% area median income (AMI).

FISCAL NOTE: This Ordinance, if approved, will appropriate \$250,000 in the New Castle County Affordable Housing Fund. There is no discernible impact to the Operating Budget since this is an appropriation in the Affordable Housing Fund. The intent is to appropriate funds in the Grant and Fixed Charges Budget Line Item. The balance of the Affordable Housing Fund is \$13,770,217.51 as of June 30, 2023.

Introduced by: Mr. Hollins, Mr. Street
Date of introduction: August 29, 2023

ORDINANCE NO. 23-107

TO APPROPRIATE \$400,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH TODMORDEN FOUNDATION TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

WHEREAS, Ordinance 21-110 established the Affordable Housing Fund to preserve and develop affordable housing within New Castle County (NCC Code 14.01.020); and

WHEREAS, Ordinance 21-111 allocated \$15,000,000 from the General Fund Tax Stabilization Fund to the Affordable Housing Fund; and

WHEREAS, the New Castle County Department of Community Services held public stakeholder meetings to receive feedback and input on the Affordable Housing Fund created to preserve and create affordable housing in New Castle County; and

WHEREAS, from that feedback, the New Castle County Department of Community Services released a public Request for Proposals for eligible applicants to apply for funding through the Affordable Housing Fund; and

WHEREAS, the Todmorden Foundation was identified during this process for the rehabilitation of six properties located between 1007-1017 Bennett Street in Wilmington, Delaware, and rented to those families earning less than 80% area median income (AMI); and

WHEREAS, the Housing Trust Fund is a separate fund from the Affordable Housing Fund, and the Housing Trust Fund can only be expended for projects within unincorporated areas of New Castle County and there are no Housing Trust Funds included in the funding of this Ordinance; and

WHEREAS, the revenue measures heretofore adopted by County Council are necessary to preserve and develop affordable housing within New Castle County; and

WHEREAS, each contract or purchase order funded through this Affordable Housing Fund appropriation will be submitted on a Resolution for Council's consideration as required by *New Castle County Code* § 2.02.004.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. To preserve and develop an affordable housing project, \$400,000 in the New Castle County Affordable Housing Fund is hereby appropriated to be administered by the Department of Community Services.

Section 2. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, appropriates \$400,000 in the New Castle County Affordable Housing Fund. The available funding in the Affordable Housing Fund was transferred from the General Fund via Ordinance 21-111. There are no Housing Trust Funds included in the funding of this Ordinance. The funds will be administered by the Department of Community Services for the Todmorden Foundation for the rehabilitation of six properties located between 1007-1017 Bennett Street in Wilmington, Delaware, and rented to those families earning less than 80% area median income (AMI).

FISCAL NOTE: This Ordinance, if approved, will appropriate \$400,000 in the New Castle County Affordable Housing Fund. There is no discernible impact to the Operating Budget since this is an appropriation in the Affordable Housing Fund. The intent is to appropriate funds in the Grant and Fixed Charges Budget Line Item. The balance of the Affordable Housing Fund is \$13,770,217.51 as of June 30, 2023.

Introduced by: Mr. Hollins, Mr. Street
Date of introduction: August 29, 2023

ORDINANCE NO. 23-108

TO APPROPRIATE \$250,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH STUART ALEXANDER AND ASSOCIATES INC. TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

WHEREAS, Ordinance 21-110 established the Affordable Housing Fund to preserve and develop affordable housing within New Castle County (NCC Code 14.01.020); and

WHEREAS, Ordinance 21-111 allocated \$15,000,000 from the General Fund Tax Stabilization Fund to the Affordable Housing Fund; and

WHEREAS, the New Castle County Department of Community Services held public stakeholder meetings to receive feedback and input on the Affordable Housing Fund created to preserve and create affordable housing in New Castle County; and

WHEREAS, from that feedback, the New Castle County Department of Community Services released a public Request for Proposals for eligible applicants to apply for funding through the Affordable Housing Fund; and

WHEREAS, Stuart Alexander and Associates Inc. was identified during this process for the rehabilitation of seven properties located at 225 W 4th Street, 701 W 4th Street, 707 W 4th Street, 200 Walnut Street, 303 E 2nd Street, 201 Madison Street and 418 Monroe Street in Wilmington, Delaware and rented to those families earning less than 80% area median income (AMI); and

WHEREAS, the Housing Trust Fund is a separate fund from the Affordable Housing Fund, and the Housing Trust Fund can only be expended for projects within unincorporated areas of New Castle County and there are no Housing Trust Funds included in the funding of this Ordinance; and

WHEREAS, the revenue measures heretofore adopted by County Council are necessary to preserve and develop affordable housing within New Castle County; and

WHEREAS, each contract or purchase order funded through this Affordable Housing Fund appropriation will be submitted on a Resolution for Council's consideration as required by *New Castle County Code* § 2.02.004.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. To preserve and develop an affordable housing project, \$250,000 in the New Castle County Affordable Housing Fund is hereby appropriated to be administered by the Department of Community Services.

Section 2. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, appropriates \$250,000 in the New Castle County Affordable Housing Fund. The available funding in the Affordable Housing Fund was transferred from the General Fund via Ordinance 21-111. There are no Housing Trust Funds included in the funding of this Ordinance. The funds will be administered by the Department of Community Services for Stuart Alexander and Associates Inc. for the rehabilitation of seven properties located at 225 W 4th Street, 701 W 4th Street, 707 W 4th Street, 200 Walnut Street, 303 E 2nd Street, 201 Madison Street and 418 Monroe Street in Wilmington, Delaware and rented to those families earning less than 80% area median income (AMI).

FISCAL NOTE: This Ordinance, if approved, will appropriate \$250,000 in the New Castle County Affordable Housing Fund. There is no discernible impact to the Operating Budget since this is an appropriation in the Affordable Housing Fund. The intent is to appropriate funds in the Grant and Fixed Charges Budget Line Item. The balance of the Affordable Housing Fund is \$13,770,217.51 as of June 30, 2023.

Introduced by: Mr. Hollins, Mr. Street
Date of introduction: August 29, 2023

ORDINANCE NO. 23-109

TO APPROPRIATE \$3,500,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH DELAWARE VALLEY DEVELOPMENT CORPORATION TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

WHEREAS, Ordinance 21-110 established the Affordable Housing Fund to preserve and develop affordable housing within New Castle County (NCC Code 14.01.020); and

WHEREAS, Ordinance 21-111 allocated \$15,000,000 from the General Fund Tax Stabilization Fund to the Affordable Housing Fund; and

WHEREAS, New Castle County Department of Community Services held public stakeholder meetings to receive feedback and input on the Affordable Housing Fund created to preserve and create affordable housing in New Castle County; and

WHEREAS, from that feedback, the New Castle County Department of Community Services released a public Request for Proposals for eligible applicants to apply for funding through the Affordable Housing Fund; and

WHEREAS, the Delaware Valley Development Corporation was identified during this process for the acquisition and new construction of eighty units of affordable elderly housing located at 6060 Limestone Road in Hockessin, Delaware of which fifty-six units will be offered to households earning at or below 60% area median income (AMI); and

WHEREAS, the Housing Trust Fund is a separate fund from the Affordable Housing Fund, and the Housing Trust Fund can only be expended for projects within unincorporated areas of New Castle County and there are no Housing Trust Funds included in the funding of this Ordinance; and

WHEREAS, the revenue measures heretofore adopted by County Council are necessary to preserve and develop affordable housing within New Castle County; and

WHEREAS, each contract or purchase order funded through this Affordable Housing Fund appropriation will be submitted on a Resolution for Council's consideration as required by *New Castle County Code* § 2.02.004.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. To preserve and develop an affordable housing project, \$3,500,000 in the New Castle County Affordable Housing Fund is hereby appropriated to be administered by the Department of Community Services.

Section 2. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, appropriates \$3,500,000 in the New Castle County Affordable Housing Fund. The available funding in the Affordable Housing Fund was transferred from the General Fund via Ordinance 21-111. There are no Housing Trust Funds included in the funding of this Ordinance. The funds will be administered by the Department of Community Services for Delaware Valley Development Corporation for the acquisition and new construction of eighty units of affordable elderly housing located at 6060 Limestone Road in Hockessin, Delaware of which fifty-six units will be offered to households earning at or below 60% area median income (AMI).

FISCAL NOTE: This Ordinance, if approved, will appropriate \$3,500,000 in the New Castle County Affordable Housing Fund. There is no discernible impact to the Operating Budget since this is an appropriation in the Affordable Housing Fund. The intent is to appropriate funds in the Grant and Fixed Charges Budget Line Item. The balance of the Affordable Housing Fund is \$13,770,217.51 as of June 30, 2023.

ORDINANCE NO. 23-110

**AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE
EMERGENCY SERVICES EMPLOYEES REPRESENTED BY THE DELAWARE
PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 3911**

WHEREAS, the County Executive recommended amendments to the Pay Plans and Rates of Pay for Classified Service Emergency Services Employees represented by the Delaware Public Employees Council 81, AFSCME, AFL-CIO, Affiliate Local 3911 (hereinafter “Local 3911”) to reflect wage increases agreed to during contract negotiations; and

WHEREAS, after County Council approved Ordinance 23-062 on June 13, 2023, representatives of Local 3911 questioned the calculation methodology for the newly established Pay Grade 28 on the Pay Plan and Rates of Pay for Classified Service Emergency Services Employees represented by Local 3911 (Non-EMS Classifications); and

WHEREAS, the Administration reconsidered the calculation methodology and is recommending an amendment to the Pay Plan and Rates of Pay for Classified Service Emergency Services Employees represented by Local 3911 (Non-EMS Classifications) for the newly established Pay Grade 28.

NOW, THEREFORE, THE NEW CASTLE COUNTY COUNCIL HEREBY ORDAINS:

Section 1. The Pay Plan and Rates of Pay for Classified Service Emergency Services Employees represented by Local 3911 (Non-EMS Classifications), for the period July 1, 2023 through June 30, 2024, is hereby amended by adding the material that is underscored and deleting the material that is stricken as set forth in Exhibit “A”.

Section 2. The Pay Plan and Rates of Pay for Classified Service Emergency Services Employees represented by Local 3911 (Non-EMS Classifications), for the period July 1, 2024 through June 30, 2025, is hereby amended by adding the material that is underscored and deleting the material that is stricken as set forth in Exhibit “B”.

Section 3. The Pay Plan and Rates of Pay for Classified Service Emergency Services Employees represented by Local 3911 (Non-EMS Classifications), for the period July 1, 2025 through June 30, 2026, is hereby amended by adding the material that is underscored and deleting the material that is stricken as set forth in Exhibit “C”.

Section 4. The Pay Plan and Rates of Pay for Classified Service Emergency Services Employees represented by Local 3911 (Non-EMS Classifications), effective July 1, 2026, is hereby amended by adding the material that is underscored and deleting the material that is stricken as set forth in Exhibit “D”.

Section 9. This Ordinance shall be effective upon adoption by New Castle County Council and approval of the County Executive.

Section 10. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to July 1, 2023.

Adopted by County Council of
New Castle County on:

President of County Council
New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, amends the pay plans and rates of pay for the newly established Pay Grade 28 for Classified Service Emergency Services Employees (Non-EMS Classifications) represented by Local 3911 for the period of July 1, 2023 through June 30, 2027.

FISCAL NOTE: This Ordinance, if approved, amends the pay plans and rates of pay for the newly established Pay Grade 28 for Classified Service Emergency Services Employees (Non-EMS Classifications) represented by Local 3911 for the period of July 1, 2023 through June 30, 2027.

There are currently 3 employees in the newly established Pay Grade 28 and the total estimated fiscal impact (Salaries/Wages and Benefits) of the amendments to the pay plans and rates of pay for the newly established Pay Grade 28 for the period of July 1, 2023 through June 30, 2027 and are as follows:

FY2024	\$1,128
FY2025	\$1,156
FY2026	\$1,185
FY2027	\$1,215

CLASSIFICATION	Pay Grade	1	2	3	4	5	6	7	8	9	10	11*
Emergency Medical Technician	15	16.923 35,687	17.768 37,470	18.657 39,343	19.590 41,310	20.569 43,376	21.598 45,545	22.678 47,823	23.812 50,214	25.002 52,724	26.253 55,361	
Emergency Call Operator	16	17.768 37,470	18.657 39,343	19.590 41,310	20.569 43,376	21.598 45,545	22.678 47,823	23.812 50,214	25.002 52,724	26.253 55,361	27.566 58,132	
Emergency Call Operator Coordinator	17	18.657 39,343	19.590 41,310	20.569 43,376	21.598 45,545	22.678 47,823	23.812 50,214	25.002 52,724	26.253 55,361	27.566 58,132	28.945 61,038	
Public Safety Operator I	18	19.590 41,310	20.569 43,376	21.598 45,545	22.678 47,823	23.812 50,214	25.002 52,724	26.253 55,361	27.566 58,132	28.945 61,038	30.392 64,090	18.657 39,343
Public Safety Operator II	19	20.569 43,376	21.598 45,545	22.678 47,823	23.812 50,214	25.002 52,724	26.253 55,361	27.566 58,132	28.945 61,038	30.392 64,090	31.911 67,295	
Public Safety Operator III - CTO Fire/Medical Communications Specialist Police Communications Specialist Senior Public Safety Operator II	20	21.598 45,545	22.678 47,823	23.812 50,214	25.002 52,724	26.253 55,361	27.566 58,132	28.945 61,038	30.392 64,090	31.911 67,295	33.507 70,660	
Telecommunicator I - Police Telecommunicator I - Fire/Medical	21	22.678 47,823	23.812 50,214	25.002 52,724	26.253 55,361	27.566 58,132	28.945 61,038	30.392 64,090	31.911 67,295	33.507 70,660	35.183 74,193	
Telecommunicator II - Police Telecommunicator II - Fire/Medical	22	23.812 50,214	25.002 52,724	26.253 55,361	27.566 58,132	28.945 61,038	30.392 64,090	31.911 67,295	33.507 70,660	35.183 74,193	36.942 77,903	22.678 47,823
Senior Telecommunicator II - Police Senior Telecommunicator II - Fire/Medical Telecommunicator III - Police - CTO Telecommunicator III - Fire/Medical - CTO	23	25.002 52,724	26.253 55,361	27.566 58,132	28.945 61,038	30.392 64,090	31.911 67,295	33.507 70,660	35.183 74,193	36.942 77,903	38.789 81,799	
Telecommunicator IV - Police & Fire/EMS Communications	24	26.253 55,361	27.566 58,132	28.945 61,038	30.392 64,090	31.911 67,295	33.507 70,660	35.183 74,193	36.942 77,903	38.789 81,799	40.729 85,890	
Assistant Platoon Leader - Police Assistant Platoon Leader - Fire/Medical	25	27.566 58,132	28.945 61,038	30.392 64,090	31.911 67,295	33.507 70,660	35.183 74,193	36.942 77,903	38.789 81,799	40.729 85,890	42.765 90,183	
Emergency Services Team Leader Senior Assistant Platoon Leader - Police Senior Assistant Platoon Leader - Fire/Medical	26	28.945 61,038	30.392 64,090	31.911 67,295	33.507 70,660	35.183 74,193	36.942 77,903	38.789 81,799	40.729 85,890	42.765 90,183	44.903 94,692	
Emergency Communications Info & Tech Coordinator Quality Assurance Coordinator Telecommunications Training Officer Coordinator	28	31.839 31.911 67,142 67,295	33.431 33.507 70,500 70,660	35.103 35.182 74,024 74,193	36.858 36.942 77,726 77,903	38.701 38.789 81,612 81,798	40.636 40.729 85,694 85,889	42.668 42.765 89,979 90,183	44.802 44.904 94,479 94,693	47.042 47.149 99,201 99,427	49.394 49.506 104,161 104,398	

Effective: 07/01/2023 (Ordinance 23-062)

Revised: 08/29/2023 (Ordinance 23-xxx) - Updated calculation for Paygrade 28

Notes: The hourly rates listed are the rates assigned to the 2-2-4 shift. Per Resolution 05-246 (effective 4/1/2007), hourly rate shall be calculated on 2108.8 hours.

*Denotes training rate

CLASSIFICATION	Pay Grade	1	2	3	4	5	6	7	8	9	10	11*
Emergency Medical Technician	15	17.346 36,579	18.213 38,407	19.123 40,327	20.079 42,343	21.083 44,460	22.138 46,684	23.245 49,018	24.407 51,470	25.627 54,042	26.909 56,745	
Emergency Call Operator	16	18.213 38,407	19.123 40,327	20.079 42,343	21.083 44,460	22.138 46,684	23.245 49,018	24.407 51,470	25.627 54,042	26.909 56,745	28.255 59,585	
Emergency Call Operator Coordinator	17	19.123 40,327	20.079 42,343	21.083 44,460	22.138 46,684	23.245 49,018	24.407 51,470	25.627 54,042	26.909 56,745	28.255 59,585	29.668 62,564	
Public Safety Operator I	18	20.079 42,343	21.083 44,460	22.138 46,684	23.245 49,018	24.407 51,470	25.627 54,042	26.909 56,745	28.255 59,585	29.668 62,564	31.152 65,693	19.123 40,327
Public Safety Operator II	19	21.083 44,460	22.138 46,684	23.245 49,018	24.407 51,470	25.627 54,042	26.909 56,745	28.255 59,585	29.668 62,564	31.152 65,693	32.709 68,977	
Public Safety Operator III - CTO Fire/Medical Communications Specialist Police Communications Specialist Senior Public Safety Operator II	20	22.138 46,684	23.245 49,018	24.407 51,470	25.627 54,042	26.909 56,745	28.255 59,585	29.668 62,564	31.152 65,693	32.709 68,977	34.345 72,427	
Telecommunicator I - Police Telecommunicator I - Fire/Medical	21	23.245 49,018	24.407 51,470	25.627 54,042	26.909 56,745	28.255 59,585	29.668 62,564	31.152 65,693	32.709 68,977	34.345 72,427	36.062 76,048	
Telecommunicator II - Police Telecommunicator II - Fire/Medical	22	24.407 51,470	25.627 54,042	26.909 56,745	28.255 59,585	29.668 62,564	31.152 65,693	32.709 68,977	34.345 72,427	36.062 76,048	37.866 79,851	23.245 49,018
Senior Telecommunicator II - Police Senior Telecommunicator II - Fire/Medical Telecommunicator III - Police - CTO Telecommunicator III - Fire/Medical - CTO	23	25.627 54,042	26.909 56,745	28.255 59,585	29.668 62,564	31.152 65,693	32.709 68,977	34.345 72,427	36.062 76,048	37.866 79,851	39.759 83,844	
Telecommunicator IV - Police & Fire/EMS Communications	24	26.909 56,745	28.255 59,585	29.668 62,564	31.152 65,693	32.709 68,977	34.345 72,427	36.062 76,048	37.866 79,851	39.759 83,844	41.747 88,037	
Assistant Platoon Leader - Police Assistant Platoon Leader - Fire/Medical	25	28.255 59,585	29.668 62,564	31.152 65,693	32.709 68,977	34.345 72,427	36.062 76,048	37.866 79,851	39.759 83,844	41.747 88,037	43.834 92,438	
Emergency Services Team Leader Senior Assistant Platoon Leader - Police Senior Assistant Platoon Leader - Fire/Medical	26	29.668 62,564	31.152 65,693	32.709 68,977	34.345 72,427	36.062 76,048	37.866 79,851	39.759 83,844	41.747 88,037	43.834 92,438	46.026 97,059	
Emergency Communications Info & Tech Coordinator Quality Assurance Coordinator Telecommunications Training Officer Coordinator	28	32.635 32.709 68,821 68,977	34.267 34.345 72,262 72,426	35.980 36.062 75,875 76,047	37.780 37.865 79,670 79,851	39.668 39.758 83,652 83,843	41.652 41.747 87,836 88,036	43.735 43.834 92,228 92,438	45.922 46.026 96,840 97,061	48.218 48.327 101,681 101,913	50.628 50.743 106,765 107,008	

Effective: 07/01/2024 (Ordinance 23-062)

Revised: 08/29/2023 (Ordinance 23-xxx) - Updated calculation for Paygrade 28

Notes: The hourly rates listed are the rates assigned to the 2-2-4 shift. Per Resolution 05-246 (effective 4/1/2007), hourly rate shall be calculated on 2108.8 hours.

*Denotes training rate

CLASSIFICATION	Pay Grade	1	2	3	4	5	6	7	8	9	10	11*
Emergency Medical Technician	15	17,779 37,493	18,668 39,367	19,601 41,335	20,581 43,402	21,610 45,572	22,691 47,851	23,826 50,244	25,017 52,756	26,268 55,393	27,582 58,164	
Emergency Call Operator	16	18,668 39,367	19,601 41,335	20,581 43,402	21,610 45,572	22,691 47,851	23,826 50,244	25,017 52,756	26,268 55,393	27,582 58,164	28,962 61,075	
Emergency Call Operator Coordinator	17	19,601 41,335	20,581 43,402	21,610 45,572	22,691 47,851	23,826 50,244	25,017 52,756	26,268 55,393	27,582 58,164	28,962 61,075	30,410 64,128	
Public Safety Operator I	18	20,581 43,402	21,610 45,572	22,691 47,851	23,826 50,244	25,017 52,756	26,268 55,393	27,582 58,164	28,962 61,075	30,410 64,128	31,931 67,335	19,601 41,335
Public Safety Operator II	19	21,610 45,572	22,691 47,851	23,826 50,244	25,017 52,756	26,268 55,393	27,582 58,164	28,962 61,075	30,410 64,128	31,931 67,335	33,527 70,702	
Public Safety Operator III - CTO Fire/Medical Communications Specialist Police Communications Specialist Senior Public Safety Operator II	20	22,691 47,851	23,826 50,244	25,017 52,756	26,268 55,393	27,582 58,164	28,962 61,075	30,410 64,128	31,931 67,335	33,527 70,702	35,204 74,238	
Telecommunicator I - Police Telecommunicator I - Fire/Medical	21	23,826 50,244	25,017 52,756	26,268 55,393	27,582 58,164	28,962 61,075	30,410 64,128	31,931 67,335	33,527 70,702	35,204 74,238	36,964 77,949	
Telecommunicator II - Police Telecommunicator II - Fire/Medical	22	25,017 52,756	26,268 55,393	27,582 58,164	28,962 61,075	30,410 64,128	31,931 67,335	33,527 70,702	35,204 74,238	36,964 77,949	38,812 81,847	23,826 50,244
Senior Telecommunicator II - Police Senior Telecommunicator II - Fire/Medical Telecommunicator III - Police - CTO Telecommunicator III - Fire/Medical - CTO	23	26,268 55,393	27,582 58,164	28,962 61,075	30,410 64,128	31,931 67,335	33,527 70,702	35,204 74,238	36,964 77,949	38,812 81,847	40,753 85,940	
Telecommunicator IV - Police & Fire/EMS Communications	24	27,582 58,164	28,962 61,075	30,410 64,128	31,931 67,335	33,527 70,702	35,204 74,238	36,964 77,949	38,812 81,847	40,753 85,940	42,791 90,238	
Assistant Platoon Leader - Police Assistant Platoon Leader - Fire/Medical	25	28,962 61,075	30,410 64,128	31,931 67,335	33,527 70,702	35,204 74,238	36,964 77,949	38,812 81,847	40,753 85,940	42,791 90,238	44,930 94,749	
Emergency Services Team Leader Senior Assistant Platoon Leader - Police Senior Assistant Platoon Leader - Fire/Medical	26	30,410 64,128	31,931 67,335	33,527 70,702	35,204 74,238	36,964 77,949	38,812 81,847	40,753 85,940	42,791 90,238	44,930 94,749	47,176 99,486	
Emergency Communications Info & Tech Coordinator Quality Assurance Coordinator Telecommunications Training Officer Coordinator	28	33,451 33,527 70,541 70,702	35,124 35,203 74,069 74,237	36,880 36,963 77,772 77,949	38,724 38,812 81,661 81,847	40,660 40,752 85,744 85,939	42,694 42,791 90,032 90,237	44,828 44,930 94,534 94,749	47,070 47,177 99,261 99,487	49,423 49,535 104,223 104,460	51,894 52,012 109,434 109,683	

Effective: 07/01/2025 (Ordinance 23-062)

Revised: 08/29/2023 (Ordinance 23-xxx) - Updated calculation for Paygrade 28

Notes: The hourly rates listed are the rates assigned to the 2-2-4 shift. Per Resolution 05-246 (effective 4/1/2007), hourly rate shall be calculated on 2108.8 hours.

