



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

April 23, 2024
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

°24-060: AMEND THE FY2024 APPROVED OPERATING BUDGET: APPROPRIATE \$1,800,000 IN ROOM RENTAL FEES AND \$626,115 FROM THE GENERAL FUND HOPE CENTER SUB-FUND TO THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING TO FUND HOPE CENTER OPERATIONS
Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-061: AMEND THE GRANTS BUDGET: APPROPRIATE FUNDING FROM NEW CASTLE COUNTY COUNCIL FY2024 APPROVED OPERATING BUDGET TO THE 2023 NEW CASTLE COUNTY YOUTH EMPLOYMENT GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES
Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-062: AMEND THE FY2024 APPROVED OPERATING BUDGET: APPROPRIATE FUNDING FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE 2023 NEW CASTLE COUNTY YOUTH EMPLOYMENT PROGRAM GRANT
Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-063: AUTHORIZING THE ISSUANCE OF \$1,850,000 IN GENERAL OBLIGATION BONDS OF NEW CASTLE COUNTY FOR THE DEPARTMENT OF PUBLIC SAFETY, POLICE RANGE / EVOC CAPITAL PROJECT
Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

°24-064: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: INCREASE BOND AUTHORIZATIONS IN THE AMOUNT OF \$1,850,000 TO THE DEPARTMENT OF PUBLIC SAFETY, POLICE RANGE / EVOC CAPITAL PROJECT

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

°24-065 AMEND THE FY2024 APPROVED OPERATING BUDGET: TRANSFER FUNDS FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE EQUIPMENT BUDGET LINE ITEM FOR THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF PARKS

Prime Sponsor(s): Ms. George

°24-066: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$67,900 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT AND \$67,900 FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS TO THE DEPARTMENT OF ADMINISTRATION, HUMAN RESOURCES SCANNING CAPITAL PROJECT

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-067: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 12 REGARDING THE FOLLOWING TAX PARCELS: NEW CASTLE HUNDRED: 10-030.00-046 (0 RIVER RD), 10-035.00-002 (300 S DUPONT HWY), 10-035.00-056 (790 GRANTHAM LN, DELLAVERSANO SUBDIVISION); RED LION HUNDRED: 12-002.00-024 (0 S DUPONT HWY), 12-006.00-041 (1535 RED LION RD, HARRIS SUBDIVISION), 12-007.00-020 (4120 WRANGLE HILL RD, BEAR BABE RUTH KODIAK PARK), 12-013.00-081 (4110 WRANGLE HILL RD, BEAR BABE RUTH KODIAK PARK), 12-036.00-001 (0 BIGGS LN, UNION CARBIDE CORP); ST GEORGES HUNDRED: 13-008.00-019 (2093 DUPONT PKY), 13-008.00-028 (2105 DUPONT PKY, LESTER SUBDIVISION), 13-008.00-044 (310 HYETTS CORNER RD, HYETTS CORNER ROAD WATER TREATMENT PLANT), 13-013.00-029 (2344 DUPONT PKY), 13-013.00-030 (2348 DUPONT PKY), 13-013.00-035 (2398 DUPONT PKY, SHOPPES OF ST GEORGES), 13-013.00-148 (2356 DUPONT PKY, SHOPPES OF ST GEORGES), 13-013.00-249 (0 DUPONT PKY)

Prime Sponsor(s): Mr Bell

E. Reports from Select and Special Committees

F. Consent Calendar

R24-095: CONSENTING TO THE APPOINTMENT OF NEAL D. CANTRELL TO THE NEW CASTLE COUNTY PLANNING BOARD

Prime Sponsor(s): Mr. Carter

R24-096: CONSENTING TO THE APPOINTMENT OF JAMES E. JORDAN, JR. TO THE NEW CASTLE COUNTY AGRICULTURAL LAND PRESERVATION ADVISORY COMMITTEE

Prime Sponsor(s): Ms. Kilpatrick

R24-097: CONSENTING TO THE APPOINTMENT OF SHARON STEELE TO THE NEW CASTLE COUNTY AGRICULTURAL LAND PRESERVATION ADVISORY COMMITTEE

Prime Sponsor(s): Mr. Carter

R24-098: CONSENTING TO THE RE-APPOINTMENT OF RACHEL STUCKER TO THE NEW CASTLE COUNTY HOUSING ADVISORY BOARD

Prime Sponsor(s): Mr. Sheldon

R24-099: CONSENTING TO THE APPOINTMENT OF MICHELE WALES QUINLAN TO THE NEW CASTLE COUNTY AGRICULTURAL LAND PRESERVATION ADVISORY COMMITTEE

Prime Sponsor(s): Ms. Durham

R24-100: RECOGNIZING AND HONORING DONALD SHARPE AS A TRUE PIONEER OF PRESERVATION IN NEW CASTLE COUNTY AND BEYOND

Prime Sponsor(s): Ms. Hartley-Nagle

R24-101: RECOGNIZING NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK
APRIL 14 – 20, 2024

Prime Sponsor(s): Mr. Bell

Co-sponsor(s): Ms. Hartley-Nagle, Mr. Hollins

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

R24-102: TO AMEND NEW CASTLE COUNTY COUNCIL PROCEDURAL RULE NO. 3.1 ("SPONSORSHIP") RELATING TO SPONSORSHIP OF LEGISLATION

Prime Sponsor(s): Mr. Smiley

R23-220: (STATUS: TABLED) PLAN OF LOGISTICENTER AT NEW CASTLE COUNTY; ST. GEORGES HUNDRED; SOUTHWESTERLY CORNER OF ROUTE 301 AND JAMISON CORNER ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES A 1,409,850 SF WAREHOUSE AND A 962,000 SF WAREHOUSE WITH ASSOCIATED SITE IMPROVEMENTS; BP ZONING; [APPLICATION NO. 2021-0470](#); COUNCIL DISTRICT 6

Prime Sponsor(s): Mr. Carter

I. Consideration of Ordinances

°24-044: AMENDING *NEW CASTLE COUNTY CODE* CHAPTER 2 ("ADMINISTRATION") RELATING TO CONTRACTS AND FUNDS

Prime Sponsor(s): Mr. Smiley

°24-045: AMEND THE FY2024 APPROVED OPERATING BUDGET: APPROPRIATE \$2,223,018 OF SEWER RATE STABILIZATION RESERVE TO THE DEPARTMENT OF PUBLIC WORKS SEWER FUND COMMUNICATION AND UTILITIES BUDGET LINE ITEM FOR SEWER SERVICE

Prime Sponsor(s): Mr. Sheldon, Mr. Carter

°24-046: (STATUS: TO BE WITHDRAWN) AMEND THE FY2024 APPROVED OPERATING BUDGET: APPROPRIATE \$1,800,000 IN ROOM RENTAL FEES AND \$626,115 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT (HOPE CENTER SUB-FUND) TO THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING TO FUND HOPE CENTER OPERATIONS

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-047: AMEND THE GRANTS BUDGET: APPROPRIATE \$26,576.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF JUSTICE – SPECIAL LAW ENFORCEMENT ASSISTANCE FUND (SLEAF) TO THE SLEAF FUMING CABINET GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

°24-048: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 22 ("OFFENSES AND MISCELLANEOUS PROVISIONS"), SECTION 22.02.008 ("NOISE CONTROL") RELATING TO REFUSE

Prime Sponsor(s): Ms. Kilpatrick

°24-049: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 ("ADMINISTRATION"), ARTICLE 3 ("OFFICERS AND EMPLOYEES") TO MODIFY CERTAIN FEES CHARGED BY NEW CASTLE COUNTY SHERIFF'S OFFICE

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-050: (STATUS: TO BE TABLED UNTIL MAY 28, 2024) THE ANNUAL REVENUE ORDINANCE OF NEW CASTLE COUNTY FOR FISCAL YEAR 2025 BEGINNING JULY 1, 2024

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-051: (STATUS: TO BE TABLED UNTIL MAY 28, 2024) CALCULATION OF SEWER SERVICE CHARGES EFFECTIVE JULY 1, 2024 FOR FISCAL YEAR 2025

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-052: (STATUS: TO BE TABLED UNTIL MAY 28, 2024) AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF NEW CASTLE COUNTY FOR THE PURPOSE OF FINANCING CERTAIN CAPITAL PROJECTS APPROVED IN THE FISCAL YEAR 2025 CAPITAL BUDGET

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-053: (STATUS: TO BE TABLED UNTIL MAY 28, 2024) THE CAPITAL BUDGET ORDINANCE OF NEW CASTLE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2024

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-054: (STATUS: TO BE TABLED UNTIL MAY 28, 2024) ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2024

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-055: (STATUS: TO BE TABLED UNTIL MAY 28, 2024) AMEND THE FY2025 APPROVED OPERATING BUDGET: REALLOCATE \$8,000,000 FROM THE REASSESSMENT RESERVE ACCOUNT TO THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT AND APPROPRIATE FUNDING FOR PAY PLAN INCREASES FOR ALL CERTIFIED POLICE CLASSIFICATIONS

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

°24-056: (STATUS: TO BE TABLED UNTIL MAY 28, 2024) AMEND THE PAY PLANS AND RATES OF PAY FOR ALL CERTIFIED POLICE CLASSIFICATIONS

Prime Sponsor(s): Ms. Hartley-Nagle

SUBSTITUTE NO. 4 TO °23-122: (STATUS: TABLED) AMENDING NEW CASTLE COUNTY CODE CHAPTER 40 (THE "UNIFIED DEVELOPMENT CODE"), ARTICLE 22 ("DRAINAGE, UTILITIES, SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING") AND ARTICLE 33 ("DEFINITIONS") RELATING TO LIGHT POLLUTION IN NEW CASTLE COUNTY

Prime Sponsor(s): Ms. Durham, Ms. George

J. Time Sensitive Congratulatory/Honorary Resolutions

R24-103: RECOGNIZING AND CELEBRATING THE LIFE AND LEGACY OF SENATOR ROBERT I. MARSHALL

Prime Sponsor(s): Ms. Hartley-Nagle

R24-104: CONGRATULATING AND COMMENDING TRACY SURLES ON HER RETIREMENT AFTER 25 YEARS AS AN EMPLOYEE OF NEW CASTLE COUNTY

Prime Sponsor(s): Mr. Carter, Mr. Sheldon

Co-sponsor(s): Mr. Bell, Mr. Cartier, Ms. Durham, Ms. George, Ms. Hartley-Nagle, Mr. Hollins, Ms. Kilpatrick, Mr. Smiley, Mr. Street, Mr. Tackett, Mr. Toole

R24-105: CELEBRATING THE RETIREMENT OF LINDA MURPHY AS EXECUTIVE DIRECTOR OF SELLERS SENIOR CENTER

Prime Sponsor(s): Mr. Cartier

R24-106: RECOGNIZING AND CELEBRATING THE LIFE AND LEGACY OF THELMA MARCH RAPPOLD

Prime Sponsor(s): Ms. Hartley-Nagle

Co-sponsor(s): Mr. Bell, Mr. Carter, Mr. Cartier, Ms. Durham, Ms. George, Mr. Hollins, Ms. Kilpatrick, Mr. Sheldon, Mr. Smiley, Mr. Street, Mr. Tackett, Mr. Toole

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: April 16, 2024

*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.nccde.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.

ORDINANCE NO. 24-060

**AMEND THE FY2024 APPROVED OPERATING BUDGET:
APPROPRIATE \$1,800,000 IN ROOM RENTAL FEES AND \$626,115 FROM THE
GENERAL FUND HOPE CENTER SUB-FUND TO THE DEPARTMENT OF
COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND
HOUSING TO FUND HOPE CENTER OPERATIONS**

1 **WHEREAS**, the Department of Community Services hired Hersha Management
2 “the vendor” to provide property management and operational services for the Hope
3 Center in 2021; and
4

5 **WHEREAS**, the vendor has been receiving revenue and paying for the
6 operational costs from a checking account opened on behalf of New Castle County by
7 the vendor; and
8

9 **WHEREAS**, the revenue received and expended from the checking account
10 must be recorded in the County’s annual financial statements and the County’s financial
11 system; and
12

13 **WHEREAS**, appropriations in the amount of \$2,426,115 are necessary to record
14 the revenues and reflect the expenditures for the operations of the Hope Center for
15 FY2024 to comply with County Code; and
16

17 **WHEREAS**, funding in the amount of \$1,800,000 will come from room rental fees
18 and \$626,115 will come from the General Fund Hope Center Sub-fund; and
19

20 **WHEREAS**, the revenue measures heretofore adopted by the County Council,
21 are, in the opinion of the County Executive, estimated to yield sums at least sufficient to
22 balance the proposed expenditures as set forth in the Approved Annual Operating
23 Budget as hereinafter amended.
24

25 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
26

27 Section 1. The Annual Operating Budget for the fiscal year beginning July 1,
28 2023, is hereby amended by deleting the material stricken and adding the material
29 underscored on the attached “Exhibit A.”
30

31 Section 2. The foregoing amendment shall be considered a part of the Annual
32 Operating Budget for the fiscal year beginning July 1, 2023, and shall be effective
33 retroactively as though incorporated initially in the Annual Operating Budget.
34

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

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, amends the FY2024 Approved Operating Budget by appropriating \$1,800,000 from room rental fees and \$626,115 from the General Fund Hope Center Sub-fund to the Department of Community Services, Division of Community Development and Housing. These funds are needed to fund the operations at the Hope Center.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Approved Operating Budget by appropriating \$1,800,000 from room rental fees and \$626,115 from the General Fund Hope Center Sub-fund to the Department of Community Services, Division of Community Development and Housing. These funds are needed to fund the operations at the Hope Center.

The revised FY2024 Approved Operating Budget will be \$335,719,473. Fiscal impact for future years will be determined on an as needed basis. The General Fund Hope Center Sub-fund upon passage of this Ordinance will be \$1,380,860.

COUNTY COUNCIL

Salaries and Wages	\$	2,428,665
Benefits		1,428,590
Training and Civic Affairs		75,776
Communication and Utilities		17,849
Materials and Supplies		61,406
Contractual Services		253,148
Equipment		1,600
Grants and Fixed Charges		415,880
Operating Transfer Charges		162,309
Total	\$	4,845,223
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		18,399
Materials and Supplies		19,535
Contractual Services		526,540
Equipment		1,000
Grants and Fixed Charges		1,140,525
Contingency		9,500
Operating Transfer Charges		82,016
Total	\$	4,652,521
Total Authorized Full-Time Positions		16

DEPARTMENT OF ADMINISTRATION

Salaries and Wages	\$	12,203,612
Benefits		8,338,475
Training and Civic Affairs		132,625
Communication and Utilities		8,309,564
Materials and Supplies		157,505
Contractual Services		6,843,162
Equipment		387,056
Grants and Fixed Charges		3,925,350
Operating Transfer Charges		1,163,553
Operating Transfer Credits		(12,098,321)
Total	\$	27,445,578
Total Authorized Full-Time Positions		172

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages		\$	24,597,539
Benefits			14,348,323
Training and Civic Affairs			52,527
Communication and Utilities			24,784,106
Materials and Supplies			4,972,810
Contractual Services			10,598,055
Equipment			475,133
Grants and Fixed Charges			1,193,757
Land and Structures			35,000
Operating Transfer Charges			4,845,206
Operating Transfer Credits			(7,438,785)
Total		\$	78,463,671
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			111,337
Materials and Supplies			112,807
Contractual Services			1,586,618
Equipment			48,540
Grants and Fixed Charges			56,500
Operating Transfer Charges			1,136,835
Operating Transfer Credits			(803,217)
Total		\$	15,593,142
Total Authorized Full-Time Positions	118		

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages		\$	11,772,687
Benefits			5,320,582
Training and Civic Affairs	27,392		<u>27,692</u>
Communication and Utilities	1,012,976		<u>1,181,476</u>
Materials and Supplies	1,398,563		<u>1,539,563</u>
Contractual Services	2,283,206		<u>4,399,521</u>
Equipment			24,317
Grants and Fixed Charges			3,110,149
Operating Transfer Charges			1,232,337
Operating Transfer Credits			(190,829)
Total	25,991,380	\$	<u>28,417,495</u>
Total Authorized Full-Time Positions	160		

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	67,203,955
Benefits		39,141,888
Training and Civic Affairs		178,869
Communication and Utilities		1,032,202
Materials and Supplies		1,020,497
Contractual Services		2,194,206
Equipment		1,471,072
Grants and Fixed Charges		6,492,175
Operating Transfer Charges		7,298,634
Total	\$	126,033,498
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		9,925
Contractual Services		61,175
Equipment		4,143
Operating Transfer Charges		85,180
Total	\$	1,953,891
Total Authorized Full-Time Positions		20

RECORDER OF DEEDS

Salaries and Wages	\$	1,232,844
Benefits		712,707
Training and Civic Affairs		40,170
Communication and Utilities		30,977
Materials and Supplies		9,315
Contractual Services		93,801
Equipment		1,150
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
Land and Structures		
Contingency		
Intragovernmental Service Charges		
Intragovernmental Service Credits		
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	\$	0
Total	\$	0
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	\$	1,212,003
Total	\$	1,212,003

NEW CASTLE COUNTY

Salaries and Wages		\$	128,183,264
Benefits			74,365,553
Training and Civic Affairs	697,285		<u>697,585</u>
Communication and Utilities	35,353,063		<u>35,521,563</u>
Materials and Supplies	7,791,496		<u>7,932,496</u>
Contractual Services	24,816,595		<u>26,932,910</u>
Equipment			2,425,511
Grants and Fixed Charges			16,352,686
Debt Service			45,540,069
Land and Structures			35,000
Contingency			1,926,503
Operating Transfer Charges			16,337,485
Operating Transfer Credits			(20,531,152)
<i>Sub-Total New Castle County</i>	<i>333,293,358</i>	\$	<u>335,719,473</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,667</i>		

RESERVE ACCOUNTS AS OF MARCH 12, 2024

Tax Stabilization Reserve Account (Unaudited)	72,358,702
Sewer Rate Stabilization Reserve Account (Unaudited)	8,484,160
General Fund Budget Reserve Account	44,592,418
Sewer Fund Budget Reserve Account	18,872,304
<i>Total Reserves:</i>	<u>144,307,584</u>

Prime Sponsor(s): Mr. Hollins, Mr. Street,
Mr. Sheldon, Ms. Kilpatrick,
Mr. Smiley
Requested by: County Council
Date of introduction: April 23, 2024

ORDINANCE NO. 24-061

AMEND THE GRANTS BUDGET:

**APPROPRIATE FUNDING FROM NEW CASTLE COUNTY COUNCIL FY2024 APPROVED
OPERATING BUDGET TO THE 2023 NEW CASTLE COUNTY YOUTH EMPLOYMENT
GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES,
DIVISION OF COMMUNITY RESOURCES**

1 **WHEREAS**, New Castle County Council received funds from the State of Delaware
2 Department of Labor – Delaware Workforce Investment Board to fund the 2023 New Castle
3 County Summer Youth Employment Grants; and

4
5 **WHEREAS**, the New Castle County Youth Employment Program provides employment
6 experiences for youths between the ages of 14 and 20 that will promote responsibility, teamwork,
7 and a work ethic; and

8
9 **WHEREAS**, New Castle County Council has previously contributed funds to the 2023
10 New Castle County Youth Employment Grant in the amount of \$100,000 via Ordinance 23-035
11 and \$5,110 via Ordinance 23-065; and

12
13 **WHEREAS**, New Castle County Council has determined that there will be unspent
14 funding available in the Grants and Fixed Charges Budget Line Item at the end of FY2024; and

15
16 **WHEREAS**, New Castle County Council wishes to provide \$110,020 to the 2023 New
17 Castle County Youth Employment Grant from their Grants and Fixed Charges Budget Line Item
18 within the FY2024 Approved Operating Budget; and

19
20 **WHEREAS**, the revenue measures heretofore adopted by the County Council are, in the
21 opinion of the County Executive, estimated to yield sums at least sufficient to balance the
22 proposed expenditures as set forth in the Annual Operating Budget as hereinafter amended.

23
24 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

25
26 Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby
27 amended by deleting the material stricken and adding the material underscored on the
28 attached Exhibit "A."

29
30 Section 2. This Ordinance shall become effective immediately upon its adoption by
31 County Council and approval by the County Executive, or as otherwise provided by 9 Del. C. §
32 1156.

33
34 Section 3. It is the intent of the County Council that the provisions of this Ordinance
35 shall be effective retroactive to June 13, 2023.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$110,020 from the County Council – Grants and Fixed Charges Budget Line Item within the FY2024 Approved Operating Budget to the 2023 New Castle County Youth Employment Grant. **Ordinance No. 24-062 must be passed by County Council to complete this transaction.**

The New Castle County Youth Employment Program provides employment experiences for youths between the ages of 14 and 20 that will promote responsibility, teamwork, and a work ethic.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$110,020 in funding to the 2023 New Castle County Youth Employment Program Grant, which is administered by the Department of Community Services, Division of Community Resources. Funding for this program will be provided from the County Council – Grants and Fixed Charges Budget Line Item within the FY2024 Approved Operating Budget.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget by \$110,020. There is no discernible fiscal impact on the current operating budget.

DEPARTMENT:	Community Services	EXHIBIT:	"A"
GRANT TITLE:	NCC Youth Employment 2023	Ordinance No. 24-061	
PROGRAM TITLE:	NCC Youth Employment 2023		

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ -	\$ -	\$ -
County	\$ <u>105,110.00</u>	\$ <u>110,020.00</u>	\$ <u>215,130.00</u>
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ <u>105,110.00</u>	\$ <u>110,020.00</u>	\$ <u>215,130.00</u>

Expense	Current	Change	Revised
Salaries and Wages	\$ <u>92,187.65</u>	\$ <u>101,023.00</u>	\$ <u>193,210.65</u>
Benefits	\$ <u>12,922.35</u>	\$ <u>8,997.00</u>	\$ <u>21,919.35</u>
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ -	\$ -	\$ -
Equipment	\	\$ -	\$ -
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ <u>105,110.00</u>	\$ <u>110,020.00</u>	\$ <u>215,130.00</u>

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	6/13/2023
Estimated Program Completion:	6/7/2024
The Local Match:	Found in (ORG):
Ordinance Passed:	Date Revised:
23-035	4/14/2023
<u>23-065</u>	<u>6/16/2023</u>

PROGRAM DESCRIPTION:

The New Castle County Youth Employment Program provides employment experiences for youths between the ages of 14 and 20 that will promote responsibility, teamwork and a work ethic.

5/23/2023

4/23/2024

Prime Sponsor(s): Mr. Hollins, Mr. Street,
Mr. Sheldon, Ms. Kilpatrick,
Mr. Smiley
Requested by: County Council
Date of introduction: April 23, 2024

ORDINANCE NO. 24-062

**AMEND THE FY2024 APPROVED OPERATING BUDGET:
APPROPRIATE FUNDING FROM THE GRANTS AND FIXED CHARGES BUDGET LINE
ITEM OF COUNTY COUNCIL TO THE 2023 NEW CASTLE COUNTY YOUTH
EMPLOYMENT PROGRAM GRANT**

1 **WHEREAS**, New Castle County Council received funds from the State of Delaware
2 Department of Labor – Delaware Workforce Investment Board to fund the 2023 New Castle
3 County Youth Employment Program Grant; and
4

5 **WHEREAS**, the New Castle County Youth Employment Program provides employment
6 experiences for youths between the ages of 14 and 20 that will promote responsibility, teamwork
7 and work ethic; and
8

9 **WHEREAS**, New Castle County Council has determined that there will be unspent
10 funding available in the Grants and Fixed Charges Budget Line Item at the end of FY2024; and
11

12 **WHEREAS**, New Castle County Council would like to contribute \$110,020 to the 2023
13 New Castle County Youth Employment Program Grant from their Grants and Fixed Charges
14 Budget Line Item within the FY2024 Approved Operating Budget; and
15

16 **WHEREAS**, the revenue measures heretofore adopted by the County Council are, in the
17 opinion of the County Executive, estimated to yield sums at least sufficient to balance the
18 proposed expenditures as set forth in the Annual Operating Budget as hereinafter amended.
19

20 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
21

22 Section 1. The Annual Operating Budget Ordinance for the fiscal year beginning July
23 1, 2023, is hereby amended by deleting the material bracketed and stricken and adding the
24 material underscored on the attached Exhibit "A."
25

26 Section 2. The foregoing amendment shall be considered a part of the Annual
27 Operating Budget for the fiscal year beginning July 1, 2023 and shall be effective as though
28 incorporated initially in the Annual Operating Budget Ordinance.
29

30 Section 3. This Ordinance shall become effective immediately upon its adoption by
31 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C. §*
32 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$110,020 from the County Council – Grants and Fixed Charges Budget Line Item within the FY2024 Approved Operating Budget to the 2023 New Castle County Youth Employment Program Grant. **Ordinance No. 24-061 must first be passed by County Council in order to establish the grant.**

FISCAL NOTE: This Ordinance, if approved, will appropriate \$110,020 from the County Council – Grants and Fixed Charges Budget Line Item within the FY2024 Approved Operating Budget to the 2023 New Castle County Youth Employment Program Grant.

There will be no net fiscal impact if this Ordinance and its companion Ordinance are approved as the legislation affects a transfer of already-appropriated funds. The resulting effect will be the transfer of \$110,020 of FY2024 Approved Operating Budget spending authority to the Grants Budget. There is no fiscal impact beyond FY2024.

COUNTY COUNCIL

Salaries and Wages		\$	2,428,665
Benefits			1,428,590
Training and Civic Affairs			75,776
Communication and Utilities			17,849
Materials and Supplies			60,606
Contractual Services			253,148
Equipment			1,600
Grants and Fixed Charges	416,680		<u>306,660</u>
Operating Transfer Charges			162,309
Total	<u>4,845,223</u>	\$	<u>4,735,203</u>
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			18,399
Materials and Supplies			19,535
Contractual Services			526,540
Equipment			1,000
Grants and Fixed Charges			1,140,525
Contingency			9,500
Operating Transfer Charges			82,016
Total		\$	<u>4,652,521</u>
Total Authorized Full-Time Positions	16		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	12,203,612
Benefits			8,338,475
Training and Civic Affairs			132,625
Communication and Utilities			8,314,086
Materials and Supplies			147,505
Contractual Services			6,858,162
Equipment			377,534
Grants and Fixed Charges			3,925,350
Operating Transfer Charges			1,163,553
Operating Transfer Credits			(12,098,321)
Total		\$	<u>27,445,578</u>
Total Authorized Full-Time Positions	172		

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	24,597,539
Benefits		14,348,323
Training and Civic Affairs		52,527
Communication and Utilities		24,784,106
Materials and Supplies		4,982,810
Contractual Services		10,588,055
Equipment		475,133
Grants and Fixed Charges		1,193,757
Land and Structures		35,000
Operating Transfer Charges		4,845,206
Operating Transfer Credits		(7,438,785)
Total	\$	78,463,671
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		111,337
Materials and Supplies		112,807
Contractual Services		1,586,618
Equipment		48,540
Grants and Fixed Charges		56,500
Operating Transfer Charges		1,136,835
Operating Transfer Credits		(803,217)
Total	\$	15,593,142
Total Authorized Full-Time Positions		118

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	11,772,687
Benefits		5,320,582
Training and Civic Affairs		27,392
Communication and Utilities		1,035,676
Materials and Supplies		1,408,563
Contractual Services		2,249,156
Equipment		25,667
Grants and Fixed Charges		3,110,149
Operating Transfer Charges		1,232,337
Operating Transfer Credits		(190,829)
Total	\$	25,991,380
Total Authorized Full-Time Positions		160

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	67,203,955
Benefits		39,141,888
Training and Civic Affairs		178,869
Communication and Utilities		1,032,702
Materials and Supplies		1,020,997
Contractual Services		2,193,206
Equipment		1,471,072
Grants and Fixed Charges		6,492,175
Operating Transfer Charges		7,298,634
Total	\$	126,033,498
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		9,925
Contractual Services		61,175
Equipment		4,143
Operating Transfer Charges		85,180
Total	\$	1,953,891
Total Authorized Full-Time Positions		20

RECORDER OF DEEDS

Salaries and Wages	\$	1,232,844
Benefits		712,707
Training and Civic Affairs		40,170
Communication and Utilities		30,977
Materials and Supplies		9,315
Contractual Services		93,801
Equipment		1,150
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
Land and Structures		
Contingency		
Intragovernmental Service Charges		
Intragovernmental Service Credits		
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	\$	0
Total	\$	0
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	\$	1,212,003
Total	\$	1,212,003

NEW CASTLE COUNTY

Salaries and Wages		\$	128,183,264
Benefits			74,365,553
Training and Civic Affairs			697,285
Communication and Utilities			35,380,785
Materials and Supplies			7,801,196
Contractual Services			24,786,545
Equipment			2,417,339
Grants and Fixed Charges	16,353,486		<u>16,243,466</u>
Debt Service			45,540,069
Land and Structures			35,000
Contingency			1,926,503
Operating Transfer Charges			16,337,485
Operating Transfer Credits			(20,531,152)
<i>Sub-Total New Castle County</i>	333,293,358	\$	<u>333,183,338</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,667</i>		

RESERVE ACCOUNTS AS OF MARCH 26, 2024

Tax Stabilization Reserve Account (Unaudited)	72,358,702
Sewer Rate Stabilization Reserve Account (Unaudited)	8,484,160
General Fund Budget Reserve Account	44,592,418
Sewer Fund Budget Reserve Account	18,872,304
<i>Total Reserves:</i>	<u>144,307,584</u>

ORDINANCE NO. 24-063

**AUTHORIZING THE ISSUANCE OF \$1,850,000 IN GENERAL OBLIGATION BONDS
OF NEW CASTLE COUNTY FOR THE DEPARTMENT OF PUBLIC SAFETY,
POLICE RANGE / EVOC CAPITAL PROJECT**

1 **WHEREAS**, Subchapter II, Chapter 13 of Title 9 of the *Delaware Code*, as amended,
2 authorizes New Castle County to plan, supervise, and make provisions for law enforcement, fire
3 protection, ambulance rescue services within New Castle County, and the County Council of
4 New Castle County has deemed it necessary to implement such plans for development; and

5
6 **WHEREAS**, it has been determined that it is necessary to appropriate \$1,850,000 to
7 assist with the design and construction of the Emergency Vehicle Operations Course (EVOC)
8 facility in New Castle County for use by various agencies; and

9
10 **WHEREAS**, this corresponds with Ordinance No. 24-xxx to amend the Capital Program
11 and Budget by increasing appropriations and bond authorizations \$1,850,000 for the
12 Department of Public Safety, Police Range / EVOC Capital Project.

13
14 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:** (10/13th of
15 all members elected to the County Council concurring therein):

16
17 Section 1. New Castle County shall authorize the issuance of its negotiable bonds in the
18 maximum aggregate principal amount of \$1,850,000 for the Police Range / EVOC Capital
19 Project.

20
21 Section 2. The monies raised by the issuance of the bonds hereby authorized after the
22 payment of the charges and expenses connected with the preparation, sale, and issuance
23 thereof shall be expended only for the purposes for which said bonds have been authorized, or
24 for the payment of the principal of, and interest on, temporary loans made in anticipation of the
25 sale of such bonds.

26
27 Section 3. The effect of the bonded indebtedness hereby authorized upon the total
28 bonded indebtedness of New Castle County is as shown on the attached, Exhibit "A."

29
30 Section 4. It is hereby determined and declared that the normal life of said improvements
31 is not less than three (3) years (§ 1163 of the *Delaware Code*).

32
33 Section 5. This Ordinance shall become effective immediately upon its adoption by
34 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* §
35 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Authorize the issuance of \$1,850,000 of general obligation bond funds of New Castle County for the Department of Public Safety, Police Range / EVOC Capital Project to assist with the design and construction of the Emergency Vehicle Operations Course (EVOC) facility in New Castle County for use by various agencies.

FISCAL NOTE: This Ordinance, if approved, will authorize the issuance of \$1,850,000 of general obligation bond funds of New Castle County for the Department of Public Safety, Police Range / EVOC Capital Project to assist with the design and construction of the Emergency Vehicle Operations Course (EVOC) facility in New Castle County for use by various agencies.

The fiscal impact of issuing County Bonds in the maximum aggregate principal amount of \$1,850,000 assuming a term of twenty (20) years with a constant principal, is demonstrated on the attached Exhibit "A."

EXHIBIT "A"

FISCAL NOTE: This Ordinance will authorize County Bonds in the maximum aggregate principal amount of \$1,850,000.

The fiscal impact of this Ordinance, if approved, is demonstrated on a pro-forma basis below:

<u>Previous Authorizations</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
Authorized and Issued Bonds ⁽¹⁾ (2/28/2024)	\$504,120,000	\$150,805,997	\$654,925,997
Authorized and Unissued Bonds (2/28/2024)	<u>131,383,970</u>	<u>55,181,267</u> ⁽²⁾	<u>186,565,237</u>
Total Previous Authorizations	635,503,970	205,987,264	841,491,234
Proposed Net Authorizations ⁽³⁾ by the Ordinance	1,850,000	777,000 ⁽²⁾	2,627,000
Total Previous Authorizations and Proposed Net Authorizations	<u>\$637,353,970</u>	<u>\$206,764,263</u>	<u>\$844,118,234</u>

The following State Revolving Fund loans are not included in the above totals:

Authorized and Issued Bonds (2/28/2024)	\$24,418,970	\$4,242,573 ⁽⁴⁾	\$28,661,543
Authorized and Unissued Bonds (2/28/2024)	31,084,630	10,504,253 ⁽⁴⁾	41,588,883
Total Previous Authorizations	<u>\$55,503,600</u>	<u>\$14,746,826</u>	<u>\$70,250,426</u>

(1) These amounts have been adjusted to reflect retired principal and interest through 4/30/24.

(2) Interest is computed at 4.0 percent.

(3) Assuming a constant principal amount of \$92,500 over a term of twenty years, total debt service for the \$1,850,000 would be \$2,627,000.

(4) Interest is based on estimated future repayment schedules. Interest rates for various loans are 2.00, 2.394 and 2.601 percent.

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle
Requested by: Public Safety
Date of introduction: April 23, 2024

ORDINANCE NO. 24-064

**AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET:
INCREASE BOND AUTHORIZATIONS IN THE AMOUNT OF \$1,850,000 TO THE
DEPARTMENT OF PUBLIC SAFETY, POLICE RANGE / EVOC CAPITAL PROJECT**

1 **WHEREAS**, this legislation will increase the FY2024 Capital Budget by \$1,850,000
2 in General Obligation Bond Authorizations; and
3

4 **WHEREAS**, the additional funding is for the design and construction of the
5 Emergency Vehicle Operations Course (EVOC) facility in New Castle County for use by
6 various agencies.
7

8 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
9

10 Section 1. The Capital Budget Ordinance for the fiscal year beginning July 1, 2023
11 is hereby amended by deleting the material that is stricken and adding the material that
12 is underscored on the attached Exhibit "A."
13

14 Section 2. The Capital Program Resolution for the fiscal year beginning July 1,
15 2023 is hereby amended by adding the material on the attached Exhibit "B," which shall
16 be considered underscored in its entirety.
17

18 Section 3. Bond funding in the amount of \$1,850,000 is appropriated to the
19 Department of Public Safety, Police Range / EVOC Capital Project for the design and
20 construction of the Emergency Vehicle Operations Course (EVOC) facility in New Castle
21 County for use by various agencies.
22

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

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$1,850,000 in General Obligation Bond funding to the Police Range / EVOC Capital Project for the design and construction of the Emergency Vehicle Operations Course (EVOC) facility in New Castle County for use by various agencies.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Capital Budget by appropriating \$1,850,000 in General Obligation Bond funding to the Police Range / EVOC Capital Project for the design and construction of the Emergency Vehicle Operations Course (EVOC) facility in New Castle County for use by various agencies.

The revised FY2024 Capital Budget amount for the Police Range / EVOC Capital Project will be \$2,350,000.

The revised FY2024 New Castle County Capital Budget grand total will be \$80,477,396.

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

24-064

DEPARTMENT OF ADMINISTRATION

Land Use Information System	\$ 3,000,000
Recorder of Deeds HOA Portal	\$ 129,000
Register of Wills System	<u>\$ 250,000</u>
Subtotal	\$ 3,379,000

DEPARTMENT OF COUNTY EXECUTIVE

Executive GF Capital Contingency	\$ 500,000
Executive SF Capital Contingency	<u>250,000</u>
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	<u>125,000</u>
Subtotal	\$ 19,417,000

DEPARTMENT OF PUBLIC SAFETY

800MgHZ Communications Equipment	\$ 950,000
Cardiac Monitor 2023	\$ 945,148
Communications Upgrade	550,000
EMS Stations	500,000
Police Range / EVOC	<u>500,000 2,350,000</u>
Public Safety Building Renovations	300,000
Public Safety Equipment	291,000
Public Safety Vest Protection Program	<u>201,840</u>
Subtotal	<u>4,237,988 \$ 6,087,988</u>

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	<u>-</u>
Subtotal	\$ 14,225,932

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

24-064

DEPARTMENT OF PUBLIC WORKS (Continued)

Parks

Agricultural Preservation	\$ 1,500,000
Banning Park Improvements	500,000
Bechtel Park Improvements	2,000,000
Brandywine Springs Park Rehabilitation	440,000
Carousel Park	276,120
Delcastle Park Improvements	1,100,000
Game Court Improvements 2021	100,000
General Parkland Improvements 2021	100,000
General Parkland Improvements 2024-2025	2,950,000
Historic Structure Rehabilitation	3,000,000
Middle Run Valley Reforestation	300,000
Open Space Preservation	1,000,000
Park Bridge Replacements	300,000
Pavilion Renovations	100,000
Play Area Improvements 2024-2025	2,000,000
Rockwood Park	1,800,000
Weiss Park Improvements	700,000
Subtotal	\$ 18,166,120

Sewer/Stormwater

Asset Management	\$ 100,000
Backwater Valve Improvement	50,000
Christina River Force Main	4,400,000
Countywide Drainage	500,000
DelDOT Coordination Project 2021	2,000,000
Edgemoor System Rehabilitation	600,000
General Sewer Improvements	750,000
General Stormwater Improvements	358,954
North Delaware Interceptor System	650,000
Pump Station Rehabilitation 2024-2025	2,000,000
Sewer Fleet Equipment 2022	(650,000)
Sewer Fleet Equipment 2024	2,162,169
Sewer Repairs and Rehabilitation 2024-2025	1,000,000
Stoney Creek Basin	500,000
Stormwater Basin Renovation	725,000
Terminal Avenue System Rehabilitation	275,000
Water Quality Improvement Plan	230,233
White Clay System Rehabilitation	2,800,000
Subtotal	\$ 18,451,356

CAPITAL BUDGET TOTAL

78,627,396 **\$ 80,477,396**

EXHIBIT B**PROJECT PROFILES
PUBLIC SAFETY (continued)****Project Name (Number):** Police Range / EVOC (C201306)**Description:** Design and construction of an emergency vehicle operations course (EVOC).**Council Districts:** All**Funding Schedule**

	Bonds	Federal	State	Other	Total
Prior Authorizations	\$ 1,800,000	\$ -	\$ 3,649,670	\$ 300,000	\$ 5,749,670
FY2024		-	500,000	-	500,000
	<u>1,850,000</u>		-		<u>2,350,000</u>
FY2025	-	-	-	-	-
FY2026	7,000,000	-	-	-	7,000,000
FY2027	-	-	-	-	-
FY2028	-	-	-	-	-
FY2029	-	-	-	-	-
Future Years	-	-	-	-	-
Total	<u>\$ 8,800,000</u>	\$ -	\$ 4,149,670	\$ 300,000	\$ 13,249,670
	<u>\$ 10,650,000</u>				<u>\$ 15,099,670</u>
Available Authorizations:		<u>\$ 4,585,366</u>	<u>\$ 9,510,471</u>		
Available Funding:		<u>\$ 3,385,366</u>			
		<u>\$ 8,720,699</u>			
Operating Budget Impact:		\$ 4,070			

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

FY2024 Activity:

Complete design and construction of the driving pad. The EVOC will be used by the New Castle County Public Safety Department, as well as by public safety departments and volunteer fire companies from throughout the State. Phase I is anticipated to be completed in ~~Fall 2023~~ Spring 2025.

Future Activity:

Design and construction of Phase II which includes a recovery facility and classrooms.

ORDINANCE NO. 24-065

**AMEND THE FY2024 APPROVED OPERATING BUDGET:
TRANSFER FUNDS FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM
OF COUNTY COUNCIL TO THE EQUIPMENT BUDGET LINE ITEM FOR THE
DEPARTMENT OF PUBLIC WORKS, DIVISION OF PARKS**

1 **WHEREAS**, County Council has budgeted funding available in the Grants and Fixed
2 Charges Budget Line Item; and
3

4 **WHEREAS**, County Council would like to contribute \$269.96 to the Department of
5 Public Works, Division of Parks to assist with the purchase of park maintenance equipment
6 specifically designed to collect sweet gum seed pods; and
7

8 **WHEREAS**, the revenue measures heretofore adopted by the County Council are, in
9 the opinion of the County Executive, estimated to yield sums at least sufficient to balance the
10 proposed expenditures as set forth in the Annual Operating Budget as hereinafter amended.
11

12 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
13

14 Section 1. The Annual Operating Budget for the fiscal year beginning July 1, 2023 is
15 hereby amended by deleting the material bracketed and stricken and adding the material
16 underscored on the attached Exhibit "A."
17

18 Section 2. The foregoing amendment shall be considered a part of the Annual
19 Operating Budget for the fiscal year beginning July 1, 2023 and shall be effective as though
20 incorporated initially in the Annual Operating Budget.
21

22 Section 3. This Ordinance shall become effective immediately upon its adoption by
23 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* §
24 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will transfer \$269.96 from the County Council – Grants and Fixed Charges Budget Line Item to the Department of Public Works – Equipment Budget Line Item to assist with the purchase of park maintenance equipment specifically designed to collect sweet gum seed pods. This legislation will result in no increase to the FY2024 Approved Operating Budget as the legislation is a transfer of funds between departments.

FISCAL NOTE: This Ordinance, if approved, will transfer \$269.96 from the County Council – Grants and Fixed Charges Budget Line Item to the Department of Public Works – Equipment Budget Line Item.

This legislation will reduce the FY2024 Approved Operating Budget for County Council by \$269.96 and increase the Department of Public Works by \$269.96. This legislation will result in no increase to the FY2024 Approved Operating Budget as the legislation is a transfer of funds between departments. There is no fiscal impact for FY2025 or FY2026.

ORDINANCE NO. 24-066

AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$67,900 FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT AND \$67,900 FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS TO THE DEPARTMENT OF ADMINISTRATION, HUMAN RESOURCES SCANNING CAPITAL PROJECT

1 **WHEREAS**, this legislation will amend the FY2024 Capital Budget by
2 appropriating \$67,900 in funds received from the Recorder of Deeds Technology Fee
3 Account and \$67,900 in funds received from the New Castle County Technology Fee
4 Account within the Office of the Recorder of Deeds to the Department of Administration,
5 Human Resources Scanning Capital Project; and
6

7 **WHEREAS**, funding will be used to help convert old Human Resources files into
8 digital images; and
9

10 **WHEREAS**, this request will include a partnership with Hodgson Vo-Tech High
11 school students to allow student resources to fulfill the project needs of prepping,
12 scanning, indexing, auditing, and ensuring the New Castle County record retention
13 schedule is met; and
14

15 **WHEREAS**, the current team has eight total resources, five women and 3 men,
16 with six having a variety of cultural and ethnic backgrounds and the vendor is in the
17 process of interviewing for two additional part-time students.
18

19 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
20

21 Section 1. The Capital Budget Ordinance for the fiscal year beginning July 1,
22 2023 is hereby amended by deleting the material that is stricken and adding the
23 material that is underscored on the attached Exhibit "A."
24

25 Section 2. The Capital Program Resolution for the fiscal year beginning July 1,
26 2023 is hereby amended by deleting the material stricken and adding the material
27 underscored on the attached Exhibit "B."
28

29 Section 3. Funding in the amount of \$67,900 from the Recorder of Deeds
30 Technology Fee Account and \$67,900 from the New Castle County Technology Fee
31 Account within the Office of the Recorder of Deeds is appropriated to the Department of
32 Administration, Human Resources Scanning Capital Project, to help convert old Human
33 Resources files into digital images.
34

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

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$67,900 from the Recorder of Deeds Technology Fee Account and \$67,900 from the New Castle County Technology Fee Account within the Office of the Recorder of Deeds to the Department of Administration, Human Resources Scanning Capital Project to help convert old Human Resources files into digital images.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Capital Budget by appropriating \$67,900 from the Recorder of Deeds Technology Fee Account and \$67,900 from the New Castle County Technology Fee Account within the Office of the Recorder of Deeds to the Department of Administration, Human Resources Scanning Capital Project to help convert old Human Resources files into digital images. If additional time is needed the project will be reevaluated for additional funding.

The revised FY2024 Capital Budget amount for the Human Resources Scanning Capital Project will be \$135,800.

The revised FY2024 New Castle County Capital Budget grand total will be \$78,763,196.

The balance in the Recorder of Deeds Technology Fee Account as of April 9, 2024 is \$264,296.68. The revised balance after this appropriation of funding will be \$196,396.68.

The balance in the New Castle County Technology Fee Account as of April 9, 2024 is \$374,359.25. The revised balance after this appropriation of funding will be \$306,459.25.

The appropriation of funding from the Recorder of Deeds Technology Fee Escrow Account and the New Castle County Technology Fee Escrow Account is within the adopted Key Financial Policies.

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

24-066

DEPARTMENT OF ADMINISTRATION

Human Resources Scanning		\$	135,800
Land Use Information System			3,000,000
Recorder of Deeds HOA Portal			129,000
Register of Wills System			250,000
Subtotal	3,379,000	\$	3,514,800

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
EMS Stations			500,000
Police Range / EVOC			500,000
Public Safety Building Renovations			300,000
Public Safety Equipment			291,000
Public Safety Vest Protection Program			201,840
Subtotal		\$	4,237,988

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			-
Subtotal		\$	14,225,932

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

24-066

DEPARTMENT OF PUBLIC WORKS (Continued)

Parks

Agricultural Preservation	\$ 1,500,000
Banning Park Improvements	500,000
Bechtel Park Improvements	2,000,000
Brandywine Springs Park Rehabilitation	440,000
Carousel Park	276,120
Delcastle Park Improvements	1,100,000
Game Court Improvements 2021	100,000
General Parkland Improvements 2021	100,000
General Parkland Improvements 2024-2025	2,950,000
Historic Structure Rehabilitation	3,000,000
Middle Run Valley Reforestation	300,000
Open Space Preservation	1,000,000
Park Bridge Replacements	300,000
Pavilion Renovations	100,000
Play Area Improvements 2024-2025	2,000,000
Rockwood Park	1,800,000
Weiss Park Improvements	700,000
Subtotal	\$ 18,166,120

Sewer/Stormwater

Asset Management	\$ 100,000
Backwater Valve Improvement	50,000
Christina River Force Main	4,400,000
Countywide Drainage	500,000
DelDOT Coordination Project 2021	2,000,000
Edgemoor System Rehabilitation	600,000
General Sewer Improvements	750,000
General Stormwater Improvements	358,954
North Delaware Interceptor System	650,000
Pump Station Rehabilitation 2024-2025	2,000,000
Sewer Fleet Equipment 2022	(650,000)
Sewer Fleet Equipment 2024	2,162,169
Sewer Repairs and Rehabilitation 2024-2025	1,000,000
Stoney Creek Basin	500,000
Stormwater Basin Renovation	725,000
Terminal Avenue System Rehabilitation	275,000
Water Quality Improvement Plan	230,233
White Clay System Rehabilitation	2,800,000
Subtotal	\$ 18,451,356

CAPITAL BUDGET TOTAL

78,627,396 **\$ 78,763,196**

EXHIBIT B**PROJECT PROFILES
ADMINISTRATION (continued)**

Project Name (Number): Human Resources Scanning (C122205)					
Description: Convert stored paper human resource files into digital images.				Council Districts: All	
Funding Schedule					
	Bonds	Federal	State	Other	Total
Prior Authorizations	\$ -	\$ -	\$ -	\$ 375,000	\$ 375,000
FY2024	-	-	-		
			-	135,800	135,800
FY2025	-	-	-	-	-
FY2026	-	-	-	-	-
FY2027	-	-	-	-	-
FY2028	-	-	-	-	-
FY2029	-	-	-	-	-
Future Years	-	-	-	-	-
Total	\$ -	\$ -	\$ -	\$ 375,000	\$ 375,000
				\$ 510,800	\$ 510,800
Available Authorizations:		\$ 200,000			
Available Funding:		\$ 200,000			
Operating Budget Impact:		\$ -			

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

FY2024 Activity:

Continue scanning of stored paper human resource files into digital images which will be stored and accessible in the new Human Capital Management system. The project is estimated to be completed in December ~~2023~~ 2024.

Future Activity:

Sunset project as of July 1, ~~2024~~ 2025.

Prime Sponsor(s): Mr. Bell
Requested by: Land Use
Date of introduction: April 23, 2024

ORDINANCE NO. 24-067

COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 12 REGARDING THE FOLLOWING TAX PARCELS: NEW CASTLE HUNDRED: 10-030.00-046 (0 RIVER RD), 10-035.00-002 (300 S DUPONT HWY), 10-035.00-056 (790 GRANTHAM LN, DELLAVERSANO SUBDIVISION); RED LION HUNDRED: 12-002.00-024 (0 S DUPONT HWY), 12-006.00-041 (1535 RED LION RD, HARRIS SUBDIVISION), 12-007.00-020 (4120 WRANGLE HILL RD, BEAR BABE RUTH KODIAK PARK), 12-013.00-081 (4110 WRANGLE HILL RD, BEAR BABE RUTH KODIAK PARK), 12-036.00-001 (0 BIGGS LN, UNION CARBIDE CORP); ST GEORGES HUNDRED: 13-008.00-019 (2093 DUPONT PKY), 13-008.00-028 (2105 DUPONT PKY, LESTER SUBDIVISION), 13-008.00-044 (310 HYETTS CORNER RD, HYETTS CORNER ROAD WATER TREATMENT PLANT), 13-013.00-029 (2344 DUPONT PKY), 13-013.00-030 (2348 DUPONT PKY), 13-013.00-035 (2398 DUPONT PKY, SHOPPES OF ST GEORGES), 13-013.00-148 (2356 DUPONT PKY, SHOPPES OF ST GEORGES), 13-013.00-249 (0 DUPONT PKY).

1 **WHEREAS**, County Council adopted Substitute No. 2 to Ordinance No. 22-024 as
2 amended by Floor Amendment No. 1 ("New Castle County Comprehensive Plan" or "the
3 Plan"), on July 26, 2022, and the County Executive approved the Ordinance on August
4 4, 2022; and
5

6 **WHEREAS**, the Future Land Use Element and Map Series of the New Castle
7 County Comprehensive Plan designates proposed future general distribution, location
8 and extent of the uses of land consistent with goals, policies and measurable objectives
9 enumerated in the Plan; and
10

11 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
12 sustainable economic development sensitive to the context of neighboring residential
13 developments; and
14

15 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
16 preservation efforts to best protect important ecological habitats; and
17

18 **WHEREAS**, 9 Del. C. § 2660 requires New Castle County to amend its official
19 zoning map within eighteen months of the date of adoption of a revision to the county
20 comprehensive plan "to rezone all lands in accordance with the uses and intensities of
21 uses provided for in the future land use element for the County"; and

22 **WHEREAS**, Ordinance No. 23-083 was introduced on June 13, 2023, to amend
23 the official zoning map in accordance with the uses and intensities of uses provided for in
24 the future land use element of the New Castle County Comprehensive Plan; and
25

26 **WHEREAS**, the County can foster more informed participation by the public,
27 including increased opportunities for review, by amending the zoning map in smaller
28 portions, such as by Councilmanic District; and
29

30 **WHEREAS**, this County-initiated rezoning is intended to guide and control future
31 growth consistent with the spirit and intent of the Comprehensive Development Plan as
32 provided by State law; and

33 **WHEREAS**, County Council has determined that the amendments to the zoning
34 map substantially advance, and are reasonably and rationally related to, legitimate
35 government interests (i.e., promoting the health, safety, morals, convenience, order,
36 prosperity and/or welfare of the present and future inhabitants of this State).
37

38 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
39

40 Section 1. The Zoning Maps of New Castle Hundred, Red Lion Hundred, and St
41 Georges Hundred, are hereby amended by changing the zoning classification of the land
42 shown on attached Exhibit "A", Maps 1-9 dated 3/24/2024, as set forth therein.
43

44 Section 2. This Ordinance shall become effective immediately upon passage by
45 New Castle County Council and approval of the County Executive, or as otherwise
46 provided in 9 Del. C. § 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

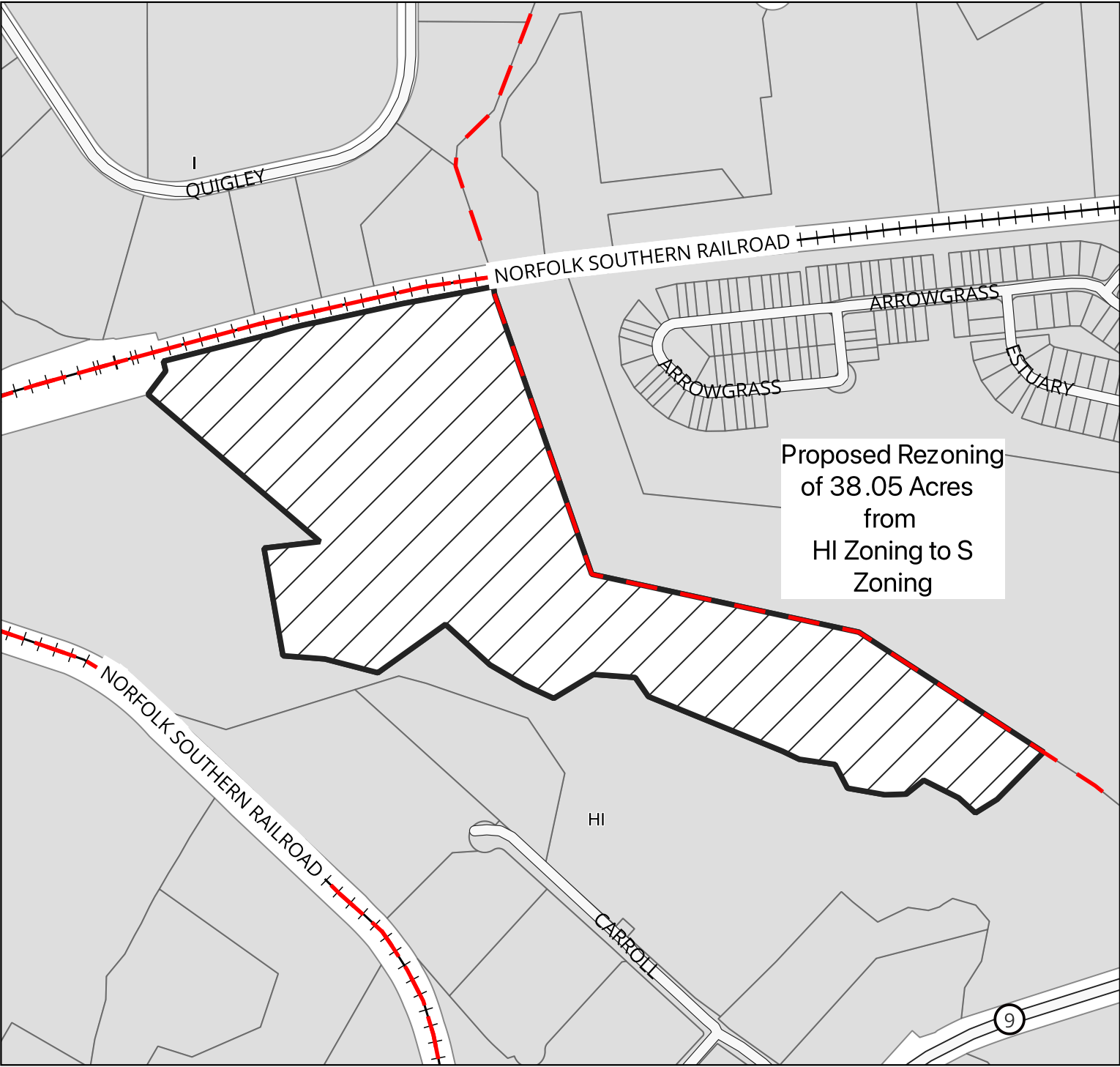
Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Same as title.

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

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING TO S ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 10-030.00-046



HUNDRED: NEW CASTLE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5381
Prepared by: Matthew Rogers

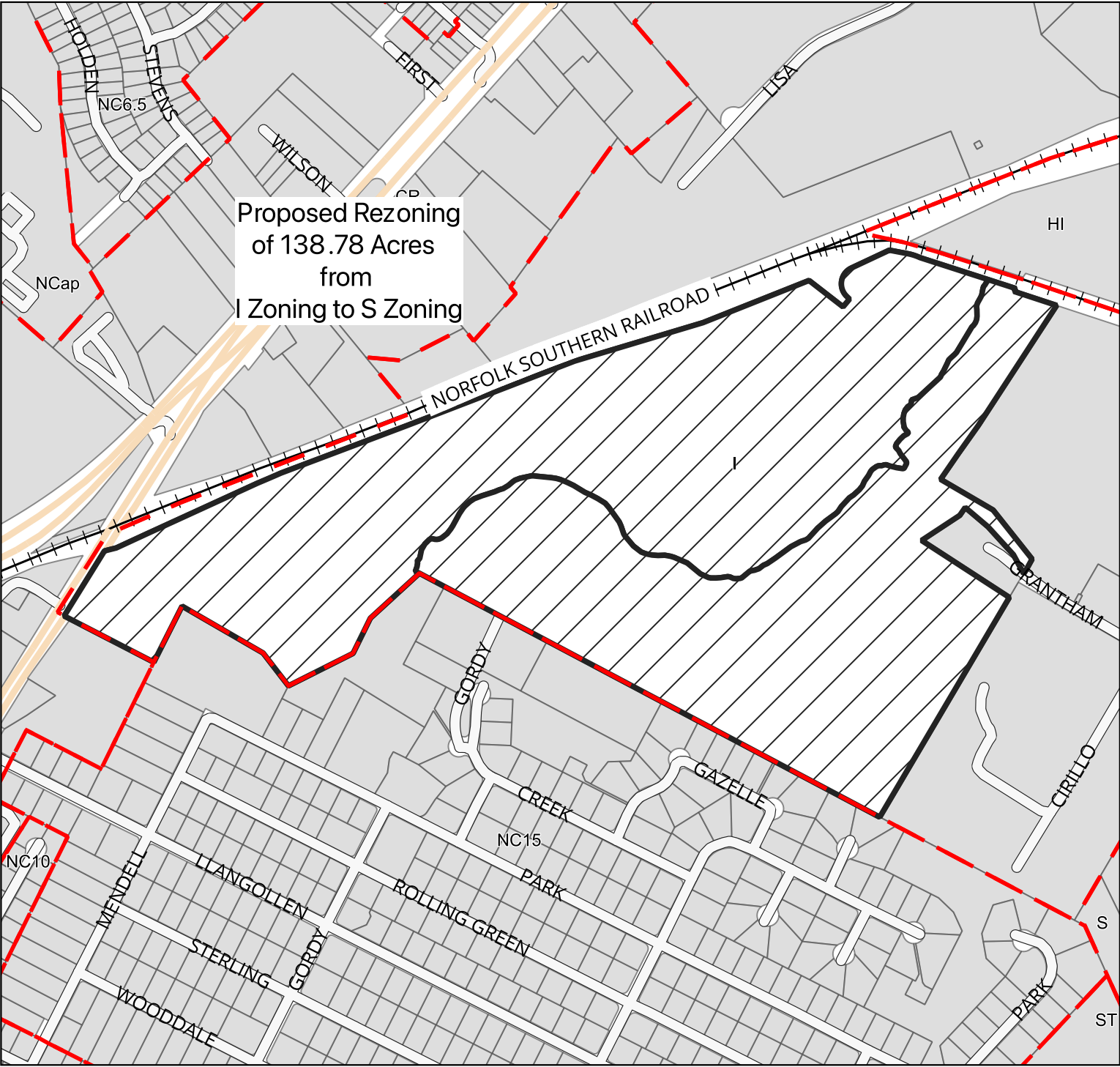
Date: 3/24/2024



PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 10-035.00-002,
10-035.00-056



HUNDRED: NEW CASTLE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:8048
Prepared by: Matthew Rogers

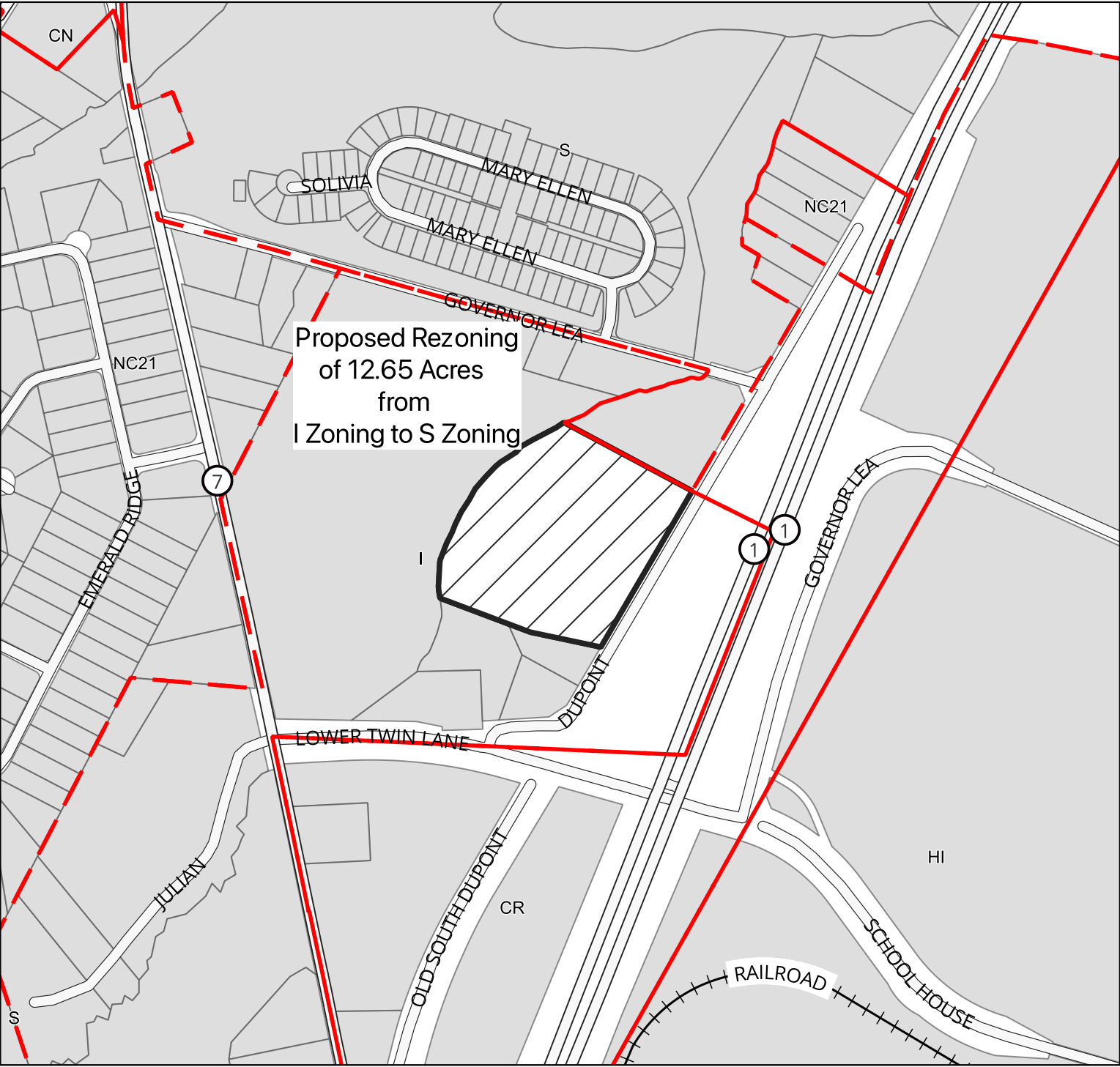
Date: 3/24/2024



PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 12-002.00-024



HUNDRED: RED LION
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6627
Prepared by: Matthew Rogers

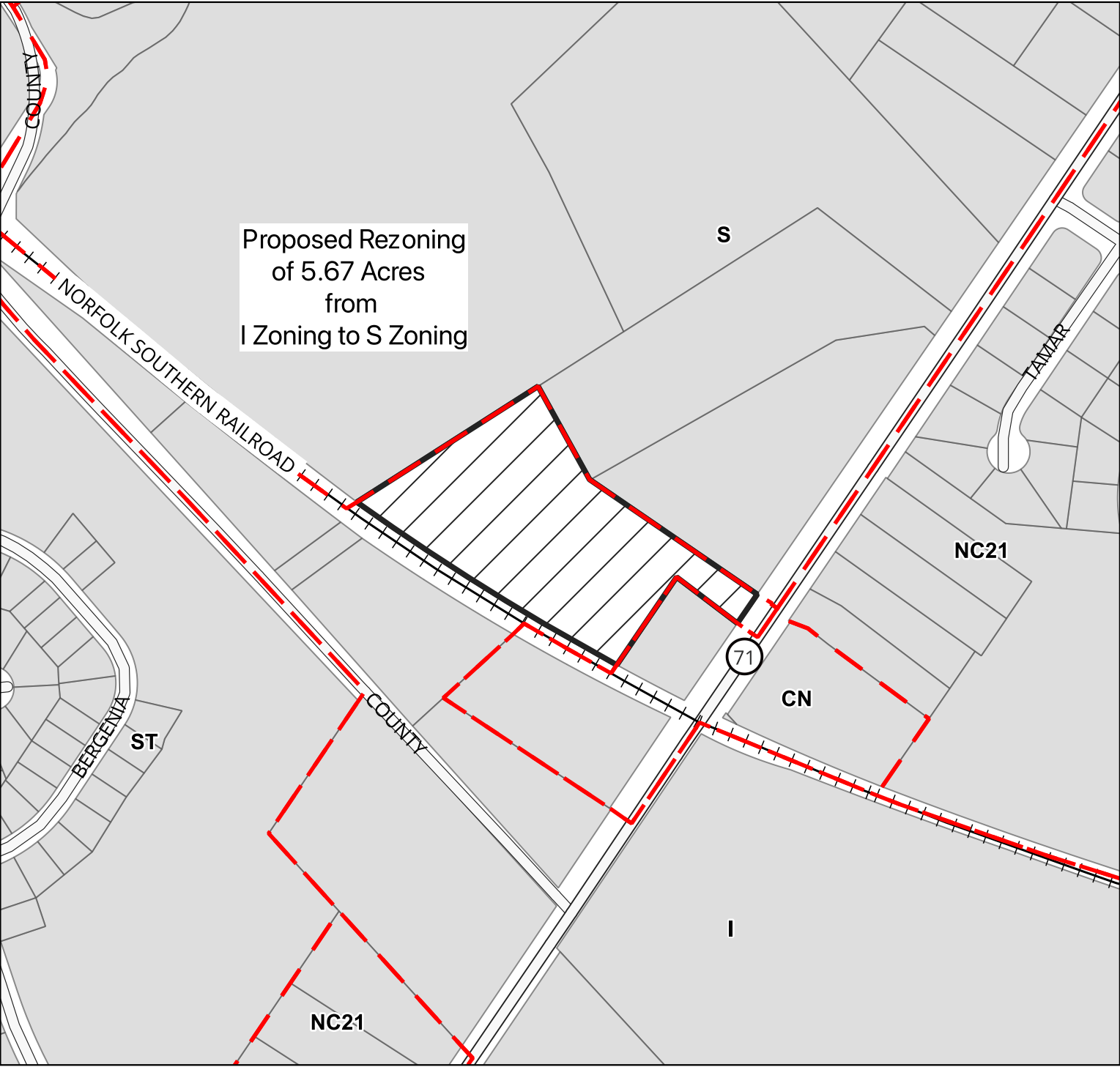
Date: 3/24/2024



PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 12-006.00-041



HUNDRED: RED LION
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3932
Prepared by: Matthew Rogers