*Denotes training rate

CLASSIFICATION	Pay Grade	1	2	3	4	5	6	7	8	9	10	11*
Emergency Medical Technician	15	18,224 38,430	19,135 40,351	20,091 42,368	21,096 44,487	22,151 46,711	23,258 49,047	24,421 51,500	25,643 54,075	26,924 56,778	28,271 59,618	
Emergency Call Operator	16	19,135 40,351	20,091 42,368	21,096 44,487	22,151 46,711	23,258 49,047	24,421 51,500	25,643 54,075	26,924 56,778	28,271 59,618	29,686 62,601	
Emergency Call Operator Coordinator	17	20,091 42,368	21,096 44,487	22,151 46,711	23,258 49,047	24,421 51,500	25,643 54,075	26,924 56,778	28,271 59,618	29,686 62,601	31,170 65,732	
Public Safety Operator I	18	21,096 44,487	22,151 46,711	23,258 49,047	24,421 51,500	25,643 54,075	26,924 56,778	28,271 59,618	29,686 62,601	31,170 65,732	32,729 69,018	20,091 42,368
Public Safety Operator II	19	22,151 46,711	23,258 49,047	24,421 51,500	25,643 54,075	26,924 56,778	28,271 59,618	29,686 62,601	31,170 65,732	32,729 69,018	34,365 72,469	
Public Safety Operator III - CTO Fire/Medical Communications Specialist Police Communications Specialist Senior Public Safety Operator II	20	23,258 49,047	24,421 51,500	25,643 54,075	26,924 56,778	28,271 59,618	29,686 62,601	31,170 65,732	32,729 69,018	34,365 72,469	36,084 76,094	
Telecommunicator I - Police Telecommunicator I - Fire/Medical	21	24,421 51,500	25,643 54,075	26,924 56,778	28,271 59,618	29,686 62,601	31,170 65,732	32,729 69,018	34,365 72,469	36,084 76,094	37,888 79,898	
Telecommunicator II - Police Telecommunicator II - Fire/Medical	22	25,643 54,075	26,924 56,778	28,271 59,618	29,686 62,601	31,170 65,732	32,729 69,018	34,365 72,469	36,084 76,094	37,888 79,898	39,783 83,894	24,421 51,500
Senior Telecommunicator II - Police Senior Telecommunicator II - Fire/Medical Telecommunicator III - Police - CTO Telecommunicator III - Fire/Medical - CTO	23	26,924 56,778	28,271 59,618	29,686 62,601	31,170 65,732	32,729 69,018	34,365 72,469	36,084 76,094	37,888 79,898	39,783 83,894	41,772 88,089	
Telecommunicator IV - Police & Fire/EMS Communications	24	28,271 59,618	29,686 62,601	31,170 65,732	32,729 69,018	34,365 72,469	36,084 76,094	37,888 79,898	39,783 83,894	41,772 88,089	43,861 92,494	
Assistant Platoon Leader - Police Assistant Platoon Leader - Fire/Medical	25	29,686 62,601	31,170 65,732	32,729 69,018	34,365 72,469	36,084 76,094	37,888 79,898	39,783 83,894	41,772 88,089	43,861 92,494	46,053 97,117	
Emergency Services Team Leader Senior Assistant Platoon Leader - Police Senior Assistant Platoon Leader - Fire/Medical	26	31,170 65,732	32,729 69,018	34,365 72,469	36,084 76,094	37,888 79,898	39,783 83,894	41,772 88,089	43,861 92,494	46,053 97,117	48,356 101,973	
Emergency Communications Info & Tech Coordinator Quality Assurance Coordinator Telecommunications Training Officer Coordinator	28	34,287 72,305 72,469	36,002 75,920 76,093	37,802 79,716 79,897	39,692 83,703 83,893	41,676 87,887 88,087	43,761 92,283 92,493	45,949 96,897 97,118	48,247 101,743 101,974	50,659 106,829 107,072	53,191 112,170 112,425	

Effective: 07/01/2026 (Ordinance 23-062)

Revised: 08/29/2023 (Ordinance 23-xxx) - Updated calculation for Paygrade 28

Notes: The hourly rates listed are the rates assigned to the 2-2-4 shift. Per Resolution 05-246 (effective 4/1/2007), hourly rate shall be calculated on 2108.8 hours.

*Denotes training rate

Introduced by: Mr. Hollins, Mr. Street
Date of introduction: August 29, 2023

ORDINANCE NO. 23-111

**TO APPROPRIATE \$20,000 IN THE NEW CASTLE COUNTY HOUSING TRUST FUND
TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES**

WHEREAS, the New Castle County Housing Trust Fund was created with the support of County Council for the “purpose of dedicating public funds and revenues from other sources to address the housing needs of very low income households earning less than 50% of median income, low income households earning 50 to 80% of median income, and moderate income households earning 80% to 120% of median income” (see Resolution No. 07-176 as amended by Amendment No. 1); and

WHEREAS, the Housing Trust Fund will be used to promote the preservation and development of affordable housing within New Castle County with priorities recommended by the Housing Advisory Board; and

WHEREAS, the Housing Trust Fund has a balance of \$1,913,675.67 as of June 30, 2023 and the appropriation of \$20,000 from the fund is necessary to support tree and tree debris removal for income eligible (80% AMI) senior homeowners; and

WHEREAS, these funds are matching the \$20,000 in the FY2024 Approved Operating Budget in the Department of Community Services, Division of Administration that is being used for tree and tree debris removal for income eligible (80% AMI) senior homeowners; and

WHEREAS, the senior citizen tree program is for income eligible senior homeowners to help with the removal of dead, dying or damaged trees or significant debris from trees that was caused by storms; and

WHEREAS, the senior applicants will follow the same application process that is used for the senior repair program and the homes have to be owner occupied; and

WHEREAS, the Housing Trust Fund is a separate fund from the Affordable Housing Fund, and the Housing Trust Fund can only be expended for projects within unincorporated areas of New Castle County and there are no Affordable Housing Funds included in the funding of this Ordinance; and

WHEREAS, the revenue measures heretofore adopted by County Council are necessary to preserve and development affordable housing within New Castle County; and

WHEREAS, each contract or purchase order funded through this Housing Trust Fund appropriation will be submitted on a Resolution for Council’s consideration as required by *New Castle County Code* § 2.02.004.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. To promote the preservation and development of affordable housing within New Castle County, \$20,000 in the New Castle County Housing Trust Fund is hereby appropriated to be administered by the Department of Community Services.

Section 2. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, appropriates \$20,000 in the New Castle County Housing Trust Fund to support tree and tree debris removal for income eligible senior homeowners. There are no Affordable Housing Funds included in the funding of this Ordinance. The funds will be administered by the Department of Community Services to fund housing projects in New Castle County.

FISCAL NOTE: This Ordinance, if approved, will appropriate \$20,000 in the New Castle County Housing Trust Fund to support tree and tree debris removal for income eligible senior homeowners. These funds are matching the \$20,000 in the FY2024 Approved Operating Budget in the Department of Community Services, Division of Administration that is being used for tree and tree debris removal for income eligible (80% AMI) senior homeowners. There is no discernible impact to the Operating Budget since this is an appropriation in the Housing Trust Fund. The intent is to appropriate funds in the Contractual Services Budget Line Item.

ORDINANCE NO. 23-112

**AMEND THE PAY PLAN AND RATES OF PAY FOR
UNCLASSIFIED SERVICE, SCHOOL CROSSING GUARDS REPRESENTED BY THE
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS,
LOCAL 2270, AFL-CIO**

WHEREAS, the County Executive has recommended an amendment to the Pay Plan and Rates of Pay for Unclassified Service, School Crossing Guards represented by the International Brotherhood of Electrical Workers, Local 2270, AFL-CIO to reflect wage increases agreed to during contract negotiations.

THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. The Pay Plan and Rates of Pay for Unclassified Service, School Crossing Guards represented by the International Brotherhood of Electrical Workers, Local 2270, AFL-CIO effective January 1, 2023 through December 31, 2023, as set forth in Exhibit “A”, all of which shall be considered stricken, is hereby deleted in its entirety, retroactive to January 1, 2023.

Section 2. The Pay Plan and Rates of Pay for Unclassified Service, School Crossing Guards represented by the International Brotherhood of Electrical Workers, Local 2270, AFL-CIO effective January 1, 2024 through December 31, 2024, as set forth in Exhibit “B”, all of which shall be considered underscored, is hereby adopted in its entirety.

Section 3. The Pay Plan and Rates of Pay for Unclassified Service, School Crossing Guards represented by the International Brotherhood of Electrical Workers, Local 2270, AFL-CIO effective January 1, 2025 through December 31, 2025, as set forth in Exhibit “C”, all of which shall be considered underscored, is hereby adopted in its entirety.

Section 4. The Pay Plan and Rates of Pay for Unclassified Service, School Crossing Guards represented by the International Brotherhood of Electrical Workers, Local 2270, AFL-CIO effective January 1, 2026 as set forth in Exhibit “D”, all of which shall be considered underscored, is hereby adopted in its entirety.

Section 5. This Ordinance shall become effective immediately upon its adoption by County Council and approval of the County Executive, or as otherwise provided in 9 Del. C. § 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive

SYNOPSIS: This Ordinance, if approved, puts into effect wage increases resulting from the County's negotiations with Local 2270. The four-year contract, retroactive to January 1, 2023, provides for increases in each year.

Currently all members of the bargaining unit are at step 4 through 10. The bargaining agreement resets all employees currently at step 4 through 10 to steps 1 through 7 respectively and recalculates steps 8 through 10. The contract further provides for a 2.5% wage increase for the period January 1, 2023 through December 31, 2023; 2.5% wage increase in the second year effective January 1, 2024; a 2.5% wage increase in the third year effective January 1, 2025 and a 2.5% increase in the fourth year effective January 1, 2026. Additionally, members of the bargaining unit who did not receive a hiring bonus shall receive a one-time \$500 retention incentive payment.

FISCAL NOTE: This Ordinance, if approved, will approve amendments to the Pay Plan and Rates of Pay for Unclassified Service, School Crossing Guards represented by the International Brotherhood of Electrical Workers, Local 2270, AFL-CIO. The fiscal impacts (Salaries/Wages and Employee Benefits) of the Collective Bargaining agreement for the period of January 1, 2023 through December 31, 2026 are as follows:

FY2023	\$150,436
FY2024	\$247,020
FY2025	\$426,771
FY2026	\$579,997
FY2027	\$640,045

**PAY PLAN AND RATES OF PAY FOR
UNION, UNCLASSIFIED, SCHOOL CROSSING GUARDS
REPRESENTED BY IBEW, LOCAL 2270, AFL-CIO**

23-112

EXHIBIT A

	STEP									
Classification	1	2	3	4	5	6	7	8	9	10
School Crossing Guard	\$ 15.43	\$ 16.20	\$ 17.01	\$ 17.86	\$ 18.75	\$ 19.69	\$ 20.67	\$ 21.71	\$ 22.79	\$ 23.93

Effective: 01/01/2023

Currently all members of the bargaining unit are at step 4 through 10. The bargaining agreement resets all employees currently at step 4 through 10 to steps 1 through 7 respectively and recalculates steps 8 through 10. Additionally, members of the bargaining unit who did not receive a hiring bonus shall receive a one-time \$500 retention incentive payment.

EXHIBIT B

	STEP									
Classification	1	2	3	4	5	6	7	8	9	10
School Crossing Guard	\$ 15.81	\$ 16.60	\$ 17.43	\$ 18.30	\$ 19.22	\$ 20.18	\$ 21.19	\$ 22.25	\$ 23.36	\$ 24.53

Effective: 01/01/2024

EXHIBIT C

	STEP									
Classification	1	2	3	4	5	6	7	8	9	10
School Crossing Guard	\$ 16.21	\$ 17.02	\$ 17.87	\$ 18.76	\$ 19.70	\$ 20.68	\$ 21.72	\$ 22.80	\$ 23.94	\$ 25.14

Effective: 01/01/2025

EXHIBIT D

	STEP									
Classification	1	2	3	4	5	6	7	8	9	10
School Crossing Guard	\$ 16.61	\$ 17.44	\$ 18.31	\$ 19.23	\$ 20.19	\$ 21.20	\$ 22.26	\$ 23.37	\$ 24.54	\$ 25.77

Effective: 01/01/2026

ORDINANCE NO. 23-113

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$58,844.44 IN ACTUAL PROGRAM INCOME TO THE
INNOVATIVE DEVELOPMENT EMPOWERMENT AREA (IDEA)
HOMEBUYER/HOMEOWNER REHAB GRANT, WHICH IS ADMINISTERED BY THE
DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY
DEVELOPMENT AND HOUSING**

WHEREAS, the Innovative Development Empowerment Area (IDEA) Homebuyer/Homeowner Rehab Grant was established in 2015 as part of the County initiative to provide intervention strategies in twenty census tracks within New Castle County identified as “distressed market types” based on a comprehensive Market Value Analysis published in September 2014. Original funding of \$500,000 was provided through the General Fund Tax Stabilization Reserve; and

WHEREAS, the actual program income is generated from the interest on the repayment of loans; and

WHEREAS, the County Executive has determined that funds received are sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance substantially advance, and are reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order prosperity, and/or welfare of the present and future inhabitants of this State).

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended by deleting the material bracketed and stricken and by adding the material underscored on the attached Exhibits “A.”

Section 2. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$58,844.44 in actual program income to the IDEA Homebuyer/Homeowner Rehab Grant. This funding will be used for housing loans, settlement help, and rehab grants to homeowners as stipulated in the grant.

The IDEA Homebuyer/Homeowner Rehab Grant was created in 2015 with the General Fund Tax Stabilization Reserves as part of the County initiative to offer rehab loans and settlement help within the twenty “distressed market type” census tracts identified in the Market Value Analysis (MVA) published within the Delaware State Housing Needs Assessment 2015-2020.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$58,844.44 in actual program income to the IDEA Homebuyer/Homeowner Rehab Grant, which is administered by the Department of Community Services, Division of Community Development and Housing.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$58,844.44. This increase will affect FY2024 and beyond since this is a continuous program. This appropriation will increase the aggregate amount of program income to \$173,300.

DEPARTMENT: Community Services

GRANT TITLE: IDEA Homebuyer/Homeowner Rehab Grant

PROGRAM TITLE: IDEA Homebuyer/Homeowner Rehab Grant

EXHIBIT: "A"

Ordinance No. 23-113

Expense	Current	Change	Revised
Salaries and Wages		\$ -	\$ -
Benefits		\$ -	\$ -
Training/Civic Affairs		\$ -	\$ -
Communication/Utilities		\$ -	\$ -
Materials/Supplies		\$ -	\$ -
Contractual Services	\$ 21,955.00	\$ -	\$ 21,955.00
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ 593,455.96	\$ 58,844.44	\$ 652,300.40
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ 45.00	\$ -	\$ 45.00
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 615,455.96	\$ 58,844.44	\$ 674,300.40

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State		\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ 115,455.96	\$ 58,844.44	\$ 174,300.40
Other	\$ 500,000.00	\$ -	\$ 500,000.00
Total	\$ 615,455.96	\$ 58,844.44	\$ 674,300.40

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 4/1/2015 **Estimated Program Completion:** ongoing

The Local Match: **Found in (ORG):**

Ordinance 15-012, 21-085 **Date Revised:** 4/28/2015, 7/13/2021

Passed:

PROGRAM DESCRIPTION:

The IDEA Homebuyer/Homeowner Rehab Grant was established as part of the County initiative to create conditions in the twenty census tract areas identified as "distressed market types" for a housing market rebound within the communities.

~~7/13/2021~~ 8/29/2023

Introduced by: Mr. Hollins, Mr. Street
Date of introduction: August 29, 2023

ORDINANCE NO. 23-114

AMEND THE GRANTS BUDGET:

APPROPRIATE \$6,128 IN ADDITIONAL STATE OF DELAWARE GRANT-IN-AID FUNDS TO THE ABSALOM JONES SENIOR CENTER FY2024 GRANT, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, COMMUNITY RESOURCES DIVISION

WHEREAS, original funds from the State of Delaware Grant-In-Aid in the amount of \$219,362 was previously approved by New Castle County Council and appropriated to the Absalom Jones Senior Center FY2024 Grant via Ordinance 23-073; and

WHEREAS, authorization is being sought through this Ordinance for the additional appropriation of \$6,128 based on the final award allocation of State of Delaware Grant-In-Aid funds to the Absalom Jones Senior Center FY2024 Grant; and

WHEREAS, the Absalom Jones Senior Center provides a variety of services for the elderly in the surrounding community including transportation to the center, adult programs, activities, and social services; and

WHEREAS, the County Executive has determined that a grant is anticipated to be received and shall be sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance substantially advance, and are reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order, prosperity, and/or welfare of the present and future inhabitants of this State).

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended by adding the material on the attached Exhibit "A" which shall be considered underscored in its entirety.

Section 2. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* § 1156.

Section 3. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to July 1, 2023.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate additional State of Delaware Grant-In-Aid funds of \$6,128 to the Absalom Jones Senior Center FY2024 Grant for the period July 1, 2023, through June 30, 2024, which will be administered by the Department of Community Services, Division of Community Resources.

The Absalom Jones Senior Center provides a variety of services for the elderly in the surrounding community including transportation to the center, adult programs, activities, and social services.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$6,128 in State of Delaware Grant-In-Aid funds to the Absalom Jones Senior Center FY2024 Grant for the period July 1, 2023, through June 30, 2024, which will be administered by the Department of Community Services, Division of Community Resources. This additional appropriation brings the Absalom Jones Senior Center FY2024 Grant to \$225,490.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget. This increase will affect FY2024 since the targeted program completion date for this grant is June 30, 2024. There is no fiscal impact anticipated beyond FY2024. FY2023 original funding was authorized in the amount of \$219,362.

DEPARTMENT: Community Services

GRANT TITLE: Absalom Jones Senior Center FY2024

PROGRAM TITLE: Absalom Jones Senior Center FY2024

EXHIBIT: "A"

Ordinance No. 23-114

Expense	Current	Change	Revised
Salaries and Wages	\$ 90,174.00	\$ -	\$ 90,174.00
Benefits	\$ 36,416.00	\$ -	\$ 36,416.00
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ 1,100.00	\$ -	\$ 1,100.00
Contractual Services	\$ 91,672.00	\$ 6,128.00	\$ 97,800.00
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 219,362.00	\$ 6,128.00	\$ 225,490.00

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 219,362.00	\$ 6,128.00	\$ 225,490.00
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 219,362.00	\$ 6,128.00	\$ 225,490.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 7/1/2023 **Estimated Program Completion:** 6/30/2024

The Local Match: **Found in (ORG):**

Ordinance 23-073 **Date Revised:** 6/27/2023

Passed:

PROGRAM DESCRIPTION:

The Absalom Jones Senior Center provides a variety of services to the elderly population in the neighboring community including: transportation to the center, adult programs, activities and social services.

6/13/2023 8/29/2023

ORDINANCE NO. 23-115

**AMEND THE GRANTS BUDGET:
APPROPRIATE FEDERAL FUNDS OF \$142,380 PASSED THROUGH THE
CITY OF WILMINGTON FROM THEIR ESG-CV FUNDS TO THE HOPE CENTER
ESG-CV COW GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT
OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT
AND HOUSING**

WHEREAS, New Castle County has been awarded \$142,380 in federal funding passed through the City of Wilmington from their ESG-CV funds to the Hope Center ESG-CV COW Grant; and

WHEREAS, the grant funding will be used to assist with covering the cost of shelter beds at the Hope Center for clients referred by the Housing Alliance of Delaware; and

WHEREAS, the County Executive has determined that grants anticipated to be received from the City of Wilmington passed through the U.S. Department of Housing and Urban Development (HUD) will be sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance substantially advance, and are reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order, prosperity, and/or welfare of the present and future inhabitants of this State).

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended by adding the material on the attached Exhibits “A”, which shall be considered underscored in its entirety.

Section 2. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* § 1156.

Section 3. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactively to November 1, 2022.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate federal funds of \$142,380 passed through the City of Wilmington from their ESG-CV funds to the Hope Center ESG-CV COW Grant which will be administered by the Department of Community Services, Division of Community Development and Housing. These funds will be used to assist with covering the cost of shelter beds at the Hope Center for clients referred by the Housing Alliance of Delaware.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactively to November 1, 2022.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating federal funds of \$142,380 passed through the City of Wilmington from their ESG-CV funds to the Hope Center ESG-CV COW Grant, which will be administered by the Department of Community Services, Division of Community Development and Housing.

This increase will affect FY2024 only, since the targeted program completion date for this grant is September 15, 2023.

DEPARTMENT: Community Services

GRANT TITLE: HOPE Center ESG-CV COW

PROGRAM TITLE: HOPE Center ESG-CV COW

EXHIBIT: "A"

Ordinance No. 23-115

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ 142,380.00	\$ -	\$ 142,380.00
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 142,380.00	\$ -	\$ 142,380.00

Revenue	Current	Change	Revised
Federal	\$ 142,380.00	\$ -	\$ 142,380.00
State	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 142,380.00	\$ -	\$ 142,380.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 11/1/2022 **Estimated Program Completion:** 9/15/2023

The Local Match: **Found in (ORG):**

Ordinance Passed: **Date Revised:**

PROGRAM DESCRIPTION:

This grant will assist with covering the cost of shelter beds at the HOPE Center for clients referred by the Housing Alliance of Delaware.