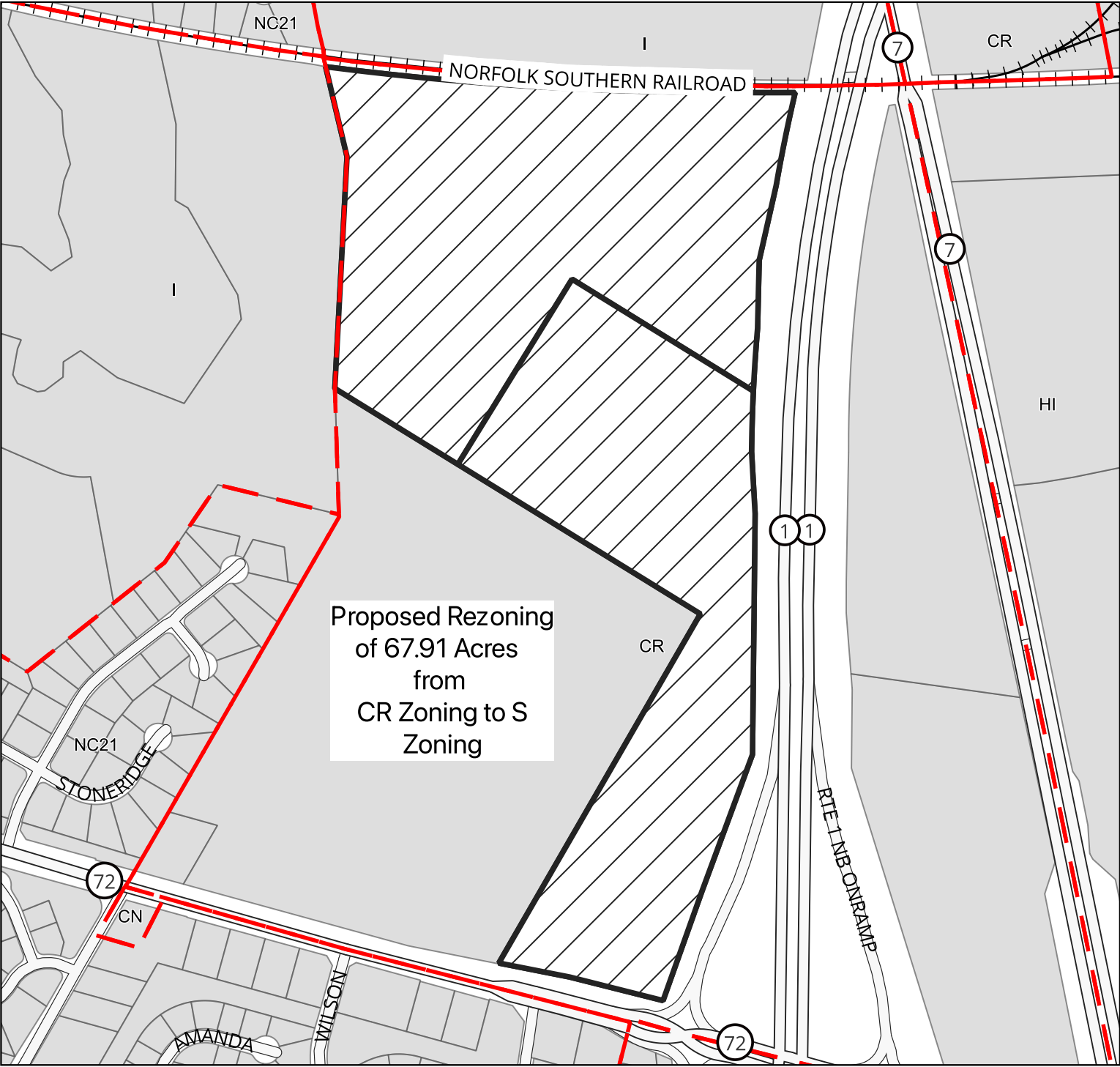
Date: 3/24/2024



PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CR ZONING TO S ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 12-007.00-020,
12-013.00-081



HUNDRED: RED LION
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6025
Prepared by: Matthew Rogers

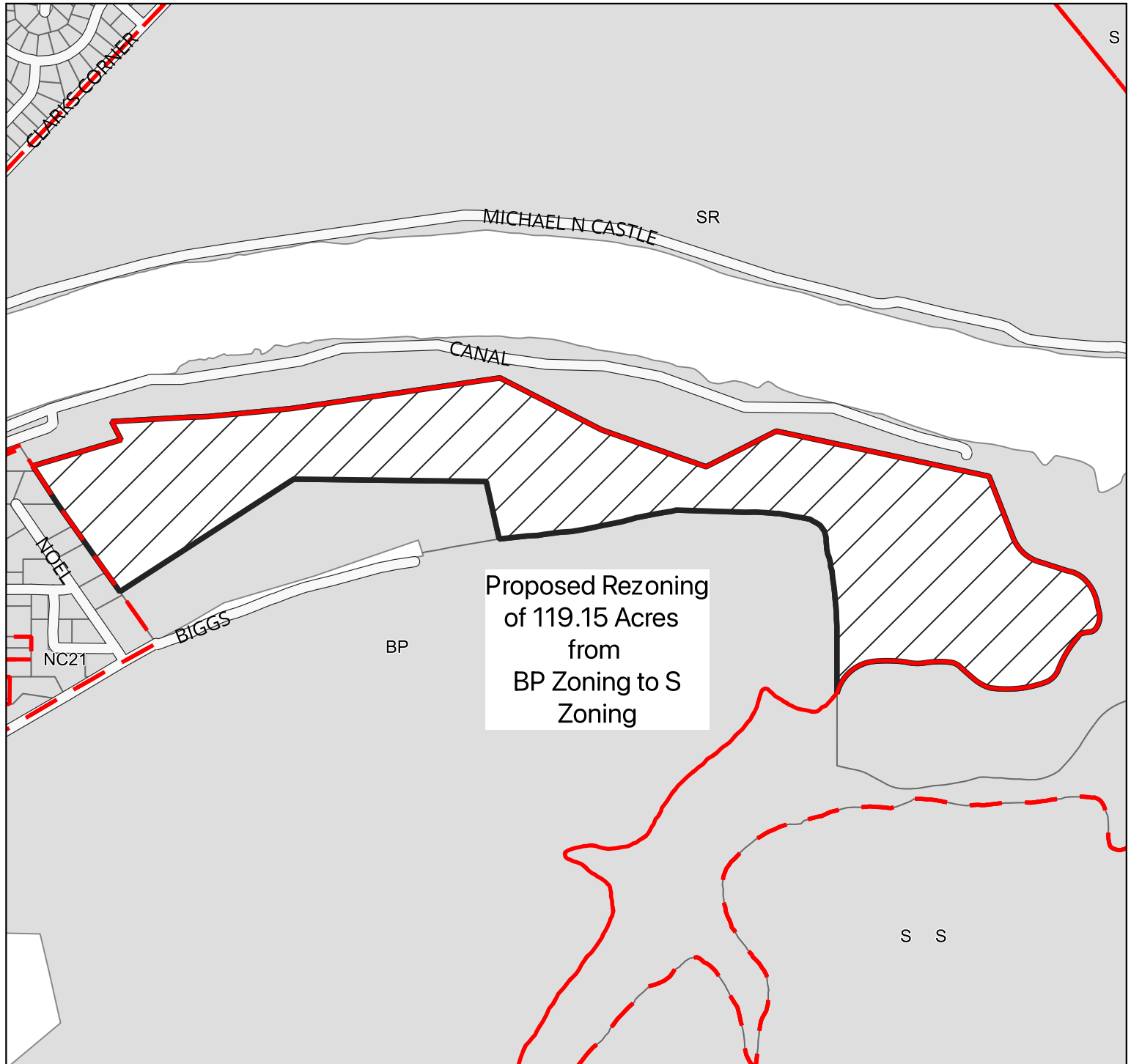
Date: 3/24/2024



PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: BP ZONING TO S ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 12-036.00-001



HUNDRED: RED LION
NEW CASTLE COUNTY, DELAWARE

Scale: 1:11097
Prepared by: Matthew Rogers

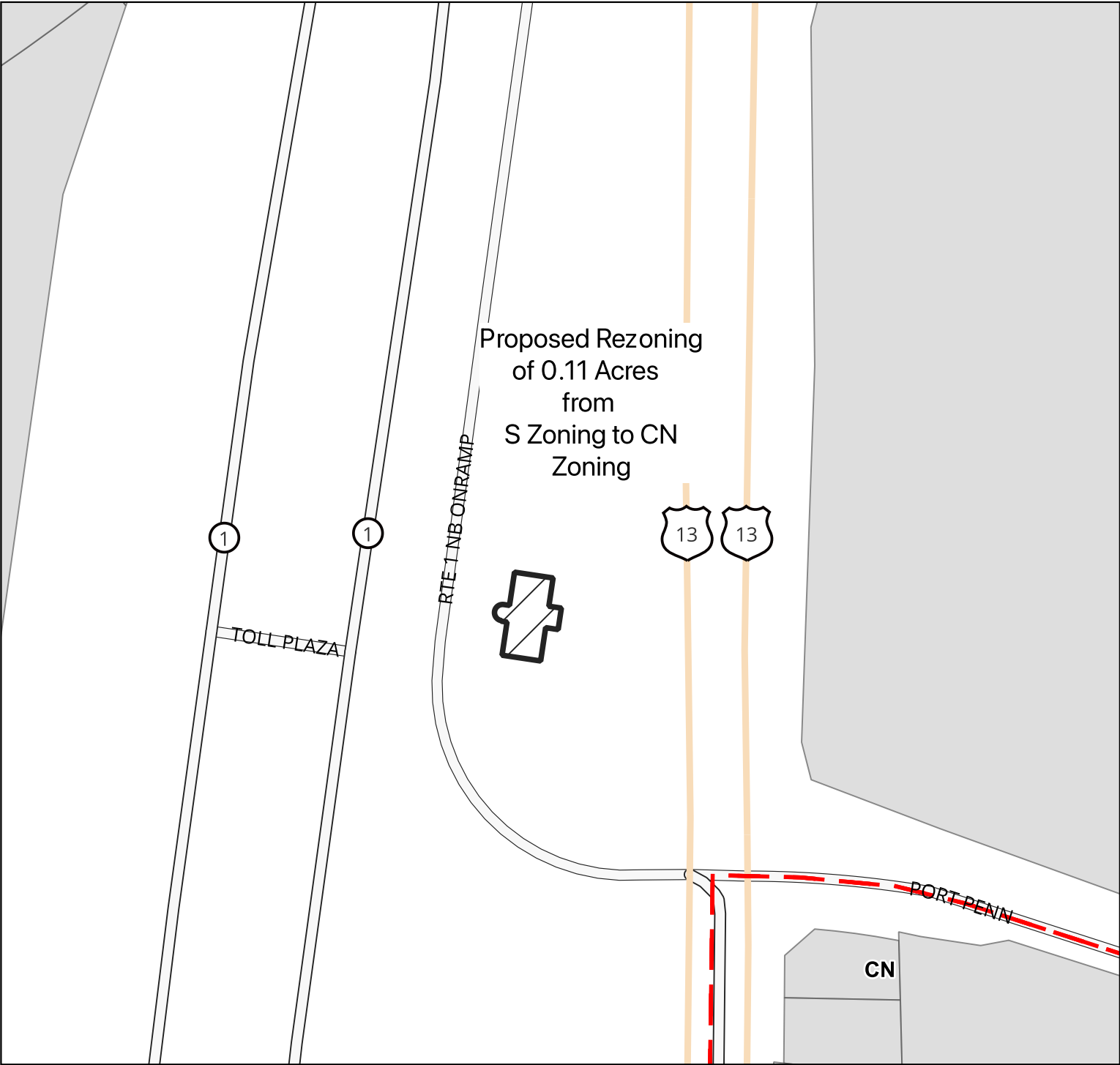
Date: 3/24/2024



PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO CN ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 13-008.00-019



HUNDRED: ST GEORGES
NEW CASTLE COUNTY, DELAWARE

Scale: 1:1876
Prepared by: Matthew Rogers

Date: 3/24/2024



PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

EXHIBIT A: MAP 8
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO CN ZONING

APPLICATION NO. 2024-180-Z
TAX PARCEL NO: 13-008.00-028,
13-008.00-044



HUNDRED: ST GEORGES
NEW CASTLE COUNTY, DELAWARE

Scale: 1:7245
Prepared by: Matthew Rogers

Date: 3/24/2024



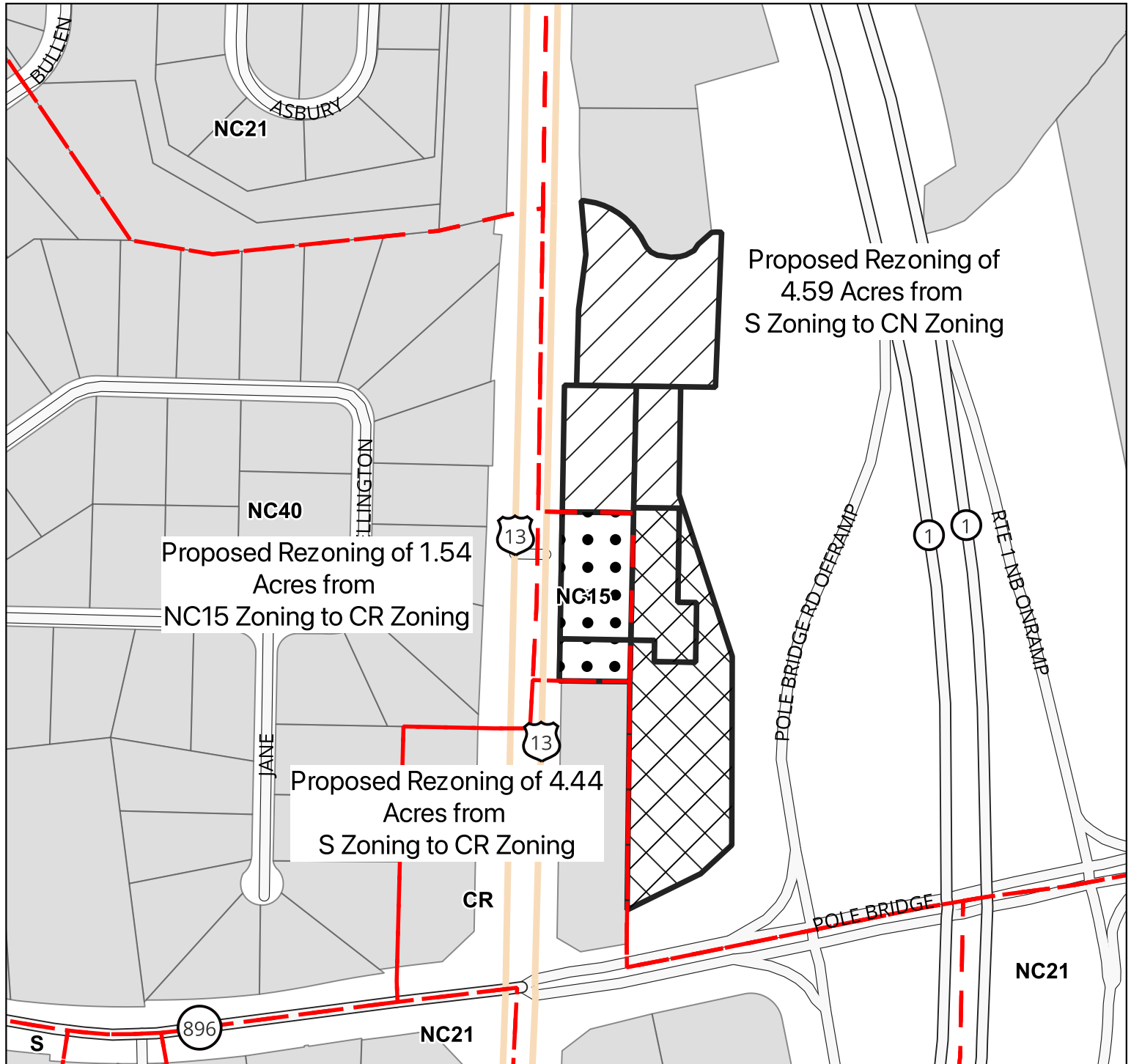
PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

EXHIBIT A: MAP 9
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO CN ZONING
NC15 ZONING TO CN ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 13-013.00-029,
13-013.00-030,13-013.00-035,
13-013.00-148,13-013.00-249



HUNDRED: ST GEORGES
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3994
Prepared by: Matthew Rogers

Date: 3/24/2024

PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:Page 50 of 199

Primary Sponsor: Mr. Carter
Requested by: Executive Office
Date of Introduction: April 23, 2024

RESOLUTION NO. 24-095

**CONSENTING TO THE APPOINTMENT OF NEAL D. CANTRELL
TO THE NEW CASTLE COUNTY PLANNING BOARD**

1 **WHEREAS**, the New Castle County Planning Board ("Planning Board") is composed
2 of nine (9) members. Pursuant to *New Castle County Code* §40.30.210, County Council has
3 the power and duty to confirm, by majority vote, members of the Planning Board appointed
4 by the County Executive; and
5

6 **WHEREAS**, the Planning Board is responsible for reviewing proposed changes to
7 zoning, subdivision regulations, deed restrictions, and the Comprehensive Development
8 Plan; and
9

10 **WHEREAS**, the Planning Board also renders final decisions on subdivision variances
11 and appeals of Land Use Department interpretations of subdivision regulations; and
12

13 **WHEREAS**, Planning Board Members shall be appointed by the County Executive for
14 a term of three (3) years; and
15

16 **WHEREAS**, the County Executive has submitted for the advice and consent of County
17 Council the appointment of Neal D. Cantrell to the Planning Board; and
18

19 **WHEREAS**, Mr. Cantrell is a professional, who has worked for The Dupont Company,
20 The Chemours Company and Hercules, Inc. throughout his career. A graduate from the
21 University of Delaware, he is a Certified Six Sigma Green Belt, with a skill in analyzing
22 information and communication.
23

24 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New Castle
25 County that County Council hereby consents to the appointment of Neal D. Cantrell to the
26 New Castle County Planning Board for a term to begin immediately upon adoption of this
27 Resolution and expire on April 23, 2027.

Adopted by the County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There is no discernible fiscal impact upon the adoption of this legislation.

Primary Sponsor: Ms. Kilpatrick
Requested by: Ms. Durham
Date of Introduction: April 23, 2024

RESOLUTION NO. 24-096

**CONSENTING TO THE APPOINTMENT OF JAMES E. JORDAN, JR. TO
THE NEW CASTLE COUNTY AGRICULTURAL LAND PRESERVATION
ADVISORY COMMITTEE**

1 **WHEREAS**, pursuant to *New Castle County Code* Section 2.05.106, the
2 Agricultural Land Preservation Advisory Committee ("Committee") is vested with the
3 responsibility to advise the Department of Land Use and the Department of Public Works
4 on implementing best practices in preserving agricultural land within the County; and
5

6 **WHEREAS**, the Committee shall consist of seven (7) members. The County
7 Executive shall appoint the chairperson and vice chairperson of the Committee from
8 among the seven (7) appointed members. Except for certain initial appointments, all
9 Committee members shall serve four-year terms, which may be renewed; and
10

11 **WHEREAS**, the Committee shall review and recommend funding sources,
12 financing tools, potential partnerships, and coordination with other preservation programs;
13 review land preservation acquisition priorities, targets, selection criteria, and process;
14 periodically review and comment on the impact of land development on preservation
15 priorities; and provide recommendations to the Department of Land Use and Department
16 of Public Works concerning the Comprehensive Development Plan; and
17

18 **WHEREAS**, the Committee shall review land preservation funding needs in terms
19 of staff, administration, maintenance, and programming; research and report on local
20 agribusiness, and current and potential markets, including value-added agriculture;
21 review the Delaware Agricultural Land Preservation Fund Program and develop
22 recommendations for refinements; develop and distribute an annual report summarizing
23 the Committee's activities, recommendations, and workplan for the coming year, including
24 actions for collaborative effort; and coordinate with the Delaware Farmland Preservation
25 Advisory Board; and
26

27 **WHEREAS**, James "Jim" Jordan has worked in the environmental conservation
28 field for over 35 years. First for private industry where he started as a wastewater
29 operator/lab technician and eventually became Environmental Manager & Agency Liaison.
30 In that role he was responsible for environmental compliance, including drinking water,
31 wastewater, recycling, etc., developing and leading many innovative projects to reduce
32 water usage and minimize the impact on the environment while maintaining a return on
33 investment. He was the catalyst in preserving the NVF Farm (which he managed) that
34 was slated for development and is now Auburn Valley State Park; and
35

36 **WHEREAS**, in 2003 Jim took the position as Managing Director of the Brandywine
37 Valley Association, the oldest small watershed organization in the country. In 2009 he
38 assumed the position of Executive Director. He successfully led the effort to merge the
39 Brandywine Valley Association and Red Clay Valley Association to form the Brandywine
40 Red Clay Alliance, which created a much more effective non-profit conservation
41 organization. He initiated and led a two-year initiative that led to The Land Conservancy
42 for Southern Chester County merging into Brandywine Red Clay Alliance.

43 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
44 Castle County that County Council hereby consents to the appointment of Jim Jordan to
45 the New Castle County Agricultural Land Preservation Advisory Committee for a term to
46 begin immediately upon adoption of this Resolution, with such term to expire on April 23,
47 2028.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
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 legislation.

Primary Sponsor: Mr. Carter
Requested by: Ms. Durham
Date of Introduction: April 23, 2024

RESOLUTION NO. 24-097

**CONSENTING TO THE APPOINTMENT OF SHARON STEELE TO THE
NEW CASTLE COUNTY AGRICULTURAL LAND PRESERVATION
ADVISORY COMMITTEE**

1 **WHEREAS**, pursuant to *New Castle County Code* Section 2.05.106, the
2 Agricultural Land Preservation Advisory Committee (“Committee”) is vested with the
3 responsibility to advise the Department of Land Use and the Department of Public
4 Works on implementing best practices in preserving agricultural land within the
5 County; and
6

7 **WHEREAS**, the Committee shall consist of seven (7) members. The County
8 Executive shall appoint the chairperson and vice chairperson of the Committee from
9 among the seven (7) appointed members. Except for certain initial appointments, all
10 Committee members shall serve four-year terms, which may be renewed; and
11

12 **WHEREAS**, the Committee shall review and recommend funding sources,
13 financing tools, potential partnerships, and coordination with other preservation
14 programs; review land preservation acquisition priorities, targets, selection criteria,
15 and process; periodically review and comment on the impact of land development on
16 preservation priorities; and provide recommendations to the Department of Land Use
17 and Department of Public Works concerning the Comprehensive Development Plan;
18 and
19

20 **WHEREAS**, the Committee shall review land preservation funding needs in
21 terms of staff, administration, maintenance, and programming; research and report on
22 local agribusiness, and current and potential markets, including value-added
23 agriculture; review the Delaware Agricultural Land Preservation Fund Program and
24 develop recommendations for refinements; develop and distribute an annual report
25 summarizing the Committee's activities, recommendations, and workplan for the
26 coming year, including actions for collaborative effort; and coordinate with the
27 Delaware Farmland Preservation Advisory Board; and
28

29 **WHEREAS**, While working as a CPA for various companies over her career,
30 Ms. Steele has found the time to serve as the treasurer of the Town of Whitehall
31 Community Garden while also volunteering in the Delaware Master Naturalist
32 program and Delaware Wild Lands. She is a member of the Delaware Ornithological
33 Society as well as the Delaware Nature Society and takes a strong interest in
34 ecological/environmental health; and

35 **WHEREAS**, Ms. Steele’s experience in finance will bring important experience
36 to a board tasked in part with reviewing financing tools and funding sources for farmland
37 preservation.
38

39 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
40 Castle County that County Council hereby consents to the appointment of Sharon
41 Steele to the New Castle County Agricultural Land Preservation Advisory Committee
42 for a term to begin immediately upon adoption of this Resolution, with such term to
43 expire on April 23, 2028.

Adopted by County Council of
New Castle County:

Karen Hartley-Nagle
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 legislation.

Introduced by: Mr. Sheldon
Requested by: Executive Office
Date of introduction: April 23, 2024

RESOLUTION NO. 24-098

**CONSENTING TO THE RE-APPOINTMENT OF RACHEL STUCKER TO THE
NEW CASTLE COUNTY HOUSING ADVISORY BOARD**

1 **WHEREAS**, pursuant to *New Castle County Code* § 2.05.406 the New Castle
2 County Housing Advisory Board shall consist of nine (9) members of the public
3 representing diverse interests, including but not limited to, development and housing,
4 for-profit and non-profit housing providers, realtors, housing and homeless advocates,
5 financial services, tenant advocates, landlords, and community representation; and
6

7 **WHEREAS**, members of the New Castle County Housing Advisory Board shall
8 be appointed by the County Executive with the advice and consent of County Council.
9 The Housing Advisory Board members shall serve at the pleasure of the County
10 Executive and be appointed for a three (3) year term to begin on the date of the
11 appointment pursuant to *New Castle County Code* § 2.05.406 (2); and
12

13 **WHEREAS**, the County Executive has submitted for the advice and consent of
14 County Council the reappointment of Rachel Stucker as a member of the Housing
15 Advisory Board; and
16

17 **WHEREAS**, Ms. Stucker has almost 20 years of housing experience related to
18 low income and homeless individuals, serves as the Executive Director of Housing
19 Alliance of Delaware and has a focus on long-term social services, which makes her a
20 valuable addition to New Castle County's Housing Advisory Board.
21

22 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
23 Castle County that County Council hereby consents to the appointment of Rachel
24 Stucker as a member of the New Castle County Housing Advisory Board for a term to
25 begin immediately upon adoption of this resolution and to expire April 23, 2027.

Adopted by the County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There is no discernible fiscal impact upon the adoption of this legislation.

RESOLUTION NO. 24-099

**CONSENTING TO THE APPOINTMENT OF MICHELE WALES QUINLAN TO
THE NEW CASTLE COUNTY AGRICULTURAL LAND PRESERVATION
ADVISORY COMMITTEE**

1 **WHEREAS**, pursuant to *New Castle County Code* Section 2.05.106, the Agricultural Land
2 Preservation Advisory Committee ("Committee") is vested with the responsibility to advise the
3 Department of Land Use and the Department of Public Works on implementing best practices in
4 preserving agricultural land within the County; and

5
6 **WHEREAS**, the Committee shall consist of seven (7) members. The County Executive
7 shall appoint the chairperson and vice chairperson of the Committee from among the seven (7)
8 appointed members. Except for certain initial appointments, all Committee members shall serve
9 four-year terms, which may be renewed; and

10
11 **WHEREAS**, the Committee shall review and recommend funding sources, financing tools,
12 potential partnerships, and coordination with other preservation programs; review land
13 preservation acquisition priorities, targets, selection criteria, and process; periodically review and
14 comment on the impact of land development on preservation priorities; and provide
15 recommendations to the Department of Land Use and Department of Public Works concerning
16 the Comprehensive Development Plan; and

17
18 **WHEREAS**, the Committee shall review land preservation funding needs in terms of staff,
19 administration, maintenance, and programming; research and report on local agribusiness, and
20 current and potential markets, including value-added agriculture; review the Delaware Agricultural
21 Land Preservation Fund Program and develop recommendations for refinements; develop and
22 distribute an annual report summarizing the Committee's activities, recommendations, and
23 workplan for the coming year, including actions for collaborative effort; and coordinate with the
24 Delaware Farmland Preservation Advisory Board; and

25
26 **WHEREAS**, Michele Wales has worked in the fields of Environmental & Farm-Based
27 Education and Sustainable Agriculture for almost 30 years with most of her career in New Castle
28 County. She is currently the Site Director/Farm Manager at Coverdale Farm Preserve in
29 Greenville, DE, which is owned and operated by the Delaware Nature Society. Michele has
30 worked for the Delaware Nature Society for 24 years, beginning as the Farm Program Coordinator
31 transforming the fallow farm into a living classroom connecting people to the sources of their food.
32 She has extensive experience writing curriculum and specialty programming, designing outdoor
33 classrooms, conducting professional workshops, coordinating events, and is a skilled educator.
34 Michele is also a founding member of the Farm Based Education Network, a national education
35 organization; and

36
37 **WHEREAS**, Michele's role evolved in 2015 to Coverdale Farm Preserve's Site
38 Director/Farm Manager. At that time, she had the opportunity to assume a leadership role in the
39 transformation of the site into a production regenerative farm. Through this process she gained
40 experience in writing and implementing: master plans, farm operational plans, multi-year
41 enterprise-based business plans, annual operation budgets, annual vegetable and livestock
42 production plans, and annual comprehensive site enterprise plans. Coverdale Farm Preserve has
43 been operating under Phase I of its multi-year plan since 2021; and

44
45 **WHEREAS**, In addition to her administrative responsibilities, Michele is an active farmer
46 and educator at Coverdale, bringing her passion for growing food with ecological integrity to life
47 daily. She shares field time between animal husbandry, the production fields, and the outdoor
48 classroom bringing balance to her desk work. Michele has experience with both large and small
49 ruminants, raising large flocks of pastured laying hens and seasonal flocks of turkeys. She has
50 many years of experience working with specialty vegetable crops with a particular interest in
51 heirloom vegetables and specialty cut flowers.

52
53 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New Castle
54 County that County Council hereby consents to the appointment of Michele Wales Quinlan to the
55 New Castle County Agricultural Land Preservation Advisory Committee for a term to begin
56 immediately upon adoption of this Resolution, with such term to expire on April 23, 2028.

Adopted by the County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There will be no discernible fiscal impact upon the adoption of this legislation.

RESOLUTION NO. 24-100

**RECOGNIZING AND HONORING DONALD SHARPE AS A TRUE PIONEER OF
PRESERVATION IN NEW CASTLE COUNTY AND BEYOND**

1 **WHEREAS**, “In the end, our society will be defined not only by what we create but
2 by what we refuse to destroy,” a quote by John Sawhill resonates deeply with the
3 conservation efforts of Mr. Donald Sharpe, who has been a beacon of dedication and
4 advocacy for land preservation within New Castle County and beyond; and

5 **WHEREAS**, Donald Sharpe, a longtime resident of Newark, Delaware, has
6 distinguished himself through a commendable 30-year career at Chrysler, followed by a
7 lifetime of unwavering commitment to environmental stewardship and conservation; and

8 **WHEREAS**, Mr. Sharpe has spent over 55 years advocating for land conservation,
9 collaborating with State, County, and City officials, as well as representatives from the
10 Delaware Department of Natural Resources and Environmental Control (DNREC) to
11 safeguard Delaware’s natural landscapes for future generations; and

12 **WHEREAS**, through his visionary leadership and relentless perseverance, Mr.
13 Sharpe played a pivotal role in the establishment and expansion of the White Clay Creek
14 State Park and White Clay Creek Preserve, protecting nearly 6,200 acres of land between
15 Delaware and Pennsylvania from urban development; and

16 **WHEREAS**, as Chair of the Land Conservation Committee of the Delaware State
17 C.A.P. Council of the UAW, and a member of both the Coalition of Natural Stream Valleys,
18 Inc., and NSN of Delaware, Mr. Sharpe has been instrumental in fostering partnerships
19 and rallying community support for conservation; and

20 **WHEREAS**, Donald Sharpe’s efforts have not only halted potentially detrimental
21 projects like the dam and reservoir project in the 1960s but have also led to the acquisition
22 and protection of additional vital natural areas, demonstrating his commitment to the
23 ecological and recreational vitality of our community; and

24 **WHEREAS**, Mr. Sharpe’s dedication extends beyond conservation to education,
25 mentoring new generations of environmental stewards, and promoting public
26 understanding and appreciation of the importance of preserving natural habitats and
27 wildlife within highly urbanized areas; and

28 **WHEREAS**, his tireless work as a lobbyist and advocate has been recognized
29 nationally, contributing significantly to legislative successes that support open space
30 preservation, the endowment of natural resources, and the safeguarding of our
31 environmental heritage.