8/29/2023

ORDINANCE NO. 23-116

AMEND THE GRANTS BUDGET:

APPROPRIATE \$50,500.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF JUSTICE – SPECIAL LAW ENFORCEMENT ASSISTANCE FUND (SLEAF) TO THE SLEAF – VIKEN HANDHELD X-RAY IMAGER GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY

WHEREAS, funding has been awarded from the State of Delaware, Department of Justice-Special Law Enforcement Assistance Fund (SLEAF), to the New Castle County Department of Public Safety SLEAF – Viken Handheld X-Ray Imager Grant; and

WHEREAS, this funding will be used by the New Castle County Department of Public Safety, Division of Police for the purchase of the Viken Handheld X-Ray Imager to be used by the Evidence Detection Unit; and

WHEREAS, the County Executive has determined that funds received are sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance substantially advance, and are reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order prosperity and/or welfare of the present and future inhabitants of this State).

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby amended by adding the material on the attached “Exhibit A,” which is considered to be underscored in its entirety.

Section 2. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* § 1156.

Section 3. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to June 13, 2023.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$50,500.00 from the State of Delaware, Department of Justice-Special Law Enforcement Assistance Fund (SLEAF) to the SLEAF – Viken Handheld X-Ray Imager Grant. These funds will be used by the New Castle County Department of Public Safety, Division of Police for the purchase of the Viken Handheld X-Ray Imager to be used by the Evidence Detection Unit.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to June 13, 2023.

FISCAL NOTE: This Ordinance, if approved, will appropriate \$50,500.00 from the State of Delaware, Department of Justice-Special Law Enforcement Assistance Fund (SLEAF) to the SLEAF – Viken Handheld X-Ray Imager Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$50,500.00. This increase will impact FY2024 only, since the targeted program completion date of this award is June 30, 2024. There will be no fiscal impact beyond FY2024 as a result of this grant award.

DEPARTMENT: Public Safety

EXHIBIT: "A"

GRANT TITLE: SLEAF- VIKEN HANDHELD XRAY IMAGER

Ordinance No. 23-116

PROGRAM TITLE: SLEAF- VIKEN HANDHELD XRAY IMAGER

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ -	\$ -	\$ -
Equipment	\$ 50,500.00	\$ -	\$ 50,500.00
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 50,500.00	\$ -	\$ 50,500.00

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 50,500.00	\$ -	\$ 50,500.00
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 50,500.00	\$ -	\$ 50,500.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 6/13/2023

Estimated Program Completion: 6/30/2024

The Local Match: \$ -

Found in (ORG):

**Ordinance
Passed:**

Date Revised:

PROGRAM DESCRIPTION:

Funding will allow for the purchase of the Viken Handheld X-Ray Imager to be used by the Evidence Detection Unit.

8/29/2023

ORDINANCE NO. 23-117

TO PROVIDE FOR THE INSTALLATION OF TRADITIONAIRE STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS IN THE COPPERLEAF AT BACK CREEK EAST AND WEST SUBDIVISION LOCATED IN THE ST. GEORGES HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS

WHEREAS, a petition has been filed with the Clerk of New Castle County Council for the establishment of a street light tax district in the **COPPERLEAF AT BACK CREEK EAST AND WEST SUBDIVISION** and for the installation of Traditionaire street lights with 70 watt light emitting diode (LED) bulbs, therein.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. The County Executive is hereby authorized to execute a contract, in accordance with 9 *Del. C.* Chapter 21, to provide TRADITIONAIRE street lights with 70 watt light emitting diode (LED) bulbs, according to the standards established by the New Castle County Department of Land Use, to be erected along BRONZELEAF DRW., BRONZELEAF DRE., CROWNLEAF DR., IRONLEAF DR., GOLDLEAF DRW, GOLDLEAF DRE., and COPPERLEAF DR. as set forth in the petition.

Section 2. The properties set forth in the petition shall be subject to an annual tax based upon the full annual cost of the street lighting in an amount to be provided for in the Annual Revenue Ordinance.

Section 3. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

President of Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance approves the installation of TRADITIONAIRE street lights with 70 watt light emitting diode (LED) bulbs in the COPPERLEAF AT BACK CREEK EAST AND WEST SUBDIVISION.

FISCAL NOTE: This Ordinance provides for the installation of TRADITIONAIRE street lights with 70 watt light emitting diode (LED) bulbs and the assessment of a light tax based on the rates set in the Annual Revenue Ordinance.

The light tax assessed on these COPPERLEAF AT BACK CREEK EAST AND WEST SUBDIVISION properties set forth in the petition filed with the Clerk of County Council will be billed in conjunction with the annual property tax billing. The increased expenditure to the County resulting from the installation and maintenance will be offset by the increased revenues realized from the light tax assessment.



OFFICE OF FINANCE

BUILDERS PETITION FOR STREET LIGHTING

STATE OF PENNSYLVANIA :

SS :

CHESTER COUNTY :

TO: The Honorable President and Members of County Council of New Castle County, Delaware

BE IT KNOWN, that on this 25th Day of July, A.D. 2023 personally appeared before me, the undersigned Notary Public, Daniel Stewart, of the State of Delaware, known to me as such, and being first duly sworn by me according to law, stated and said as follows:

1.US Home, LLC holds record title to Copperleaf at Back Creek East & West, a subdivision located in St. Georges Brandywine Hundred, New Castle County, Delaware, the metes and bounds for which are set forth in the Deed dated March 7th, 2022, between Clayton Farms Property LLC as grantors, and US Home, LLC grantee, recorded in the Office for the Recorder of Deeds in and for New Castle County at Wilmington, Delaware, in Deed Instrument Number 20220307-0026817, a copy of which is attached hereto and made a part hereof as EXHIBIT A. A substantially reduced copy of the record subdivision plan for the portion of the lands known as Copperleaf at Back Creek, New Castle County, Delaware, being known as Subdivision Instrument No.20220126-0011884, is attached hereto and made a part hereof as EXHIBIT B.

2.US Home, LLC as sole owner of Copperleaf at Back Creek East & West, an unincorporated community in St. Georges Brandywine Hundred, New Castle County, Delaware, hereby petitions New Castle County pursuant to 9 Del. C. 2101 et seq. (Rev. 1974) to enter into a contract for the purpose of providing light for the streets running through and within Copperleaf at Back Creek East & West, the boundary lines of which are set forth on EXHIBIT A attached hereto and made part hereof, and more visually represented in EXHIBIT B attached hereto and made part hereof.

3. The type of streetlights being requested are Traditionaire.

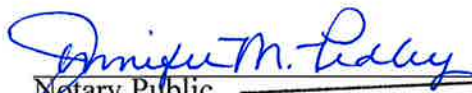
4. List names of all streets you wish to have lights installed on Copperleaf Drive, Goldleaf Drive East & West, Bronzeleaf Drive East & West, Ironleaf Drive and Crownleaf Drive.

BY


Daniel Stewart

BY

SWORN TO AND SUBSCRIBED before me the day and year
aforesaid.


Notary Public

Commonwealth of Pennsylvania - Notary Seal
Jennifer M. Pedley, Notary Public
Chester County
My Commission Expires March 5, 2027
Commission Number 1288726

Tax Parcel Nos.: Formerly 13-011.00-021 and
13-011.00-166;
Now as shown on "Exhibit A"



20220307-0026817

P: 1 of 9 F: \$675.00

3/7/2022 2:22:17 PM
Michael E. Kozikowski T20220014374
New Castle Recorder DEE
NC: \$39,750.00 State: \$39,750.00

Prepared By and Return To:
Geoffrey L. Grosso, Esquire
Tarabicos, Grosso & Hoffman, LLP
One Corporate Commons
100 W. Commons Blvd., Suite 415
New Castle, DE 19720

DEED

THIS DEED, made this 1st day of March, 2022,

CLAYTON FARMS PROPERTY LLC a Delaware limited liability company, party of the first part,

A N D

U.S. HOME, LLC, a Delaware limited liability company, party of the second part,

WITNESSETH, that the said party of the first part, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part, its successors or assigns, in fee:

Tax Parcel Number 13-011.00-021:

ALL that certain lot, piece or parcel of land, with the buildings thereon erected, situate in St. Georges Brandywine Hundred, New Castle County and State of Delaware, being Lot 1 on the Subdivision Plan for Lands of Clayton Farms Property, LLC, as prepared by Landmark Science and Engineering, dated February 24, 2017, modified March 1, 2017, and on the ALTA/NSPS Land Title Survey for Copperleaf at Back Creek, as prepared by Landmark Science and Engineering, dated March 29, 2019, last modified July 2, 2019, and being more particularly bounded and described in accordance, as follows, to wit:

BEGINNING at an existing concrete monument on the southerly side of Churchtown Road (width varies) said existing concrete monument being a common corner for lands now or formerly of Clayton Farms Property, LLC (Tax Parcel No. 13-011.00-021) and the Subdivision of Fox Hunter Crossing (Microfilm #012694) as shown of the Administrative Subdivision Plan for Clayton Farms Property, LLC dated February 24, 2017, prepared by Landmark Science & Engineering.

THENCE along the Subdivision of Fox Hunter Crossing S 32° 52' 27" E, 4,150.13' to a point;

THENCE along lands now or formerly Lamborn Holding Co./Delmarva Power & Light Co. (Tax Parcel No. 13-011.00-042, Microfilm #004009) the following two (2) courses and distances:

1. S 55° 59' 24" W, 354.23' to a point; and,
2. S 60° 58' 08" W, 798.97' to a point;

THENCE along Lot 2 Administrative Subdivision Plan for Clayton Farms Property, LLC the following ten (10) courses and distances:

1. N 25° 28' 16" W, 1,257.68' to a point;
2. N 32° 56' 49" W, 644.71' to a point;
3. N 03° 50' 07" E, 60.00' to a point;
4. By an arc of a circle curving to the right a distance of 591.38' (R=450.00' Chord = N 48° 30' 59" W, 549.73') to a point; and,
5. N 10° 52' 05" W, 446.08' to a point;
6. By an arc of a circle curving to the left a distance of 71.44' (R=530.00' Chord = N 14° 43' 46" W, 71.38') to a point;
7. N 18° 35' 26" W, 402.41' to a point;
8. By an arc of a circle curving to the left a distance of 183.07' (R = 530.00' Chord = N 28° 29' 10" W, 182.16') to a point;
9. N 38° 22' 53" W, 425.03'; and,
10. By an arc of a circle curving to the right a distance of 78.58' (R=50.00' Chord = N 06° 38' 40" E, 70.74') to a point on the southerly side of Churchtown Road.

THENCE along the southerly side of Churchtown Road the following two (2) courses and distances:

1. N 51° 40' 13" E, 498.45' to a point; and
2. By an arc of a circle curving to the left a distance of 305.08' (R = 1,690.00' Chord = N 46° 29' 55" E, 304.67') to an existing concrete monument and first mention point.

CONTAINING within said metes and bounds 92.515+/- acres.

Tax Parcel Number 13-011.00-166:

ALL that certain lot, piece or parcel of land, with the buildings thereon erected, situate in St. Georges Brandywine Hundred, New Castle County and State of Delaware, being Lot 2 on the Subdivision Plan for Lands of Clayton Farms Property, LLC, as prepared by Landmark Science and Engineering, dated February 24, 2017, modified March 1, 2017, and on the ALTA/NSPS Land Title Survey for Copperleaf at Back Creek, as prepared by Landmark Science and Engineering, dated March 29, 2019, last modified July 2, 2019, and being more particularly bounded and described in accordance, as follows, to wit:

BEGINNING at a point, said point being located the following two (2) courses and distances along the southerly side of Churchtown Road (width varies) from an existing concrete

monument said existing concrete monument being a common corner for lands now or formerly of Clayton Farms Property, LLC (Tax Parcel No. 13-011.00-021) and the Subdivision of Fox Hunter Crossing (Microfilm #012694) as shown of the Administrative Subdivision Plan for Clayton Farms Property, LLC dated February 24, 2017, prepared by Landmark Science & Engineering.

1. By an arc of a circle curving to the right a distance of 305.08' (R = 1,690.00' Chord = S 46° 29' 55" W, 304.67') to a point; and,
2. S 51° 40' 13" W, 498.45' to the point of beginning.

THENCE from the point of beginning along Lot 1 Administrative Subdivision Plan for Clayton Farms Property, LLC the following ten (10) courses and distances:

1. By an arc of a circle curving to the left a distance of 78.58' (R = 50.00' Chord = S 06° 38' 40" W, 70.74') to a point;
2. S 38° 22' 53" E, 425.03' to a point;
3. By an arc of a circle curving to the right a distance of 183.07' (R = 530.00' Chord = S 28° 29' 10" E, 182.16') to a point;
4. S 18° 35' 26" E, 402.41' to a point;
5. By an arc of a circle curving to the right a distance of 71.44' (R = 530.00' Chord = S 14° 43' 46" E, 71.38') to a point;
6. S 10° 52' 05" E, 446.08' to a point;
7. By an arc of a circle curving to the left a distance of 591.38' (R = 450.00' Chord = S 48° 30' 59" E, 549.73') to a point;
8. S 03° 50' 07" W, 60.00' to a point;
9. S 32° 56' 49" E, 644.71' to a point; and,
10. S 25° 28' 16" E, 1257.68' to a point.

THENCE along lands now or formerly Odom Subdivision/Delmarva Power & Light Co. Electric Facilities (Tax Parcel No. 13-011.00-051, Microfilm #004010) the following three (3) courses and distances:

1. S 69° 52' 24" W, 994.04' to a point;
2. N 72° 33' 01" W 450.83' to a point; and,
3. N 57° 33' 01" W, 854.02' to a point.

THENCE along the Subdivision of Wheatland (Microfilm #010464) the following three (3) courses and distances:

1. N 12° 08' 31" E, 13.31' to a point;
2. N 07° 45' 06" W, 1,460.74' to a point; and,
3. N 07° 17' 18" W, 1,467.52' to an existing concrete monument on the southerly side of Churchtown Road.

THENCE along the southerly side of Churchtown Road the following two (2) courses and distances:

1. By an arc of a circle curving to the left a distance of 393.70' (R = 1,180.00' Chord = N 61° 13' 42" E, 391.87') to a point; and,
2. N 51° 40' 13" E, 316.80' to the first mentioned point and place of beginning.

CONTAINING within said metes and bounds 111.344+/- acres.

SUBJECT TO ALL covenants, conditions, restrictions, plans and easements of record, if any, which by their terms apply to the property described above, this reference to which shall not be construed to reimpose any such covenants, conditions, restrictions, plans and easements of record which have otherwise lapsed, expired or have otherwise been terminated in accordance with their terms or otherwise as applicable.

BEING the same lands and premises which Clayton Farms Property LLC, a Delaware limited liability company, by Confirmatory Deed dated April 7, 2017, and recorded May 2, 2017, in the Office of the Recorder of Deeds in and for New Castle County and State of Delaware, as Instrument Number 20170502-0021778, did grant and convey unto Clayton Farms Property LLC, a Delaware limited liability company, party of the first part herein, in fee, the purpose of the 2017 deed being a subdivision of lands into two tax parcels. The legal description was further corrected by that certain Confirmatory Deed, to be recorded in the Office aforesaid, on or about the date hereof.

Grantee's address:

1285 Drummers Lane
Suite 100
Wayne, PA 19087

[Signature on following page]

IN WITNESS WHEREOF, the said party of the first part has caused this Deed to be executed and sealed the day and year aforesaid.

Signed, Sealed and Delivered in the
Presence of:

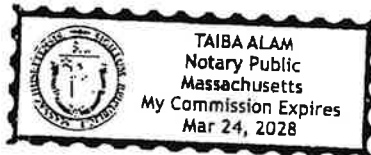
WITNESS

CLAYTON FARMS PROPERTY LLC, a
Delaware limited liability company

By: [Signature] (SEAL)
Name: THOMAS F. HARRISON
Title: MANAGER

MASSACHUSETTS
STATE OF ~~DELAWARE~~)
COUNTY OF ~~NEW CASTLE~~) SS.
NEW CASTLE)

BE IT REMEMBERED, that on this 13th day of November, 2021 came before me, the Subscriber, a Notary Public, in and for the State and County aforesaid, Thomas Harrison, Manager of Clayton Farms Property LLC, a Delaware limited liability company, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed and the act and deed of the Company.



[Signature]
Notary Public
Print Name: Taiba Alam
My Commission Expires: MARCH 24, 2028

“EXHIBIT A”**COPPERLEAF AT BACK CREEK – EAST SIDE****TAX PARCEL LIST**

	LOT NUMBER	PARCEL NUMBER	ADDRESS
1	1	13-011.00-021	1190 Churchtown Rd.
2	1E	13-011.40-108	203 E. Goldleaf Dr.
3	2E	13-011.40-109	205 E. Goldleaf Dr.
4	3E	13-011.40-110	207 E. Goldleaf Dr.
5	4E	13-011.40-111	209 E. Goldleaf Dr.
6	5E	13-011.40-118	213 E. Goldleaf Dr.
7	6E	13-011.40-119	215 E. Goldleaf Dr.
8	7E	13-011.40-120	217 E. Goldleaf Dr.
9	8E	13-011.40-121	219 E. Goldleaf Dr.
10	9E	13-011.40-122	221 E. Goldleaf Dr.
11	10E	13-011.40-123	223 E. Goldleaf Dr.
12	11E	13-011.40-124	225 E. Goldleaf Dr.
13	12E	13-011.40-128	227 E. Goldleaf Dr.
14	13E	13-011.40-127	229 E. Goldleaf Dr.
15	14E	13-011.40-126	231 E. Goldleaf Dr.
16	15E	13-011.40-125	233 E. Goldleaf Dr.
17	16E	13-011.40-113	204 E. Goldleaf Dr.
18	17E	13-011.40-114	206 E. Goldleaf Dr.
19	18E	13-011.40-116	230 E. Goldleaf Dr.
20	19E	13-011.40-115	232 E. Goldleaf Dr.
21	20E	13-011.40-135	1202 E. Bronzeleaf Dr.
22	21E	13-011.40-136	1204 E. Bronzeleaf Dr.
23	22E	13-011.40-137	1206 E. Bronzeleaf Dr.
24	23E	13-011.40-138	1208 E. Bronzeleaf Dr.
25	24E	13-011.40-139	1210 E. Bronzeleaf Dr.
26	25E	13-011.40-140	1216 E. Bronzeleaf Dr.
27	26E	13-011.40-142	1220 E. Bronzeleaf Dr.
28	27E	13-011.40-143	1222 E. Bronzeleaf Dr.
29	28E	13-011.40-144	1224 E. Bronzeleaf Dr.
30	29E	13-011.40-129	1203 E. Bronzeleaf Dr.
31	30E	13-011.40-130	1205 E. Bronzeleaf Dr.
32	31E	13-011.40-131	1207 E. Bronzeleaf Dr.
33	32E	13-011.40-132	1209 E. Bronzeleaf Dr.
34	33E	13-011.40-133	1211 E. Bronzeleaf Dr.
35	34E	13-011.40-134	1213 E. Bronzeleaf Dr.
36	35E	13-011.40-145	1217 E. Bronzeleaf Dr.
37	36E	13-011.40-146	1219 E. Bronzeleaf Dr.
38	37E	13-011.40-147	1221 E. Bronzeleaf Dr.
39	38E	13-011.40-148	1223 E. Bronzeleaf Dr.
40	39E	13-011.40-149	1225 E. Bronzeleaf Dr.
41	40E	13-011.40-177	542 Ironleaf Dr.
42	41E	13-011.40-178	540 Ironleaf Dr.

43	42E	13-011.40-179	538 Ironleaf Dr.
44	43E	13-011.40-180	536 Ironleaf Dr.
45	44E	13-011.40-181	534 Ironleaf Dr.
46	45E	13-011.40-182	532 Ironleaf Dr.
47	46E	13-011.40-183	530 Ironleaf Dr.
48	47E	13-011.40-184	528 Ironleaf Dr.
49	48E	13-011.40-176	526 Ironleaf Dr.
50	49E	13-011.40-175	524 Ironleaf Dr.
51	50E	13-011.40-174	522 Ironleaf Dr.
52	51	13-011.40-173	520 Ironleaf Dr.
53	52E	13-011.40-158	516 Ironleaf Dr.
54	53E	13-011.40-157	514 Ironleaf Dr.
55	54E	13-011.40-156	512 Ironleaf Dr.
56	55E	13-011.40-155	510 Ironleaf Dr.
57	56E	13-011.40-154	508 Ironleaf Dr.
58	57E	13-011.40-153	506 Ironleaf Dr.
59	58E	13-011.40-152	504 Ironleaf Dr.
60	59E	13-011.40-151	502 Ironleaf Dr.
61	60E	13-011.40-161	541 Ironleaf Dr.
62	61E	13-011.40-163	539 Ironleaf Dr.
63	62E	13-011.40-165	537 Ironleaf Dr.
64	63E	13-011.40-167	535 Ironleaf Dr.
65	64E	13-011.40-169	533 Ironleaf Dr.
66	65E	13-011.40-171	531 Ironleaf Dr.
67	66E	13-011.40-170	513 Ironleaf Dr.
68	67E	13-011.40-168	511 Ironleaf Dr.
69	68E	13-011.40-166	509 Ironleaf Dr.
70	69E	13-011.40-164	507 Ironleaf Dr.
71	70E	13-011.40-162	505 Ironleaf Dr.
72	71E	13-011.40-160	503 Ironleaf Dr.
73	PRIOPSP	13-011.40-159	501 Ironleaf Dr.
74	PRIOPSP	13-011.40-150	235 E. Goldleaf Dr.
75	PRIOPSP	13-011.40-117	218 E. Goldleaf Dr.
76	PRIOPSP	13-011.40-112	234 E. Goldleaf Dr.
77	PRIOPSP	13-011.40-141	1200 E. Bronzeleaf Dr.
78	PUBROW	13-011.40-187	0 Copperleaf Dr.
79	PUBROW	13-011.40-186	0 Copperleaf Dr.
80	PRIOPSP	13-011.40-185	518 Ironleaf Dr.
81	PRIOPSP	13-011.40-172	523 Ironleaf Dr.