32 **NOW, THEREFORE, BE IT RESOLVED** that the County Council of New Castle
33 County hereby honors Donald Sharpe for his exceptional contributions to land
34 conservation and community service, recognizing him as a true Pioneer of Preservation,
35 and extends its deepest gratitude for his decades of service and his indelible impact on
36 the preservation of natural spaces in New Castle County and beyond.

Adopted by County Council
New Castle County on:

Karen Hartley-Nagle
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.

Prime Sponsors: Mr. Bell
Co-sponsor(s): Ms. Hartly-Nagle, Mr. Hollins
Date of introduction: April 23, 2024

RESOLUTION NO. 24-101

**RECOGNIZING
NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK
APRIL 14 – 20, 2024**

1 **WHEREAS**, April 14 through 20, 2024 is recognized nationally as Public Safety
2 Telecommunicators Week; and
3

4 **WHEREAS**, the New Castle County Emergency Communications Division has 95
5 employees and supervisors who provide emergency assistance 24-hours a day, 7 days a
6 week, 365 days a year. During 2023, they handled 443,592 calls (both emergency and
7 non-emergency calls), collected information, and provided appropriate information to
8 ensure the safety of our police officers, firefighters, paramedics, and basic life support
9 services; and
10

11 **WHEREAS**, the safety of our police officers, firefighters, paramedics, and basic life
12 support services is dependent upon the quality and accuracy of information obtained from
13 citizens who call into the New Castle County Emergency Communications Center; and
14

15 **WHEREAS**, Public Safety Telecommunicators are the first and most critical
16 contact our citizens have with emergency services. When an emergency occurs, the
17 prompt response of police officers, firefighters, paramedics, and basic life support
18 services is essential to the protection of life and preservation of property; and
19

20 **WHEREAS**, Public Safety Telecommunicators of the New Castle County
21 Emergency Communications Division have contributed substantially to the apprehension
22 of criminals, suppression of fires, treatment of patients, and provided valuable resources
23 to those in need; and
24

25 **WHEREAS**, each dispatcher has exhibited compassion, understanding, and
26 professionalism. They exhibit extraordinary dedication to saving lives and ensuring public
27 safety.
28

29 **NOW, THEREFORE, BE IT RESOLVED** that the County Council of New Castle
30 County recognizes April 14 through 20, 2024, to be National Public Safety
31 Telecommunicators Week. We wish to extend our heartfelt thanks to the dedicated men
32 and women of the New Castle County Emergency Communications Center for their
33 outstanding dedication, commitment and professionalism to the citizens of New Castle
34 County.

Adopted by County Council
of New Castle County

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There is no fiscal impact with the adoption of this legislation.

RESOLUTION NO. 24-102

**TO AMEND NEW CASTLE COUNTY COUNCIL PROCEDURAL RULE
NO. 3.1 ("SPONSORSHIP") RELATING TO SPONSORSHIP OF LEGISLATION**

1 **WHEREAS**, from time to time, it becomes necessary to update and revise New
2 Castle County Council's Procedural Rules; and

3
4 **WHEREAS**, Council Procedural Rule 3.1 expressly provides that the *prime*
5 *sponsor* is the only sponsor who may "... introduce, table, lift from the table, substitute,
6 and/or withdraw legislation; and

7
8 **WHEREAS**, notwithstanding the above, legislation frequently has more than
9 one sponsor, often consisting of co-prime sponsors; and

10
11 **WHEREAS**, co-prime sponsors have equal authority when it comes to
12 introducing, substituting, floor managing, tabling, and withdrawing legislation; and

13
14 **WHEREAS**, the legislative process works well when the co-prime sponsors
15 agree upon all actions to take with legislation; and

16
17 **WHEREAS**, the recent clarification in Council's Procedural Rules,
18 specifically providing for co-prime sponsors, has led to "growing pains,"
19 necessitating clarification in the legislative process; and

20
21 **WHEREAS**, a clearly defined procedure will lead to a structured and deliberate
22 process, which is to the benefit of New Castle County and its residents.

23
24 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
25 Castle County that County Council hereby amends County Council Procedural Rule No.
26 3.1 ("Sponsorship") by adding the material that is underscored and deleting the material
27 that is stricken, as set forth below.

28
29 **RULE NO. 3. SPONSORSHIP AND MANAGEMENT OF LEGISLATION.**

30
31 **3.1. Sponsorship.**

32
33 3.1.1- ~~The prime sponsor floor manages the legislation and is the only Council member~~
34 ~~who can introduce, table, lift from the table, substitute, and/or withdraw the~~
35 ~~legislation. In the absence of the prime sponsor, legislation shall be floor~~
36 ~~managed by a co-prime sponsor or a Member designated in writing (electronic~~
37 ~~mail is sufficient) by the prime sponsor to the Council President and the Clerk. In~~
38 ~~the absence of the prime sponsor or any co-prime sponsor and there being no~~
39 ~~Member designated to floor manage the legislation by the prime sponsor, then~~
40 ~~the legislation will be laid on the table or postponed to a date certain.~~

41 3.1.1. Only the prime sponsor or co-prime sponsors, whichever the case, may floor
42 manage the legislation and are the only Council Members who may introduce,
43 table, lift from the table, substitute, and/or withdraw the legislation. Co-prime
44 sponsors should agree upon the action to take with the legislation. If the co-prime
45 sponsors are unable to reach consensus on the action to take, however, then any
46 co-prime sponsor may move for County Council to decide the path forward.

47
48 If a prime sponsor or co-prime sponsor is absent from a meeting, then the
49 legislation shall be floor managed by another co-prime sponsor, if applicable, or
50 another Council Member designated in writing (for example, electronic mail) by
51 the prime sponsor(s) to the Council President and the Clerk of Council. In the
52 absence from a meeting of the prime sponsor or any co-prime sponsors, as the
53 case may be, and there being no Council Member designated to floor manage the
54 legislation by the prime sponsor or co-prime sponsors, as applicable, then the
55 legislation will be laid on the table or postponed to a date certain.

56
57 ...

Adopted by County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: This proposed revision to New Castle County Council Procedural Rule 3.1 (“Sponsorship”) provides for an orderly and predictable process for co-prime sponsorship and consideration of legislation by Council Members at a Council Meeting.

FISCAL NOTE: There is no discernible fiscal impact with the adoption of this legislation.

Prime Sponsor(s): Mr. Carter
Requested by: Land Use Department
Date of introduction: November 28, 2023

RESOLUTION NO. 23-220

**PLAN OF LOGISTICENTER AT NEW CASTLE COUNTY; ST. GEORGES HUNDRED;
SOUTHWESTERLY CORNER OF ROUTE 301 AND JAMISON CORNER ROAD;
MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES A 1,409,850 SF
WAREHOUSE AND A 962,000 SF WAREHOUSE WITH ASSOCIATED SITE
IMPROVEMENTS; BP ZONING; APPLICATION NO. 2021-0470; COUNCIL DISTRICT 6**

1 **NOW, THEREFORE, BE IT RESOLVED**, by and for the County Council of New
2 Castle County that County Council hereby approves the following major land development
3 plan, Plan of Logistcenter at New Castle County (Application No. 2021-0470), as
4 heretofore approved by the Land Use Department, and the President of County Council is
5 hereby authorized to endorse her approval upon the following plan.

**PLAN OF LOGISTICENTER AT NEW CASTLE COUNTY
St. Georges Hundred**

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: Same as title

FISCAL IMPACT: This will have no immediately discernible fiscal impact on the county but, if the parcel is developed in accordance with this record plan, there may be one or more fiscal effects on New Castle County government including, but not limited to, an increase in the assessed value of the property with the resultant increase in taxes collectible thereon and an increased demand for County services.

MEMORANDUM

To: Council President
Members of County Council
Council to Council
Clerk of County Council

From: Charuni Patibanda

Re: Application No. 2021-0470
Logisticcenter at New Castle County
Record Major Land Development Plan

Date: November 9, 2023

Enclosed for Council's review and consideration of approval are paper prints of the above-referenced plan. The Department has determined that this proposal complies with all applicable requirements of the New Castle County Code.

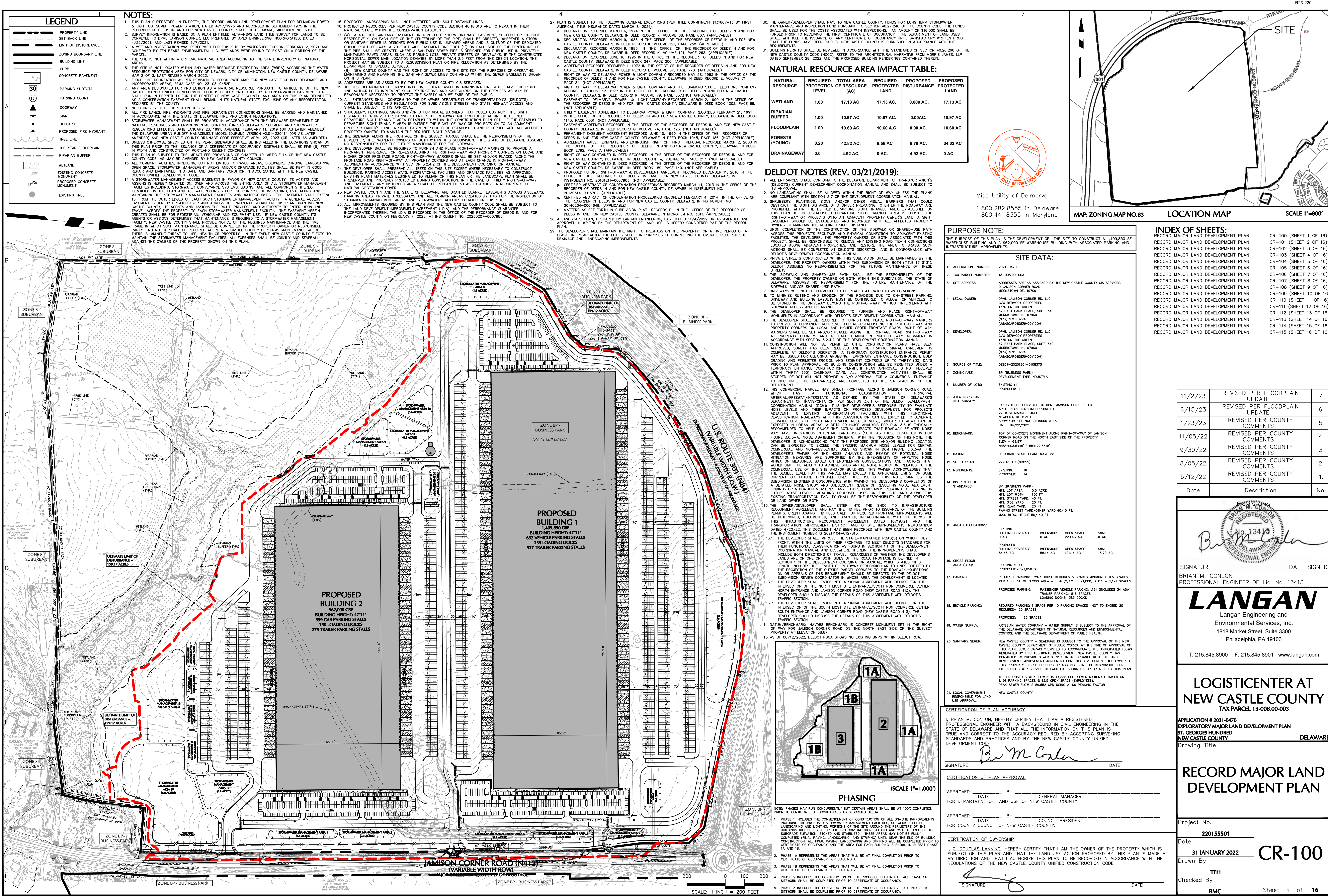
A suggested title, synopsis, and fiscal note are attached.

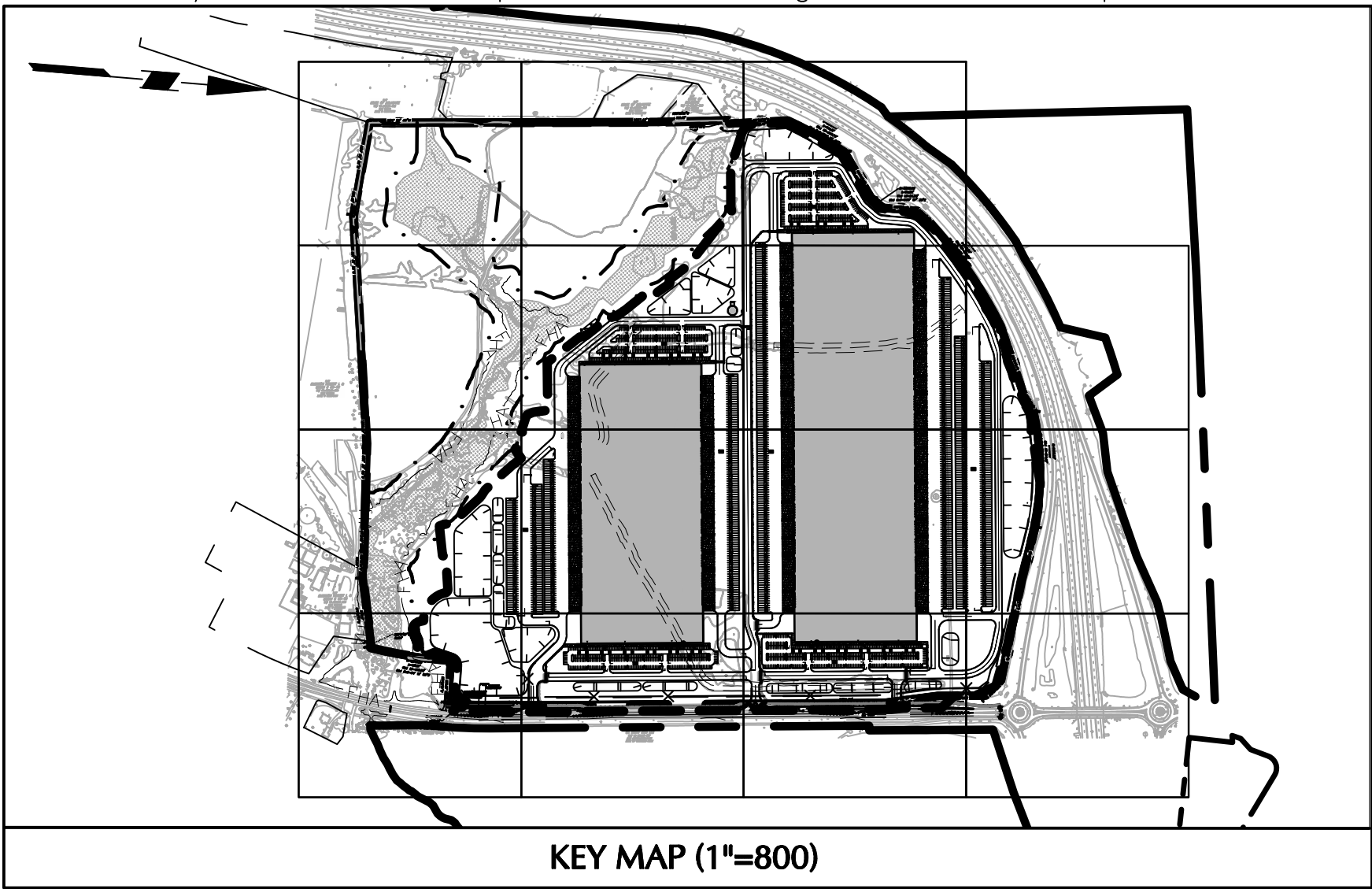
cc: Matthew Meyer, County Executive
Vanessa Phillips, Chief Administrative Officer
Brian Boyle, Senior Policy Director

Plan of Logisticcenter at New Castle County; St. Georges Hundred; Southwesterly corner of Route 301 and Jamison Corner Road; Major Land Development Plan that proposes a 1,409,850 SF warehouse and a 962,000 SF warehouse with associated site improvements; BP zoning.

Synopsis: Same as title

Fiscal Note: This will have no immediately discernible fiscal impact on the county but, if the parcel is developed in accordance with this record plan, there may be one or more fiscal effects on New Castle County government including, but not limited to, an increase in the assessed value of the property with the resultant increase in taxes collectible thereon and an increased demand for County services.





LEGEND	
	PROPERTY LINE
	SET BACK LINE
	LIMIT OF DISTURBANCE
	ZONING BOUNDARY LINE
	TREE LINE
	100 YEAR FLOODPLAIN
	RIPIARIAN BUFFER
	WETLAND
	EXISTING TREE
	BUILDING LINE
	CURB
	PAVING SUBTOTAL
	PAVING COUNT
	DOORWAY
	FIRE DEMARCATION
	PROPOSED FIRE HYDRANT
	CURB
	BOLLARD
	CONCRETE
	SIGN
	STORMWATER MANAGEMENT AREA
	EXISTING CONCRETE MONUMENT
	PROPOSED CONCRETE MONUMENT

11/2/23	REVISED PER FLOODPLAIN UPDATE	7.
6/15/23	REVISED PER FLOODPLAIN UPDATE	6.
1/23/23	REVISED PER COUNTY COMMENTS	5.
11/05/22	REVISED PER COUNTY COMMENTS	4.
9/30/22	REVISED PER COUNTY COMMENTS	3.
8/05/22	REVISED PER COUNTY COMMENTS	2.
5/12/22	REVISED PER COUNTY COMMENTS	1.
Date	Description	No.


SIGNATURE:  DATE SIGNED: _____
BRIAN M. CONLON
PROFESSIONAL ENGINEER DE Lic. No. 13413

LANGAN
Langan Engineering and
Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

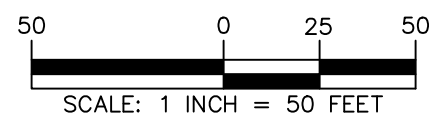
**LOGISTICENTER AT
NEW CASTLE COUNTY**
TAX PARCEL 13-008.00-003
APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY DELAWARE
Drawing Title

**RECORD MAJOR LAND
DEVELOPMENT PLAN**

Project No.	220155501	CR-101
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	
Sheet 2 of 16		

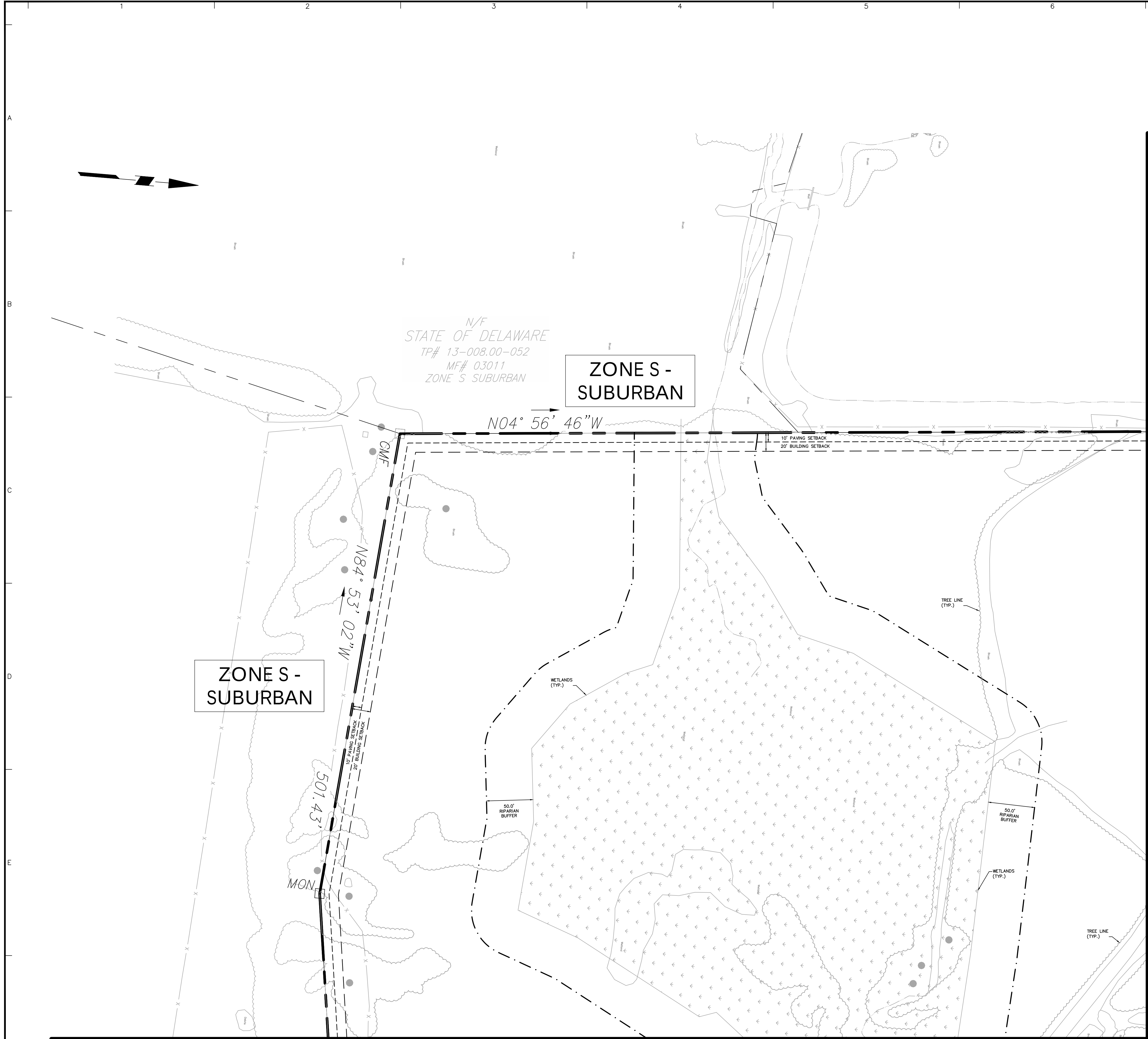


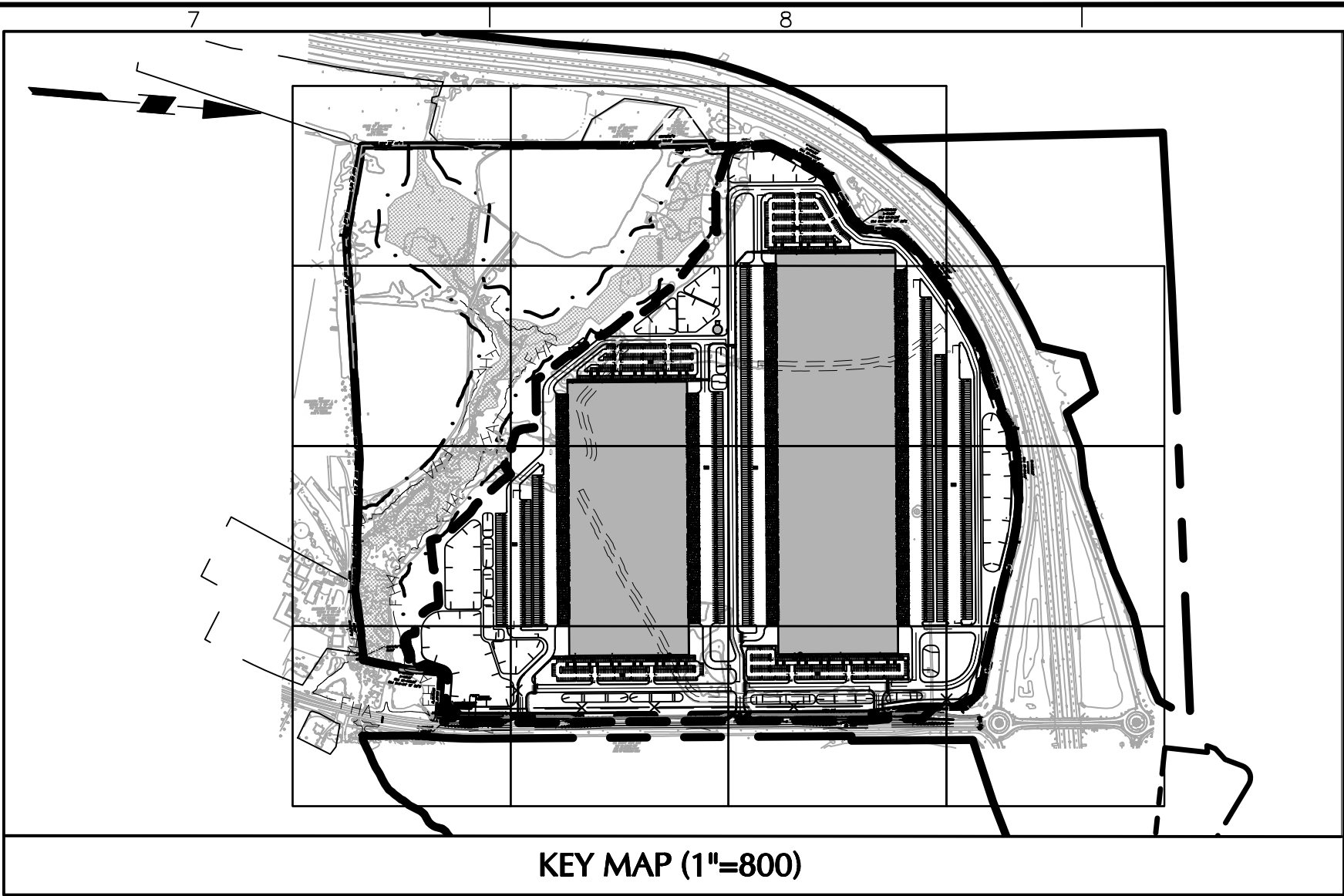
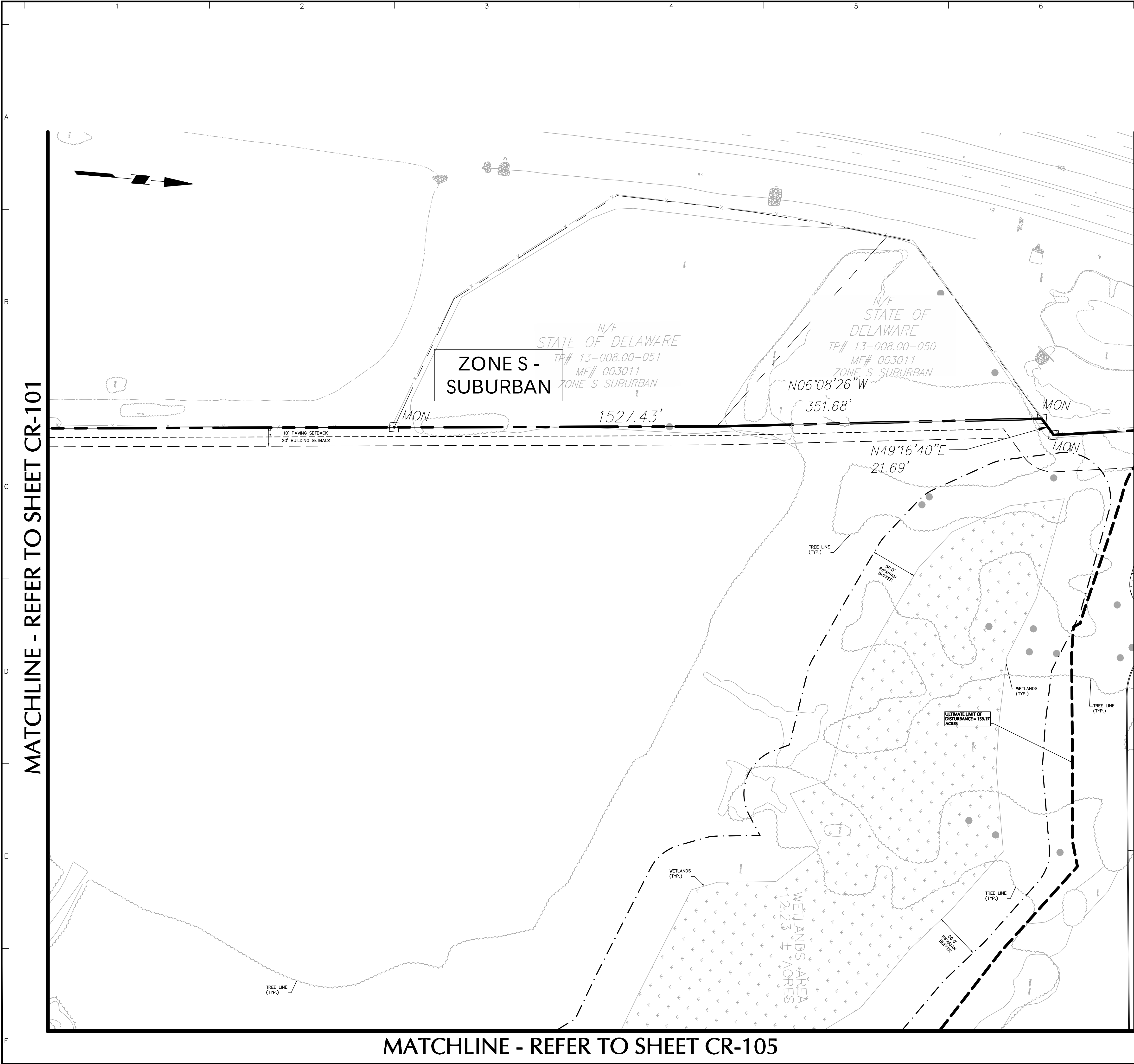
Miss Utility of Delmarva
Call 1.800.282.8555 in Delaware (DE)
and 1.800.441.8355 in Maryland (MD)



MATCHLINE - REFER TO SHEET CR-102

MATCHLINE - REFER TO SHEET CR-104





LEGEND	
	PROPERTY LINE
	SET BACK LINE
	LIMIT OF DISTURBANCE
	ZONING BOUNDARY LINE
	TREE LINE
	100 YEAR FLOODPLAIN
	RIPARIAN BUFFER
	WETLAND
	EXISTING TREE
	BUILDING LINE
	CURB
	PARKING SUBTOTAL
	PARKING COUNT
	DOORWAY
	FIRE DEMARCATION
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	CONCRETE
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5/12/22	REVISED PER COUNTY COMMENTS	1.
Date	Description	No.

SIGNATURE
BRIAN M. CONLON
PROFESSIONAL ENGINEER DE Lic. No. 13413

DATE SIGNED

LANGAN
Langan Engineering and
Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

LOGISTICCENTER AT
NEW CASTLE COUNTY
TAX PARCEL 13-008.00-003

APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY
DELAWARE
Drawing Title

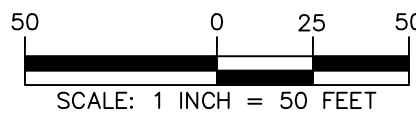
RECORD MAJOR LAND
DEVELOPMENT PLAN

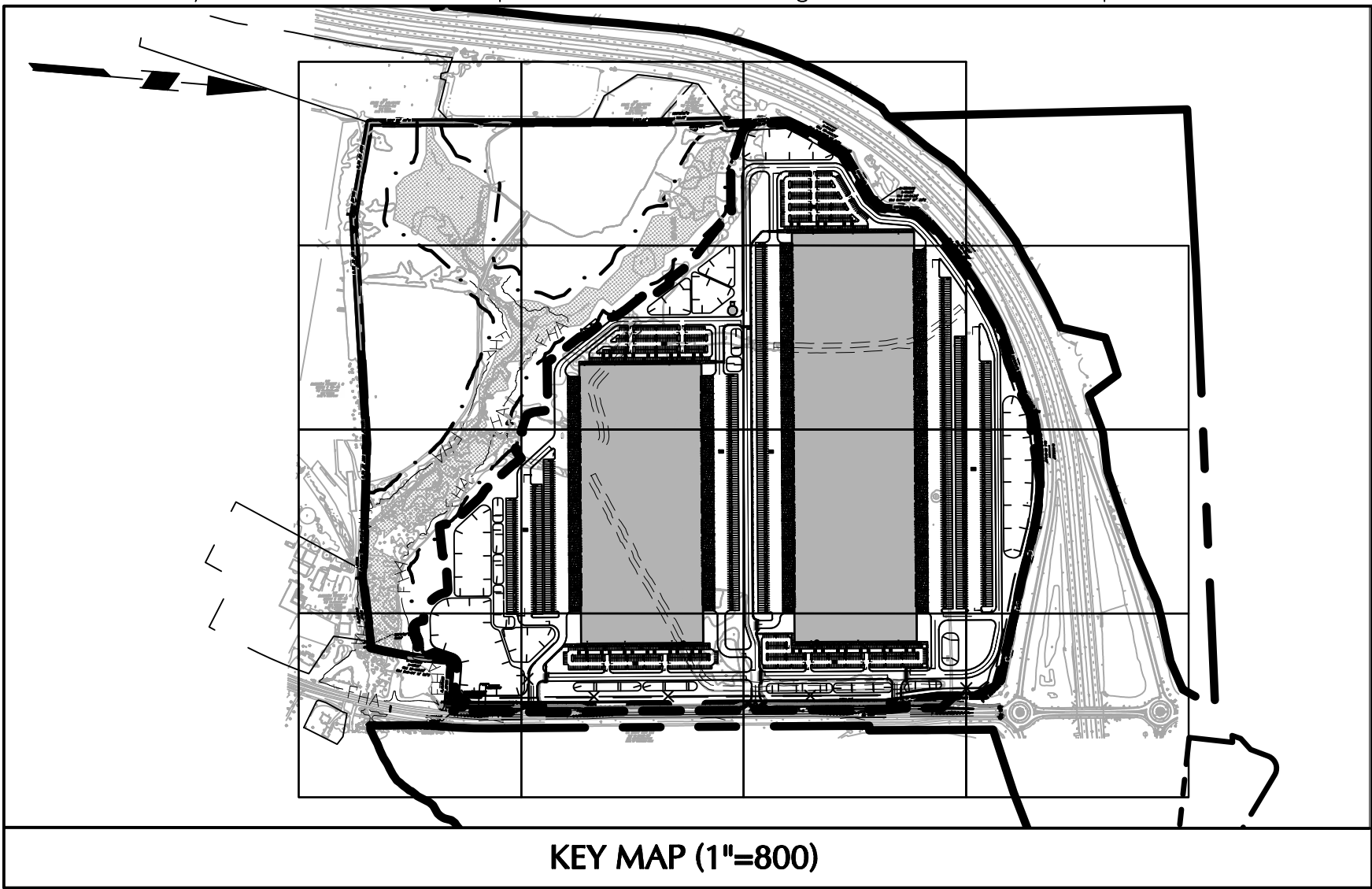
Project No.	220155501	CR-102
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	



Miss Utility of Delmarva

Call 1.800.282.8555 in Delaware (DE)
and 1.800.441.8355 in Maryland (MD)





LEGEND	
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5/12/22	REVISED PER COUNTY COMMENTS	1.
Date	Description	No.

SIGNATURE: BRIAN M. CONLON
DATE SIGNED: 11/2/23
PROFESSIONAL ENGINEER DE Lic. No. 13413

LANGAN
Langan Engineering and Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

LOGISTICENTER AT NEW CASTLE COUNTY
TAX PARCEL 13-008.00-003
APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY DELAWARE
Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN

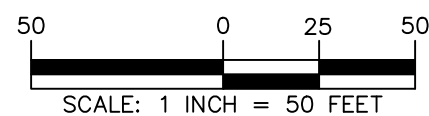
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Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	
Sheet 4 of 16		

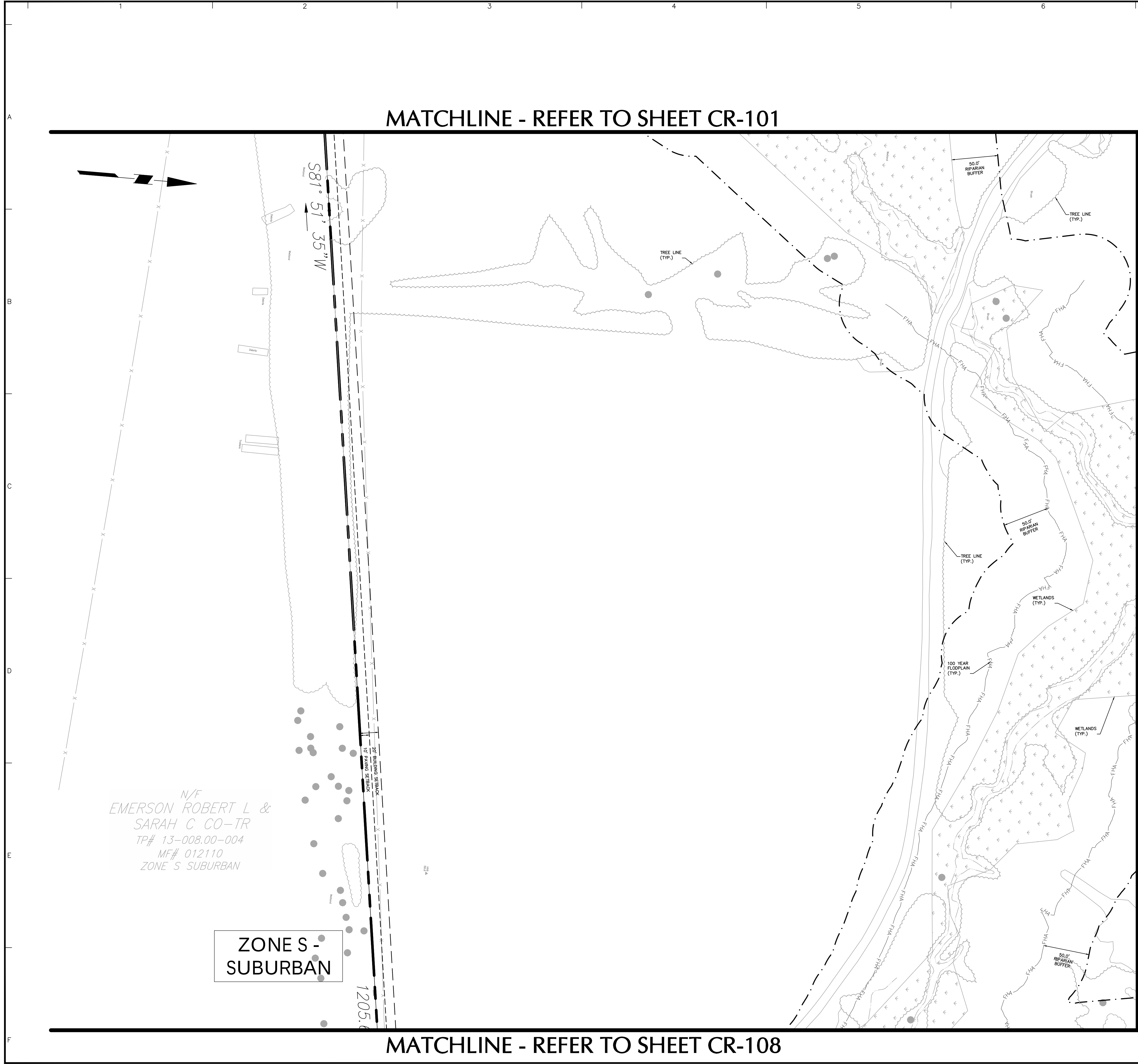
MATCHLINE - REFER TO SHEET CR-102

MATCHLINE - REFER TO SHEET CR-106



Miss Utility of Delmarva
Call 1.800.282.8555 in Delaware (DE)
and 1.800.441.8355 in Maryland (MD)

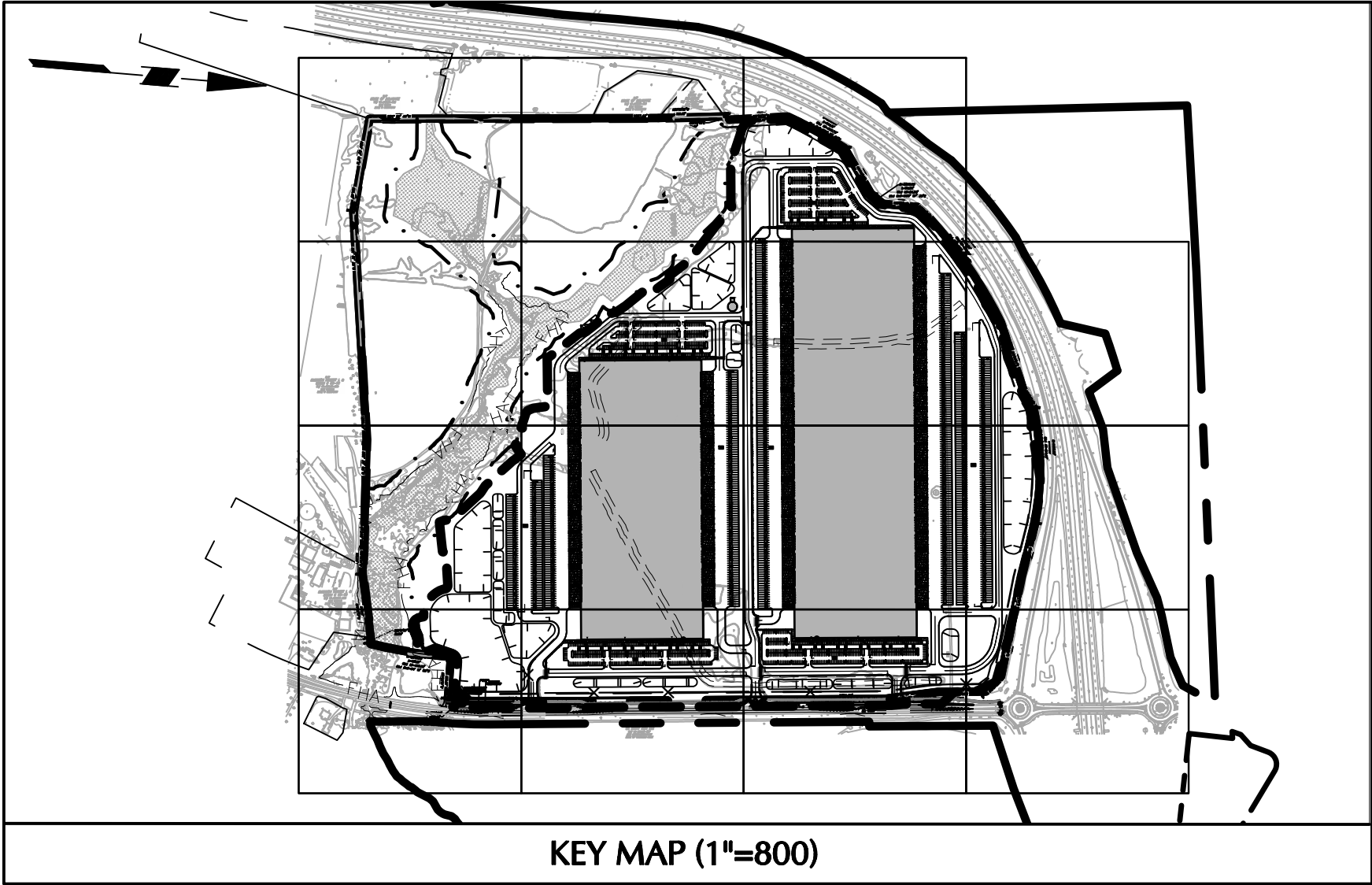




MATCHLINE - REFER TO SHEET CR-101

MATCHLINE - REFER TO SHEET CR-105

MATCHLINE - REFER TO SHEET CR-108



KEY MAP (1"=800)

LEGEND	
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9/30/22	REVISED PER COUNTY COMMENTS	3.
8/05/22	REVISED PER COUNTY COMMENTS	2.
5/12/22	REVISED PER COUNTY COMMENTS	1.
Date	Description	No.

SIGNATURE _____ DATE SIGNED _____

BRIAN M. CONLON
PROFESSIONAL ENGINEER DE Lic. No. 13413

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1818 Market Street, Suite 3300
Philadelphia, PA 19103

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**LOGISTICENTER AT
NEW CASTLE COUNTY**

TAX PARCEL 13-008.00-003

APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY DELAWARE

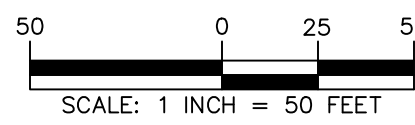
Drawing Title

**RECORD MAJOR LAND
DEVELOPMENT PLAN**

Project No.	220155501	CR-104
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	
Sheet 5 of 16		



Miss Utility of Delaware
Call 1.800.282.8555 in Delaware (DE)
and 1.800.441.8355 in Maryland (MD)

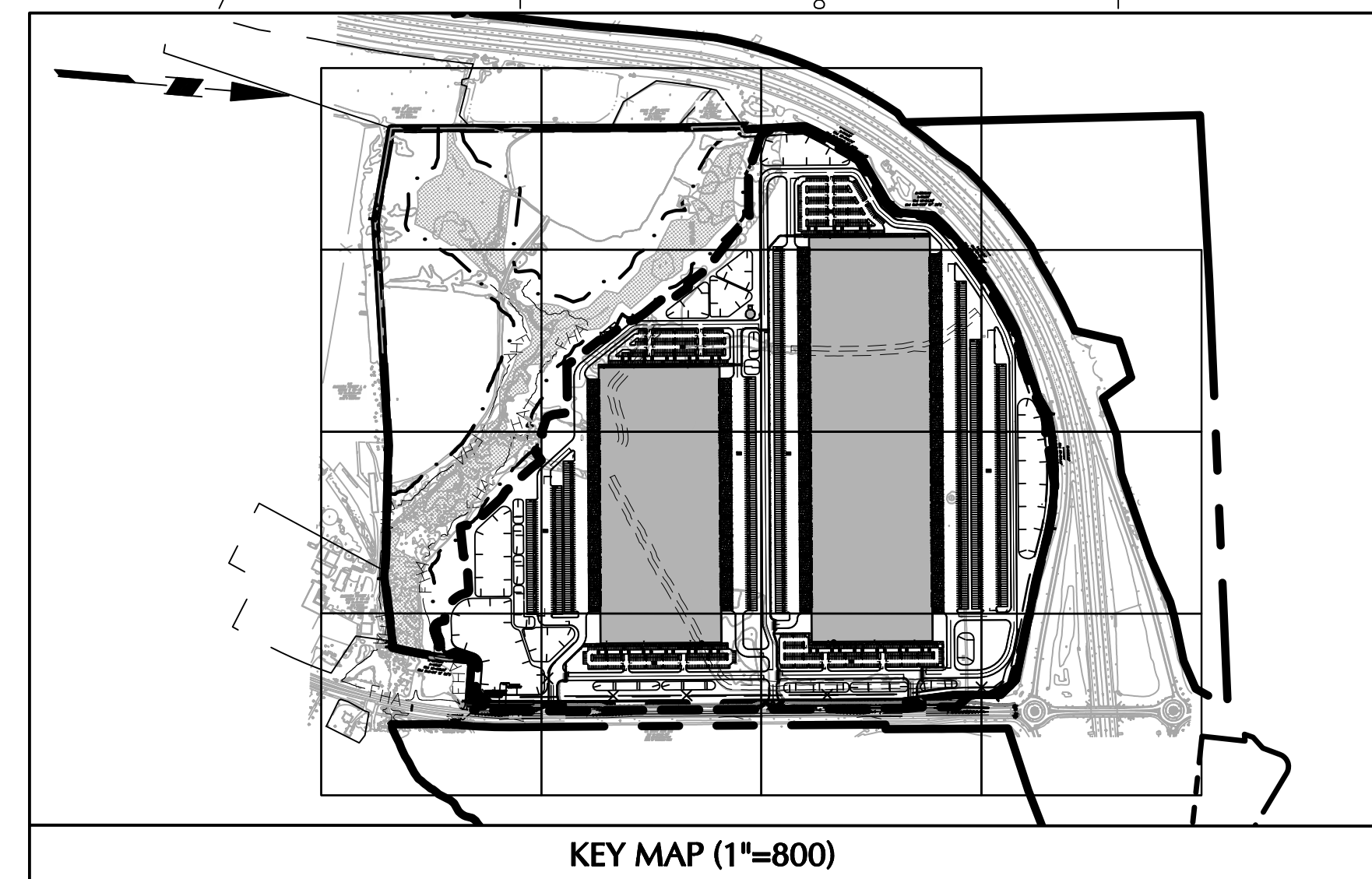


MATCHLINE - REFER TO SHEET CR-102

MATCHLINE - REFER TO SHEET CR-104

MATCHLINE - REFER TO SHEET CR-106

MATCHLINE - REFER TO SHEET CR-109



KEY MAP (1"=800)

LEGEND	
	PROPERTY LINE
	SET BACK LINE
	LIMIT OF DISTURBANCE
	ZONING BOUNDARY LINE
	TREE LINE
	100 YEAR FLOODPLAIN
	RIPIARIAN BUFFER
	WETLAND
	EXISTING TREE
	BUILDING LINE
	CURB
	PARKING SUBTOTAL
	PARKING COUNT
	DOORWAY
	FIRE DEMARCATION
	PROPOSED FIRE HYDRANT
	CURB
	BOLLARD
	CONCRETE
	SIGN
	STORMWATER MANAGEMENT AREA
	EXISTING CONCRETE MONUMENT
	PROPOSED CONCRETE MONUMENT

Date	Description	No.
11/2/23	REVISED PER FLOODPLAIN UPDATE	7.
6/15/23	REVISED PER FLOODPLAIN UPDATE	6.
1/23/23	REVISED PER COUNTY COMMENTS	5.
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8/05/22	REVISED PER COUNTY COMMENTS	2.
5/12/22	REVISED PER COUNTY COMMENTS	1.



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APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY DELAWARE
Drawing Title

**RECORD MAJOR LAND
DEVELOPMENT PLAN**

Project No.	220155501	CR-105
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	

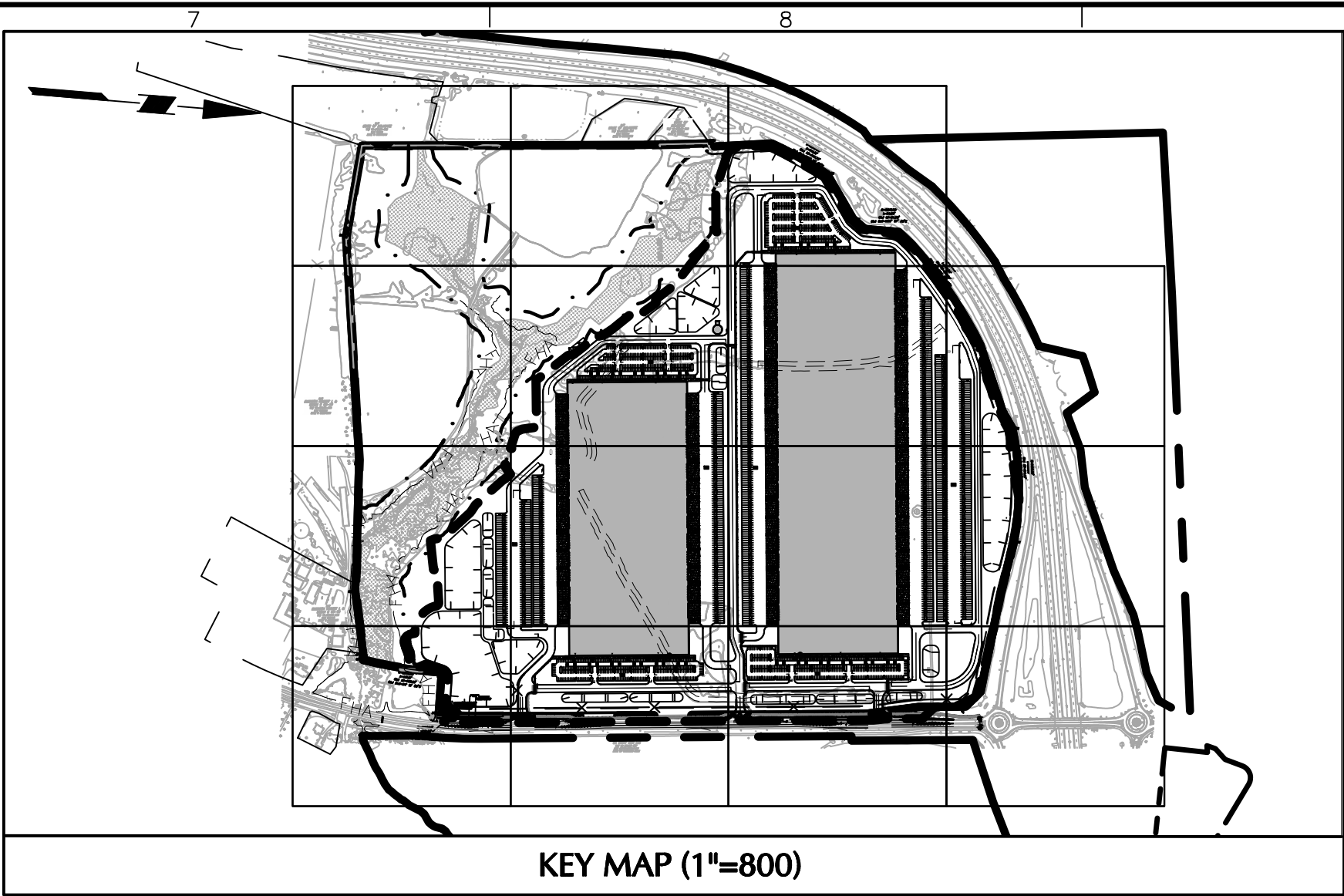
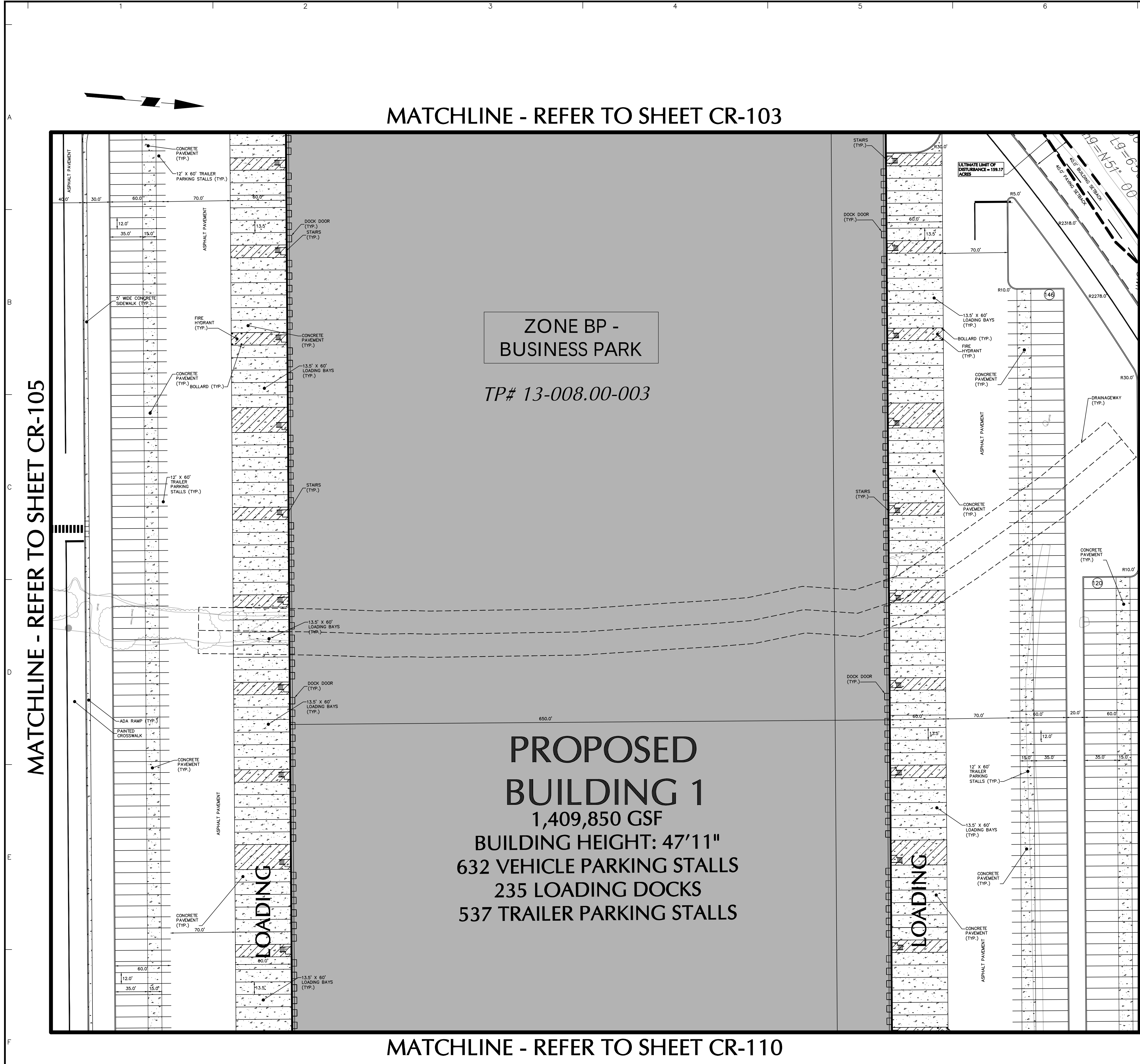
Sheet 6 of 16



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50 0 25 50
SCALE: 1 INCH = 50 FEET



LEGEND	
	PROPERTY LINE
	SET BACK LINE
	LIMIT OF DISTURBANCE
	ZONING BOUNDARY LINE
	TREE LINE
	100 YEAR FLOODPLAIN
	RIPARIAN BUFFER
	WETLAND
	EXISTING TREE
	BUILDING LINE
	CURB
	PARKING SUBTOTAL
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	DOORWAY
	FIRE DEMARCATION
	PROPOSED FIRE HYDRANT
	CURB
	BOLLARD
	CONCRETE
	SIGN
	STORMWATER MANAGEMENT AREA
	EXISTING CONCRETE MONUMENT
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	MOW

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5/12/22	REVISED PER COUNTY COMMENTS	1.
Date	Description	No.

SIGNATURE
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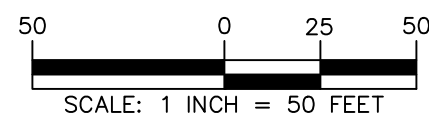
**LOGISTICENTER AT
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TAX PARCEL 13-008.00-003
APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY
DELAWARE
Drawing Title

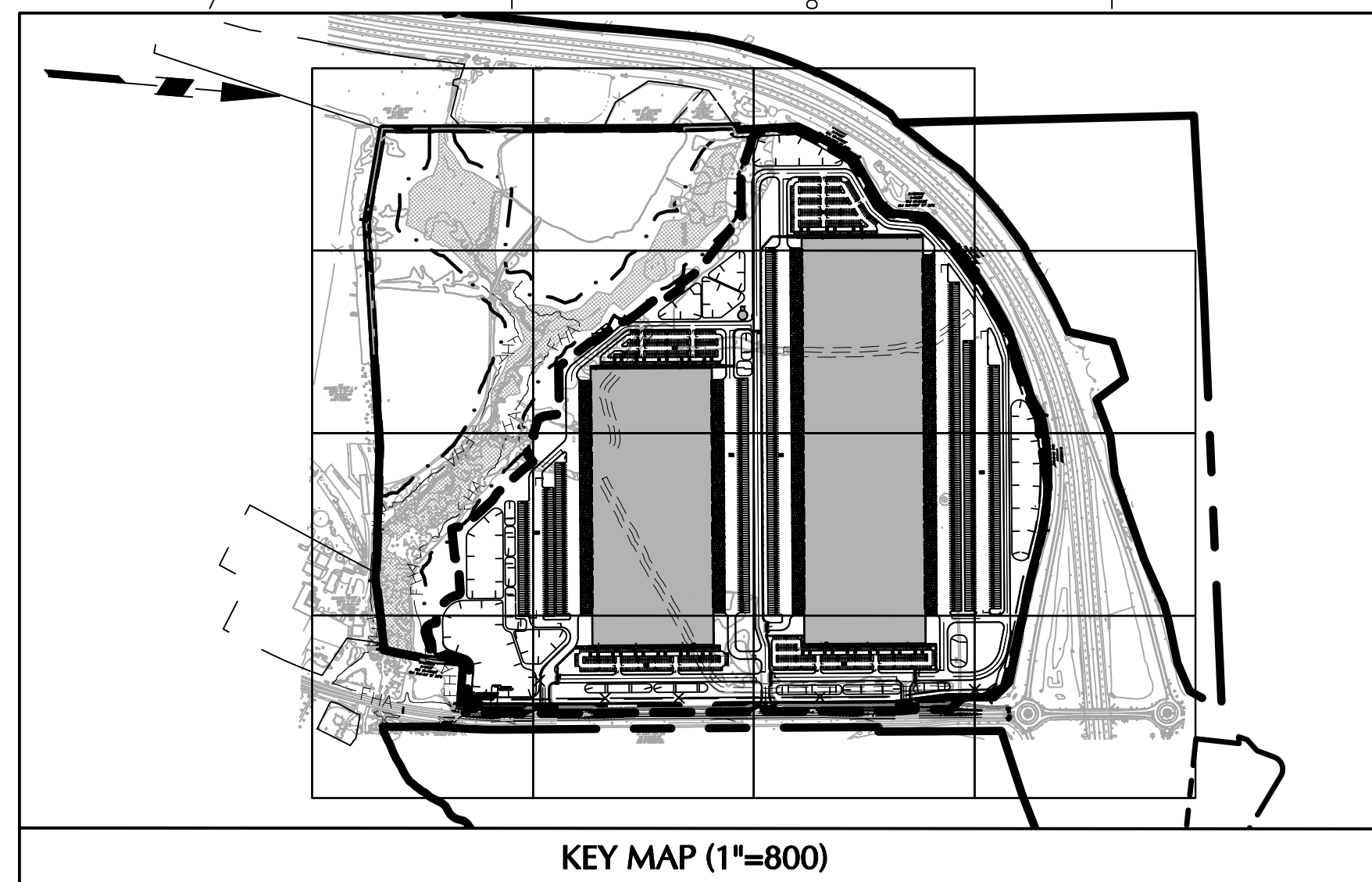
**RECORD MAJOR LAND
DEVELOPMENT PLAN**

Project No.	220155501	CR-106
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	
Sheet 7 of 16		



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LEGEND	
	PROPERTY LINE
	SET BACK LINE
	LIMIT OF DISTURBANCE
	ZONING BOUNDARY LINE
	TREE LINE
	100 YEAR FLOODPLAIN
	RIPARIAN BUFFER
	WETLAND
	EXISTING TREE
	BUILDING LINE
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	FIRE DEMARCATION
	PROPOSED FIRE HYDRANT
	CURB
	BOLLARD
	CONCRETE
	SIGN
	STORMWATER MANAGEMENT AREA
	EXISTING CONCRETE MONUMENT
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Date	Description	No.