COPPERLEAF AT BACK CREEK – WEST SIDE**TAX PARCEL LIST**

	LOT NUMBER	PARCEL NUMBER	ADDRESS
1	1W	13-011.40-192	1402 W. Goldleaf Dr.
2	2	13-011.00-166	1250 Churchtown Rd.
3	2W	13-011.40-191	1404 W. Goldleaf Dr.
4	3W	13-011.40-190	1406 W. Goldleaf Dr.
5	4W	13-011.40-189	1410 W. Goldleaf Dr.
6	5W	13-011.40-188	1412 W. Goldleaf Dr.
7	6W	13-011.40-193	1414 W. Goldleaf Dr.
8	7W	13-011.40-194	1416 W. Goldleaf Dr.
9	8W	13-011.40-195	1418 W. Goldleaf Dr.
10	9W	13-011.40-196	1420 W. Goldleaf Dr.
11	10W	13-011.40-205	1422 W. Goldleaf Dr.
12	11W	13-011.40-206	1426 W. Goldleaf Dr.
13	12W	13-011.40-207	1428 W. Goldleaf Dr.
14	13W	13-011.40-208	1430 W. Goldleaf Dr.
15	14W	13-011.40-200	1403 W. Goldleaf Dr.
16	15W	13-011.40-199	1405 W. Goldleaf Dr.
17	16W	13-011.40-198	1407 W. Goldleaf Dr.
18	17W	13-011.40-201	1427 W. Goldleaf Dr.
19	18W	13-011.40-202	1429 W. Goldleaf Dr.
20	19W	13-011.40-203	1431 W. Goldleaf Dr.
21	20W	13-011.40-214	302 W. Bronzeleaf Dr.
22	21W	13-011.40-213	304 W. Bronzeleaf Dr.
23	22W	13-011.40-212	306 W. Bronzeleaf Dr.
24	23W	13-011.40-211	308 W. Bronzeleaf Dr.
25	24W	13-011.40-210	310 W. Bronzeleaf Dr.
26	25W	13-011.40-209	312 W. Bronzeleaf Dr.
27	26W	13-011.40-215	314 W. Bronzeleaf Dr.
28	27W	13-011.40-216	316 W. Bronzeleaf Dr.
29	28W	13-011.40-217	318 W. Bronzeleaf Dr.
30	29W	13-011.40-218	320 W. Bronzeleaf Dr.
31	30W	13-011.40-229	322 W. Bronzeleaf Dr.
32	31W	13-011.40-230	324 W. Bronzeleaf Dr.
33	32W	13-011.40-231	326 W. Bronzeleaf Dr.
34	33W	13-011.40-232	328 W. Bronzeleaf Dr.
35	34W	13-011.40-233	330 W. Bronzeleaf Dr.
36	35W	13-011.40-234	332 W. Bronzeleaf Dr.
37	36W	13-011.40-235	334 W. Bronzeleaf Dr.
38	37W	13-011.40-223	303 W. Bronzeleaf Dr.
39	38W	13-011.40-222	305 W. Bronzeleaf Dr.
40	39W	13-011.40-221	307 W. Bronzeleaf Dr.
41	40W	13-011.40-220	309 W. Bronzeleaf Dr.
42	41W	13-011.40-224	327 W. Bronzeleaf Dr.
43	42W	13-011.40-225	329 W. Bronzeleaf Dr.
44	43W	13-011.40-226	331 W. Bronzeleaf Dr.

45	44W	13-011.40-227	333 W. Bronzeleaf Dr.
46	45W	13-011.40-262	407 Crownleaf Dr.
47	46W	13-011.40-263	409 Crownleaf Dr.
48	47W	13-011.40-264	411 Crownleaf Dr.
49	48W	13-011.40-265	413 Crownleaf Dr.
50	49W	13-011.40-266	415 Crownleaf Dr.
51	50W	13-011.40-267	417 Crownleaf Dr.
52	51W	13-011.40-275	421 Crownleaf Dr.
53	52W	13-011.40-274	423 Crownleaf Dr.
54	53W	13-011.40-273	425 Crownleaf Dr.
55	54W	13-011.40-272	427 Crownleaf Dr.
56	55W	13-011.40-271	429 Crownleaf Dr.
57	56W	13-011.40-270	431 Crownleaf Dr.
58	57W	13-011.40-269	433 Crownleaf Dr.
59	58W	13-011.40-268	435 Crownleaf Dr.
60	59W	13-011.40-247	437 Crownleaf Dr.
61	60W	13-011.40-246	439 Crownleaf Dr.
62	61W	13-011.40-245	441 Crownleaf Dr.
63	62W	13-011.40-244	445 Crownleaf Dr.
64	63W	13-011.40-243	447 Crownleaf Dr.
65	64W	13-011.40-236	449 Crownleaf Dr.
66	65W	13-011.40-237	451 Crownleaf Dr.
67	66W	13-011.40-238	453 Crownleaf Dr.
68	67W	13-011.40-239	455 Crownleaf Dr.
69	68W	13-011.40-240	457 Crownleaf Dr.
70	69W	13-011.40-241	459 Crownleaf Dr.
71	70W	13-011.40-242	461 Crownleaf Dr.
72	71W	13-011.40-254	460 Crownleaf Dr.
73	72W	13-011.40-253	458 Crownleaf Dr.
74	73W	13-011.40-252	456 Crownleaf Dr.
75	74W	13-011.40-251	454 Crownleaf Dr.
76	75W	13-011.40-250	452 Crownleaf Dr.
77	76W	13-011.40-249	450 Crownleaf Dr.
78	77W	13-011.40-256	430 Crownleaf Dr.
79	78W	13-011.40-257	428 Crownleaf Dr.
80	79W	13-011.40-258	426 Crownleaf Dr.
81	80W	13-011.40-259	424 Crownleaf Dr.
82	81W	13-011.40-260	422 Crownleaf Dr.
83	82W	13-011.40-261	416 Crownleaf Dr.
84	PUBROW	13-011.40-277	1230 Churchtown Rd.
85	PRIOPSP	13-011.40-276	336 W. Bronzeleaf Dr.
86	PRIOPSP	13-011.40-255	462 Crownleaf Dr.
87	PRIOPSP	13-011.40-248	440 Crownleaf Dr.
88	PRIOPSP	13-011.40-204	1401 W. Goldleaf Dr.
89	PRIOPSP	13-011.40-197	1417 W. Goldleaf Dr.
90	PRIOPSP	13-011.40-228	335 W. Bronzeleaf Dr.
91	PRIOPSP	13-011.40-219	317 W. Bronzeleaf Dr.

Introduced by: Mr. Sheldon, Mr. Carter
Date of introduction: August 29, 2023

ORDINANCE NO. 23-118

**AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$100,000
IN FUNDING RECEIVED FROM THE STATE OF DELAWARE FISCAL YEAR 2024 BOND
AND CAPITAL IMPROVEMENTS ACT TO THE DEPARTMENT OF PUBLIC WORKS,
GENERAL PARKLAND IMPROVEMENTS 2021 CAPITAL PROJECT**

WHEREAS, the Department of Public Works has received documentation certifying that the State of Delaware Fiscal Year 2024 Bond and Capital Improvements Act (152ND General Assembly, Senate Bill 160, signed into law June 30, 2023) has appropriated \$100,000 to New Castle County from the Community Redevelopment/Reinvestment Fund for park improvements; and

WHEREAS, \$50,000 is allocated for Sheridan Square Park Improvements and \$50,000 is allocated for Sherwood Park.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. The Capital Budget Ordinance for the fiscal year beginning July 1, 2023 is hereby amended by deleting the material that is stricken and adding the material that is underscored on the attached Exhibit "A."

Section 2. The Capital Program Resolution for the fiscal year beginning July 1, 2023 is hereby amended by adding the material on the attached Exhibit "B," which shall be considered underscored in its entirety.

Section 3. State funding in the amount of \$100,000 is appropriated to the Department of Public Works, General Parkland Improvements 2021 Capital Project to fund Sheridan Square Park Improvements and Sherwood Park.

Section 3. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Section 4. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to July 1, 2023.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive

New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$100,000 in funding received from the State of Delaware Fiscal Year 2024 Bond and Capital Improvements Act (152nd General Assembly, Senate Bill 160, signed into law June 30, 2023) from the Community Redevelopment/Reinvestment Fund to the General Parkland Improvements 2021 Capital Project for Sheridan Square Park Improvements and Sherwood Park.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to July 1, 2023.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Capital Budget by appropriating \$100,000 in funding received from the State of Delaware Fiscal Year 2024 Bond and Capital Improvements Act (152nd General Assembly, Senate Bill 160, signed into law June 30, 2023) to the General Parkland Improvements 2021 Capital Project for Sheridan Square Park Improvements and Sherwood Park.

The revised FY2024 Capital Budget amount for the General Parkland Improvements 2021 Capital Project will be \$100,000.

The revised FY2024 New Castle County Capital Budget grand total will be \$75,678,163.

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

23-118

DEPARTMENT OF ADMINISTRATION

Land Use Information System	\$ 3,000,000
Subtotal	\$ 3,000,000

DEPARTMENT OF COUNTY EXECUTIVE

Executive GF Capital Contingency	\$ 500,000
Executive SF Capital Contingency	250,000
Subtotal	\$ 750,000

DEPARTMENT OF COMMUNITY SERVICES

Absalom Jones Senior Center Kiln	\$ 85,000
Appoquinimink Library	\$ 7,000
Newark Library	\$ 19,200,000
Surratte Pool Renovations	125,000
Subtotal	\$ 19,417,000

DEPARTMENT OF PUBLIC SAFETY

800MgHZ Communications Equipment	\$ 950,000
Cardiac Monitor 2023	\$ 945,148
Communications Upgrade	550,000
Public Safety Equipment	91,000
Public Safety Vest Protection Program	201,840
Subtotal	\$ 2,737,988

DEPARTMENT OF PUBLIC WORKS

Facilities/Equipment

Building Rehabilitation 2021	\$ 3,000,000
Electric Vehicle Infrastructure	1,800,000
Fleet Equipment 2021	(3,340)
Fleet Equipment 2022	(1,000,000)
Fleet Equipment 2024	6,179,272
General Roof Renovations	1,250,000
Government Center Electrical Upgrade	600,000
HVAC Replacement	2,400,000
Public Safety Parking Lot Lighting	300,000
Subtotal	\$ 14,525,932

23-118

Sewer/Stormwater

EXHIBIT B**PROJECT PROFILES
PUBLIC WORKS - PARKS (continued)**

Project Name (Number): General Parkland Improvements 2021 (C302101)					
Description: Improvements in parks, including Hann, Banning, Delcastle Quad and Northcrest parks.				Council Districts: All	
Funding Schedule					
	Bonds	Federal	State	Other	Total
Prior Authorizations	\$ 1,670,000	\$ -	\$ 29,692	\$ 1,753,000	\$ 3,452,692
FY2024		-			
			100,000		100,000
FY2025		-	-	-	-
FY2026		-	-	-	-
FY2027		-	-	-	-
FY2028		-	-	-	-
FY2029		-	-	-	-
Future Years	-	-	-	-	-
Total	\$ 1,670,000	\$ -	\$ 29,692	\$ 1,753,000	\$ 3,452,692
		\$ 129,692			\$ 3,552,692
Available Authorizations:		\$ 1,750,445			
Available Funding:		\$ 1,165,598			
Operating Budget Impact:		\$ -			

*Available Authorizations / Funding as of February 28, 2023, net of obligations.

FY2024 Activity:

Small capital improvements including support of neighborhood park initiative; trail renovations in Penn Acres and Wilton Parks; stormwater pipe rehab in Hann Park; other minor capital improvements; and paving from Parks Open House Project List: Powell Ford Parking Lot and other paved surfaces for safety/ADA compliance. Sheridan Square Park Improvements and Sherwood Park.

Future Activity:

Small capital improvements of neighborhood parks.

Introduced by: Mr. Sheldon, Mr. Carter
Date of introduction: August 29, 2023

ORDINANCE NO. 23-119

AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: REALIGN AUTHORIZED FUNDING IN THE AMOUNT \$1,600,000 WITHIN THE DEPARTMENT OF PUBLIC WORKS, BRANDYWINE LIBRARY HVAC CAPITAL PROJECT FROM BOND FUNDING TO STATE FUNDING AND REALIGN AUTHORIZED FUNDING IN THE AMOUNT OF \$500,000 WITHIN THE DEPARTMENT OF PUBLIC WORKS, GENERAL ROOF RENOVATIONS CAPITAL PROJECT FROM BOND FUNDING TO STATE FUNDING

WHEREAS, the Department of Public Works has received documentation certifying that the State of Delaware Fiscal Year 2024 Bond and Capital Improvements Act (152ND General Assembly, Senate Bill 160, signed into law June 30, 2023) has appropriated \$2,100,000 to New Castle County for Brandywine Hundred Library; and

WHEREAS, \$1,600,000 of these funds will be used to help offset the cost of the upgrade to the Brandywine Hundred Library HVAC system and \$500,000 will be used to help offset costs for the roof replacement at Brandywine Hundred Library; and

WHEREAS, authorized funding in the amount of \$1,600,000 will be realigned from Bond funding to State funding in the Department of Public Works, Brandywine Library HVAC Capital Project; and

WHEREAS, authorized funding in the amount of \$500,000 will be realigned from Bond funding to State funding in the Department of Public Works, General Roof Renovations Capital Project.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. The Capital Program Resolution for the fiscal year beginning July 1, 2023 is hereby amended by adding the material on the attached Exhibit "A," which shall be considered underscored in its entirety.

Section 2. Authorized funding in the amount of \$1,600,000 will be realigned from Bond funding to State funding in the Department of Public Works, Brandywine Library HVAC Upgrade Capital Project to help offset the cost of the upgrade to the Brandywine Hundred Library HVAC system.

Section 3. Authorized funding in the amount of \$500,000 will be realigned from Bond funding to State funding in the Department of Public Works, General Roof Renovations Capital Project to help offset costs for the roof replacement at Brandywine Hundred Library.

Section 4. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Section 5. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to July 1, 2023.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$2,100,000 in funding received from the State of Delaware Fiscal Year 2024 Bond and Capital Improvements Act (152nd General Assembly, Senate Bill 160, signed into law June 30, 2023) to New Castle County for Brandywine Hundred Library. Authorized funding in the amount of \$1,600,000 will be realigned from Bond funding to State funding in the Department of Public Works, Brandywine Library HVAC Capital Project and authorized funding in the amount of \$500,000 will be realigned from Bond funding to State funding in the Department of Public Works, General Roof Renovations Capital Project. These funds will be used to help offset the cost of the upgrade to the Brandywine Hundred Library HVAC system and the roof replacement at Brandywine Hundred Library.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to July 1, 2023.

FISCAL NOTE: This Ordinance, if approved, will appropriate \$2,100,000 in funding received from the State of Delaware Fiscal Year 2024 Bond and Capital Improvements Act (152nd General Assembly, Senate Bill 160, signed into law June 30, 2023) to New Castle County for Brandywine Hundred Library. Authorized funding in the amount of \$1,600,000 will be realigned from Bond funding to State funding in the Department of Public Works, Brandywine Library HVAC Capital Project and authorized funding in the amount of \$500,000 will be realigned from Bond funding to State funding in the Department of Public Works, General Roof Renovations Capital Project.

This realignment of funding will have no fiscal impact on the FY2024 Capital Budget as this a realignment of authorized funding sources. The FY2024 New Castle County Capital Budget grand total will remain \$75,578,163.

EXHIBIT A**PROJECT PROFILES
PUBLIC WORKS - FACILITIES/EQUIPMENT (continued)**

Project Name (Number): Brandywine Library HVAC Upgrade (C302107)					
Description: Installation of new HVAC equipment.				Council Districts: 2	
Funding Schedule					
	Bonds	Federal	State	Other	Total
Prior Authorizations	\$ 3,200,000	\$ -	\$ -	\$ -	\$ 3,200,000
FY2024		-			
	(1,600,000)		1,600,000		-
FY2025	-	-	-	-	-
FY2026	-	-	-	-	-
FY2027	-	-	-	-	-
FY2028	-	-	-	-	-
FY2029	-	-	-	-	-
Future Years	-	-	-	-	-
Total	\$ 3,200,000	\$ -	\$ 	\$ -	\$ 3,200,000
	<u>\$ 1,600,000</u>		<u>\$ 1,600,000</u>		<u>\$ 3,200,000</u>
Available Authorizations:		\$ 1,409			
Available Funding:		\$(1,998,591)			
Operating Budget Impact:		\$ -			

*Available Authorizations / Funding as of February 28, 2023, net of obligations.

FY2024 Activity:

Complete the replacement of the HVAC system.

Future Activity:

Sunset project as of July 1, 2025.

EXHIBIT A**PROJECT PROFILES
PUBLIC WORKS - FACILITIES/EQUIPMENT (continued)**

Project Name (Number): General Roof Renovations (C309909)					
Major roof rehabilitation at various County facilities.				Council Districts: All	
Funding Schedule					
	Bonds	Federal	State	Other	Total
Prior Authorizations	\$ 2,265,840	\$ -	\$ -	\$ 160	\$ 2,266,000
FY2024	<u>1,250,000</u>	-			<u>1,250,000</u>
	750,000		500,000		1,250,000
FY2025	-	-	-	-	-
FY2026	500,000	-	-	-	500,000
FY2027	500,000	-	-	-	500,000
FY2028	500,000	-	-	-	500,000
FY2029	250,000	-	-	-	250,000
Future Years	500,000	-	-	-	500,000
Total	\$ 5,765,840	\$ -	\$	\$ 160	\$ 5,766,000
<u>\$ 5,265,840</u>			<u>\$ 500,000</u>		<u>\$ 5,766,000</u>
Available Authorizations:		\$ 1,228,029			
Available Funding:		\$ 314,975			
Operating Budget Impact:		\$ 2,750			

*Available Authorizations / Funding as of February 28, 2023, net of obligations.

FY2024 Activity:

Complete silicon roof coating for Base D and Public Safety Building; and new roof at Brandywine Library.

Future Activity:

Repair/replace aging rooftops. (Glasgow Barn roof and other facilities as needed).

Introduced by: Mr. Bell, Ms. Hartley-Nagle
Date of introduction: August 29, 2023

ORDINANCE NO. 23-120

AMEND THE FY2024 APPROVED OPERATING BUDGET: APPROPRIATE \$16,000 IN FUNDING RECEIVED FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT TO THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS CONTRACTUAL SERVICES BUDGET LINE ITEM

WHEREAS, this legislation will amend the FY2024 Approved Operating Budget by appropriating \$16,000 in funding received from the Recorder of Deeds Technology Fee Account to the Department of Public Safety, Division of Emergency Communications Contractual Services Budget Line Item; and

WHEREAS, these funds will be used for the purchase of five RAVE Video annual licenses; and

WHEREAS, the annual licenses will allow the Department of Public Safety, Division of Emergency Communications dispatchers access to a 911 caller's cell phone camera (provided the caller permits), which will assist the dispatcher by seeing actual footage of the incident in real time; and

WHEREAS, the real time information will permit for effective questioning by the dispatchers and assist first responders by providing a better depiction of what is taking place; and

WHEREAS, the revenue measures heretofore adopted by the County Council are, in the opinion of the County Executive, estimated to yield sums at least sufficient to balance the proposed expenditures as set forth in the Annual Operating Budget as hereinafter amended.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. The Annual Operating Budget Ordinance for the fiscal year beginning July 1, 2023 is hereby amended by deleting the material stricken and adding the material underscored on the attached Exhibit "A."

Section 2. The foregoing amendment shall be considered a part of the Annual Operating Budget for the fiscal year beginning July 1, 2023 and shall be effective retroactively as though incorporated initially in the Annual Operating Budget Ordinance.

Section 3. The provisions in this Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will amend the FY2024 Approved Operating Budget by appropriating \$16,000 in funding received from the Recorder of Deeds Technology Fee Account to the Department of Public Safety, Division of Emergency Communications Contractual Services Budget Line Item to assist in the purchase of five RAVE Video annual licenses.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Approved Operating Budget by appropriating \$16,000 in funding received from the Recorder of Deeds Technology Fee Account to the Department of Public Safety, Division of Emergency Communications Contractual Services Budget Line Item.

The revised FY2024 Approved Operating Budget will be \$331,489,408. The fiscal impact to FY2025 and FY2026 will be \$16,000 annually as this is an on-going need.

The balance in the Recorder of Deeds Technology Fee Account as of August 15, 2023 is \$349,347.68. The revised balance in the Recorder of Deeds Technology Fee Account after this appropriation of funding will be \$333,347.68.

COUNTY COUNCIL

Salaries and Wages	\$	2,428,665
Benefits		1,428,590
Training and Civic Affairs		71,004
Communication and Utilities		17,849
Materials and Supplies		60,926
Contractual Services		253,148
Equipment		1,600
Grants and Fixed Charges		441,482
Operating Transfer Charges		161,959
Total	\$	4,865,223
Total Authorized Full-Time Positions	35	

COUNTY EXECUTIVE

Salaries and Wages	\$	1,777,524
Benefits		1,045,578
Training and Civic Affairs		31,904
Communication and Utilities		15,698
Materials and Supplies		22,236
Contractual Services		148,565
Equipment		1,000
Grants and Fixed Charges		543,000
Contingency		55,000
Operating Transfer Charges		82,016
Total	\$	3,722,521
Total Authorized Full-Time Positions	15	

DEPARTMENT OF ADMINISTRATION

Salaries and Wages	\$	12,223,612
Benefits		7,092,525
Training and Civic Affairs		130,625
Communication and Utilities		8,293,491
Materials and Supplies		158,147
Contractual Services		6,773,141
Equipment		389,900
Grants and Fixed Charges		3,932,350
Operating Transfer Charges		1,163,161
Operating Transfer Credits		(12,098,321)
Total	\$	24,933,673
Total Authorized Full-Time Positions	167	

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	24,594,391
Benefits		14,346,471
Training and Civic Affairs		42,945
Communication and Utilities		24,785,917
Materials and Supplies		4,524,681
Contractual Services		10,366,975
Equipment		483,333
Grants and Fixed Charges		1,193,757
Land and Structures		35,000
Operating Transfer Charges		4,843,006
Operating Transfer Credits		(7,438,785)
Total	\$	77,777,691
Total Authorized Full-Time Positions		384

DEPARTMENT OF LAND USE

Salaries and Wages	\$	8,375,178
Benefits		4,899,879
Training and Civic Affairs		68,665
Communication and Utilities		111,017
Materials and Supplies		113,127
Contractual Services		1,541,973
Equipment		55,175
Grants and Fixed Charges		56,500
Operating Transfer Charges		1,136,835
Operating Transfer Credits		(803,217)
Total	\$	15,555,132
Total Authorized Full-Time Positions		118

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	11,754,322
Benefits		5,318,947
Training and Civic Affairs		19,460
Communication and Utilities		948,692
Materials and Supplies		1,383,163
Contractual Services		2,333,974
Equipment		18,900
Grants and Fixed Charges		3,110,149
Operating Transfer Charges		1,230,637
Operating Transfer Credits		(190,829)
Total	\$	25,927,415
Total Authorized Full-Time Positions		160

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages		\$	67,198,478
Benefits			39,138,665
Training and Civic Affairs			178,869
Communication and Utilities			1,010,888
Materials and Supplies			1,039,511
Contractual Services	2,179,206		<u>2,195,206</u>
Equipment			1,471,072
Grants and Fixed Charges			6,492,175
Operating Transfer Charges			7,298,634
Total	<u>126,007,498</u>	\$	<u>126,023,498</u>
Total Authorized Full-Time Positions	711		

REGISTER OF WILLS

Salaries and Wages		\$	1,111,172
Benefits			634,647
Training and Civic Affairs			35,275
Communication and Utilities			12,374
Materials and Supplies			10,625
Contractual Services			62,668
Equipment			1,950
Operating Transfer Charges			85,180
Total		\$	<u>1,953,891</u>
Total Authorized Full-Time Positions	20		

RECORDER OF DEEDS

Salaries and Wages	\$	1,232,844
Benefits		712,707
Training and Civic Affairs		43,170
Communication and Utilities		33,977
Materials and Supplies		12,398
Contractual Services		79,718
Equipment		6,150
Grants and Fixed Charges		18,350
Operating Transfer Charges		148,002
Total	\$	2,287,316
Total Authorized Full-Time Positions	23	

SHERIFF

Salaries and Wages	\$	1,260,692
Benefits		737,678
Training and Civic Affairs		29,452
Communication and Utilities		16,189
Materials and Supplies		21,259
Contractual Services		55,999
Equipment		5,000
Operating Transfer Charges		144,938
Total	\$	2,271,207
Total Authorized Full-Time Positions	21	

CLERK OF THE PEACE

Salaries and Wages	\$	474,736
Benefits		279,250
Training and Civic Affairs		14,130
Communication and Utilities		5,168
Materials and Supplies		5,424
Contractual Services		30,043
Equipment Replacement		6,000
Operating Transfer Charges		31,776
Total	\$	846,527
Total Authorized Full-Time Positions	7	

DEBT SERVICE

Debt Service	\$	45,540,069
Total	\$	45,540,069
Total Authorized Full-Time Positions		

ETHICS COMMISSION

Salaries and Wages	\$	38,000
Benefits		3,385
Training and Civic Affairs		10,500
Communication and Utilities		1,922
Materials and Supplies		2,450
Contractual Services		290,642
Equipment		500
Operating Transfer Charges		6,699
Total	\$	354,098
Total Authorized Full-Time Positions	0	

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	600,000
Total	\$	600,000
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(4,293,340)
Personal Services - Employee Benefits	\$	(2,525,429)
Total	\$	(6,818,769)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	1,819,958
Total	\$	1,819,958

NEW CASTLE COUNTY

Salaries and Wages		\$	128,176,274
Benefits			73,112,893
Training and Civic Affairs			675,999
Communication and Utilities			35,253,182
Materials and Supplies			7,353,947
Contractual Services	24,116,052		<u>24,132,052</u>
Equipment			2,440,580
Grants and Fixed Charges			15,787,763
Debt Service			45,540,069
Land and Structures			35,000
Contingency			3,179,958
Operating Transfer Charges			16,332,843
Operating Transfer Credits			(20,531,152)
<i>Sub-Total New Castle County</i>	<i>331,473,408</i>	\$	<u>331,489,408</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,661</i>		

RESERVE ACCOUNTS AS OF JULY 25, 2023

Tax Stabilization Reserve Account (Unaudited)	73,283,748
Sewer Rate Stabilization Reserve Account (Unaudited)	10,615,708
General Fund Budget Reserve Account	45,512,418
Sewer Fund Budget Reserve Account	18,872,304
<i>Total Reserves:</i>	<u>148,284,178</u>

Introduced by: Mr. Bell, Mr. Cartier
Date of introduction: August 29, 2023

ORDINANCE NO. 23-121

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 6 (“BUILDING CODE”) REGARDING ARTICLE 1 (“GENERAL”), ARTICLE 2 (“DEFINITIONS”), ARTICLE 3 (“ADMINISTRATION”), ARTICLE 4 (“BUILDING CODE”), ARTICLE 5 (“RESIDENTIAL CODE”), ARTICLE 9 (“EXISTING BUILDING CODE”), ARTICLE 10 (“ENERGY CONSERVATION CODE”), ARTICLE 11 (“SWIMMING POOL AND SPA CODE”), ARTICLE 12 (“VIOLATIONS, ENFORCEMENT, AND PENALTIES”) AND SCHEDULE OF PERMIT AND REVIEW FEES

WHEREAS, New Castle County is charged with the responsibility of ensuring the health, safety, and welfare of the citizens of New Castle County by administering and enforcing the regulations of the building industry; and

WHEREAS, by the adoption of this Ordinance the New Castle County Executive and County Council intend: (1) to update Chapter 6 of the *New Castle County Code* consistent with the *International Building Code, 2021 edition*, *International Residential Code, 2021 edition*, the *International Existing Building Code, 2021 edition*, the *International Swimming Pool and Spa Code, 2021 edition*, and the *State Energy Conservation Code* (also known as the *International Energy Conservation Code, 2018 edition*) as may be amended herein; and (2) to otherwise update, clarify, and strengthen the administrative provisions of Chapter 6 of the *New Castle County Code*; and

WHEREAS, based on a comprehensive review of Chapter 6 of the *New Castle County Code* by the professional staff in the New Castle County Department of Land Use and comments by stakeholders, applicants and local experts in building code issues, New Castle County has developed updated standards for buildings and structures and has identified additional clarifications, corrections, improvements and changes necessary to further administer and enforce the regulations of the building industry; and

WHEREAS, New Castle County Council finds that the provisions of this Ordinance are rationally and reasonably related to, substantially advance, and are narrowly tailored to achieve its goal of protecting and preserving legitimate government interests, including, but not limited to, the protection and preservation of the public health, safety, prosperity, general welfare, and quality of life.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. *New Castle County Code* Chapter 6 (“Building Code”), Article 1 (“General”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

ARTICLE 1. GENERAL.

Sec. 6.01.001. General.

A. *Title...*

B. *Purpose.* The purpose of this Chapter is to establish minimum requirements for a reasonable level of life safety, health, property protection and general welfare through regulations that provide for structural strength, means of egress, stability, sanitation, light and ventilation, and energy conservation. This Chapter shall apply to the unincorporated territory of New Castle County, Delaware, and may apply to incorporated municipalities if by appropriate action of its governing body, any such governing body elects to be included in its application. Such jurisdictions are defined in Appendix 6 of this Chapter.

C. *Scope...*

D. *Appendices...*

E. *Existing structures.* The legal occupancy of any structure existing on the date of adoption of this Chapter shall be permitted to continue without change, except as is specifically covered in this Chapter, the International Existing Building Code, the property maintenance code provisions, or other provision of this Code, or as is deemed necessary by the Code Official for the general safety and welfare of the occupants and the public. Additions, alterations or repairs to any structure shall conform to the requirements for a new structure without requiring the existing structure to comply with the requirements of this Chapter, unless otherwise stated. Additions, alterations, repairs and relocations shall not cause an existing structure to become less compliant with the provisions of this Chapter than the existing building or structure was prior to the addition, alteration or repair.

F. *Moved pools and spas...*

Section 2. *New Castle County Code* Chapter 6 (“Building Code”), Article 2 (“Definitions”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

ARTICLE 2. DEFINITIONS

Sec. 6.02.001. Definitions.

The following words, terms, and phrases, when used in this Chapter shall have the meaning ascribed...

Contractor license means...

Contributing resource means a structure or property which is a historic resource within, or eligible for, Historic overlay zoning or is a contributing element to a Historic overlay zoning district.

County means ...

Third party inspector...

Third party plan reviewer means a business entity that performs plan reviews at the direction of the Code Official but whose employees are not employed by New Castle County.

Violation notice...

Section 3. *New Castle County Code* Chapter 6 (“Building Code”), Article 3 (“Administration”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

ARTICLE 3. ADMINISTRATION

Sec. 6.03.004. Unlicensed contractors.

- A. It shall be a violation ...
- B. Licensed contractors who violate this Section...
 - 1. For the first offense...
 - 2. For the second and subsequent offenses, violators shall be subject to administrative penalties and fees established in this Chapter and/or revocation of his or her contractor license or permit contractor endorsement for up to [~~three (3)~~]two (2) years.
- C. Unlicensed contractors ...

Sec. 6.03.010. Regulations for sanitary sewer contractors.

- A. *Sewer and drain cleaner...*
 - 1. *Required equipment.* Any applicant who desires to clean sewer laterals shall have appropriate sewer lateral and drain cleaning equipment, as required by the Department of Public Works, including but not limited to, rodding equipment capable of passing three-inch to six-inch cutter through a sewer lateral.
 - 2. *Equipment approval letter...*
- B. *Outside utility connector...*
 - 1. *Conditions...*
 - 2. Violation of any condition set forth in subsection (B)(1) of this Section shall result in the revocation of the contractor license for a period of up to [~~five (5)~~]two (2) years subject to the reinstatement provisions of this Chapter.

Sec. 06.03.012. Permits.

- A. *Required.* Any permit contractor endorsement ...

3. *Owner-occupier single-family dwelling permit...*

[4. *Demolition permits.* An owner or non-permit endorsed contractor may make application for demolition permit when the applicant intends to complete all work covered by the permit.]

B. *Transfer of permit...*

C. *Work exempt from permit...*

1. *Building, Residential and Swimming Pool and Spa.*

~~[a. One-story detached residential accessory structures used as tool and storage sheds, playhouses, free-standing gazebos and non-habitable similar uses, provided the floor area does not exceed two hundred (200) square feet (18.58 m²) and with an eave height of ten (10) feet (3048 mm) or less. This exemption shall not apply to garages or structures capable of storing motor vehicles.~~

~~b. Fences.~~

~~c. Retaining walls which are not over four (4) feet (1219 mm) in exposed height, unless supporting a surcharge or impounding Class I, II, or III-A liquids.——~~

~~d. Water tanks supported directly upon grade if the capacity does not exceed five thousand (5,000) gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.~~

~~e. Sidewalks and driveways.~~

~~f. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.~~

~~g. Exterior siding or the replacement of roof covering that does not involve the repair or replacement of more than twenty-five (25) percent of the sheathing. This exemption shall not apply to exterior masonry, adhered masonry veneer, or plaster (stucco) work.~~

~~h. Temporary motion picture, television and theater stage sets and scenery.~~

~~i. Shade cloth structures not exceeding two hundred (200) square feet or constructed for nursery or agricultural purposes, not including service systems.~~

~~j. Swings and other playground equipment.~~

~~k. Window awnings supported by an exterior wall which do not project more than fifty-four (54) inches (1372 mm) from the exterior wall and do not require additional support.~~

~~l. Non-fixed and moveable fixtures, cases, racks, counters, and partitions not over five (5) feet nine (9) inches (1753 mm) in height.~~

- ~~m. Decks not exceeding two hundred (200) square feet in area, that are not more than thirty (30) inches (762 mm) above grade at any point and are not adjacent to, or attached to, a one- or two-family dwelling.~~
- ~~n. Patio and decorative hardscaping not more than thirty (30) inches above grade at any point.~~
- ~~o. Flotation tank systems intended for sensory deprivation therapy.~~
- ~~p. Temporary modular ramps, constructed of light frame materials, serving a one- or two-family dwelling where the height of the entrance served by the ramp is not more than thirty (30) inches (762 mm) above grade at any point. This exemption shall not apply to ramps constructed from wood products.~~
- ~~q. Replacement of windows and doors with others of the same size, and in the same location when the structural frame of the opening is not altered.~~
- ~~r. Steps not exceeding thirty (30) inches above grade at any point and accessory to a one- or two-family dwelling.]~~
- a. Non-fixed and moveable fixtures, cases, racks, counters, and partitions not over five (5) feet nine (9) inches (1753 mm) in height.
- b. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- c. Window awnings supported by an exterior wall which do not project more than fifty-four (54) inches (1372 mm) from the exterior wall and do not require additional support.
- d. Exterior siding replacement that does not involve the repair or replacement of more than twenty-five (25) percent of the sheathing. This exemption shall not apply to anchored stone and masonry, adhered masonry veneer, or plaster (stucco) work.
- e. Roof covering replacement that does not involve the repair or replacement of more than twenty-five (25) percent of the sheathing.
- f. Replacement of windows and doors with others of the same size, and in the same location when the structural frame of the opening is not altered.
- g. Fences.
- h. Retaining walls which are not over four (4) feet (1219 mm) in exposed height, unless supporting a surcharge or impounding Class I, II, or III-A-liquids. Two adjacent walls separated by less than 2x the horizontal distance of the lower elevation wall height shall be considered a single wall.
- i. Non-structural concrete slabs, patio and decorative hardscaping not more than thirty (30) inches above grade at any point.
- j. Sidewalks and driveways.

- k. Water tanks supported directly upon grade if the capacity does not exceed five thousand (5,000) gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.
 - l. Temporary motion picture, television and theater stage sets and scenery.
 - m. Shade cloth structures (i) not exceeding 200 square feet or; (ii) constructed for nursery or agricultural purposes, not including service systems.
 - n. Swings and other playground equipment.
 - o. Flotation tank systems intended for sensory deprivation therapy.
2. For one- and two-family dwellings only regulated by the Residential Code. The following exemptions are in addition to work identified in Sec. 06.03.012.C.1.
- a. One-story detached residential accessory structures used as tool and storage sheds, playhouses, pergolas, free-standing gazebos and non-habitable similar uses, provided the floor area does not exceed two hundred (200) square feet (18.58 m²) and with an eave height of ten (10) feet (3048 mm) or less and a maximum overall height of twenty (20) feet (6096 mm). This exemption shall not apply to garages or structures capable of storing motor vehicles.
 - b. Decks not exceeding two hundred (200) square feet in area, that are not more than thirty (30) inches (762 mm) above grade at any point and are not adjacent to, or attached to, a one- or two-family dwelling.
 - c. Carports and patio covers, provided they are free-standing and pre-fabricated, and do not exceed two hundred (200) square feet (19 m²) that are accessory to a one- and two-family dwelling. Carports not open on at least two sides shall be considered a garage and this exemption shall not apply to garages.
 - d. Steps and landings, accessory to a one- and two-family dwelling, not exceeding 16 square feet (1.5 m²) in area that are not more than thirty (30) inches above grade at any point and do not serve the exit door required by R311.4 of this Chapter.
 - e. Temporary modular ramps, constructed of light-frame materials, serving a one- or two-family dwelling where the height of the entrance served by the ramp is not more than thirty (30) inches (762 mm) above grade at any point. This exemption shall not apply to ramps constructed from wood products.

[2]3. *Gas:...*

[3]4. *Mechanical:...*

[4]5. *Plumbing:...*

Sec. 06.03.013. Submittal documents

A. *General.* Submittal documents consisting of construction documents, statement of special inspections, structural observation programs, investigation and evaluation reports, and other data shall be submitted ~~[in three (3) sets]~~ with each application for a permit or in ~~[an electric format as required]~~ a digital format where allowed by the Code Official. The construction documents shall be prepared by a registered design professional licensed in the State of Delaware. Where special conditions exist, the Code Official is authorized to require additional construction documents to be prepared by a registered design professional at applicant's expense....

B. *Construction documents...*

1. *Information on construction documents...*

a. *Minimum design requirements for non-residential construction documents...*

1. *Code data...*

3. *Exterior wall envelope...*

4. *Exterior balconies and elevated walking surfaces.* Where balconies or other elevated walking surfaces have weather-exposed surfaces, and the structural framing is protected by an impervious moisture barrier, the construction documents shall include details for all elements of the impervious moisture barrier system. The construction documents shall include manufacturer's installation instructions.

b. *Minimum design requirements for Residential documents...*

c. *Minimum design requirements for swimming pools...*

d. *Minimum design requirements for non-residential Mechanical documents...*

1. Plans must be drawn to scale...

2. For projects over ten thousand (10,000) square feet, the construction documents shall bear the signature and seal of a Delaware registered design professional.

3. Equipment schedules to...

Sec. 6.03.016. Fees.

A. *Payment of fees...*

B. *Schedule of permit fees.* ~~[On buildings, structures, swimming pools and spas, gas, mechanical, and plumbing systems or alterations requiring a permit]~~ Where a permit is required, a fee for each permit shall be paid as required and in accordance with the Schedule of Permit Fees.

C. *Permit valuations...*

D. *Work commencing before permit issuance.* Any person who commences any work ~~[on a building, structure, swimming pool and spa, gas, mechanical, or plumbing system]~~ before obtaining the necessary permits shall be subject to administrative penalties and fees established by the Code Official in addition to the required permit fees. Any such work that includes an historic alteration on a contributing resource shall also be subject to provisions in Sec. 06.03.020.

E. *Related fees...*

Sec. 6.03.018 Inspections.

A. *General*

F. *Final inspection...*

G. *Who is eligible to perform inspections required by the County.* All County required inspections shall be performed by a County employee duly authorized by the Code Official. Upon approval by the Code Official an approved inspection agency, or a design professional [~~licensed by the State of Delaware~~] may perform required inspections as a third party inspector. [~~Employees of approved inspection agencies, architects, and engineers are independent contractors (herein referred to as third party inspectors) and are not employees of New Castle County.~~] Employees of inspection agencies must affirm their work under penalty of perjury.

1. *Inspection agencies.* The Code Official is authorized to accept reports of approved inspection agencies on construction requiring a building permit, provided the Code Official, after sufficient investigation, determines that such agencies are qualified and reliable. Inspections must be conducted under the direct supervision of a design professional.

2. *Design Professionals...*

H. *Third party inspections.*

1. *Regulations for third party inspections...*

3. *Third party inspector responsibilities.*

a. *Current copy of adopted codes...*

b. *Verification prior to performing inspection...*

c. *Report required.* Third party inspectors shall maintain written records of all on-site inspections. An inspection report, or other required inspection checklists, shall be prepared that indicate at the time of inspection, the construction, installation, or modification meets the minimum requirements of the applicable Codes for that phase of the project. The approved inspector shall submit reports certified by a design professional, to the Permit Holder and to the Code Official. Discrepancies shall be brought to the immediate attention of the contractor for correction. If they are not corrected, the discrepancies shall be brought to the attention of the Code Official prior to the completion of that phase of the work.

Sec. 6.03.019. Certificates of approval.

A. *Certificates required...*

C. *Certificate issued.* Upon completion of the final inspection and correction of all outstanding violations and discrepancies of this Chapter, the approved plans, the permits, or other provisions

of this Code are corrected and all directives of the Code Official are satisfied, the Code Official shall issue a certificate of occupancy indicating the completion of the work for which the permit was issued. The certificate shall contain the following:

1. The certificate issue date.
2. The [~~building~~]permit number.
3. The tax identification number and address of the structure.
4. The name and address of the owner.
5. A description of that portion of the structure for which the certificate is issued.
6. A statement that the described portion of the structure has been inspected for compliance with the requirements of this Chapter for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
7. The signature of the Code Official.
8. The edition of the code under which the permit was issued.
9. [~~If~~]Where an automatic sprinkler system is provided and whether the sprinkler system is required.
10. Any special stipulations and conditions of the building permit.
11. Recognition as a green building, if applicable.

D. *Temporary occupancy...*

Sec. 6.03.020. Special guidelines for work done on historic structures.

A. *Review for historic structures...*

1. The Department shall not issue any permit for an exterior historic alteration, demolition, relocation, construction or reconstruction on any historic or contributing resource within, or eligible for, Historic overlay zoning unless first heard by the Historic Review Board (“HRB”). An Historic Resource application must be filed with the Department in order to appear before the [~~Board~~]HRB. Historic Resource applications are reviewed in accordance with Section 40.15.160 and Section 40.15.210 of this Code.
 - a. Based upon its public review for properties within an Historic overlay zoning district, the HRB shall provide a written decision in accordance with Section 40.31.370 of this Code.
 - b. Based upon its public review for properties outside of Historic overlay zoning districts, the HRB shall provide a written recommendation in accordance with Section 40.31.370 of this Code.
2. Once a building permit...

B. *Demolition of historic structures...*

1. A demolition permit shall not be issued until the Department has determined whether the structure is a contributing resource or eligible for Historic overlay zoning as defined by the criteria for designation in Section 40.15.110 of this Code. The Department shall determine the eligibility within the twenty (20) days of receiving a complete application.
 - a. Where the resource...
 - b. Where the resource...
2. In order to seek mitigation or alternatives to demolition, the HRB may hold the issuance of the demolition permit for a period not to exceed nine (9) months from the date of the HRB written opinion to the Code Official. HRB findings shall be issued to the Code Official in a written recommendation in accordance with Section 40.31.370 of this Code.
 - a. The HRB has the authority to deny demolition permits that are located within an Historic overlay zoning district pursuant to Section 40.15.160 of ~~[the New Castle County Code]~~this Code.
 - b. The HRB has the authority to require documentation in accordance with Section 40.15.210.B of this Code prior to the release of a demolition permit for any structure determined a contributing resource or eligible for Historic overlay zoning as defined by the criteria for designation listed in Section 40.15.110 of this Code.
3. Upon verification by the Historic Review Board that a building or structure of historic significance or a contributing resource has been demolished prior to issuance of a demolition permit, the Code Official shall initiate administrative enforcement proceedings pursuant to Sec. 6.12.002(C) and request the County Attorney to take immediate action to prosecute those responsible for the demolition. In addition, the Code Official may withhold building permits for that parcel for one to three (3) years, such determination to be made by the Code Official in writing to the legal owner of the property.

Sec. 6.03.021. Emergency measures.

A. *Authority to disconnect service utilities.* The Code Official shall have the authority to authorize disconnection of utility service to the building, structure, or system regulated by this Chapter and the referenced codes and standards set forth in Section 06.01.001 in case of emergency where necessary to eliminate an immediate hazard to life or property. The Code Official shall notify the serving utility, and wherever possible, the owner or the owner's authorized agent and occupant of the building, structure, or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure, or service system shall be notified as soon as practical thereafter.

B. *Imminent danger...*

C. *Restoration.* ~~[The structure or equipment determined to be unsafe by the Code Official is permitted to be restored to a safe condition]~~The Code Official is authorized to order the owner, the owner's authorized agent, operator or occupant of a structure, premises or equipment of the building or structure to restore the unsafe structure or equipment to a safe condition. To the extent

that repairs, alterations, or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of this Chapter and of this Code.

D. Temporary safeguards...

Section 4. *New Castle County Code* Chapter 6 (“Building Code”), Article 4 (“Building Code”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

ARTICLE 4. BUILDING CODE

Sec. 6.04.001. Adoption of the International Building Code.

That certain document, on file with the office of the Clerk of the County Council, being marked and designated as the International Building Code, [2018]2021 edition, as published by the International Code Council, be and is hereby adopted as the Building Code of New Castle. All the regulations, provisions, conditions, and terms of the International Building Code, [2018]2021 edition, and any supplements, referenced codes, and standards, are hereby referred to, adopted and made part of this Chapter, as if fully set out in this legislation, with the additions, insertions, deletions and changes prescribed in Sec. 6.04.002.

Sec. 6.04.002. Amendments to the International Building Code.

The following sections of the International Building Code, [2018]2021 edition, are revised as follows. All code references including text and lines are based on the 2021 International Building Code, second printing: September 2021. Note: Although the International Building Code does not identify sections with a “B” designation, such a designation is utilized to avoid any confusion as to which Code the amendment relates.

References to the International Fire Code, [2018]2021 edition, as published by the International Code Council, are not specifically adopted. Provisions of the International Fire Code are addressed through the adoption of the National Fire Prevention Association (NFPA) Codes and Standards and the Delaware Fire Prevention Regulations as adopted by the Delaware State Fire Marshal’s Office.

CHAPTER 1. ADMINISTRATION...

CHAPTER 3. USE AND OCCUPANCY CLASSIFICATION

Section B308.5.4...

Section B310.4, Residential Group R-3, is amended in the [seventh]eighth line by deleting the word “persons” and substituting the phrase “adults or twelve or fewer children”.

Section B310.4.1...

CHAPTER 10. MEANS OF EGRESS

Section B1023.9...

Section B1025.1, General, is amended in the second and third lines by deleting the phrase “high-rise buildings” and substituting the phrase “buildings having three (3) or more stories above or below the level of exit discharge” and in the third line by deleting the phrase “or R-1” and substituting the phrase “, R-1 or R-2”.