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APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY DELAWARE
Drawing Title

**RECORD MAJOR LAND
DEVELOPMENT PLAN**

Project No.	220155501	CR-107
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	
Sheet 8 of 16		



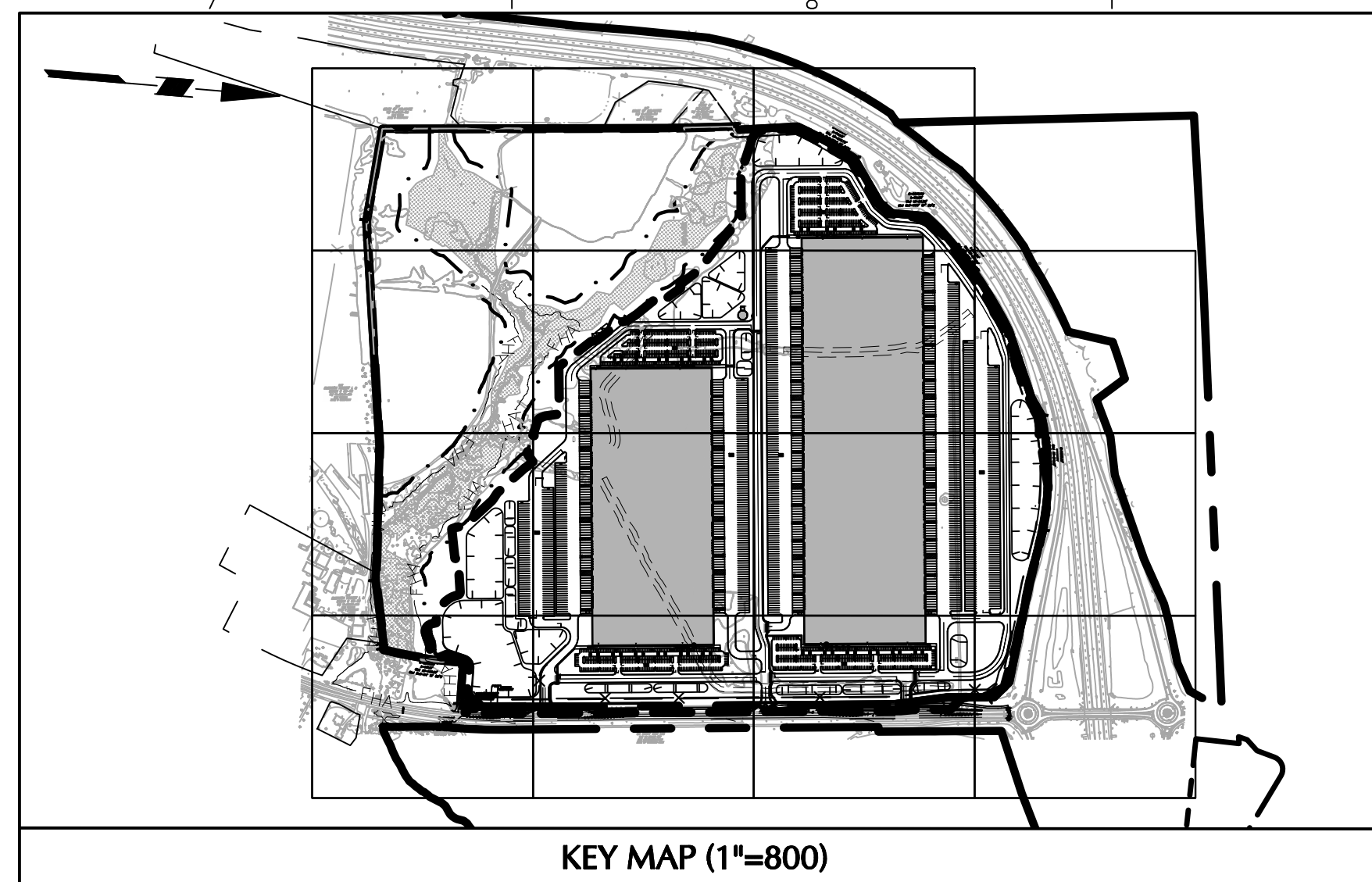
Miss Utility of Delmarva

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and 1.800.441.8355 in Maryland (MD)50 0 25 50
SCALE: 1 INCH = 50 FEET

MATCHLINE - REFER TO SHEET CR-106

MATCHLINE - REFER TO SHEET CR-111

MATCHLINE - REFER TO SHEET CR-104



KEY MAP (1"=800)

LEGEND	
	PROPERTY LINE
	SET BACK LINE
	LIMIT OF DISTURBANCE
	ZONING BOUNDARY LINE
	TREE LINE
	100 YEAR FLOODPLAIN
	RIPIARIAN BUFFER
	WETLAND
	EXISTING TREE
	BUILDING LINE
	CURB
	PARKING SUBTOTAL
	PARKING COUNT
	DOORWAY
	FIRE DEMARCATION
	PROPOSED FIRE HYDRANT
	BOLLARD
	CONCRETE
	SIGN
	STORMWATER MANAGEMENT AREA
	EXISTING CONCRETE MONUMENT
	PROPOSED CONCRETE MONUMENT

MATCHLINE - REFER TO SHEET CR-109

STORMWATER
MANAGEMENT 18
AREA (1.9 ACRES)STORMWATER
MANAGEMENT 13
AREA (0.2 ACRES)STORMWATER
MANAGEMENT 14
AREA (0.2 ACRES)STORMWATER
MANAGEMENT 15
AREA (0.2 ACRES)STORMWATER
MANAGEMENT 16
AREA (0.3 ACRES)

Miss Utility of Delmarva

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SCALE: 1 INCH = 50 FEET

11/2/23	REVISED PER FLOODPLAIN UPDATE	7.
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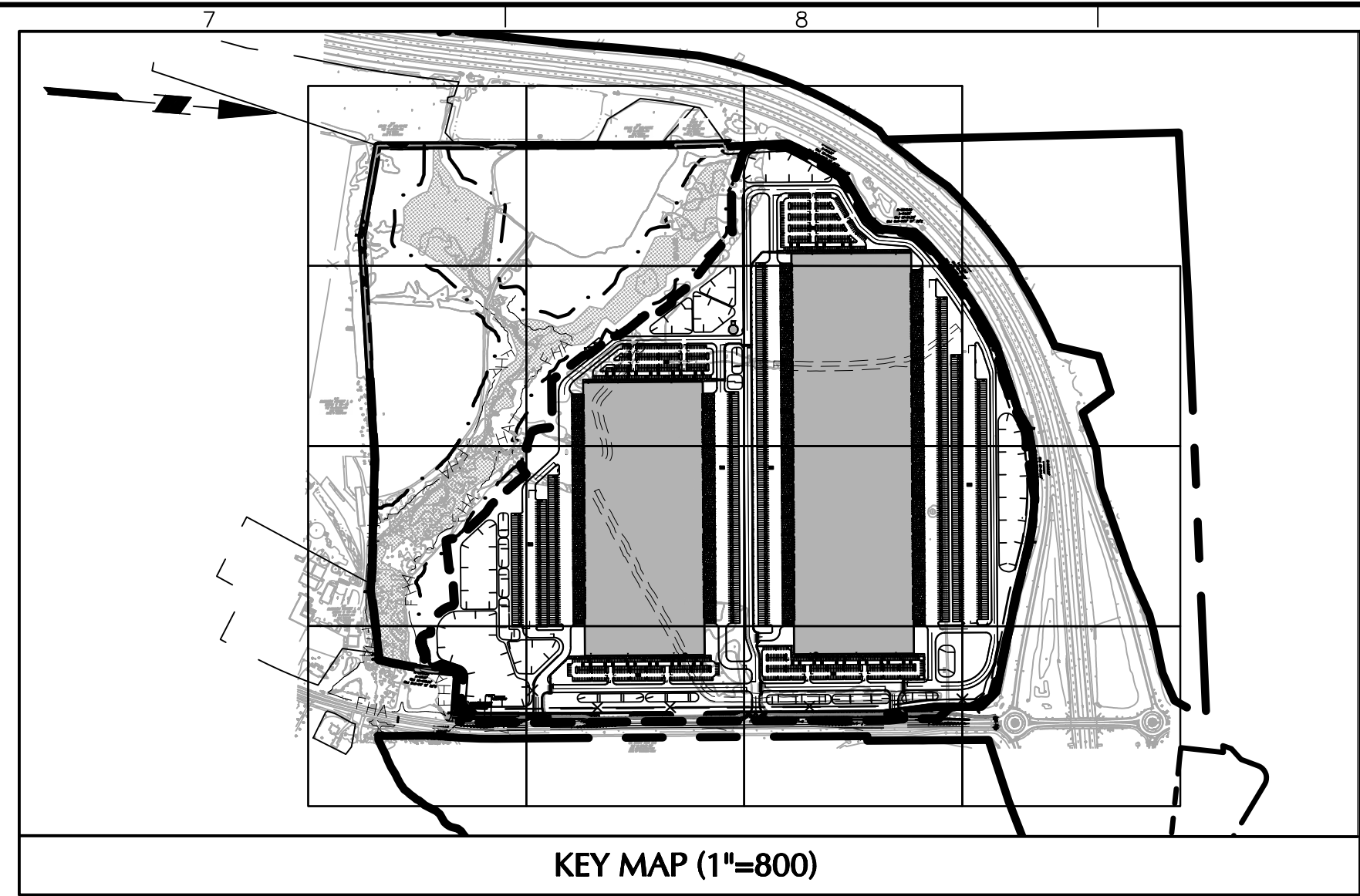
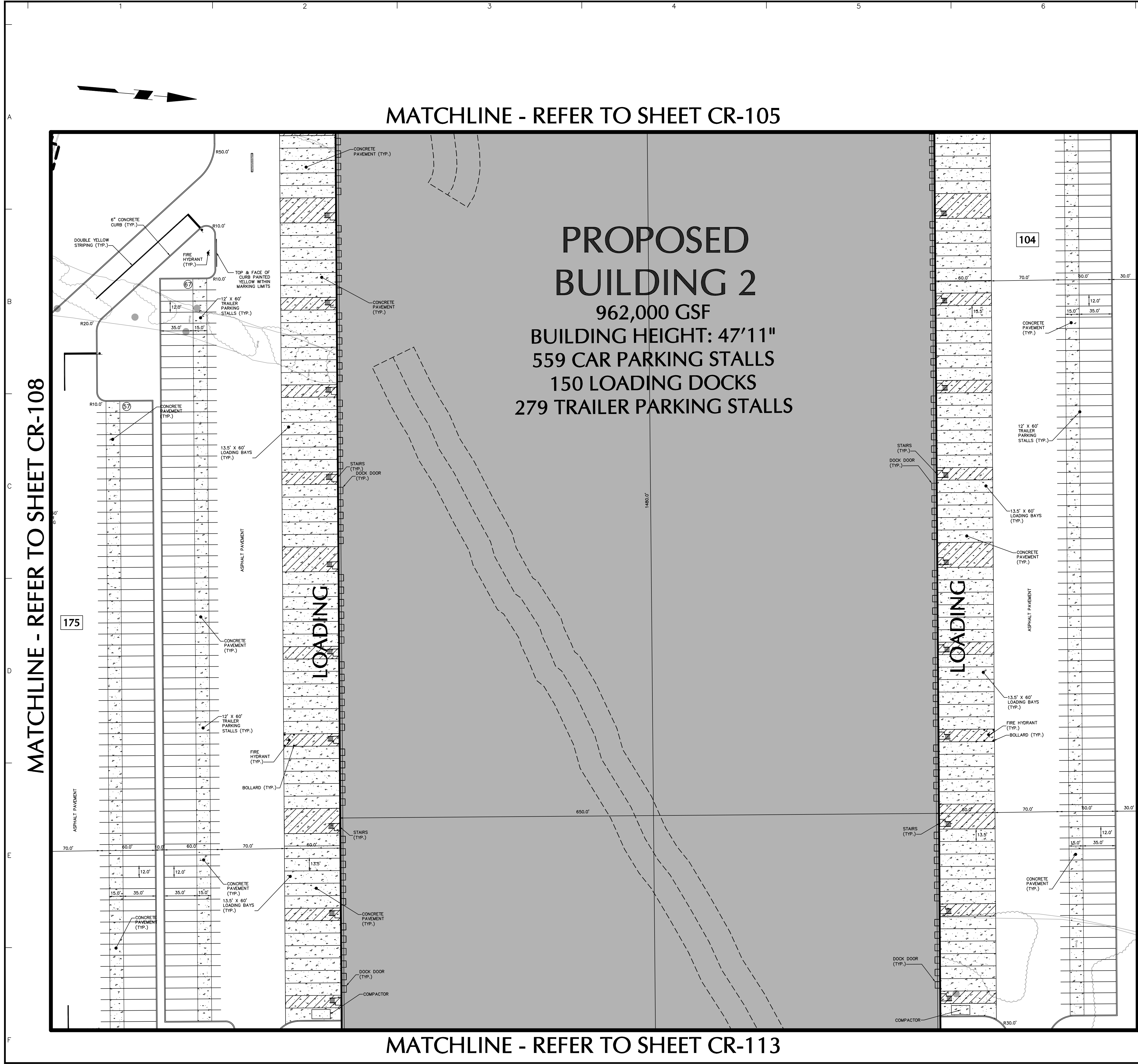
**LOGISTICENTER AT
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TAX PARCEL 13-008.00-003

APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY DELAWARE
Drawing Title

**RECORD MAJOR LAND
DEVELOPMENT PLAN**

Project No.	220155501	CR-108
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	

Sheet 9 of 16



LEGEND	
	PROPERTY LINE
	SET BACK LINE
	LIMIT OF DISTURBANCE
	ZONING BOUNDARY LINE
	TREE LINE
	100 YEAR FLOODPLAIN
	RIPIARIAN BUFFER
	WETLAND
	EXISTING TREE
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	PARKING COUNT
	DOORWAY
	FIRE DEMARCATION
	PROPOSED FIRE HYDRANT
	CURB
	BOLLARD
	CONCRETE
	SIGN
	STORMWATER MANAGEMENT AREA
	EXISTING CONCRETE MONUMENT
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SIGNATURE
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DATE SIGNED

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APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY
DELAWARE
Drawing Title

RECORD MAJOR LAND
DEVELOPMENT PLAN

Project No.
220155501

Date
31 JANUARY 2022

Drawn By
TFH

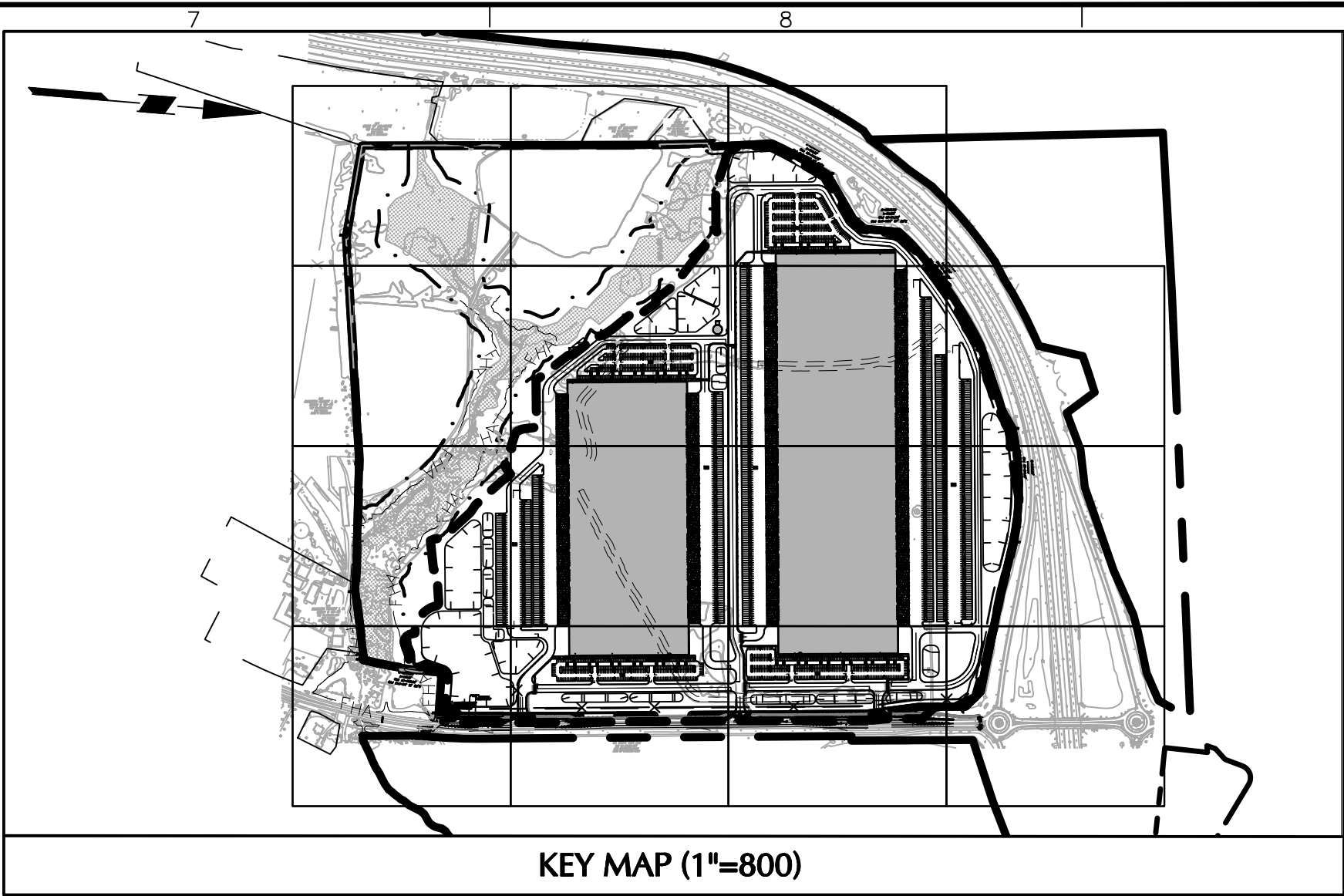
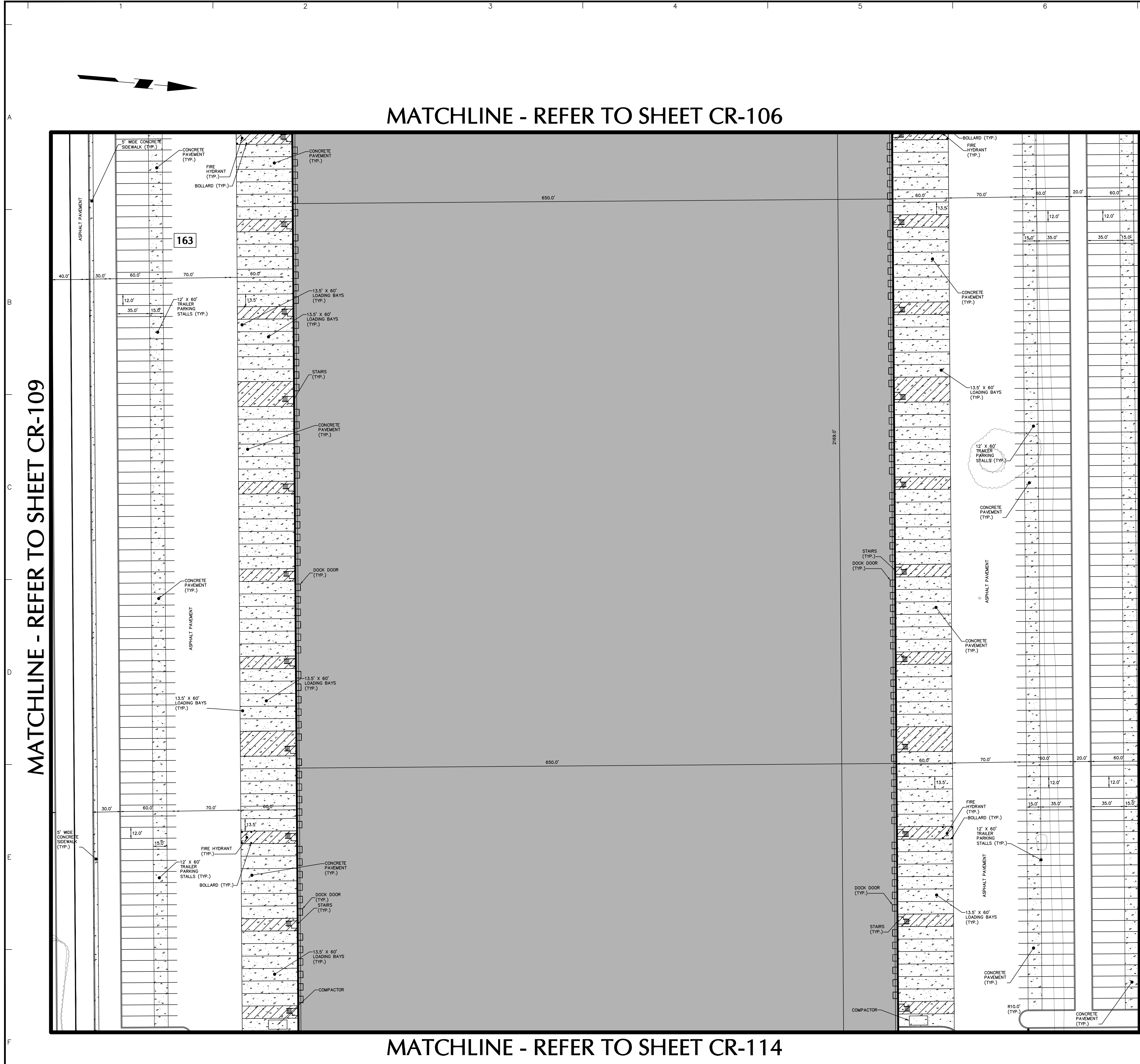
Checked By
BMC

CR-109

Sheet 10 of 16

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and 1.800.441.8355 in Maryland (MD)

SCALE: 1 INCH = 50 FEET



LEGEND	
	PROPERTY LINE
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SIGNATURE
BRIAN M. CONLON
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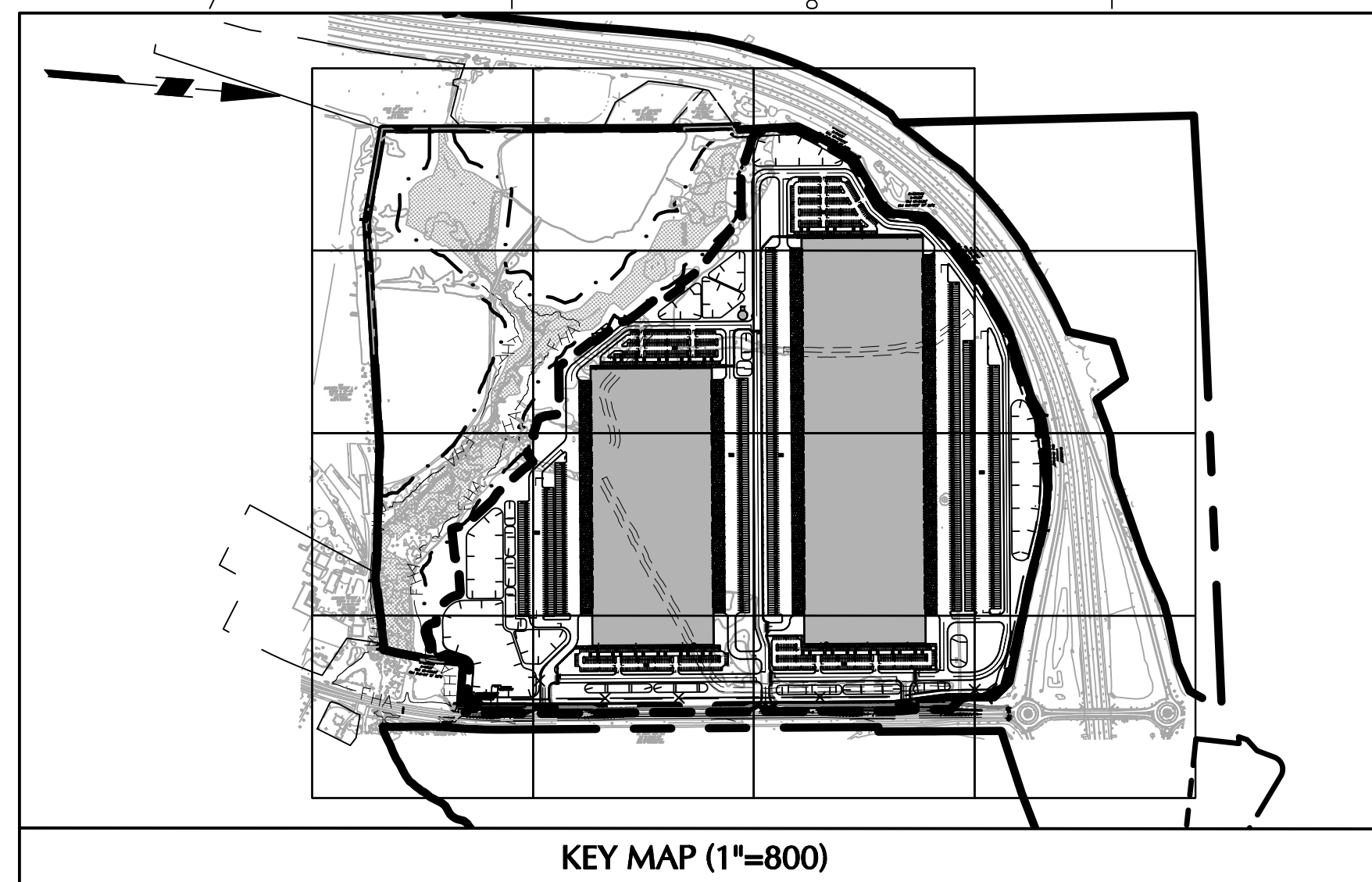
**LOGISTICENTER AT
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TAX PARCEL 13-008.00-003
APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY
DELAWARE
Drawing Title

**RECORD MAJOR LAND
DEVELOPMENT PLAN**

Project No.	220155501	CR-110
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	
Sheet 11 of 16		



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LEGEND	
	PROPERTY LINE
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	FIRE DEMARCATION
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	CURB
	BOLLARD
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Date	Description	No.

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APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY DELAWARE
Drawing Title

**RECORD MAJOR LAND
DEVELOPMENT PLAN**

Project No.	220155501	CR-111
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	
Sheet 12 of 16		



Miss Utility of Delmarva

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50 0 25 50
SCALE: 1 INCH = 50 FEET

MATCHLINE - REFER TO SHEET CR-107

MATCHLINE - REFER TO SHEET CR-115

MATCHLINE - REFER TO SHEET CR-110

STORMWATER MANAGEMENT 7 AREA
(2.6 ACRES)

Chd Bn9=N84° 34' 23"E
L=618.84'
R=1495.00'

ULTIMATE LIMIT OF
DISTURBANCE = 159.17
ACRES

40' BUILDING SETBACK

40' PARKING SETBACK

MON
IPFS80°40'01"E
296.35'S83°34'06"E
207.10'

GMF

374

12' X 60'
TRAILER
PARKING
STALLS (TYP.)CONCRETE
PAVEMENT
(TYP.)

ASPHALT PAVEMENT

12' X 60'
TRAILER
PARKING
STALLS (TYP.)

R10.0' (TYP.)
R10.0' (TYP.)
R30.0'

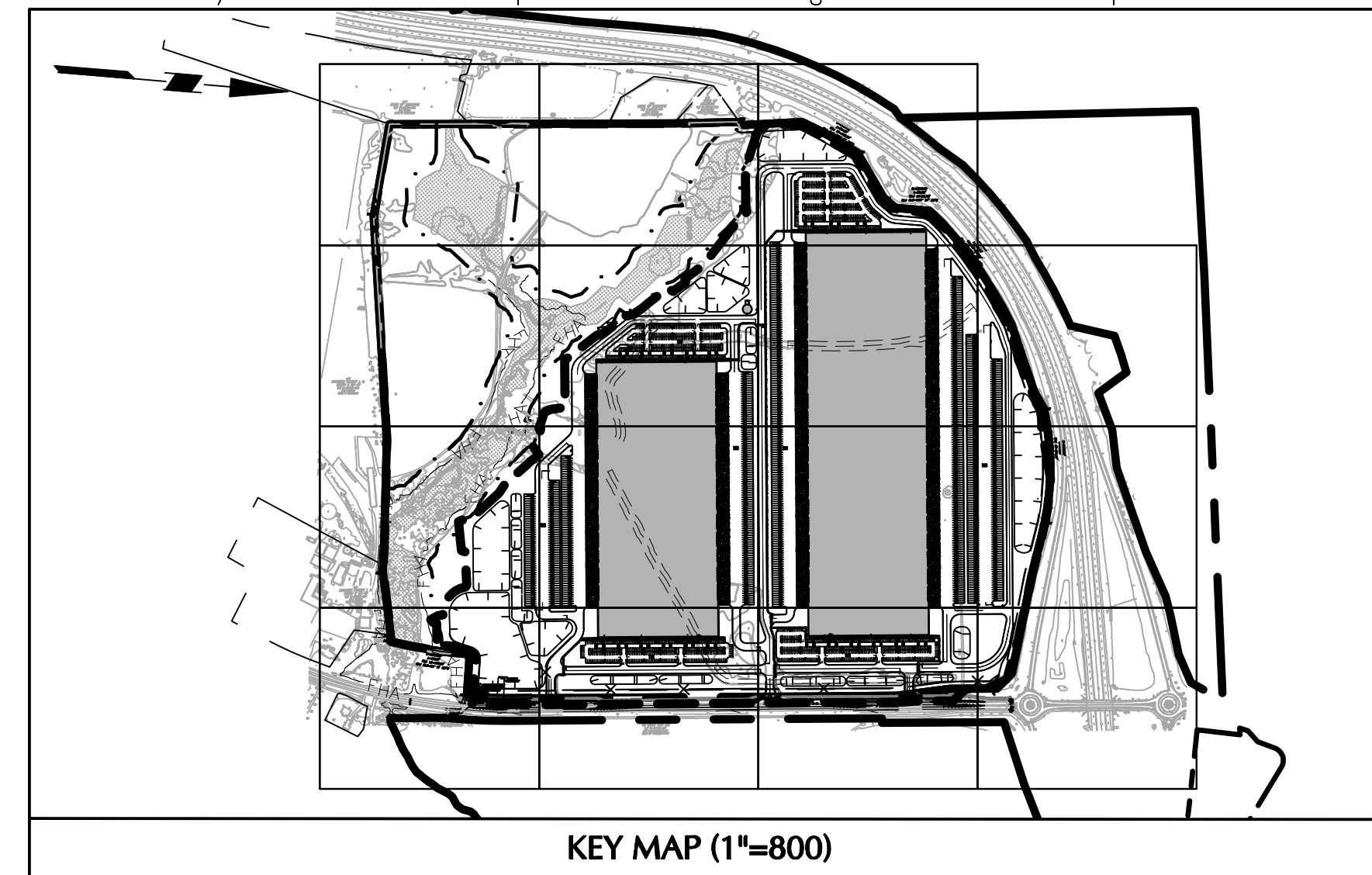
FIRE
HYDRANT
(TYP.)

MATCHLINE - REFER TO SHEET CR-108

ZONE S
SUBURBANSTORMWATER
MANAGEMENT
AREA 19
(3.8 ACRES)ZONE BP -
BUSINESS PARK

ZONE BP - BUSINESS PARK

MATCHLINE - REFER TO SHEET CR-113



KEY MAP (1"=800)

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TAX PARCEL 13-008.00-003APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY DELAWARE
Drawing TitleRECORD MAJOR LAND
DEVELOPMENT PLAN

Project No.	220155501	CR-112
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	

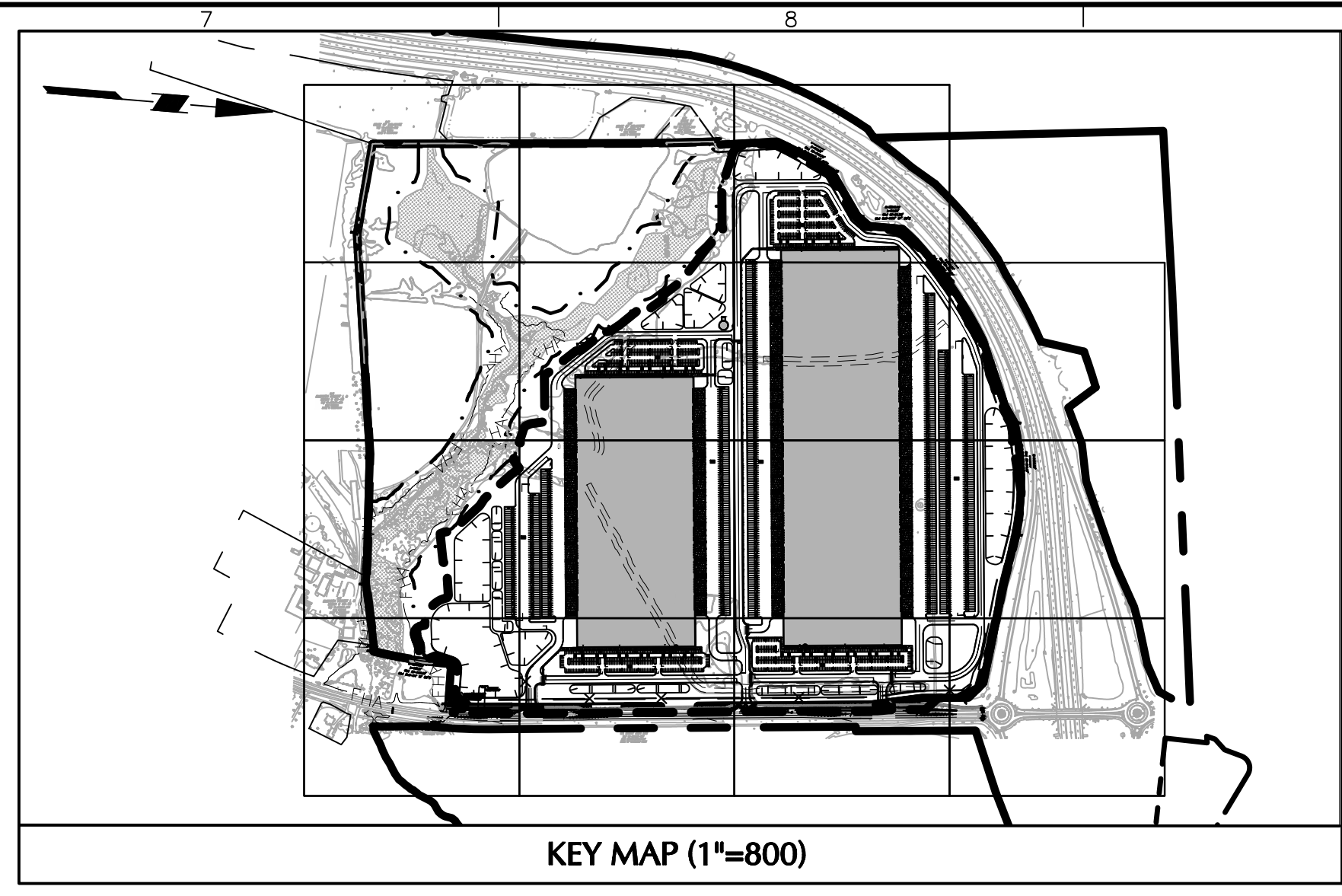
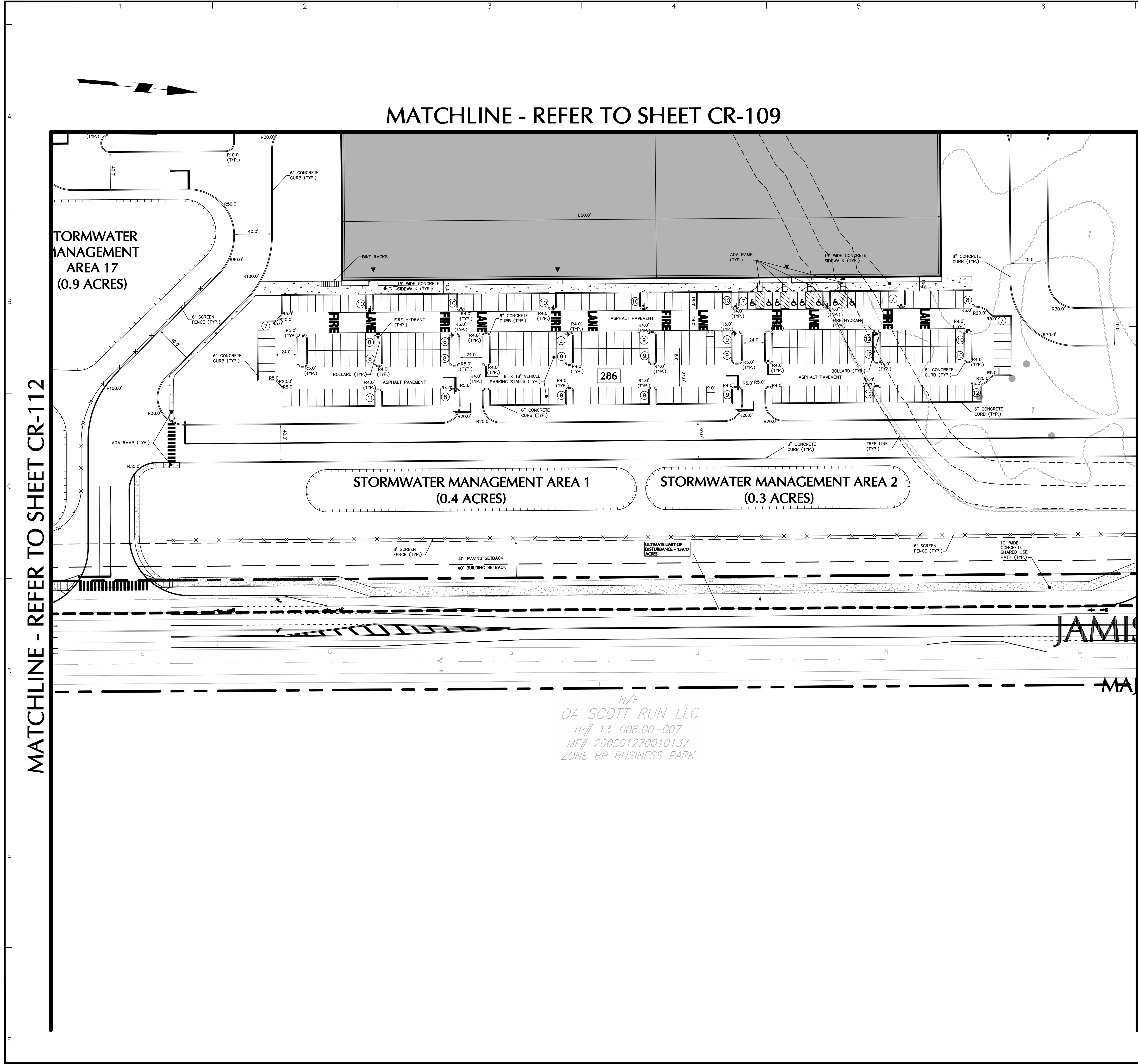
Sheet 13 of 16