CHAPTER 11. ACCESSIBILITY

~~[Section B1105, Accessible entrances, is amended by adding the following subsection:~~

~~*B1105.2. Requirements for newly constructed places of public accommodation.* All buildings which are constructed after January 1, 2011, and intended for use as places of public accommodation as defined by this Chapter and 6 Del. C. ch. 45 (“Equal Accommodations”), must be equipped with automatic doors at each entrance that is intended to be a main entrance and is accessible by the general public.]~~

~~*B1105.1.1, Automatic doors*, is amended in the first line by deleting the phrase “facilities with the occupancies and building occupant loads indicated in Table 1105.1.1” and substituting the phrase “places of public accommodations as defined by this Chapter” and in the fifth line by adding the phrase “as in accordance with 6 Del. C. ch. 45 (“Equal accommodations”).” to the end of the first sentence.~~

~~*Table B1105.1.1, Public entrance with power-operated door*, is amended by deleting the table in its entirety.~~

CHAPTER 13. ENERGY EFFICIENCY...

CHAPTER 16. STRUCTURAL DESIGN

Section B1612.2...

Section B1612.3, Established of flood hazard areas, is clarified to depict that the effective date of the most recent FIRM maps for New Castle County is ~~[February 4, 2015]~~January 22, 2020 and encompasses Map Number 10003C0025J through and including Map Number 10003C0475J and all revisions defined by FEMA FIRM maps.

Section B1612.3.2...

CHAPTER 18. SOILS AND FOUNDATIONS

~~[Section B1803.5, Investigated conditions, is amended by adding the following subsection:~~

~~*Section 1803.5.13. Subsidence areas.* All applications in subsidence areas shall include a report, prepared by a professional geologist or a professional geotechnical engineer registered in the State of Delaware, evaluating the vulnerability of the subsurface of subsidence (sinkholes). The application and report shall be sufficient to establish to the satisfaction of the Code Official after consulting with the Delaware Geological Survey, that the construction methods to be employed will be adequate to minimize the potential for subsidence. A soils report shall not be required for one and two family dwellings unless~~

field inspections indicate questionable soils or conditions or it is located in a subsidence area.]

Section 1803.5.2, Questionable soil, is amended by adding the following sentence to the end of the section: “All applications in subsidence areas shall include a report, prepared by a professional geologist or a professional geotechnical engineer registered in the State of Delaware, evaluating the vulnerability of the subsurface (sinkholes).”

Section B1805.4.3...

Table B1807.1.6.2, Concrete foundation walls, is amended by adding the following ~~[footnote]~~ sentence to the end of footnote a:

“~~[f.]~~In the absence of soil data, the following ratings shall be used for the lateral soil load: 60 PSF/FT for basement walls; 45 PSF/FT of depth for retaining walls; and 200 PSF/FT of depth for passing pressure.”

Table B1807.1.6.3(1), Plain masonry foundation walls, is amended by adding the following ~~[footnote]~~ sentence to the end of footnote a:

“~~[g.]~~In the absence of soil data, the following ratings shall be used for the lateral soil load; 60 PSF/FT for basement walls; 45 PSF/FT of depth for retaining walls; and 200 PSF/FT of depth for passing pressure.”

Table B1807.1.6.3(2), 8-inch masonry foundation walls with reinforcement where $d \geq 5$ inches, is amended by adding the following sentence to the end of footnote a:

“In the absence of soil data, the following ratings shall be used for the lateral soil load; 60 PSF/FT for basement walls; 45 PSF/FT of depth for retaining walls; and 200 PSF/FT of depth for passing pressure.”

Table B1807.1.6.3(3), 10-inch masonry foundation walls with reinforcement where $d \geq 6.75$ inches, is amended by adding the following sentence to the end of footnote a:

“In the absence of soil data, the following ratings shall be used for the lateral soil load; 60 PSF/FT for basement walls; 45 PSF/FT of depth for retaining walls; and 200 PSF/FT of depth for passing pressure.”

Table B1807.1.6.3(4), 12-inch masonry foundation walls with reinforcement where $d \geq 8.75$ inches, is amended by adding the following sentence to the end of footnote a:

“In the absence of soil data, the following ratings shall be used for the lateral soil load; 60 PSF/FT for basement walls; 45 PSF/FT of depth for retaining walls; and 200 PSF/FT of depth for passing pressure.”

Section B1809.5, Frost Protection, Number 1...

CHAPTER 23. WOOD

Section B2304.12, Protection against decay and termites, is amended by adding the following subsection:

~~[B2304.12.2.7]~~*B2304.12.2.9, Foundation sill plates.* All sill plates anchored to foundation walls shall be of approved naturally durable or preservative treated wood.

Section B2304.12, Protection against decay and termites, is amended by adding the following subsection:

~~[B2304.12.2.8]~~*B2304.12.2.10, Wood in contact with masonry or concrete.* All wood against masonry or concrete must be approved naturally durable, preservative treated wood, or protected in an approved manner.

CHAPTER 24. GLASS AND GLAZING

Section B2403.1, Identification...

~~[CHAPTER 25. — GYPSUM BOARD, GYPSUM PANEL PRODUCTS AND PLASTER~~

~~Section B2510.6, Water-resistive barriers, Exception Number 1, is amended is the sixth line by deleting the phrase “or drainage space” and substituting “and integrated with a continuous designed drainage space (a gap) that allows moisture to drain freely to the exterior of the assembly.~~

~~A drainage space shall be, but not limited to, a space formed by the use of any non-corrodible furring strips, drainage mat, or drainage board which allows for the continuous flow of moisture. Such products and designs must adhere to this section and those requirements outlined in Section 06.03.011(N) “Alternative materials, design, and methods of construction and equipment”.”]~~

CHAPTER 27. ELECTRICAL...

Section 5. *New Castle County Code* Chapter 6 (“Building Code”), Article 5 (“Residential Code”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below.

ARTICLE 5. RESIDENTIAL CODE

Sec. 6.05.001. Adoption of the International Residential Code

That certain document, on file with the office of the Clerk of the County Council, being marked and designated as the International Residential Code, [2018]2021 edition, including [Appendix E]Appendices AE and AJ, as published by the International Code Council, be and is hereby adopted as the Residential Code of New Castle County. All the regulations, provisions, conditions, and terms of the International Residential Code, [2018]2021 edition, and any supplements, referenced codes, and standards, are hereby referred to, adopted and made part of this Chapter, as if fully set out in this legislation, with the additions, insertions, deletions and changes prescribed in Sec. 6.05.002.

Sec. 6.05.002. Amendments to the International Residential Code.

The following sections of the International Residential Code, [2018]2021 edition, are revised as follows. All code references including text and lines are based on the 2021 International Residential Code, second printing: November 2021. Note: Although the International Residential Code does not identify sections with a “R” designation, such a designation is utilized to avoid any confusion as to which Code the amendment relates.

References to the International Fire Code, 2021 edition, as published by the International Code Council, are not specifically adopted. Provisions of the International Fire Code are addressed through the adoption of the National Fire Prevention Association (NFPA) Codes and Standards and the Delaware Fire Prevention Regulations as adopted by the Delaware State Fire Marshal’s Office.

CHAPTER 3. BUILDING PLANNING

Table R301.2(1), Climatic and Geographic Design Criteria, is filled in as follows:

[GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			Winter Design Temp	Ice Barrier Underlayment Required	Flood Hazards	Air Freezing Index	Mean Annual Temp
	Speed	Topographic effects	Special Wind region	Wind-borne debris zone		Weathering	Frost line depth	Termite					
25 lbs./sq.ft.	115 mph	No	No	No	B	Severe	32"	Yes	14°F	No	10/05/2000 2/04/2015	596	54°F
MANUAL J DESIGN CRITERIA													
Elevation		Latitude		Winter heating		Summer cooling		Altitude correction factor		Indoor design temperature		Design temperature cooling	
78 ft		39°		14°F		89°F		1.0		72°F		75°F	
Cooling temperature difference		Wind velocity heating		Wind velocity cooling		Coincident wet bulb		Daily range		Winter humidity		Summer humidity	
14°F		15 mph		7.5 mph		74		M		50%		50%]	

<u>GROUND SNOW LOAD^a</u>	<u>WIND DESIGN</u>				<u>SEISMIC DESIGN CATEGORY^f</u>	<u>SUBJECT TO DAMAGE FROM</u>			<u>Ice Barrier Underlayment Required^h</u>	<u>Flood Hazards^g</u>	<u>Air Freezing Indexⁱ</u>	<u>Mean Annual Temp</u>
	<u>Speed^d (mph)</u>	<u>Topographic effects^k</u>	<u>Special wind region^l</u>	<u>Wind-borne debris zone^j</u>		<u>Weathering^a</u>	<u>Frost line depth^b</u>	<u>Termite^c</u>				
<u>25 lbs./sq.ft.</u>	<u>115 mph</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>B</u>	<u>Severe</u>	<u>32"</u>	<u>Yes</u>	<u>No</u>	<u>10/05/2000 2/04/2015</u>	<u>596</u>	<u>54°F</u>
<u>MANUAL J DESIGN CRITERIA</u>												
<u>Elevation</u>	<u>Altitude correction factor^e</u>		<u>Coincident wet bulb</u>		<u>Indoor winter design dry-bulb temperature</u>		<u>Indoor winter design dry-bulb temperature</u>		<u>Outdoor winter design dry-bulb temperature</u>		<u>Heating temperature difference</u>	
<u>79 ft</u>	<u>1.0</u>		<u>74</u>		<u>72</u>		<u>72</u>		<u>16</u>		<u>56°F</u>	

<u>Latitude</u>	<u>Daily range</u>	<u>Indoor summer design relative humidity</u>	<u>Summer design gains</u>	<u>Indoor summer design dry-bulb temperature</u>	<u>Outdoor summer design dry-bulb temperature</u>	<u>Cooling temperature difference</u>
<u>40a</u>	<u>M</u>	<u>50%</u>	<u>38</u>	<u>75</u>	<u>89</u>	<u>14</u>

Table R301.2(1), Flood hazards, is clarified to depict that the effective date of the most recent FIRM maps for New Castle County is ~~[February 4, 2015]~~January 22, 2020 and encompasses Map Number 10003C0025J through and including Map Number 10003C0475J and all revisions defined by FEMA FIRM maps.

Figure R301.2(6), Ground snow loads for the United States...

Section R303.4, Mechanical ventilation...

~~[Section R303.6, Outside opening protection, is amended by deleting the subsection in its entirety.]~~

Section R303.11, Prohibited connections...

Section R309.1, Floor surface...

~~[Section R310.6, Alterations or repairs of existing basements, is amended in the first and third lines by deleting the phrase “Alterations or” from both.]~~

~~[Section R316.6, Alterations or repairs of existing structures, Exception, is amended in the first line by adding the phrase, “habitable space or” after the word “new”.]~~

Section R310.7, Alterations or repairs of existing basements, is amended in the second line by adding the phrase “and alternations” after the word “rooms” and in the fourth and fifth lines by deleting the phrase “Other than sleeping rooms, w” and substituting “W” and by deleting the phrase “alterations or”.

~~[Section R311.2, Egress door, is amended by deleting the fourth sentence and substituting “All interior doors and openings in the path of egress shall have a minimum width of 2 feet 6 inches and a minimum height of 6 feet 6 inches. Doors to bathrooms or powder rooms may have a width of 2 feet 4 inches.”]~~

~~[Section R311.3.1, Floor elevations at the required egress doors, exception, is amended in the second and third lines deleting the phrase “the top of the threshold” and substituting “in the interior floor”.]~~

~~[Section R311.3.2, Floor elevations for other exterior doors, is amended in the fourth lines by deleting the phrase “top of the threshold” and substituting “interior floor”.]~~

Section R311.7.5.1, Risers, Exception, is amended by adding the following as exception number three:

3. Where the bottom or top riser adjoins a sloping public way, walkway or driveway having an established grade and serving as a landing, the bottom or top riser is permitted to be

reduced along the slope to less than 4 inches (102 mm) in height with the variation in height of the bottom or top riser not to exceed one unit vertical [F]in 12 units horizontal (8-percent slope) of stairway width.

~~[Section R313.1, Townhouse automatic fire sprinkler systems, is amended in the second line by deleting the word “shall” and substituting the word “may.”]~~

Section R313.1, Townhouse automatic fire sprinkler systems, is amended in the first line by adding the phrase “Effective January 1, 2025,” to the beginning of the sentence.

~~[Section R313.1, Townhouse automatic fire sprinkler system, Exception is amended by deleting the exception in its entirety.]~~

~~[Section R313.1.1, Design and installation, is amended in the third line by deleting the phrase “Section P2904 or”.]~~

~~[Section R313.2, One- and two-family dwellings automatic fire sprinkler systems, is amended in the second line by deleting the word “shall” and substituting the word “may.”]~~

Section R313.2, One- and two-family dwellings automatic fire sprinkler systems, is amended in the second line by adding the phrase “Effective January 1, 2025,” to the beginning of the sentence.

~~[Section R313.2, One- and two-family dwellings automatic fire sprinkler systems, is amended by deleting the exception in its entirety.]~~

~~[Section R313.2.1, Design and installation, is amended in the third line by deleting the phrase “Section P2904 or”.]~~

~~[Section R314.2.2, Alterations, repairs and additions, is amended by adding the following exception number three:~~

- ~~3. Minor interior renovations to dwellings require the installation of battery operated smoke alarms as required by the International Residential Code.]~~

~~[Section R315.2.2, Alterations, repairs and additions, is amended by adding the following exception number three:~~

- ~~3. Minor interior renovations to dwellings require the installation of battery operated carbon monoxide alarms as required by the International Residential Code.]~~

~~[Section R317.1, Location required, Number 2, is amended in the second and third line by deleting “and are less than 8 inches (203 mm) from exposed ground.”]~~

Section R322.1.4.2, Determination of impacts, is amended in the [eighth and]ninth line[s] by deleting the phrase “1 foot (305 mm)” and substituting the phrase “0.1 foot”.

Section R322.2.1, Elevation requirements, Number 1...

Section R322.2.1, Elevation requirements, Number 2, is amended in the [~~fifth and~~]sixth line[s] by deleting the phrase “1 foot (305 mm)” and substituting “18 inches (457 mm).”

Section R322.2.1, Elevation requirements, Number 3...

Section R322.3.2, Elevation requirements, Number 1...

Section R322.3.2, Elevation requirements, [~~Number 4~~]Number 5, is amended in the second line by adding the phrase “not to exceed 20 cubic yards on a single lot,” after the word “fill,”.

Section [~~R328~~]R331, Construction Sanitation, is added as a new section as follows:

Section [~~R328~~]R331, Construction sanitation.

Section [~~R328.1~~]R331.1, Facilities Required. Sanitary facilities shall be provided during construction, remodeling or demolition activities in accordance with the Statewide Plumbing Code.

Section [~~R328.2~~]R331.2, Storage of construction and demolition waste. Construction and demolition waste may be stored upon the land where actual construction or demolition is in progress; provided, however, that such waste shall not be stored for a period exceeding ninety (90) days and all other waste not stored in a dumpster shall not be stored for periods exceeding thirty (30) days.

Section [~~R328.3~~]R331.3, Handling and storage of construction and demolition waste, trash, and litter. During all construction activities, the lot(s) shall be kept neat of trash and building materials. All construction sites shall be required to obtain and maintain on the site a container of suitable size and design to hold and confine trash, scraps, and other construction and demolition waste created or accumulated on the site, which might be blown from the site. All such construction refuse shall be maintained in a closed container, or a container of sufficient depth to prevent construction and demolition waste from blowing out of the container, at all times, until transferred to a landfill. Containers may be placed in setback areas, provided that the placement of the container does not obstruct the view of motorists and thereby create traffic hazards. It shall be a violation to permit accumulated debris, litter, or trash attributable to the construction site and the construction activity to blow or scatter onto adjoining properties, including the public street or to accumulate on the site outside of the container, or in transit to a landfill or dump. The owner or contractor shall service the container as frequently as needed to prevent trash from over-flowing.

Section [~~R328.4~~]R331.4, Final Inspection. A final clean-up is required, including the removal of all building debris, stumps, portable toilets, etc. within five (5) days after the final inspection on that parcel.

Exception: Stumps located outside of the limit of disturbance that are not required to be removed by any plan approved by the Department are not subject to this section.

Section [R328.5]R331.5, Enforcement. Any person who fails to comply with the requirements found in this Section shall be subject to the penalty and enforcement provisions provided in this Chapter.

Section R329.2, Installation, is amended in the fourth line by deleting the phrase “Chapters 34 through 43” and substituting the phrase “the Statewide Fuel Gas Code”.

CHAPTER 4. FOUNDATION

Table R403.1(3), Minimum width and thickness for concrete...

R403.1.1, Minimum size, is amended in the fifth line by deleting the phrase “6 inches (152 mm)” and substituting the phrase “8 inches (203 mm)”.

Figure R403.1(3), Permanent wood foundation crawl space section, is amended by deleting the phrase “6 IN. and substituting the phrase “8 IN.” as defined in R403.1.1.

Section R405.1, Concrete or masonry foundations...

CHAPTER 5. FLOORS

Table R507.3.1, Minimum footing size for decks...

~~[*Table R507.3.1, Minimum footing size for decks, footnote c., is amended by deleting the phrase “6 inches” and substituting the phrase “8 inches”.*]~~

Section R507.3.3, Frost protection, is amended in the first line by adding the phrase “adjacent to, or” after the word “are”.

CHAPTER 7. WALL COVERING

Section R703.7, Exterior plaster (stucco)...

~~[*Section R703.7.3, Water-resistive barriers, is amended in the fifth line after the word “paper” by adding the phrase “and integrated with a continuous designated drainage space (a gap) that allows moisture to drain freely to the exterior of the assembly.”*]~~

~~[*Section R703.7.3, Water-resistive barriers, Exception, is amended by deleting the exception it in its entirety and substituting:*~~

~~*Exception: Where the water-resistive barrier that is applied over wood-based sheathing has a water-resistive equal to or greater than that of a 60-minute Grade D paper and is separated from the stucco by an intervening, substantially nonwater-absorbing layer and integrated with a continuous designed drainage space (a gap) that allows moisture to drain freely to the exterior of the assembly.*~~

~~A drainage space shall be, but not limited to, a space formed by the use of any non-corrodible furring strips, drainage mat or drainage board which allows for the continuous flow of moisture. Such products and designs must adhere to this section and those requirements~~

outlined in Section 06.03.011(N) “Alternative materials, design, and methods of construction and equipment”.]

CHAPTER 12. MECHANICAL ADMINISTRATION through and including CHAPTER 43...

Section M1201 through and including Section E4304.5, together with all tables and figures contained therein, are amended by deleting the chapters in their entirety with the following modification: Subsection P2904, Dwelling unit fire sprinkler systems within Chapter 29, Water supply and distribution, is hereby adopted.

APPENDIX AE. MANUFACTURED HOUSING USED AS DWELLINGS

Appendix AE. Manufactured housing used as dwellings, is adopted with the following modifications: Subsection AE102.5[~~and~~], section[s ~~AE305, AE505~~]AE104 through and including section AE112 and section AE117 are hereby deleted.

APPENDIX AJ. EXISTING BUILDINGS AND STRUCTURES

Appendix AJ. Existing building and structures, is adopted in its entirety.

Section 6. *New Castle County Code Chapter 6 (“Building Code”), Article 9 (“Existing Building Code”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:*

ARTICLE 9. EXISTING BUILDING CODE

Sec. 6.09.001. Adoption of the International Existing Building Code.

That certain document, on file with the office of the Clerk of the County Council, being marked and designated as the International Existing Building Code, [2018]2021 edition, including Appendix A and Appendix B, as published by the International Code Council, be and is hereby adopted as the Existing Building Code of New Castle County. All regulations, provisions, conditions, and terms of the International Existing Building Code, [2018]2021 edition, and any supplements, referenced codes, and standards, are hereby referred to, adopted and made part of this Chapter, as if fully set out in this legislation, with the additions, insertions, deletions and changes prescribed in Sec. 6.09.002.

Sec. 6.09.002. Amendments to the International Existing Building Code.

The following sections of the International Existing Building Code, [2018]2021 edition, are revised as follows. All code references including text and lines are based on the 2021 International Existing Building Code, first printing: December 2020. Note: Although the *International Existing Building Code* does not identify sections with an “E” designation, such a designation is utilized to avoid any confusion as to what Code the amendment relates.

CHAPTER 2. DEFINITIONS

Section E202, General definitions, Existing Building, is amended in the third line by deleting the [definition of Existing Building and substituting the following:] phrase “building permit” and substituting the phrase “certificate of occupancy”.

~~[Existing Building. A building erected prior to the date of adoption of the appropriate code, or one for which a legal certificate of occupancy has been issued.]~~

Section E202, General definitions, Existing Structure, is amended in the third line by deleting the phrase “building permit” and substituting the phrase “certificate of occupancy”.

Section E202, General definitions...

CHAPTER 3. PROVISIONS FOR ALL COMPLIANCE METHODS

Section E301 is amended by adding the following subsection:

Section ~~[E301.6]~~E301.5 Building Evaluation. The Code Official is authorized to require an existing building to be investigated and evaluated by a registered design professional to determine the existence of any potential nonconformance with the provisions of this Chapter.

CHAPTER 8. ALTERATIONS – LEVEL 2

Section ~~[E807]~~E806, Electrical, is amended by deleting the subsection in its entirety.

Section 7. *New Castle County Code Chapter 6 (“Building Code”), Article 10 (“Energy Conservation Code”),* is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

ARTICLE 10. ENERGY CONSERVATION CODE

Sec. 6.10.002. Amendments of the Statewide Energy Conservation Code.

The following sections of the International Energy Conservation Code, 2018 Edition, (IECC) are revised as follows. All code references including text and lines are based on the 2018 International Energy Conservation Code, fifth printing: November 2021. Note: Although the IECC does not identify sections with the designations that follow, to avoid any confusion, commercial provisions are provided with a “C” designation and residential provisions are provided with an “R” designation.

IECC – COMMERCIAL PROVISIONS...

Section 8. *New Castle County Code Chapter 6 (“Building Code”), Article 11 (“Swimming Pool and Spa Code”),* is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

ARTICLE 11. SWIMMING POOL AND SPA CODE

Sec. 6.11.001. Adoption of the International Swimming Pool and Spa Code.

That certain document, on file with the office of the Clerk of the County Council, being marked and designated as the International Swimming Pool and Spa Code, [2018]2021 edition, as published by the International Code Council, be and is hereby adopted as the Swimming Pool and Spa Code of New Castle County. All regulations, provisions, conditions, and terms of the International Swimming Pool and Spa Code, [2018]2021 edition, and any supplements, referenced codes, and standards, are hereby referred to, adopted and made part of this Chapter, as if fully set out in this legislation, with the additions, insertions, deletions and changes prescribed in Sec. 6.11.002.

Sec. 6.11.002. Amendments to the International Swimming Pool and Spa Code.

The following sections of the International Swimming Pool and Spa Code, [2018]2021 edition, are revised as follows. All code references including text and lines are based on the 2021 International Swimming Pool and Spa Code, second printing: June 2021. Note: Although the International Swimming Pool and Spa Code does not identify sections with an “SP” designation, such a designation is utilized to avoid any confusion as to what Code the amendment relates.