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SCALE: 1 INCH = 50 FEET



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SIGNATURE: *Brian M. Conlon* DATE SIGNED: _____
BRIAN M. CONLON
PROFESSIONAL ENGINEER DE Lic. No. 13413

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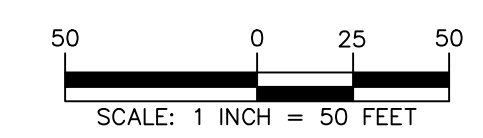
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TAX PARCEL 13-008.00-003
APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY DELAWARE
Drawing Title

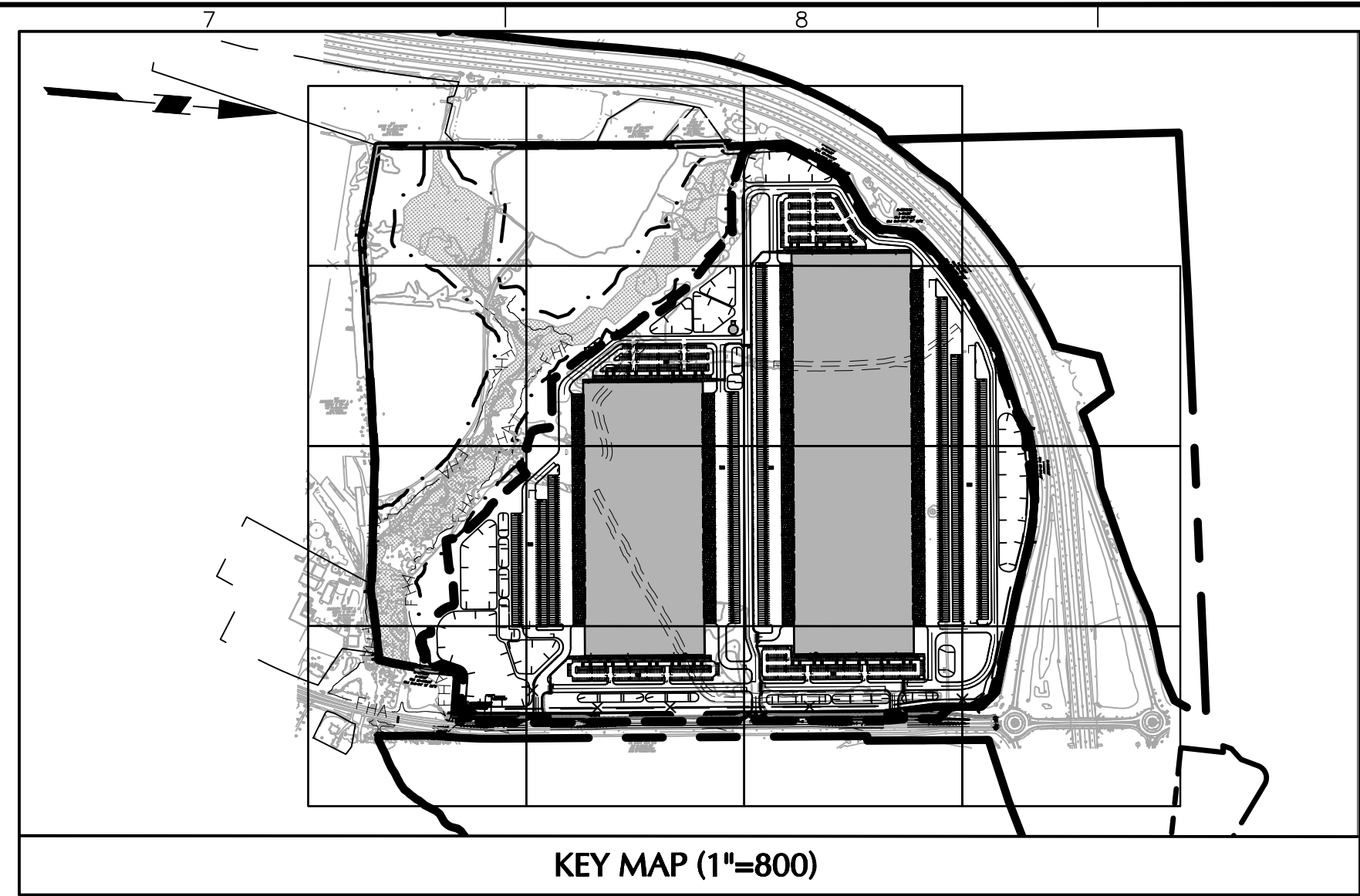
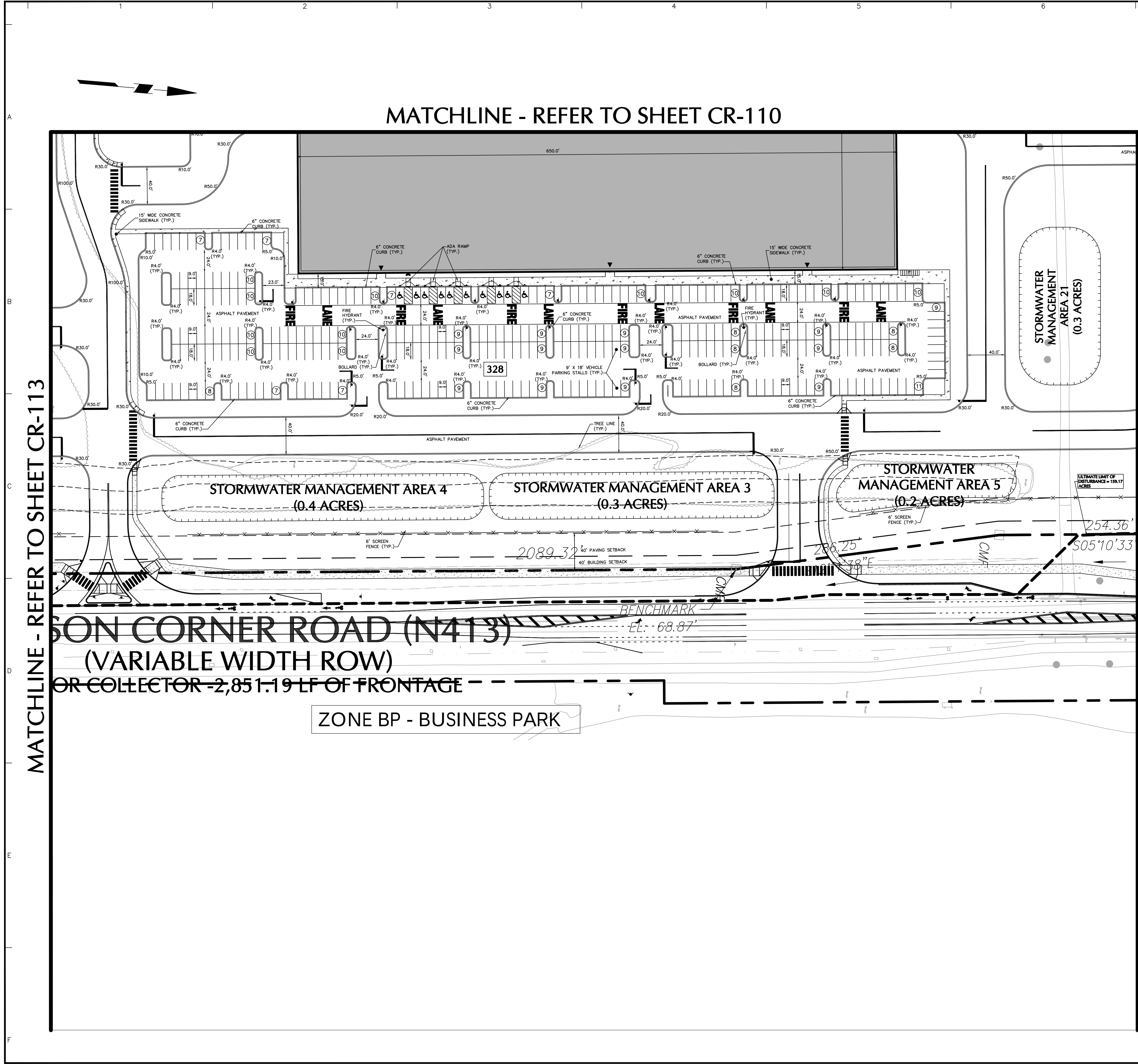
**RECORD MAJOR LAND
DEVELOPMENT PLAN**

Project No.	220155501	CR-113
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	
Sheet 14 of 16		



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LEGEND	
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	ZONING BOUNDARY LINE
	TREE LINE
	100 YEAR FLOODPLAIN
	RIPIARIAN BUFFER
	WETLAND
	EXISTING TREE
	BUILDING LINE
	CURB
	PARKING SUBTOTAL
	PARKING COUNT
	DOORWAY
	FIRE DEMARCATION
	PROPOSED FIRE HYDRANT
	CURB
	BOLLARD
	CONCRETE
	SIGN
	STORMWATER MANAGEMENT AREA
	EXISTING CONCRETE MONUMENT
	PROPOSED CONCRETE MONUMENT

Date	Description	No.
11/2/23	REVISED PER FLOODPLAIN UPDATE	7.
6/15/23	REVISED PER FLOODPLAIN UPDATE	6.
1/23/23	REVISED PER COUNTY COMMENTS	5.
11/05/22	REVISED PER COUNTY COMMENTS	4.
9/30/22	REVISED PER COUNTY COMMENTS	3.
8/05/22	REVISED PER COUNTY COMMENTS	2.
5/12/22	REVISED PER COUNTY COMMENTS	1.

SIGNATURE: DATE SIGNED:
BRIAN M. CONLON
PROFESSIONAL ENGINEER DE Lic. No. 13413

LANGAN
Langan Engineering and Environmental Services, Inc.
1818 Market Street, Suite 3300
Philadelphia, PA 19103
T: 215.845.8900 F: 215.845.8901 www.langan.com

LOGISTICENTER AT NEW CASTLE COUNTY
TAX PARCEL 13-008.00-003
APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY DELAWARE
Drawing Title

RECORD MAJOR LAND DEVELOPMENT PLAN

Project No.	220155501	CR-114
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	
Sheet 15 of 16		

Miss Utility of Delmarva
Call 1.800.282.8555 in Delaware (DE) and 1.800.441.8355 in Maryland (MD)
SCALE: 1 INCH = 50 FEET

MATCHLINE - REFER TO SHEET CR-111

MATCHLINE - REFER TO SHEET CR-114

ZONE BP -
BUSINESS PARK

KEY MAP (1"=800)

LEGEND	
	PROPERTY LINE
	SET BACK LINE
	LIMIT OF DISTURBANCE
	ZONING BOUNDARY LINE
	TREE LINE
	100 YEAR FLOODPLAIN
	RIPARIAN BUFFER
	WETLAND
	EXISTING TREE
	BUILDING LINE
	CURB
	PARKING SUBTOTAL
	PARKING COUNT
	DOORWAY
	FIRE DEMARCATION
	PROPOSED FIRE HYDRANT
	CURB
	BOLLARD
	CONCRETE
	SIGN
	STORMWATER MANAGEMENT AREA
	EXISTING CONCRETE MONUMENT
	PROPOSED CONCRETE MONUMENT

11/2/23	REVISED PER FLOODPLAIN UPDATE	7.
6/15/23	REVISED PER FLOODPLAIN UPDATE	6.
1/23/23	REVISED PER COUNTY COMMENTS	5.
11/05/22	REVISED PER COUNTY COMMENTS	4.
9/30/22	REVISED PER COUNTY COMMENTS	3.
8/05/22	REVISED PER COUNTY COMMENTS	2.
5/12/22	REVISED PER COUNTY COMMENTS	1.
Date	Description	No.


SIGNATURE _____ DATE SIGNED _____
BRIAN M. CONLON
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LOGISTICENTER AT
NEW CASTLE COUNTY
TAX PARCEL 13-008.00-003APPLICATION # 2021-0470
EXPLORATORY MAJOR LAND DEVELOPMENT PLAN
ST. GEORGES HUNDRED
NEW CASTLE COUNTY DELAWARE
Drawing TitleRECORD MAJOR LAND
DEVELOPMENT PLAN

Project No.	220155501	CR-115
Date	31 JANUARY 2022	
Drawn By	TFH	
Checked By	BMC	
Sheet 16 of 16		



Miss Utility of Delmarva

Call 1.800.282.8555 in Delaware (DE)
and 1.800.441.8355 in Maryland (MD)50 0 25 50
SCALE: 1 INCH = 50 FEET

ORDINANCE NO. 24-044

**AMENDING NEW CASTLE COUNTY CODE CHAPTER 2
("ADMINISTRATION") RELATING TO CONTRACTS AND FUNDS**

1 **WHEREAS**, the authority to appropriate funds, including towards contracts
2 and agreements, resides within New Castle County Council, the legislative body
3 of New Castle County government; and
4

5 **WHEREAS**, appropriated funds are to be used for the explicit purpose and use for
6 which they were approved by County Council, unless otherwise subsequently approved;
7 and
8

9 **WHEREAS**, it appears that clarity to this process would be helpful; and
10

11 **WHEREAS**, County Council has determined that the provisions of this Ordinance
12 substantially advance and are reasonably and rationally related to legitimate
13 government interests, including promotion of the public health, safety, welfare, and
14 quality of life of present and future inhabitants of New Castle County.
15

16 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
17

18 Section 1. *New Castle County Code* Chapter 2 ("Administration"), Section 2.02.004
19 ("Approval of Contracts by County Council") is hereby amended by adding the material
20 that is underlined and deleting the material with strikethroughs, as set forth below.
21

22 **Sec. 2.02.004. - Approval of contracts by County Council.**

23 A. *Prospective contract information...*

24 B. *Information regarding awarded contracts below \$50,000...*

25 C. No contract which requires the approval of County Council shall be executed, nor
26 shall any work be started there under, until approved by resolution of County Council.
27 The following contracts shall require the approval of County Council:...

28 D. No contract executed on behalf of the County shall contain an "evergreen" provision
29 whereby such contract would essentially renew itself without a specific ending date.
30 Contracts may contain renewal provisions that permit an extension of the contract
31 with the express, written agreement of both parties to the contract.

32 E. No funds approved by County Council in relation to a specific capital project and/or
33 contract or agreement, or a specific use may be utilized for and/or transferred to
34 another project, contract or agreement, or use without the explicit prior approval of
35 County Council.

36 F. No contract or agreement relating to or including public arts may be entered into by
37 New Castle County and/or the New Castle County Arts Commission without prior
38 explicit approval of County Council. Furthermore, no County funds shall be directed
39 or re-directed from another project or purpose to use for public arts or by the Arts
40 Commission for any projects, contracts or agreements, and/or uses without the
41 explicit prior approval of County Council.
42

43 Section 2. This Ordinance shall become effective upon passage by New Castle
44 County Council and approval of the County Executive, or as otherwise provided in 9 *Del.*
45 C. § 1156.

Adopted by the County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
of New Castle County

SYNOPSIS: This ordinance clarifies that no funds approved by New Castle County Council in relation to a specific capital project or contract, and/or a specific use may be utilized for and/or transferred to another project, contract, or use without the explicit prior approval of County Council. Additionally, this ordinance clarifies that no contract or agreement relating to or including public arts may be entered into by New Castle County and/or the New Castle County Arts Commission without prior explicit approval of County Council. Furthermore, no County funds may be directed or re-directed from another project or purpose to use for public arts or by the Arts Commission for any projects, contracts or agreements, and/or uses without the explicit prior approval of County Council.

FISCAL NOTE: There is no discernible fiscal impact upon the adoption of this legislation.

ORDINANCE NO. 24-045

**AMEND THE FY2024 APPROVED OPERATING BUDGET:
APPROPRIATE \$2,223,018 OF SEWER RATE STABILIZATION RESERVE TO THE
DEPARTMENT OF PUBLIC WORKS SEWER FUND COMMUNICATION AND
UTILITIES BUDGET LINE ITEM FOR SEWER SERVICE**

1 **WHEREAS**, New Castle County is responsible for 80% of the Wilmington Waste
2 Treatment Plant operating costs; and
3

4 **WHEREAS**, the budget is set based upon the City of Wilmington's Operating
5 Budget for the plant and each fiscal year there is a true up of the prior years actual
6 costs; and
7

8 **WHEREAS**, during Fiscal Year 2024, the County paid the FY2023 true up which
9 was not budgeted causing a shortfall in the department's budget line; and
10

11 **WHEREAS**, funding in the amount of \$2,223,018 is needed for the May and June
12 monthly sewer charge fee; and
13

14 **WHEREAS**, the revenue measures heretofore adopted by the County Council,
15 are, in the opinion of the County Executive, estimated to yield sums at least sufficient to
16 balance the proposed expenditures as set forth in the Approved Sewer Fund Annual
17 Operating Budget as hereinafter amended.
18

19 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
20

21 Section 1. The Annual Operating Budget for the fiscal year beginning July 1,
22 2023, is hereby amended by deleting the material stricken and adding the material
23 underscored on the attached "Exhibit A."
24

25 Section 2. The foregoing amendment shall be considered a part of the Annual
26 Operating Budget for the fiscal year beginning July 1, 2023, and shall be effective
27 retroactively as though incorporated initially in the Annual Operating Budget.
28

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

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will amend the FY2024 Approved Operating Budget by appropriating \$2,223,018 from the Sewer Rate Stabilization Reserve to the Department of Public Works Sewer Fund Communication and Utilities Budget Line Item for sewer service.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Approved Operating Budget by appropriating \$2,223,018 from the Sewer Rate Stabilization Reserve to the Department of Public Works Sewer Fund Communication and Utilities Budget Line Item for sewer service.

The revised FY2024 Approved Operating Budget will be \$335,516,376. Fiscal impact for future years will be determined on an as-needed basis. The Sewer Fund Tax Stabilization Reserve balance (unaudited) upon passage of this Ordinance will be \$6,261,142.

COUNTY COUNCIL

Salaries and Wages	\$	2,428,665
Benefits		1,428,590
Training and Civic Affairs		75,776
Communication and Utilities		17,849
Materials and Supplies		61,406
Contractual Services		253,148
Equipment		1,600
Grants and Fixed Charges		415,880
Operating Transfer Charges		162,309
Total	\$	4,845,223
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		18,399
Materials and Supplies		19,535
Contractual Services		526,540
Equipment		1,000
Grants and Fixed Charges		1,140,525
Contingency		9,500
Operating Transfer Charges		82,016
Total	\$	4,652,521
Total Authorized Full-Time Positions		16

DEPARTMENT OF ADMINISTRATION

Salaries and Wages	\$	12,203,612
Benefits		8,338,475
Training and Civic Affairs		132,625
Communication and Utilities		8,309,564
Materials and Supplies		157,505
Contractual Services		6,843,162
Equipment		387,056
Grants and Fixed Charges		3,925,350
Operating Transfer Charges		1,163,553
Operating Transfer Credits		(12,098,321)
Total	\$	27,445,578
Total Authorized Full-Time Positions		172

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages		\$	24,597,539
Benefits			14,348,323
Training and Civic Affairs			52,527
Communication and Utilities	24,784,106		<u>27,007,124</u>
Materials and Supplies			4,972,810
Contractual Services			10,598,055
Equipment			475,133
Grants and Fixed Charges			1,193,757
Land and Structures			35,000
Operating Transfer Charges			4,845,206
Operating Transfer Credits			(7,438,785)
Total	<u>78,463,671</u>	\$	<u>80,686,689</u>
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			111,337
Materials and Supplies			112,807
Contractual Services			1,586,618
Equipment			48,540
Grants and Fixed Charges			56,500
Operating Transfer Charges			1,136,835
Operating Transfer Credits			(803,217)
Total		\$	<u>15,593,142</u>
Total Authorized Full-Time Positions	118		

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages		\$	11,772,687
Benefits			5,320,582
Training and Civic Affairs			27,392
Communication and Utilities			1,012,976
Materials and Supplies			1,398,563
Contractual Services			2,283,206
Equipment			24,317
Grants and Fixed Charges			3,110,149
Operating Transfer Charges			1,232,337
Operating Transfer Credits			(190,829)
Total		\$	<u>25,991,380</u>
Total Authorized Full-Time Positions	160		

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	67,203,955
Benefits		39,141,888
Training and Civic Affairs		178,869
Communication and Utilities		1,032,202
Materials and Supplies		1,020,497
Contractual Services		2,194,206
Equipment		1,471,072
Grants and Fixed Charges		6,492,175
Operating Transfer Charges		7,298,634
Total	\$	126,033,498
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		9,925
Contractual Services		61,175
Equipment		4,143
Operating Transfer Charges		85,180
Total	\$	1,953,891
Total Authorized Full-Time Positions		20

RECORDER OF DEEDS

Salaries and Wages	\$	1,232,844
Benefits		712,707
Training and Civic Affairs		40,170
Communication and Utilities		30,977
Materials and Supplies		9,315
Contractual Services		93,801
Equipment		1,150
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
Land and Structures		
Contingency		
Intragovernmental Service Charges		
Intragovernmental Service Credits		
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	\$	0
Total	\$	0
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	\$	1,212,003
Total	\$	1,212,003

NEW CASTLE COUNTY

Salaries and Wages		\$	128,183,264
Benefits			74,365,553
Training and Civic Affairs			697,285
Communication and Utilities	35,353,063		<u>37,576,081</u>
Materials and Supplies			7,791,496
Contractual Services			24,816,595
Equipment			2,425,511
Grants and Fixed Charges			16,352,686
Debt Service			45,540,069
Land and Structures			35,000
Contingency			1,926,503
Operating Transfer Charges			16,337,485
Operating Transfer Credits			(20,531,152)
<i>Sub-Total New Castle County</i>	<i>333,293,358</i>	\$	<u>335,516,376</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,667</i>		

RESERVE ACCOUNTS AS OF MARCH 12, 2024

Tax Stabilization Reserve Account (Unaudited)			72,358,702
Sewer Rate Stabilization Reserve Account (Unaudited)	8,484,160		<u>6,261,142</u>
General Fund Budget Reserve Account			44,592,418
Sewer Fund Budget Reserve Account			18,872,304
<i>Total Reserves:</i>	<i>144,307,584</i>		<u>142,084,566</u>

ORDINANCE NO. 24-046

**AMEND THE FY2024 APPROVED OPERATING BUDGET:
APPROPRIATE \$1,800,000 IN ROOM RENTAL FEES AND \$626,115 FROM THE
GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT (HOPE CENTER
SUB-FUND) TO THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF
COMMUNITY DEVELOPMENT AND HOUSING TO FUND
HOPE CENTER OPERATIONS**

1 **WHEREAS**, the Department of Community Services hired Hersha Management
2 “the vendor” to provide property management and operational services for the Hope
3 Center in 2021; and
4

5 **WHEREAS**, the vendor has being receiving revenue and paying for the
6 operational costs from a checking account opened on behalf of New Castle County by
7 the vendor; and
8

9 **WHEREAS**, the revenue received and expended from the checking account
10 must be recorded in the County’s annual financial statements and the County’s financial
11 system; and
12

13 **WHEREAS**, appropriations in the amount of \$2,426,115 are necessary to record
14 the revenues and reflect the expenditures for the operations of the Hope Center for
15 FY2024 to comply with County Code; and
16

17 **WHEREAS**, funding in the amount of \$1,800,000 will come from room rental fees
18 and \$626,115 will come from the General Fund Stabilization Reserve Account (Hope
19 Center Sub-fund); and
20

21 **WHEREAS**, the revenue measures heretofore adopted by the County Council,
22 are, in the opinion of the County Executive, estimated to yield sums at least sufficient to
23 balance the proposed expenditures as set forth in the Approved Annual Operating
24 Budget as hereinafter amended.
25

26 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
27

28 Section 1. The Annual Operating Budget for the fiscal year beginning July 1,
29 2023, is hereby amended by deleting the material stricken and adding the material
30 underscored on the attached “Exhibit A.”
31

32 Section 2. The foregoing amendment shall be considered a part of the Annual
33 Operating Budget for the fiscal year beginning July 1, 2023, and shall be effective
34 retroactively as though incorporated initially in the Annual Operating Budget.
35

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

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, amends the FY2024 Approved Operating Budget by appropriating \$1,800,000 from room rental fees and \$626,115 from the General Fund Tax Stabilization Reserve Account (Hope Center Subfund) to the Department of Community Services, Division of Community Development and Housing. These funds are needed to fund the operations at the Hope Center.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Approved Operating Budget by appropriating \$1,800,000 from room rental fees and \$626,115 from the General Fund Tax Stabilization Reserve Account (Hope Center Subfund) to the Department of Community Services, Division of Community Development and Housing. These funds are needed to fund the operations at the Hope Center.

The revised FY2024 Approved Operating Budget will be \$335,719,473. Fiscal impact for future years will be determined on an as needed basis. The General Fund Tax Stabilization Reserve balance (unaudited) upon passage of this Ordinance will be \$71,732,587.

COUNTY COUNCIL

Salaries and Wages	\$	2,428,665
Benefits		1,428,590
Training and Civic Affairs		75,776
Communication and Utilities		17,849
Materials and Supplies		61,406
Contractual Services		253,148
Equipment		1,600
Grants and Fixed Charges		415,880
Operating Transfer Charges		162,309
Total	\$	4,845,223
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		18,399
Materials and Supplies		19,535
Contractual Services		526,540
Equipment		1,000
Grants and Fixed Charges		1,140,525
Contingency		9,500
Operating Transfer Charges		82,016
Total	\$	4,652,521
Total Authorized Full-Time Positions		16

DEPARTMENT OF ADMINISTRATION

Salaries and Wages	\$	12,203,612
Benefits		8,338,475
Training and Civic Affairs		132,625
Communication and Utilities		8,309,564
Materials and Supplies		157,505
Contractual Services		6,843,162
Equipment		387,056
Grants and Fixed Charges		3,925,350
Operating Transfer Charges		1,163,553
Operating Transfer Credits		(12,098,321)
Total	\$	27,445,578
Total Authorized Full-Time Positions		172

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages		\$	24,597,539
Benefits			14,348,323
Training and Civic Affairs			52,527
Communication and Utilities			24,784,106
Materials and Supplies			4,972,810
Contractual Services			10,598,055
Equipment			475,133
Grants and Fixed Charges			1,193,757
Land and Structures			35,000
Operating Transfer Charges			4,845,206
Operating Transfer Credits			(7,438,785)
Total		\$	78,463,671
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			111,337
Materials and Supplies			112,807
Contractual Services			1,586,618
Equipment			48,540
Grants and Fixed Charges			56,500
Operating Transfer Charges			1,136,835
Operating Transfer Credits			(803,217)
Total		\$	15,593,142
Total Authorized Full-Time Positions	118		

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages		\$	11,772,687
Benefits			5,320,582
Training and Civic Affairs	<u>27,392</u>		<u>27,692</u>
Communication and Utilities	<u>1,012,976</u>		<u>1,181,476</u>
Materials and Supplies	<u>1,398,563</u>		<u>1,539,563</u>
Contractual Services	<u>2,283,206</u>		<u>4,399,521</u>
Equipment			24,317
Grants and Fixed Charges			3,110,149
Operating Transfer Charges			1,232,337
Operating Transfer Credits			(190,829)
Total	<u>25,991,380</u>	\$	<u>28,417,495</u>
Total Authorized Full-Time Positions	160		

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	67,203,955
Benefits		39,141,888
Training and Civic Affairs		178,869
Communication and Utilities		1,032,202
Materials and Supplies		1,020,497
Contractual Services		2,194,206
Equipment		1,471,072
Grants and Fixed Charges		6,492,175
Operating Transfer Charges		7,298,634
Total	\$	126,033,498
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		9,925
Contractual Services		61,175
Equipment		4,143
Operating Transfer Charges		85,180
Total	\$	1,953,891
Total Authorized Full-Time Positions		20

RECORDER OF DEEDS

Salaries and Wages	\$	1,232,844
Benefits		712,707
Training and Civic Affairs		40,170
Communication and Utilities		30,977
Materials and Supplies		9,315
Contractual Services		93,801
Equipment		1,150
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
Land and Structures		
Contingency		
Intragovernmental Service Charges		
Intragovernmental Service Credits		
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	\$	0
Total	\$	0
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	\$	1,212,003
Total	\$	1,212,003

NEW CASTLE COUNTY

Salaries and Wages		\$ 128,183,264
Benefits		74,365,553
Training and Civic Affairs	697,285	<u>697,585</u>
Communication and Utilities	35,353,063	<u>35,521,563</u>
Materials and Supplies	7,791,496	<u>7,932,496</u>
Contractual Services	24,816,595	<u>26,932,910</u>
Equipment		2,425,511
Grants and Fixed Charges		16,352,686
Debt Service		45,540,069
Land and Structures		35,000
Contingency		1,926,503
Operating Transfer Charges		16,337,485
Operating Transfer Credits		(20,531,152)
<i>Sub-Total New Castle County</i>	333,293,358	\$ <u>335,719,473</u>
<i>Total Authorized Full-Time Positions</i>	1,667	

RESERVE ACCOUNTS AS OF MARCH 12, 2024

Tax Stabilization Reserve Account (Unaudited)	72,358,702	<u>71,732,587</u>
Sewer Rate Stabilization Reserve Account (Unaudited)		8,484,160
General Fund Budget Reserve Account		44,592,418
Sewer Fund Budget Reserve Account		18,872,304
<i>Total Reserves:</i>	144,307,584	<u>143,681,469</u>

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle
Requested by: Public Safety/Police
Date of introduction: April 9, 2024

ORDINANCE NO. 24-047

AMEND THE GRANTS BUDGET:

APPROPRIATE \$26,576.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF JUSTICE – SPECIAL LAW ENFORCEMENT ASSISTANCE FUND (SLEAF) TO THE SLEAF FUMING CABINET GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE

1 **WHEREAS**, funding has been awarded from the State of Delaware, Department of
2 Justice-Special Law Enforcement Assistance Fund (SLEAF), to the New Castle County
3 Department of Public Safety SLEAF Fuming Cabinet Grant; and
4

5 **WHEREAS**, this funding will be used by the New Castle County Department of
6 Public Safety, Division of Police for the purchase of a Fuming Cabinet to be used by the
7 Evidence Detection Unit (EDU); and
8

9 **WHEREAS**, the County Executive has determined that funds received are
10 sufficient to cover the increase in the Grants Budget as hereinafter amended; and
11

12 **WHEREAS**, Council has determined that the provisions of this Ordinance
13 substantially advance, and are reasonably and rationally related to, legitimate
14 government interests (i.e., promoting the health, safety, morals, convenience, order
15 prosperity and/or welfare of the present and future inhabitants of this State).
16

17 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
18

19 Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby
20 amended by adding the material on the attached “Exhibit A,” which is considered to be
21 underscored in its entirety.
22

23 Section 2. This Ordinance shall become effective immediately upon its adoption
24 by County Council and approval by the County Executive, or as otherwise provided by 9
25 *Del. C. § 1156*.
26

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

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council of
New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$26,576.00 from the State of Delaware, Department of Justice-Special Law Enforcement Assistance Fund (SLEAF) to the SLEAF Fuming Cabinet Grant. These funds will be used by the New Castle County Department of Public Safety, Division of Police for the purchase of a Fuming Cabinet to be used by the Evidence Detection Unit (EDU).

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

FISCAL NOTE: This Ordinance, if approved, will appropriate \$26,576.00 from the State of Delaware, Department of Justice-Special Law Enforcement Assistance Fund (SLEAF) to the SLEAF Fuming Cabinet Grant. These funds will be used by the New Castle County Department of Public Safety, Division of Police for the purchase of a Fuming Cabinet to be used by the Evidence Detection Unit (EDU).