CHAPTER 3. GENERAL COMPLIANCE

~~[Section SP302.1, Electrical, is amended by adding the following subsection:~~

~~Section SP302.1.1, Overhead wires. No public or private swimming pool shall be constructed below any overhead utility wires unless in accordance with the latest edition of the National Electrical Code. The location of any overhead utility wires relative to the placement and operation of any public or private swimming pool shall be in compliance with the latest edition of the National Electrical Code.]~~

Section [SP302.6]SP302.1 through and including Section SP321.4, are amended by deleting all references to the phrase “Section 102.7.1” and substituting “this Chapter”.

Section SP305.4, Structure wall as a barrier...

~~[Section SP305.4, Structure wall as barrier, Number 3, is amended by deleting it in its entirety and substituting “3. The pool shall be equipped with a pool alarm that complies with ASTM F-2208.”]~~

Section SP305.4, Structure wall as barrier, Number 6, is amended by deleting it in its entirety and substituting [after item number three by adding]the following:

Exception: An approved means of protection, such as self-closing doors with self-latching devices, provided that the degree of protection afforded is not less than the protection afforded in Items 1, 2, ~~[or 3]~~and 5.

Section SP305.5, Onground residential pool structure as a barrier...

CHAPTER 4. PUBLIC SWIMMING POOLS

~~[Section SP401, General, is amended by adding the following section:~~

~~SP401.7, Equipment installations. Pumps, filters and other mechanical and electrical equipment for public swimming pools shall be enclosed in such a manner as to provide access only to authorized persons and not the bathers. Construction and drainage shall be arranged to avoid the entrance and accumulation of water in the vicinity of electrical equipment.]~~

Section SP406.2, Pool perimeter access...

Section 9. *New Castle County Code* Chapter 6 (“Building Code”), Article 12 (“Violations, Enforcement, and Penalties”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

ARTICLE 12. VIOLATIONS, ENFORCEMENT, AND PENALTIES

Sec. 6.12.002. Enforcement.

Any person who violates a provision of this Chapter...

A. *Criminal enforcement...*

C. *Administrative enforcement...*

1. *Code violations – health, safety, welfare of public not in jeopardy...*

2. *Stop work order – Health, safety, welfare of public in jeopardy...*

a. *Stop work order...*

b. *Form of order.* The stop work order shall be in writing and shall be given to the person to whom the permit was issued, the owner, or the person responsible for the property. Upon issuance of a stop work order, the cited work shall immediately cease. All notices shall: (i) be in writing; (ii) contain the address of the property or a description of the property sufficient for identification; (iii) include a clear statement of the reason or reasons why the order is being issued; (iv) state the conditions under which work will be permitted to resume; and (v) shall require the person notified to appear within no more than ten (10) days at a specified time in the Office of the Code Official, to show cause why the work should be allowed to continue.

Exception: *Emergencies.* Where an emergency exists, the Code Official shall not be required to give a written notice prior to the stopping of work. The Code Official shall be required to give verbal notice prior to stopping the work and provide subsequent written notice as soon as practically possible.

c. *Stop work applicable to subdivision...*

d. [~~Unlawful continuance~~]*Failure to comply.* Any person who shall continue any work in or about the building or structure after having been served with a stop work order, except such work as that person has been directed to

perform to remove a violation of an unsafe condition, shall be considered to be in violation of this Chapter.

e. *Post-deprivation show cause hearing...*

3. *Unsafe buildings, structures, and equipment...*

a. Unsafe [C]conditions. Buildings, structures, or existing equipment that are or hereafter become unsafe, unsanitary, or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down, removed, or made safe as the Code Official deems necessary and as provided for in this section and Sec. 06.03.021, Emergency measures. A vacant structure that is not secured against unauthorized entry shall be deemed ~~[to be]~~ unsafe.

b. *Notice...*

4. *Method of service...*

6. *Prosecution of violation...*

7. *Removal of placard.* Any person who defaces or removes a violation notice, stop work order, or any other notice posted on a building, structure, or equipment by the Code Official, shall be considered to be in violation of this Chapter and is subject to a fine of up to one thousand dollars (\$1,000.00) per occurrence.

8. *Costs.* The owner of the property or person responsible for the building or structure shall be responsible for all costs associated with the enforcement of this Chapter and the investigation, removal, remediation, or abatement of code violations including the costs of reports, studies, and opinions, prepared by design professionals, the institution and maintenance of temporary safeguards, restoration of unsafe buildings, structures or equipment, demolition, and reasonable attorney fees associated with the above. ~~[The costs shall be liens on the property to the extent permitted by Title 25, Chapter 29 of the Delaware Code]~~ Any unpaid costs may be considered a tax lien and collected in the same manner as other County real estate taxes.

9. *Penalties provisions...*

a. *Administrative fines.* Notwithstanding any other section of this Chapter, any person who is found to have violated any provision of this Chapter, permit, certificate, license, approved plan, or directive of the Code Official, in addition to any expense incurred by the County for the removal or abatement of such violation, will be assessed an administrative fine of up to one thousand dollars (\$1,000.00) for each day the violation continues. [If

~~the fines are not paid within 30 days of the date of assessment, the fines may result in liens on the property to the extent permitted by Title 25, Chapter 29 of the Delaware Code]~~Any unpaid fine that is final and non-appealable may be considered a tax lien and collected in the same manner as other County real estate taxes.

- b. *Refusal to issue any further building permits, inspections, and certificates of occupancy.* The Code Official may refuse to grant any further building permits, inspections or certificates of occupancy to the violator, to any corporation, partnership, joint venture, or other legal entity with which the violator has a controlling interest, or to any business entity formed by the violator in an attempt to circumvent the effect of this penalty. Note: The Code Official is authorized to withhold additional permits only ~~[under]~~until the permit, license, or certificate holder remedies outstanding Code violations.
- c. *Institution of remedial action...*

Section 10. *New Castle County Code* Chapter 6 (“Building Code”), Schedule of Permit and Review Fees, is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

SCHEDULE OF PERMIT AND REVIEW FEES

Building Permit...

Demolition Permit

<u>Per structure fee:</u>	
<u>Residential structure, other than single family dwelling</u>	\$80.00
<u>Single family dwelling and non-residential structures</u>	\$130.00
<u>Historic review fee: 10% of permit valuation fee</u>	
<u>Residential structure, other than single family dwelling</u>	\$8.00
<u>Single family dwelling and non-residential structures</u>	\$13.00

Mechanical or Plumbing Permit...

Expired permit fine...

Working without a permit

For residential work, except demolition permit work, performed by exempt owner defined in Sec. 06.03.012(A):

.....Permit fee plus additional fee equal to the valuation fee or, permit fee if valuation is inapplicable

For work, except demolition permit work, performed by all others:

Permit fee plus additional fee equal to the valuation fee or, permit fee if valuation is inapplicable

Minimum fee.....	\$300.00
<u>For all demolition permit work performed:</u>	
Permit fee plus additional per structure fee	\$300.00
<u>A person found in violation of demolition permit work performed on a historic contributing resource is subject to administrative penalties pursuant to Sec. 6.12.002(C)(9)</u>	

Section 11. Certain documents on file in the office of the Clerk of County Council, being marked and designated as the *International Building Code, 2021 edition, International Residential Code, 2021 edition, International Mechanical Code, 2021 edition, International Plumbing Code, 2021 edition, International Fuel Gas Code, 2021 edition, International Existing Building Code, 2021 edition, International Swimming Pool and Spa Code, 2021 edition, and International Energy Conservation Code, 2018 edition*, all published by the International Code Council, are hereby adopted as the Building Code of New Castle County for the control of buildings and structures as provided in this Chapter. All the sections, conditions and terms of the above referenced International Codes are hereby referred to, adopted and made a part of this Chapter as if fully set out in this section, with the additions, insertions, deletions, and changes prescribed in this ordinance.

Section 12. Inconsistent ordinances and resolutions repealed. All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith are hereby repealed upon the effective date of this Ordinance.

Section 13. Effective date of the provisions of the Ordinance. The provisions of this Ordinance shall become effective on January 1, 2024.

Section 14. Continuation of existing ordinances and resolutions. The sections appearing in this Ordinance, so far as they are in substance the same as those ordinances and resolutions adopted and included in the *New Castle County Code*, shall be considered as continuations thereof and not as new enactments.

Section 15. Continuation of existing institutions, rights, and liabilities. The revisions of prior ordinances, resolutions, rules and regulations, provided for in this Ordinance, shall not affect any act done, or any cause of action accruing or accrued or established, or any suit or proceeding had or commenced in any civil action, nor any plea, defense, bar or matter existing before the time when such revisions shall take effect; but the proceedings in every such case shall conform with this ordinance to the extent applicable.

All the provisions of ordinances, resolutions, rules and regulations revised by this Ordinance shall be deemed to have remained in force from the time when they began to take effect, so far as they may apply to any department, agency, office or trust, or of any transaction or event of any limitation or any right or obligation or the construction of any contract already affected by such ordinances, resolutions, rules and regulations, notwithstanding the revisions of such provisions.

No offense committed and no penalty or forfeiture incurred, under any of the ordinances, resolutions, rules and regulations revised by this Ordinance and before the time when such revisions shall take effect shall be affected by such revisions.

No action or prosecution, pending the effective date of the revisions provided in this Ordinance, for any offense committed or for the recovery of any penalty or forfeiture incurred under any of the ordinances, resolutions, rules and regulations revised herein shall be abated or affected by such revisions, except that the proceedings in such action or prosecution shall conform with this Ordinance if applicable.

The provisions in this Ordinance shall not be construed to abolish or impair existing remedies available to New Castle County or its officers or agencies relating to the remediation of any dangerous, unsafe, or unsanitary condition.

Section 16. Severability. It is hereby declared to be the intention of the County Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance. If any provision of this Ordinance is found to be unconstitutional or void, the applicable former ordinance provisions shall become effective and shall be considered as continuations thereof and not as new enactments regardless if severability is possible.

Section 17. Other laws. The provisions of this Ordinance shall not be deemed to nullify any provisions of local, state, or federal law except as stated in Section 11 above.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: The following is a summary of the revisions contained in this Ordinance broken down by *New Castle County Code* Article or Section number.

Sec. 6.01.001. This amendment aligns Chapter Six with the 2021 International Codes, including adding language to the Chapter purpose and existing structures subsections.

Sec. 6.02.001. This amendment adds definitions for Contributing Resource and Third Party Plan Reviewer.

Sec. 6.03.004. This amendment aligns the license revocation penalty with Administrative Enforcement provisions in Section 6.12.002.C.9.d.1.

Sec. 6.03.010. This amendment defines NCC Public Works as the agency approving equipment and aligns the license revocation penalty with Administrative Enforcement provisions in Section 6.12.002.C.9.d.1.

Sec. 6.03.012. This amendment removes non-permit endorsed contractors from obtaining demolition permits; creates a separate subsection for residential work exempt from a permit; clarifies exemptions for roofing, stucco, concrete slabs and shade structures; and adds pergolas, carports and patio covers to residential work exempt from a permit.

Sec. 6.03.013. This amendment aligns with the 2021 International Codes for submittal document requirements related to digital format and minimum design requirements for non-residential exterior balconies and elevated walking surfaces.

Sec. 6.03.016. This amendment aligns Chapter Six fees language with the 2021 International Codes and restricts the ability of a person to work without a permit on historic alterations.

Sec. 6.03.018. This amendment clarifies the third party inspector language including: removes third party inspector definition already in Article 2; defines that agency work relates to required building permit inspections and clarifies the responsibilities related to design professional supervision.

Sec. 6.03.019. This amendment aligns Chapter Six with the 2021 International Codes with respect to data defined on Certificates.

Sec. 6.03.020. This amendment corrects references to the HRB and Chapter 40 of the NCC Code. The newly defined contributing resource language for historic structures is incorporated and states the Code Official will initiate administrative enforcement for demolition without a permit

Sec. 6.03.021. This amendment aligns Chapter Six with the 2021 International Codes related to an owner's authorized agent and restoration of unsafe structures.

Sec. 6.04.001. This amendment adopts the 2021 International Building Code (IBC) as the building code for New Castle County.

Sec. 6.04.002. This amendment relates to IBC code specific amendments, including: defines the IBC code version used for Chapter Six amendments; adds automatic doors requirements for public spaces defined by *Del. C. ch. 45* “Equal Accommodations”; adds subsidence areas reference in the questionable soils section of the IBC; defines standard lateral soil data in the absence of such data; and removal of unnecessary code amendments due to IBC revisions.

Sec. 6.05.001. This amendment adopts the 2021 International Residential Code (IRC) as the residential code for New Castle County.

Sec. 6.05.002. This amendment relates to IRC code specific amendments, including: defines the IRC code version used for Chapter Six amendments; exclusion from adoption of the International Fire Code in favor of retention of the fire prevention regulations adopted by the State Fire Marshal’s Office; updates climatic and geographic design criteria; mandates the installation of automatic sprinklers effective January 1, 2025; removes previous sprinkler design and installation criteria amendments as IRC now recognizes both P2904 and NFPA 13D; recognizes the Statewide Fuel Gas Code; amends the existing minimum footing thickness from 6 inches to 8 inches in IRC table references; clarifies the adoption of Appendix AE and AJ appendices; and includes subsection renumbering and removal of unnecessary code amendments due to IRC revisions.

Sec. 6.09.001. This amendment adopts the 2021 International Existing Building Code (IEBC) as the existing building code for New Castle County.

Sec. 6.09.002. This amendment relates to IEBC code specific amendments, including: defines the IEBC code version used for Chapter Six amendments; clarifies the definition for existing building and existing structure; and renumbering to align with IEBC revisions.

Sec. 6.10.002. This amendment defines the Statewide Energy Conservation Code (IECC) version used for Chapter Six amendments.

Sec. 6.11.001. This amendment adopts the 2021 International Swimming Pool and Spa Code (ISPSC) as the swimming pool and spa code for New Castle County.

Sec. 6.11.002. This amendment relates to ISPSC code specific amendments, including: defines the ISPSC code version used for Chapter Six amendments; removal of unnecessary code amendments due to ISPSC revisions; and modifies structure wall as barrier provisions that are not less restrictive due to ISPSC revisions.

Sec. 6.12.002. This amendment relates to administrative enforcement amendments, including: aligns Chapter Six with 2021 International Codes related to emergency exception for form of order, subsection titles and unsafe conditions; adds collection of unpaid fines through the existing property lien process with language used in Chapter 40 and Chapter 7; and defines the fine for removal of stop work order placard.

Schedule of Permit and Review Fees. This amendment establishes a historic review fee for demolition permits and defines that all demolition permit work without a permit is subject to a per structure fee.

FISCAL NOTE: This ordinance, if approved, would mandate the installation of residential sprinklers, effective Jan. 1, 2025. The Department of Land Use would be required to create a new permitting process resulting in an additional 1,000 – 1,200 sprinkler plan reviews and an equal number of field inspections. Land Use would need two (2) new positions (one (1) Plan Examiner and one (1) Code Inspector position) to cover this increase in workload. This would increase the salary and benefits expenses by \$64,676 in FY2025 and an additional \$67,416 in FY2026 (net increase of \$132,092). There will also be an increase in revenue of \$7,000 per year due to the addition of two historic review fees for residential and commercial structures.

Introduced by: Ms. Hartley-Nagle,
Mr. Bell
Date of introduction: July 11, 2023

ORDINANCE NO. 23-092

**TO AMEND NEW CASTLE COUNTY CODE CHAPTER 26 (“HUMAN RESOURCES”),
ARTICLE 4 (“PENSIONS”), COUNTY 2011 PENSION PLAN TO PROVIDE FOR
SERVICE RETIREMENT ANNUITY AFTER TWENTY-FIVE YEARS OF CREDITED
SERVICE FOR EMERGENCY MEDICAL SERVICES DIVISION EMPLOYEES AND
EMERGENCY COMMUNICATIONS DIVISION EMPLOYEES AND PROVIDING FOR
INCREASED EMPLOYEE CONTRIBUTIONS FROM EMERGENCY MEDICAL
SERVICES DIVISION EMPLOYEES AND EMERGENCY COMMUNICATIONS
DIVISION EMPLOYEES**

WHEREAS, the New Castle County pension system contains several pension plans including “County 2011 Plan”; and

WHEREAS, similar to police, certain Emergency Medical Services and Emergency Communications Services employees experience mentally straining situations, shiftwork, and are required to perform strenuous, labor-intensive tasks; and

WHEREAS, class specifications for certain Emergency Medical Services and Emergency Communications Services employees include, but are not limited to, answering service calls under stress, carrying out duties under stressful situations, communicating with victims and witnesses of crimes and accidents, insuring patient needs are met, and shiftwork; and

WHEREAS, the County Executive and County Council have determined that reducing the credit service requirement to twenty-five (25) years is appropriate for certain County Emergency Medical Services Division Employees and County Emergency Communications Division Employees based upon the nature of the job duties.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. New Castle County Code Chapter 26 (“Human Resources”), Article 4 (“Pensions”) is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below:

Sec. 26.04.701. – Name; effective date

There shall be a County retirement plan to be known as the “County 2011 Plan” that shall be administered by the Employees’ Retirement System Board of Trustees as constituted in Section 2.05.505 of this Code. The plan shall become effective on November 1, 2011.

...

Sec. 26.04.702. – Definitions.

The following words, terms and phrases, when used in this Division, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Base salary means, unless otherwise provided, the base salary or wage of a member, as shown on the pay plan, without overtime, premium pay or shift differential, paid by the County to an employee before withholding or deductions. Any increase in pay as the result of being appointed in an acting director capacity or acting general manager capacity shall be considered premium pay for the first six (6) months that the employee holds that position. After six (6) months, if the employee is still serving in the capacity of acting director or acting general manager, the salary received by that employee shall be considered his or her regular salary for purposes of this Article, including determining the amount of the employee's contributions and the amount of the employee's final average salary. Scheduled overtime shall be included when calculating the base salary of ~~emergency responders~~ a County Emergency Medical Services Division Employee or a County Emergency Communications Division Employee.

County Emergency Medical Services Division Employee means an employee who is employed within the Emergency Medical Services Division whose class specification requires the employee to possess and maintain a paramedic certification.

County Emergency Communications Division Employee means an employee who is employed within the Emergency Communications Division whose class specification requires the employee to possess and maintain an EPD, EFD and EMD certifications.

~~*Emergency responder* means a member who has spent ten (10) years of credited service employed as an emergency responder either as a County Emergency Medical Services Division employee or as a County Emergency Communications Division employee. County Emergency Medical Services Division employee means any employee within the Emergency Medical Services Division required by their class specification to possess and maintain a paramedic or emergency medical technician certification as a requirement of their position. County Emergency Communications Division employee means those employees within the Emergency Communications Division classified as Emergency Call Operator, Emergency Call Operator Coordinator, Fire/Medical Communications Specialist, Fire/Medical Communications Supervisor, Police Communications Specialist, Police Communications Specialist Supervisor,~~

~~Chief of Emergency Communications, Telecom Training Officer Coordinator, Assistant Chief
Emergency Communications or Quality Assurance Coordinator.~~

Compensation taken into account under the plan for determining all benefits provided under such plan for any determination period shall not exceed the limit on compensation prescribed in Section 401(a)(17) of the Code (the “Section 401(a)(17) Limit”). The limit for any 2011 plan year beginning on and after July 1, 2011, shall be two hundred forty-five thousand dollars (\$245,000.00), as adjusted for increases in the cost of living in accordance with Code Section 401(a)(17)(B). The cost-of-living adjustment in effect on January 1st of any calendar year shall apply to any determination period beginning in such calendar year. For this purpose, the “determination period” is any period not exceeding twelve (12) months over which compensation is determined. If a determination period consists of fewer than twelve (12) months, the Section 401(a)(17) Limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is twelve (12).

Scheduled overtime means hours worked by ~~an emergency responder~~ a County Emergency Medical Services Division Employee or a County Emergency Communications Division Employee in excess of forty (40) hours per week, where such hours are built into the 2-2-4 shift schedule and/or are scheduled at least one (1) week in advance. Scheduled overtime does not include hours worked by ~~an emergency responder~~ a County Emergency Medical Services Division Employee or a County Emergency Communications Division Employee in excess of forty (40) hours per week which occurs without notice (e.g., sick call off, holdover overtime).

Sec. 26.04.703. – Membership.

- A. Any eligible employee who first becomes an employee in the classified service on or after November 1, 2011, other than a County police officer or school crossing guard, shall become a member of the County 2011 Plan as a condition of employment upon completion of six (6) months of service. Those employees hired on or after November 1, 2011, who are excluded from compulsory membership (i.e., elected and appointed employees) in the County 2011 Plan shall become members upon completion of six (6) months of service, provided that at the date of completion of such period of service such person has not indicated in writing that he or she has elected not to become a member. Each member of the County 2011 Plan, other than a County Emergency Medical Services Division Employee or a County Emergency Communications Division Employee, shall have three (3) percent of his or her base salary after the completion of six (6) months of service withheld and contributed to the defined benefit portion of this County 2011 Plan. A County Emergency Medical Services Division Employee or a County Emergency Communications Division Employee shall have five (5) percent of his or her base salary

after the completion of six (6) months of service withheld and contributed to the defined benefit portion of this County 2011 Plan. Such contributions shall be treated as pickup contributions under Section 414(h)(2) of the Code.

Sec. 26.04.706. - Eligibility for service pension.

- A. A member of the County 2011 Plan shall become eligible to receive a service pension, beginning the first day of the month after he or she has terminated employment, if:
1. He or she has ten (10) years of credited service and has attained the age of sixty-five (65); or
 2. ~~He or she is an emergency responder with ten (10) years of credited service and has attained the age of sixty (60), or upon thirty (30) years of credited service regardless of age.~~ County Emergency Medical Services Division Employee or a County Emergency Communications Division Employee, as defined in 26.04.702, with ten (10) years of credited service and has attained the age of sixty (60), or upon twenty-five (25) years of credited service regardless of age.

Sec. 26.04.707. – Vested right to service pension.

- A. A member of the County 2011 Plan who terminates employment prior to attaining age sixty-five (65) and has ten (10) years of credited service shall have a vested right to a service pension upon attaining age sixty-five (65). A member who is ~~an emergency responder~~ a County Emergency Medical Services Division Employee or County Emergency Communications Division Employee who terminates employment prior to attaining age sixty (60) and has ten (10) years of credited service shall have a vested right to a service pension upon attaining age sixty (60) or upon ~~thirty (30)~~ twenty-five (25) years of credited service regardless of age.

- B. A member with a vested right to a service pension shall become eligible to receive such pension, computed in accordance with the terms of the County 2011 Plan in effect when he or she ceased to be an employee, beginning the first day of the month after his or her attainment of age sixty-five (65). A member who is ~~an emergency responder~~ a County Emergency Medical Services Division Employee or a County Emergency Communications Division Employee with a vested right to a service pension shall become eligible to receive such pension, computed in accordance with the terms of the County

2011 Plan in effect when he or she ceased to be an employee, beginning the first day of the month after his or her attainment of age sixty (60) or upon ~~thirty (30)~~ twenty-five (25) years of credited service regardless of age.

Sec. 26.04.708. – Eligibility for disability pension.

- A. A member who has ten (10) years of credited service and becomes totally and permanently disabled while an active employee of the County shall become eligible to receive a disability pension. Such individual shall cease to be eligible to receive a disability pension at the end of the month in which he or she recovers from the disability and is again offered employment as an employee of the County, if such recovery and offer of employment occur prior to his or her attaining age sixty-five (65) or, in the case of ~~emergency responder~~ a County Emergency Medical Services Division Employee or a County Emergency Communications Division Employee, age sixty (60).

Sec. 26.04.709. - Amount of service or disability pension.

- A. The amount of the monthly service or disability pension payable to a member, other than a County Emergency Medical Services Division Employee or a County Emergency Communications Division Employee, shall be one (1.0) percent of his or her final average salary multiplied by the number of years and partial years of credited service taken to the nearest month. The amount of the monthly service or disability pension payable to a County Emergency Medical Services Division Employee or a County Emergency Communications Division Employee shall be one point two (1.2) percent of his or her final average salary multiplied by the number of years and partial years of credited service taken to the nearest month.

Sec. 26.04.711 – Payment of disability pension.

- A. Any member who is receiving a disability pension who has not attained age sixty-five (65) or, in the case of ~~emergency responder~~ a County Emergency Medical Services Division Employee or a County Emergency Communications Division Employee, age sixty (60), shall report to the Board of Trustees under this Division by April 30th each year, on a form prescribed by the Board, his or her total earnings from any gainful occupation or business in the preceding calendar year. The excess of such earnings over one-half (½) of the annual base salary received by such employee before he or she became disabled shall be deducted from his or her disability pension during the twelve (12)

months beginning in July of the year following the calendar year for which earnings are reported, in a manner determined by the Board. If any person received a disability pension for less than twelve (12) months in the calendar year for which earnings are reported, the deduction, if any, shall be determined on a pro rata basis.

Sec. 26.04.722. – Amendment and termination.

Employees shall have no right to earn future benefits under the County 2011 Plan. County Council may amend, alter, revise or terminate the County 2011 Plan at any time; provided, however, that accrued vested benefits at the time of such amendment, alteration, revision or termination shall not be reduced. Accrued vested benefits are those benefits that a member would be entitled to receive at age sixty-five (65) or, in the case of ~~emergency responder~~ a County Emergency Medical Services Division Employee or a County Emergency Communications Division Employee, age sixty (60), as if he or she had terminated employment on the day before the day on which any amendment, alteration, revision or termination is effective. Amendments, alterations, revisions or termination of the County 2011 Plan as described above may be effectuated by vote of a simple majority of New Castle Council, except that Council may not modify in any manner (i.e., reduce, increase or discontinue) the County's nonelective and matching contributions (as described in Section 26.04.717(A)) without a supermajority (nine (9) Council members) vote.

Section 4. This ordinance shall become effective immediately upon its adoption by County Council and approval of the County Executive, or as otherwise provided in 9 *Del. C.* §1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance would provide for a full-service retirement annuity under the ~~Employees' Retirement System or for a full-service pension under the~~ County 2011 Plan for a County Emergency Medical Services Division Employee or a County Emergency Communications Division Employee upon twenty-five (25) years of credited service as a County Emergency Medical Services Division Employee or a County Emergency Communications Division Employee at any age. A reduction of service time requirements for pension eligibility for a County Emergency Medical Services Division Employee or a County Emergency Communications Division Employee to twenty-five (25) years credited service will place these employees in a similar position with other public safety professions and enhance the recruitment of qualified personnel by providing consistency among these essential public safety services. Pension contributions made on behalf of a County Emergency Medical Services Division Employee, or a County Emergency Communications Division Employee will be increased from three percent (3%) to five percent (5%) for the County 2011 Plan.

FISCAL NOTE: An actuarial study provided by GRS Consulting on January 11, 2023, attached to this legislation, determined that providing a 25-year retirement option for County Emergency Medical Services Division Employees and County Emergency Communications Division Employees under the County 2011 Plan would result in an estimated unfunded liability of \$1,245,950. The unfunded liability will be funded via the Tax Stabilization Reserve. Additionally, the County's costs under the County 2011 Plan would increase by approximately \$289,171 per year (depending on the rate at which employees elected to retire at 25 years), based upon current enrollment in the County 2011 Plan and would be funded via the annual Operating Budget. There will also be minimal administrative costs for items such as outside legal counsel services and Code/Plan summary updates and membership booklet updates.

The unfunded liability figured was derived from the midpoint of \$1,185,848 and \$1,306,052. The additional annual costs to the County was derived from the midpoint of \$270,025 and \$308,317. These figures could vary throughout the years.

Assuming passage of this Ordinance, an additional Ordinance would need to be put forth before Council for the use of General Tax Stabilization Fund in the amount of \$1,245,950 for the unfunded liability.



87 READS WAY
NEW CASTLE, DE 19720
(302) 395-5180
nccde.org

OFFICE OF HUMAN RESOURCES

MEMORANDUM

TO: Nellie Hill
Clerk of Council

FROM: Jacqueline D. Jenkins, Ed.D
Chief Human Resources Officer

SUBJECT: Ordinance 23-092

DATE: August 16, 2023

On July 13, 2023, the Council referred Ordinance 23-092, entitled **“To amend New Castle County Code Chapter 26 (“HUMAN RESOURCES”), Article 4 (“PENSIONS”), County 2011 Pension Plan to provide for service retirement annuity after twenty-five years of credited service for Emergency Medical Services Division Employees and Emergency Communications Division Employees and providing for increased employee contributions from Emergency Medical Services Division and Emergency Communications Division Employees.”** for its review and recommendation.

At the August 16, 2023 Pension Board meeting, the Trustees of the New Castle County Employees’ Retirement System made a motion to recommend the approval of Ordinance 23-092. Furthermore, the Pension Board did not make any recommendations to amend or otherwise modify Ordinance 23-092.

If you have any questions, please do not hesitate to contact me at (302) 395-5184.

cc: President and Members of Council
Michael P. Migliore, Counsel to Council
Members of the Pension Board
Maria Knoll, Asst. County Attorney I
Tara Finnigan, Deputy Clerk
Frank Benevento, Pension Administrator

Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: July 11, 2023

ORDINANCE NO. 23-093

**AMEND THE FY2024 APPROVED OPERATING BUDGET:
APPROPRIATE \$1,245,950 FROM THE GENERAL FUND TAX STABILIZATION RESERVE
ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, HUMAN RESOURCE
MANAGEMENT FOR 25-YEAR RETIREMENT UNFUNDED LIABILITY**

WHEREAS, Ordinance 23-092 contained revisions to the County 2011 Plan; and

WHEREAS, in accordance with New Castle County Code Chapter 2, Section 2.05.505, the Employees Retirement System Board of Trustees considered the County 2011 Plan changes and delivered its recommendation to County Council; and

WHEREAS, the reduction to the credit service requirement to twenty-five (25) years for certain County Emergency Medical Services Division Employees and County Emergency Communications Division Employees based upon the nature of the job duties would result in an estimated unfunded liability of \$1,245,950; and

WHEREAS, additional funding is needed to fund the unfunded liability in the amount of \$1,245,950; and

WHEREAS, the revenue measures heretofore adopted by the County Council, are, in the opinion of the County Executive, estimated to yield sums at least sufficient to balance the proposed expenditures as set forth in the Approved Annual Operating Budget as hereinafter amended.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. The Annual Operating Budget for the fiscal year beginning July 1, 2023, is hereby amended by deleting the material stricken and adding the material underscored on the attached "Exhibit A."

Section 2. The foregoing amendment shall be considered a part of the Annual Operating Budget for the fiscal year beginning July 1, 2023, and shall be effective retroactively as though incorporated initially in the Annual Operating Budget.

Section 3. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Section 4. The provisions of this Ordinance shall become effective on July 1, 2023.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: Companion Ordinance 23-092 TO AMEND NEW CASTLE COUNTY CODE CHAPTER 26 (“HUMAN RESOURCES”), ARTICLE 4 (“PENSIONS”), COUNTY 2011 PENSION PLAN TO PROVIDE FOR SERVICE RETIREMENT ANNUITY AFTER TWENTY-FIVE YEARS OF CREDITED SERVICE FOR EMERGENCY MEDICAL SERVICES DIVISION EMPLOYEES AND EMERGENCY COMMUNICATIONS DIVISION EMPLOYEES AND PROVIDING FOR INCREASED EMPLOYEE CONTRIBUTIONS FROM EMERGENCY MEDICAL SERVICES DIVISION EMPLOYEES AND EMERGENCY COMMUNICATIONS DIVISION EMPLOYEES) must be approved prior to the consideration of this Ordinance.

This Ordinance, if approved, amends the FY2024 Approved Operating Budget by appropriating \$1,245,950 from the General Fund Tax Stabilization Reserve Account to the Department of Administration, Human Resources Benefits Budget Line Item.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Approved Operating Budget by appropriating \$1,245,950 from the General Fund Tax Stabilization Reserve Account to the Department of Administration, Human Resources Benefits Budget Line Item. Companion Ordinance 23-092 (TO AMEND NEW CASTLE COUNTY CODE CHAPTER 26 (“HUMAN RESOURCES”), ARTICLE 4 (“PENSIONS”), COUNTY 2011 PENSION PLAN TO PROVIDE FOR SERVICE RETIREMENT ANNUITY AFTER TWENTY-FIVE YEARS OF CREDITED SERVICE FOR EMERGENCY MEDICAL SERVICES DIVISION EMPLOYEES AND EMERGENCY COMMUNICATIONS DIVISION EMPLOYEES AND PROVIDING FOR INCREASED EMPLOYEE CONTRIBUTIONS FROM EMERGENCY MEDICAL SERVICES DIVISION EMPLOYEES AND EMERGENCY COMMUNICATIONS DIVISION EMPLOYEES) must be approved prior to the consideration of this Ordinance.

The revised FY2024 Approved Operating Budget will be \$332,719,358. The General Fund Tax Stabilization Reserve balance upon passage of this Ordinance is estimated to be \$73,456,203.

COUNTY COUNCIL

Salaries and Wages		\$	2,428,665
Benefits			1,428,590
Training and Civic Affairs			70,888
Communication and Utilities			17,849
Materials and Supplies			61,042
Contractual Services			253,148
Equipment			1,600
Grants and Fixed Charges			441,482
Operating Transfer Charges			161,959
Total		\$	4,865,223
Total Authorized Full-Time Positions	35		

COUNTY EXECUTIVE

Salaries and Wages		\$	1,777,524
Benefits			1,045,578
Training and Civic Affairs			31,904
Communication and Utilities			15,698
Materials and Supplies			22,236
Contractual Services			148,565
Equipment			1,000
Grants and Fixed Charges			43,000
Contingency			55,000
Operating Transfer Charges			82,016
Total		\$	3,222,521
Total Authorized Full-Time Positions	15		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	12,223,612
Benefits	7,092,525		<u>8,338,475</u>
Training and Civic Affairs			130,625
Communication and Utilities			8,273,491
Materials and Supplies			158,147
Contractual Services			6,793,141
Equipment			389,900
Grants and Fixed Charges			3,932,350
Operating Transfer Charges			1,163,161
Operating Transfer Credits			(12,098,321)
Total	28,058,631	\$	<u>29,304,581</u>
Total Authorized Full-Time Positions	167		

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	24,594,391
Benefits		14,346,471
Training and Civic Affairs		42,945
Communication and Utilities		24,785,917
Materials and Supplies		4,524,681
Contractual Services		10,366,975
Equipment		483,333
Grants and Fixed Charges		1,193,757
Land and Structures		35,000
Operating Transfer Charges		4,843,006
Operating Transfer Credits		(7,438,785)
Total	\$	77,777,691
Total Authorized Full-Time Positions		384

DEPARTMENT OF LAND USE

Salaries and Wages	\$	8,375,178
Benefits		4,899,879
Training and Civic Affairs		68,665
Communication and Utilities		111,017
Materials and Supplies		113,127
Contractual Services		1,541,973
Equipment		55,175
Grants and Fixed Charges		56,500
Operating Transfer Charges		1,136,835
Operating Transfer Credits		(803,217)
Total	\$	15,555,132
Total Authorized Full-Time Positions		118

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	11,754,322
Benefits		5,318,947
Training and Civic Affairs		18,560
Communication and Utilities		935,330
Materials and Supplies		1,383,163
Contractual Services		2,348,236
Equipment		18,900
Grants and Fixed Charges		3,110,149
Operating Transfer Charges		1,230,637
Operating Transfer Credits		(190,829)
Total	\$	25,927,415
Total Authorized Full-Time Positions		160

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	67,198,478
Benefits		39,138,665
Training and Civic Affairs		178,869
Communication and Utilities		1,010,888
Materials and Supplies		1,039,511
Contractual Services		2,179,206
Equipment		1,471,072
Grants and Fixed Charges		6,492,175
Operating Transfer Charges		7,298,634
Total	\$	126,007,498
Total Authorized Full-Time Positions		711

REGISTER OF WILLS

Salaries and Wages	\$	1,081,015
Benefits		616,908
Training and Civic Affairs		35,275
Communication and Utilities		12,374
Materials and Supplies		10,625
Contractual Services		62,668
Equipment		1,950
Operating Transfer Charges		85,180
Total	\$	1,905,995
Total Authorized Full-Time Positions		19

RECORDER OF DEEDS

Salaries and Wages	\$	1,263,001
Benefits		730,446
Training and Civic Affairs		43,170
Communication and Utilities		33,977
Materials and Supplies		12,398
Contractual Services		79,718
Equipment		6,150
Grants and Fixed Charges		18,350
Operating Transfer Charges		148,002
Total	\$	2,335,212
Total Authorized Full-Time Positions	24	

SHERIFF

Salaries and Wages	\$	1,260,692
Benefits		737,678
Training and Civic Affairs		29,452
Communication and Utilities		16,189
Materials and Supplies		21,259
Contractual Services		55,999
Equipment		5,000
Operating Transfer Charges		144,938
Total	\$	2,271,207
Total Authorized Full-Time Positions	21	

CLERK OF THE PEACE

Salaries and Wages	\$	474,736
Benefits		279,250
Training and Civic Affairs		14,130
Communication and Utilities		5,168
Materials and Supplies		5,424
Contractual Services		17,568
Equipment Replacement		6,000
Operating Transfer Charges		31,776
Total	\$	834,052
Total Authorized Full-Time Positions	7	

DEBT SERVICE

Debt Service	\$	45,540,069
Total	\$	45,540,069
Total Authorized Full-Time Positions		

ETHICS COMMISSION

Salaries and Wages	\$	38,000
Benefits		3,385
Training and Civic Affairs		10,500
Communication and Utilities		1,922
Materials and Supplies		2,450
Contractual Services		290,642
Equipment		500
Operating Transfer Charges		6,699
Total	\$	354,098
Total Authorized Full-Time Positions	0	

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	600,000
Total	\$	600,000
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(4,293,340)
Personal Services - Employee Benefits	\$	(2,525,429)
Total	\$	(6,818,769)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	2,332,433
Total	\$	2,332,433

NEW CASTLE COUNTY

Salaries and Wages		\$	128,176,274
Benefits	73,112,893		<u>74,358,843</u>
Training and Civic Affairs			674,983
Communication and Utilities			35,219,820
Materials and Supplies			7,354,063
Contractual Services			24,137,839
Equipment			2,440,580
Grants and Fixed Charges			15,287,763
Debt Service			45,540,069
Land and Structures			35,000
Contingency			3,692,433
Operating Transfer Charges			16,332,843
Operating Transfer Credits			(20,531,152)
<i>Sub-Total New Castle County</i>	<i>331,473,408</i>	\$	<u>332,719,358</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,661</i>		

RESERVE ACCOUNTS AS OF JULY 1, 2023

Tax Stabilization Reserve Account (Unaudited)	74,702,153		<u>73,456,203</u>
Sewer Rate Stabilization Reserve Account (Unaudited)			10,915,451
General Fund Budget Reserve Account (Unaudited)			45,512,418
Sewer Fund Budget Reserve Account (Unaudited)			18,872,304
<i>Total Reserves:</i>	<i>150,002,326</i>		<u>148,756,376</u>

Introduced by: Ms. Hartley-Nagle
Date of introduction: September 12, 2023

RESOLUTION NO. 23-163

**RECOGNIZING AND CELEBRATING HISPANIC HERITAGE MONTH
AND NUESTRAS RAICES DELAWARE, INC.**

WHEREAS, “Our cultural diversity is a stimulant of creativity,” as articulated by renowned author and poet, Raul Julia; and

WHEREAS, the Wilmington Hispanic Festival has been a cherished tradition since 1976 in the state of Delaware, organized and executed by dedicated volunteers from the community serving under the banner of Nuestras Raices Delaware Inc, a 501c3, non-profit organization; and

WHEREAS, the Wilmington Hispanic Festival serves as a nationally recognized opening celebration to Hispanic Heritage Month, occurring from September 15th to October 15th, attracting over 10,000 patrons from the Tri-State, Mid-Atlantic area, fostering a celebration of the rich Hispanic culture, food, music, history, and the remarkable year-to-year growth of this event, while simultaneously educating the community and fostering unity among businesses, partners, and individuals from diverse backgrounds; and

WHEREAS, this month-long celebration transcends age and culture, emphasizing the invaluable contributions of Hispanics to Delaware, the United States, and the global community; and

WHEREAS, the state, county, and city have officially recognized the Wilmington Hispanic Parade and Festival, which has evolved from its origins as the Puerto Rican Day Parade to inclusively celebrate the diverse and growing Hispanic population in Delaware; and

WHEREAS, the Miss Hispanic Delaware Pageant, organized annually by dedicated volunteers from the community and Nuestras Raices board members, embodies the mission of the nonprofit community-based organization to educate on Latin culture, provide opportunities, and empower future leaders, particularly young Latinas, by promoting integrity, professionalism, and facilitating social, cultural, and educational growth; and

WHEREAS, the Executive Leadership Development Program (ELDP) offered by Nuestras Raices Delaware Inc is a commendable initiative designed primarily for high-performing minority managers and senior managers, providing them with valuable professional development opportunities, skill-building sessions, self-assessments, 360-degree feedback, and one-on-one coaching to prepare them for greater responsibility, while also addressing issues related to diversity, equity, and inclusion in the workplace; and

WHEREAS, Nuestras Raices Delaware Inc, in collaboration with the Delaware Community Foundation, continues to expand its reach and impact by introducing new programs, including self-development training workshops through the Executive Leadership Development Program, aimed at empowering professionals in their pursuit of career advancement; and

WHEREAS, the Delaware Art Kids Network (DKAN), initiated by Nuestras Raices Delaware Inc, strives to engage children and youth in the community by providing opportunities for artistic and musical expression, with a firm belief in the power of the arts to inspire creativity and self-expression among young individuals; and

WHEREAS, the creation of the Grupo Calle Cuatro dance group, as a part of the DKAN program, showcases the organization's commitment to encouraging youth and children to embrace Hispanic cultural dancing, enriching their lives, and enhancing their cultural appreciation, with special thanks to the Underground Studio and the Latin American Community Center for their support in making this initiative come to life.

NOW, THEREFORE BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby recognizes and celebrates Hispanic Heritage Month in Delaware, paying tribute to the rich cultural heritage and significant contributions of the Hispanic community in our state, and commends Nuestras Raices Delaware, Inc. for their unwavering dedication to promoting cultural awareness, education, leadership development, and artistic expression among Delaware's diverse population; and

BE IT FURTHER RESOLVED that County Council expresses its gratitude to Nuestras Raices Delaware, Inc. for their continuous efforts to foster unity, inspire future leaders, and enrich our community through their various programs and events, including the Wilmington Hispanic Parade and Festival, Miss Hispanic Delaware Pageant, the Executive Leadership Development Program, and the Delaware Art Kids Network, including the Grupo Calle Cuatro dance group.

Adopted by County Council of
New Castle County on: 9/12/2023

President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this resolution

Introduced by: Ms. Hartley-Nagle
Date of introduction: September 12, 2023

RESOLUTION NO. 23-164

**RECOGNIZING THE FOUNDING AND CELEBRATING THE 350TH ANNIVERSARY
OF NEW CASTLE COUNTY, DELAWARE**

WHEREAS, on September 12th, 1673, a critical juncture in the rich tapestry of history unfolded with the Dutch establishment of New Amstel, a foundation stone in the development of what would become present-day New Castle County, a region with a storied history shaped by the hands of various settlers including the Dutch, Swedish, and English; and

WHEREAS, the initial seeds of this region were sown in 1638, with the vision and bravery of Peter Minuit leading an expedition aboard the Kalmar Nyckel, leading to the first permanent settlement on Delaware soil, Fort Christina, laying the groundwork for the Wilmington we know today, a testimony to the spirit of discovery and collaboration with the Lenape Native Americans; and

WHEREAS, this territory bore witness to a complex interchange of cultures and disputes, notably between the Dutch and the Swedes, who both aspired to mark their territory and establish colonies, resulting in a dynamic exchange of powers including significant figures such as Queen Christina of Sweden, and Peter Stuyvesant, the Governor of New Netherland; and

WHEREAS, through tumultuous times, a series of events saw the shifting sands of control, with Fort Casimir at the contemporary New Castle, evolving through captures, surrenders, and re-establishments, bringing into existence New Amstel under John Paul Jacquet's leadership, standing tall as a symbol of changing times and evolving boundaries; and

WHEREAS, this period marked a significant moment in the annals of history with the involvement of international forces including the English Crown, seen with the granting of this land to the Duke of York, James, by King Charles II in 1664, establishing a bridge to the modern era and connecting us to the global history stage; and

WHEREAS, New Castle County was graced with the establishment of firm borders through critical delineations such as the establishment of a court at New Castle in September 1673, the arc drawn in 1681 to delineate the northern border, and the finality of the western border defined by King James II in 1685, shaping the geographical narrative of the county; and

WHEREAS, in its developmental journey, New Castle County became part of the vital structural shift in 1682 under William Penn's governance, sowing the seeds for the birth of the Colony of Delaware, a land of prosperity and development, a testimony to the strength of community, harmony, and innovation; and

WHEREAS, now standing as the most populous county in Delaware, embodying nearly 60% of the state's population, according to the 2020 census, New Castle County is a beacon of economic development, a nexus of historical convergence, a place of rich cultural inheritance, governed from the county seat in Wilmington, the state's most populous city; and

WHEREAS, this county, named after William Cavendish, 1st Duke of Newcastle, encapsulates the spirit of perseverance, survival, and growth through centuries, proudly bearing a rich history while ushering in modernity with a promising future, presenting an intertwined story of diverse cultures and historic figures shaping its path; and

WHEREAS, it's pertinent to recall the past, the journeys, the stories, and the lives that have coursed through the veins of this county, nurturing it, fighting for it, building it, as we come together to celebrate 350 years of New Castle County, a milestone that speaks of the enduring spirit of humanity in its quest for community, stability, and prosperity; and

WHEREAS, this anniversary embodies more than a date in history; it stands as a symbol of the indomitable spirit of New Castle County, a place that has nurtured dreams, fostered communities, and stood tall, resilient through 350 years of history, carving out a space that we proudly call home today.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby recognizes September 12, 2023 as the 350th anniversary of the founding of New Castle County and encourages all residents to join in celebrating the rich history, the vibrant culture, and the enduring spirit of New Castle County, Delaware.

Adopted by County Council of
New Castle County on: 9/12/2023

President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this resolution