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$26,576.00. 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:

GRANT TITLE:

PROGRAM TITLE:

Public Safety

SLEAF Fuming Cabinet

SLEAF Fuming Cabinet

EXHIBIT:

Ordinance No. 24-047

"A"

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 26,576.00	\$ -	\$ 26,576.00
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 26,576.00	\$ -	\$ 26,576.00

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ -	\$ -	\$ -
Equipment	\$ 26,576.00	\$ -	\$ 26,576.00
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 26,576.00	\$ -	\$ 26,576.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

12/13/2023

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 a Fuming Cabinet to be used by the Evidence Detection Unit (EDU).

ORDINANCE NO. 24-048

TO AMEND NEW CASTLE COUNTY CODE CHAPTER 22 (“OFFENSES AND MISCELLANEOUS PROVISIONS”), SECTION 22.02.008 (“NOISE CONTROL”) RELATING TO REFUSE

1 **WHEREAS**, limiting noise disturbances within New Castle County is vitally
2 important to maintaining a high quality of life in our neighborhoods; and
3

4 **WHEREAS**, it is important that New Castle County adopt and robustly enforce
5 noise regulations in residential areas in the County to ensure the safety and welfare of its
6 residents; and
7

8 **WHEREAS**, given the noise that is produced when garbage and rubbish (*i.e.*,
9 refuse) are collected, it is important that regulations related thereto are thoughtful and
10 consistent; and
11

12 **WHEREAS**, the permissible time frame for garbage and rubbish collection in
13 residential neighborhoods currently allowed under *County Code* is inconsistent with the
14 time frame established under State law; and
15

16 **WHEREAS**, it is important that the provisions of *County Code* be consistent with,
17 and not conflict with, the *Delaware Code* and related regulations which govern garbage
18 and rubbish collection; and
19

20 **WHEREAS**, it is in the best interests of New Castle County and its residents that
21 the County consistently regulate noise disturbances in residential areas in a manner that
22 preserves the welfare, safety, and integrity of neighborhoods in New Castle County.
23

24 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
25

26 Section 1. *New Castle County Code* Chapter 22 (“Offenses and Miscellaneous
27 Provisions”), Section 22.02.008 (“Noise Control”) is hereby amended by adding the
28 material that is underlined and deleting the material with strikethroughs, as set forth below.
29

30 **Sec. 22.02.008. - Noise Control.**
31

31 ...

32 B. *Noise disturbances prohibited.*
33

34 2. *Specific prohibitions.* It shall be unlawful for any person to make, continue or
35 cause to be made or continued any noise disturbances in the County in any of
36 the following manners:

- 37 i. Refuse *compacting vehicles*. Operating or permitting to be operated any
38 motor vehicle which can compact refuse and which creates, during the
39 compacting cycle, a sound pressure level in excess of ~~ninety-four (94)~~ 94
40 dB(A) when measured at ~~fifty (50) feet~~ 50' from any point of the vehicle or
41 operating such a vehicle between the hours of ~~8:30~~ 10:00 p.m. and ~~6:00~~
42 7:00 a.m. the following day in residential districts.

43
44 Section 2. This Ordinance shall become effective immediately upon its adoption by
45 County Council and approval by the County Executive, or as otherwise provided in 9 *Del.*
46 C. § 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
of New Castle County

SYNOPSIS: This Ordinance amends *New Castle County Code* Section 22.02.008, Noise Control, regarding refuse collection and the permissible time period for such collection to ensure that the provisions in the *New Castle County Code* are consistent with the provisions mandated in the *Delaware Code* and related regulations.

FISCAL NOTE: There is no discernible fiscal impact with the adoption of this Ordinance.

ORDINANCE NO. 24-049

**TO AMEND NEW CASTLE COUNTY CODE CHAPTER 2 ("ADMINISTRATION"),
ARTICLE 3 ("OFFICERS AND EMPLOYEES") TO MODIFY CERTAIN FEES
CHARGED BY NEW CASTLE COUNTY SHERIFF'S OFFICE**

1 **WHEREAS**, pursuant to 9 *Del. C.* § 8733(d) and 10 *Del. C.* § 8702(c) the fees
2 charged by the Sheriff in any sheriff's sale must be approved by County Council; and
3

4 **WHEREAS**, County Council's approval of such fees is reflected in *New Castle*
5 *County Code* Chapter 2 ("Administration"), Article 3 ("Officers and Employees"), Division
6 2.03.000("Generally"), Section 2.03.005 ("Fees for Sheriff's Office"); and
7

8 **WHEREAS**, the Sheriff has identified changes to *New Castle County Code*
9 Chapter 2 ("Administration"), Article 3 ("Officers and Employees"), Division 2.03.000
10 ("Generally"), Section 2.03.005 ("Fees for Sheriff's Office") that are necessary to conform
11 that provision to current practices, to adjust for increases in service costs and to
12 consolidate the fee schedule.
13

14
15 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
16

17 Section 1. *New Castle County Code* Chapter 2 ("Administration"), Article 3
18 ("Officers and Employees"), Division 2.03.000 ("Generally"), Section 2.03.005 ("Fees for
19 Sheriff's Office"), is hereby amended by adding the material that is underscored and
20 deleting the material that is stricken as set forth below:
21

22 Sec. 2.03.005. Fees for Sheriff's Office.
23

24 The fees of the Sheriff, for the services specified, shall be as follows:
25

26 A. ~~In cases in the Superior Court of the State.~~
27

28 ~~1. For serving writ of summons and complaint on each defendant at separate~~
29 ~~address\$30.00. For each additional defendant at same address5.00~~
30

31 ~~2. For serving amended complaint, alias summons and complaint, and for~~
32 ~~each subsequent pluries summons and complaint thereafter30.00~~
33

34 ~~3. For levying on goods and chattels and making inventory, causing~~
35 ~~appraisement, and making return50.00 Additional service beyond one~~
36 ~~(1) hour (per deputy per hour)50.00~~
37

38 ~~4. For serving and returning subpoena to give evidence or to bring papers~~
39 ~~for each person summoned both in civil or criminal actions for the first such~~
40 ~~filing and subsequent filing15.00~~
41

~~5.A reasonable allowance for the expense of keeping goods and chattels seized upon execution or attachment as made by the Court.~~

~~6.For serving alias scire facias sur mortgage (includes postage)40.00
Additional defendant at same address (includes postage)20.00~~

~~7.For set up and services performed in executing a writ of replevin75.00
Additional service beyond one (1) hour (per deputy per hour)50.00~~

~~8.Four (4) percent on amount of the winning bid when selling goods and chattels on execution, except that the amount paid under this Subsection shall not be less than fifty dollars (\$50.00).~~

~~9.For levying upon lands and tenements for each address50.00~~

~~10.Such costs, charges, fees, premiums, and allowances as shall be fixed and determined by the various vendors and the Sheriff for the following: (i) advertising sale of lands and tenements; (ii) advertising in two (2) newspapers and handbills under 10 Del. C. § 4973 (Notice of public sale of real estate); (iii) advertising, selling or auctioning, under order of a court or a judge, goods and chattels, lands and tenements.~~

~~11.Four (4) percent on amount of the winning high bid when selling lands and tenements on execution, except that the total amount paid under this Subsection shall not exceed ten thousand dollars (\$10,000.00) and shall not be less than five hundred dollars (\$500.00).~~

~~Purchase deposits shall be twenty (20) percent on a mortgage foreclosure and full payment (one hundred (100) percent) at the time of a monition sale, and shall be non-refundable, unless otherwise ordered by the Court.~~

~~The Sheriff's Office will retain five hundred dollars (\$500.00) of any deposit that is forfeited under court order.~~

~~The Sheriff's Office will retain five hundred dollars (\$500.00) of any deposit where final payment is not received on or before the stated due date.~~

~~12.Such fees as allowed by the Court for forcible entry and detainer.~~

~~13.The same fees as for like services upon execution process generally for executing a writ or levying costs of a contested election for the General Assembly.~~

~~14.For serving each writ, process or notice on behalf of any State agency\$15.00~~

~~15.For a copy (paper or electronic) of the Sheriff sale list20.00~~

~~16.Auctioneer fee, when applicable, for each sale performed during the Sheriff sale30.00~~

17. ~~There shall be no mileage fees charged in connection with any Superior Court case charges.~~

18. ~~For serving and returning attachment fieri facias on each defendant (per address)30.00~~

19. ~~For services performed in executing a writ of possession or ejectment100.00. Additional service beyond one (1) hour (per deputy per hour)50.00~~

20. ~~For the service of a civil capias, to be levied upon the law firm or individual requesting the capias50.00~~

21. ~~Pre-paid deposit by a plaintiff requesting an execution sale of real property, with costs to be assessed against the deposit: 355.00/362.50 (depending upon location of property).~~

22. ~~For photocopies or electronic delivery (per page)1.00~~

23. ~~Special services: For an extra deputy sheriff (including vehicle, per deputy per hour)50.00~~

24. ~~For scheduling and executing a goods and chattels sale (inclusive; charged whether the property is stayed or sold)100.00 Additional service beyond one (1) hour (per deputy per hour)50.00~~

25. ~~For scheduling and executing a lands and tenements Sheriff sale, one hundred fifty dollars (\$150.00) to be charged against the three hundred fifty-five dollar (\$355.00) or three hundred sixty-two dollar and fifty cent (\$362.50) deposit when the property is scheduled for sale; charged whether the property is stayed or sold.~~

A. In cases in the Superior, Chancery, and Common Pleas Courts of the State of Delaware.

1. For serving writ of summons and complaint on each defendant at separate address.....\$40.00

For each additional defendant at same address.....\$10.00

2. For serving amended complaint, alias summons and complaint, and for each subsequent pluries summons and complaint thereafter.....\$40.00

For each additional defendant at same address.....\$10.00

3. For serving any alias scire facias sur action (includes postage).....\$50.00. Additional defendant at same address (includes postage).....\$25.00

4. For serving and returning restraining order or subpoena to give evidence or to bring papers both in civil or criminal actions for the first such filing and subsequent filing (per person/entity summoned).....\$20.00

- 145 5. For set up and services performed in executing a writ of
146 replevin.....\$100.00. Additional service beyond one (1) hour (per
147 deputy per hour).....\$75.00
148
- 149 6. For services performed in executing a writ of possession or
150 ejectment....100.00. Additional service beyond one (1) hour (per
151 deputy per hour).....\$75.00
152
- 153 7. For serving and returning fieri facias action
154 (wage/garnishment/attachment) on each defendant (per
155 address).....\$40.00
156
- 157 8. For levying on goods and chattels and making inventory, and making
158 return..... \$75.00. Additional service beyond one (1) hour (per deputy
159 per hour).....\$75.00
160
- 161 9. A reasonable allowance for the expense of keeping goods and
162 chattels seized upon execution or attachment as made by the Court.
163
- 164 10. For levying upon lands and tenements for each address.....\$50.00
165
- 166 11. Such fees as allowed by the Court for forcible entry and detainer.
167
- 168 12. For scheduling and executing a goods and chattels sale (inclusive;
169 charged whether the property is stayed or sold).....\$100.00.
170 Additional service beyond one (1) hour (per deputy per hour).....
171 \$75.00
172
- 173 13. Four (4) percent on amount of the winning bid when selling goods
174 and chattels on execution, except that the amount paid under this
175 Subsection shall not be less than fifty dollars.....\$50.00
176
- 177 14. Pre-paid deposit by a plaintiff requesting an execution sale of real
178 property, with costs to be assessed against the deposit.....\$350.00 -
179 \$375.00 (depending upon location of property and advertising costs)
180
- 181 15. For scheduling and executing a lands and tenements Sheriff sale.....
182 \$175.00 (to be charged against the \$350.00 to \$375.00 deposit when
183 the property is scheduled for sale; charged whether the sale is stayed
184 or property sold).
185
- 186 16. Such costs, charges, fees, premiums, and allowances as shall be
187 fixed and determined by the various vendors and the Sheriff for the
188 following: (i) advertising sale of lands and tenements; (ii) advertising
189 in two (2) newspapers and handbills under 10 Del. C. § 4973 (Notice
190 of public sale of real estate); (iii) advertising, selling or auctioning,
191 under order of a court or a judge, goods and chattels, lands and
192 tenements.
193
- 194 17. Auctioneer fee, when applicable, for each sale performed during the
195 Sheriff sale.....\$30.00
196

197 18. Four (4) percent on amount of the winning high bid when selling
198 lands and tenements on execution, except that the total amount paid
199 under this Subsection shall not be less than \$700.00 and shall not
200 exceed \$15,000.00.

201
202 Purchase deposits shall be twenty (20) percent on mortgage
203 foreclosure and judgment and full payment at the time of a monition
204 (tax) sale, and shall be non-refundable, unless otherwise ordered by
205 the Court.

206
207 The Sheriff's Office will be paid \$500.00 where the sheriff sale is set
208 aside, for any reason, by the court.

209
210 The Sheriff's Office will receive \$500.00 of any deposit where final
211 payment is not received from the Buyer/Assignee on or before the
212 stated due date.

213
214 19. Service Fee for executing an assignment of bid 0.25% of the high
215 bid amount with a minimum of \$125.00 (per assignment).

216
217 20. For serving each writ, process or notice on behalf of any State
218 agency.....\$20.00

219
220 21. For the service of a civil capias, to be levied upon the law firm or
221 individual requesting the capias.....\$100.00

222
223 22. The same fees as for like services upon execution process generally
224 for executing a writ or levying costs of a contested election for the
225 General Assembly.

226
227 23. There shall be no mileage charged in connection with any case
228 charges.

229
230 24. Special services: For an extra deputy sheriff (including vehicle, per
231 deputy per hour).....\$75.00

232
233 25. Additional compensation to be allowed by the court for other extra
234 services.

235
236 26. For photocopies or electronic delivery (per page).....\$1.00

237
238 27. For a copy (paper or electronic) of the Sheriff sale list.....\$20.00

239
240 ~~B. In cases in the Chancery Court of the State.~~

241
242 ~~1. Serving and returning restraining order or subpoena in~~
243 ~~Chancery (per defendant)....\$15.00~~

244
245 ~~2. For serving writ of summons and complaint on each defendant~~
246 ~~at separate addresses....30.00~~
247 ~~For each additional defendant at same address....5.00~~
248

- ~~3. For serving an amended document, alias document, and for each subsequent pluries document....30.00~~
- ~~4. For photocopies or electronic delivery (per page)....1.00~~
- ~~5. Additional compensation to be allowed by the Chancellor for other extra services.~~
- ~~6. Such costs, charges, fees, premiums, and allowances as shall be fixed and determined by the various vendors and the Sheriff for the following: (i) advertising sale of lands and tenements; (ii) advertising in two (2) newspapers and handbills under 10 Del. C. § 4973 (Notice of public sale of real estate); (iii) advertising, selling or auctioning, under order of a court or judge, goods and chattels, lands and tenements.~~
- ~~7. Four (4) percent on amount of the winning high bid when selling lands and tenements on execution, except that the total amount paid under this Subsection shall not exceed ten thousand dollars (\$10,000.00) and shall not be less than five hundred dollars (\$500.00).~~
- ~~Purchase deposits shall be twenty (20) percent on mortgage foreclosure and full payment at the time of a monition sale, and shall be non-refundable, unless otherwise ordered by the Courts.~~
- ~~The Sheriff's Office will retain five hundred dollars (\$500.00) of any deposit that is forfeited under court order.~~
- ~~The Sheriff's Office will retain five hundred dollars (\$500.00) of any deposit where final payment is not received on or before the stated due date.~~
- ~~8. Such fees as allowed by the Court for forcible entry and detainer.~~
- ~~9. Auctioneer fee, when applicable, for each sale performed during the Sheriff sale....30.00~~
- ~~10. For services performed in executing a writ of possession or ejectment...100.00~~
~~Additional services beyond one (1) hour (per deputy per hour)....50.00~~
- ~~11. Pre-paid deposit by a plaintiff requesting an execution sale of real property, with costs to be assess against the deposit: 355.00/362.50 (depending upon location of property)....~~
- ~~12. For scheduling and executing a lands and tenements Sheriff sale, one hundred fifty dollars (\$150.00) to be charged against the three hundred fifty five dollar (\$355.00) or three~~

~~hundred sixty two dollar and fifty cent (\$362.50 375.00)~~
~~deposit when the property is scheduled for sale; charged~~
~~whether the property is stayed or sold.~~

~~C. In cases in the Court of Common Pleas~~

- ~~1. For serving writ of summons and complaint on each defendant
at separate addresses....\$30.00
Additional defendant at same address....5.00~~
- ~~2. For serving writ of alias summons and complaint for each
subsequent pluries summons and complaint
thereafter....30.00
Additional defendant at same address....5.00~~
- ~~3. For levying on goods and chattels or lands and tenements and
making inventory, causing appraisement, and making
return....50.00
Additional service beyond one (1) hour (per deputy per
hour)....50.00~~
- ~~4. For serving and returning subpoena to give evidence or to
bring papers for each person summoned both in civil or
criminal actions for the first such filing and each subsequent
filing on the same person in the same case....15.00~~
- ~~5. There shall be no mileage charged in connection with the
Court of Common Pleas case charges....~~
- ~~6. For services performed in executing a writ of possession or
ejectment....100.00
Additional service beyond one (1) hour (per deputy per
hour)....50.00~~
- ~~7. For photocopies or electronic delivery (per page)....1.00~~
- ~~8. Special services: For an extra deputy sheriff (including
vehicle, per deputy per hour)....50.00~~
- ~~9. For scheduling and executing a goods and chattels sale
(inclusive; charged whether the property is stayed or
sold)....100.00
For each additional deputy per hour....50.00~~
- ~~10. For serving and returning attachment fieri facias on each
defendant per address....30.00~~
- ~~11. For set up and services performed in executing a writ of
replevin....75.00
Additional service beyond one (1) hour (per deputy per
hour)....50.00~~

DB. In cases from a court not within the State of Delaware.

1. Serving and processing writs from other states within the United States (per address; includes affidavit of service).....~~\$75.00~~ \$85.00

Additional defendants at same address.....~~5.00~~ \$10.00

2. Serving and processing writs from the territories of the United States or outside of the United States (per address; includes affidavit of service).....~~90.00~~ \$105.00

Additional defendants at same address.....~~5.00~~ \$10.00

EC. All other services and documents not specifically enumerated in this Section.....~~\$30.00~~ \$40.00

FD. Collections fees for returned payments.

1. The Sheriff shall assess and collect from the presenter a fee of thirty-five dollars (\$35.00) whenever it is presented with a payment that is returned for any reason by the financial institution upon which it was drawn.

2. If the Sheriff incurs any costs in the collection of a returned payment, the Sheriff shall levy a charge in the full amount of those costs, plus a fee of ten dollars (\$10.00) to cover direct and indirect costs of administration.

3. In addition to these charges, the presenter shall be responsible for the payment of all costs or other fees charged by the County Sheriff, the Prothonotary, or the clerk of any court for the filing, service, satisfaction, or other activity in any legal action relating to the collection of returned payments.

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. Severability. The provisions of this Ordinance shall be severable. If any provision of this Ordinance is found by any court of competent jurisdiction to be unconstitutional or void, the remaining provisions of this Ordinance shall remain valid, unless the court finds that the valid provisions of this Ordinance are so essentially and inseparably connected with, and so dependent upon, the unconstitutional or void provision that it cannot be presumed that County Council would have enacted the remaining valid provisions without the unconstitutional or void one, or unless the court finds that the remaining valid provisions, standing alone, are incomplete and incapable of being executed in accordance with County Council's intent.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: The Sheriff has recommended these changes to adjust for increases in service costs and to consolidate the fee schedule of our current practices.

FISCAL NOTE: This Ordinance, if adopted, will generate approximately \$190,000 in additional annual revenue.

ORDINANCE NO. 24-050

**THE ANNUAL REVENUE ORDINANCE OF NEW CASTLE COUNTY
FOR FISCAL YEAR 2025 BEGINNING JULY 1, 2024**

WHEREAS, it has been certified to the County Council that the total value of all real property in the County which has been assessed and is subject to taxation is \$20,222,702,917 net of tax abatements.

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

Section 1. A tax upon all of the real property in New Castle County is hereby established and levied at the rate of 25.23 cents for each one hundred dollars of assessed valuation (based on 100 percent of July 1, 1983 fair market value) for the fiscal year beginning July 1, 2024, and ending June 30, 2025, to pay the costs of the General Operating Budget.

Section 2. A tax upon the real property in the following listed areas of New Castle County at the following listed rates for each one hundred dollars of assessed valuation is hereby established and levied for the fiscal year beginning July 1, 2024, and ending June 30, 2025, to pay costs under the Local Service Function Budget.

<u>Location</u>	<u>Tax Rate in Cents Per \$100 of Assessed Valuation</u>
Arden	48.55
Ardencroft	49.07
Ardentown	49.67
Bellefonte	53.87
Delaware City	24.15
Elsmere	13.82
Middletown	5.18
Newark	0.00
New Castle	8.85
Newport	11.13
Odessa	11.13
Townsend	7.38
Wilmington	0.00
Those portions of New Castle County not within any of the following incorporated municipalities	55.31

Section 3. A tax upon the real property in the light districts in New Castle County established pursuant to 9 Del. C. c. 21, is hereby established and levied for light districts at the following rates for each one hundred dollars of assessed valuation for the fiscal year beginning July 1, 2024, and ending June 30, 2025 to pay the cost of street and highway illumination:

<u>Light Code</u>	<u>Light District Installations</u>	<u>Tax Rate in Cents Per \$100 of Assessed Valuation</u>
<i>High Pressure Sodium (HPS) Units</i>		
TRL1	Cobra (formerly Incandescent)	1.230
TRLA	Cobra (formerly Mercury)	9.830
TRLQ	Metal Pole	17.320
TRLC	Traditionaire	13.640
TRLT	Limited Installation	6.700
TRLU	Turn of the Century	14.290
<i>Light Emitting Diode (LED) Units</i>		
TRLO	Cobra	10.980
TRLM	Traditionaire	18.300
TRLN	Granville	20.840

Section 4. A tax upon the full annual cost established pursuant to 9 Del. C. § 1339, is hereby established and levied for crossing guards by school district at the following rates for the fiscal year beginning July 1, 2024, and ending June 30, 2025.

<u>Crossing Guard Rates</u>	<u>Tax Rates in Cents Per \$100 of Assessed Valuation</u>
Appoquinimink School District	2.402
Brandywine (Area I)	2.180
Christina (Area III)	1.874
Colonial (Area IV)	2.345
Red Clay (Area II)	2.148

Section 5. Fees and charges not specified in this Ordinance shall be heretofore or hereafter established.

Section 6. Fees, fines, forfeitures, penalties, assessments, charges, receipts and income, together with needed reserves and available cash balances, shall be included in the receipts of New Castle County as collected during the fiscal year beginning July 1, 202, and ending June 30, 2025.

86 Section 7. The effective date for the provisions in this Ordinance shall be July 1,
87 2024.

88
89 Section 8. This Ordinance shall become effective immediately upon its adoption
90 by County Council and approval by the County Executive, or as otherwise provided by 9
91 *Del. C. § 1156.*

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance is the Annual Revenue Ordinance for Fiscal Year 2025.

Section 1 establishes a General Operating property tax rate in New Castle County.

Section 2 establishes the Local Service Function property tax rates in the listed areas of New Castle County.

Section 3 establishes the tax rates in the light districts of New Castle County.

Section 4 establishes the tax rates for school crossing guards.

Section 5 provides that fees and charges not specifically addressed in this Ordinance can be established at some future time.

Section 6 provides that other receipts and funding sources shall be included in the revenue of New Castle County collected during Fiscal Year 2025 to be used in accordance with the budget Ordinance.

FISCAL NOTE: This Ordinance proposes Fiscal Year 2025 tax rates which in conjunction with other anticipated sources of revenue are estimated to yield sufficient revenue to balance the proposed Fiscal Year 2025 Operating Budget.

These proposed real property tax rates applied to estimated taxable assessments and estimated quarterly additions (net of exemptions) are anticipated to yield approximately \$138,830,997.

The proposed light district tax rates, as cited in Section 3, are anticipated to yield revenues of \$7,877,485. These revenues, together with prior year tax collections and the use of available cash balances, are estimated to support direct street lighting expenses plus overhead.

The proposed school crossing guard tax rates, as set forth in Section 4, are anticipated to yield revenues of \$3,868,690. These revenues, together with prior year tax collections and the use of available cash balances, are estimated to support direct crossing guard expenses plus overhead.

This Ordinance, as proposed, has no explicit fiscal impact upon the next two fiscal years as the rates are legislated annually by County Council.

ORDINANCE NO. 24-051

**CALCULATION OF SEWER SERVICE CHARGES EFFECTIVE JULY 1, 2024
FOR FISCAL YEAR 2025**

WHEREAS, in accordance with *New Castle County Code* Chapter 38 ("Utilities"), Article 2 ("Sewers and Sewage Disposal"), Division 38.02.500 ("Sewer services charges"), Section 38.02.503 ("Schedule generally"), County Council must adopt applicable unit charges for sewer service.

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

Section 1. County Council adopts the following sewer unit charges for Fiscal Year 2025:

The following unit charges shall be effective other than for certain contract users:

\$5.034399/1000 gallons flow rate	(q)	
\$0.416813/lb. BOD		(b)
\$0.566035/lb. SS	(s)	

The rates for certain contract users shall be as follows:

\$3.422731/1000 gallons flow rate	(q)	
\$0.416813/lb. BOD		(b)
\$0.566035/lb. SS	(s)	

The Equivalent Dwelling Unit (EDU) rates shall be as follows:

Meter Size	EDU	Fixed Charge @ \$100 / EDU
1/2" or 5/8"	1.0	\$25*
3/4"	1.5	\$150
1"	2.5	\$250
1 1/2"	5.0	\$500
2.0	8.0	\$800
3.0	15.0	\$1,500
4.0	25.0	\$2,500
6.0	50.0	\$5,000
8.0	80.0	\$8,000
10.0	115.0	\$11,500
* For Fiscal Year 2025, the base rate of \$100/EDU has been discounted by 75% for meters up to 5/8".		

Section 2. Pursuant to Section 38.02.503.F., the annual minimum charge for sewer service shall be fifty-six dollars (\$56.00).

Section 3. The effective date for the provisions in this Ordinance shall be July 1, 2024.

Section 4. 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 Council of
New Castle County on:

Karen Hartley-Nagle
President of Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance establishes sewer service charges effective July 1, 2024, for Fiscal Year 2025.

FISCAL NOTE: This Ordinance proposes the adoption of the Fiscal Year 2025 sewer user rates which, in conjunction with other related sources of revenue, are estimated to yield sufficient revenue to balance the Fiscal Year 2025 sewer fund budget.

If adopted, this Ordinance would establish a Fiscal Year 2025 composite (flow \$5.034399 + (BOD \$0.416813 X 1.2510 (flow factor) = \$0.5214325) + (SS \$0.566035 X 1.5429 (flow factor) = \$0.8733356)) residential flow rate of \$6.42917 per 1,000 billable gallons. The composite rate remains unchanged from the FY2023 composite rate.

The rates contained in this Ordinance would, if adopted, be applied to all user classes, including \$7,400,000 for EDU as follows:

User Classification	Number of Users	Gross Billing
Residential	126,374	\$36,595,282
Industrial	21	\$10,500,000
Commercial	3,787	\$15,600,052
Apartment	227	\$9,000,000
Contract	5	\$6,200,000
Gross Billing	129,967	\$77,895,334
Less Allowance for Delinquent Accounts		(\$3,149,589)
Net Billing		<u>\$74,745,745</u>

ORDINANCE NO. 24-052

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF
NEW CASTLE COUNTY FOR THE PURPOSE OF FINANCING CERTAIN CAPITAL
PROJECTS APPROVED IN THE FISCAL YEAR 2025 CAPITAL BUDGET**

WHEREAS, Chapter 22 of Title 9 of the *Delaware Code*, as amended, authorizes New Castle County to plan, acquire, purchase, construct, reconstruct, improve, better, extend, maintain and operate sewerage systems therein defined, and the County Council of New Castle County has determined to extend existing sewerage systems now maintained by the County by rehabilitating and constructing local sewer projects and to improve existing sewer systems, pump stations, treatment plant sites, and facilities; and,

WHEREAS, Chapter 39 of Title 7 of the *Delaware Code*, as amended, authorizes New Castle County to carry out preventive and control measures and works of improvement for the prevention of erosion, floodwater, and sediment damages, and the County Council of New Castle County determines to construct, improve, and develop stormwater courses and facilities; and,

WHEREAS, Section 1163 of Title 9 of the *Delaware Code* authorizes New Castle County to issue bonds to finance the cost of any object, program or purpose for which New Castle County may raise, appropriate or expend money, and the County Council of New Castle County determines to expend money for various facilities and services; and,

WHEREAS, Subchapter III, of Chapter 13 of Title 9 of the *Delaware Code*, as amended, authorizes New Castle County to develop plans for buildings/facilities, parks, open spaces, natural areas and greenways within the County. Said plans provide for the acquisition of land for the development of parks and recreation facilities and the improvement and development of existing parks and buildings/facilities. The County has deemed it necessary to implement such plans for development and improvements.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS: (10/13^{ths} of all the members elected to the County Council concurring therein):

Section 1. New Castle County shall authorize the issuance of its negotiable bonds in the maximum aggregate net principal amount of \$21,461,546 to finance projects approved in the FY2025 Capital Budget (the maximum aggregate principal amount of the bonds to be issued for each purpose is set out in the following schedule):

BOND AUTHORIZATIONS	
MAXIMUM AGGREGATE	
<u>PURPOSE</u>	<u>PRINCIPAL AMOUNT</u>
(A) Sanitary Facilities/Stormwater	\$ 9,366,878
(B) Facilities/Equipment	2,019,708
(C) Parks	7,725,000
(D) Community Services	1,925,000
(E) Administration	425,000
TOTAL BOND AUTHORIZATIONS	<u>\$21,461,546</u>

Section 2. The monies raised by the issuance of the bonds hereby authorized after the payment of the charges and expenses connected with the preparation, sale, and issuance thereof shall be held in separate accounts and shall be expended only for the purposes for which said bonds have been authorized, or for the payment of the principal of, and interest on, temporary loans made in anticipation of the sale of such bonds.

Section 3. The effect of the bonded indebtedness hereby authorized upon the total bonded indebtedness of New Castle County is as shown on the attached fiscal note, Exhibit "A".

Section 4. It is hereby determined and declared that the normal life of said improvements is not less than three (3) years (§ 1163 of Title 9 of the *Delaware Code*).

Section 5. In accordance with Treasury Reg. § 1.150-2, the County hereby states its intentions that a portion of the proceeds of the bonds authorized hereunder will be used to reimburse itself for expenditures paid prior to the date of issuance of the bonds. All capitalized terms used herein and not otherwise defined have the same meaning as ascribed to them in Treasury Reg. § 1.150-2.

All original expenditures to be reimbursed will be capital expenditures (as defined in Treasury Reg. Sec. 1.150-1(b)) and other amounts permitted to be reimbursed pursuant to Treasury Reg. Sec. 1.150-2(d)(3) and (f). The County intends to reimburse the original expenditures through the County's incurrence of debt to be evidenced by the bonds. The description of the type and use of the property for which the original expenditure to be fully or partially reimbursed is to be paid is: costs relating to the projects as defined in Section 3 hereof. The maximum principal amount of the bonds to be issued to reimburse the costs of said projects paid prior to their issuance and to complete said projects is a net \$21,461,546 including the costs of issuance of the bonds.

Once the bonds are issued, the County shall allocate bond proceeds to reimburse a prior expenditure by making the allocation on its books and records maintained with respect to the bonds; provided that such costs to be reimbursed were paid not more than 60 days prior to the date hereof. Such allocations shall specifically identify the actual original expenditure to be reimbursed. Such allocations shall occur not later than 18 months after the later of (i) the date on which the original expenditure is paid, or (ii) the date the project is placed in service or abandoned, but in no event more than 3 years after the original expenditure is paid. If the bonds are issued before the expiration of the period prescribed in the preceding sentence, then the reimbursement allocation shall occur not later than the date of bonds are issued.

The bond proceeds used to reimburse the County for original expenditures will not be used within 1 year after the allocation in a manner that results in the creation of replacement proceeds (as defined in Treasury Reg. § 1.148-1) for the bonds authorized hereunder or for other bonds. The County will not use the proceeds of bonds to reimburse, refinance or refund an original expenditure paid by another obligation (either tax-exempt or taxable).

Section 6. Continuing Disclosure. The County covenants for the benefit of holders of any bonds that it issues in the public markets, whether pursuant to this Ordinance or otherwise, that, so long as any such bonds are outstanding, it will file, or cause to be filed, all financial information, operating data and notices of events, actions or failure to act, with such persons and entities and at such times as may be necessary to comply with the requirements of Rule 15c2-12(b) (5) of the Securities Exchange Act of 1934 with respect to such bonds. The Chief Financial Officer shall by Resolution adopted in connection with the issuance of such bonds specify the specific actions that the County shall be obligated to undertake to comply with this Section. Upon approval of the

95 County Executive, the Chief Financial Officer is hereby authorized to take such other actions, by
96 contract with a fiscal agent or otherwise, as such official shall deem appropriate to cause the
97 County to comply with this Section.
98

99 Section 7. The effective date for the provisions in this Ordinance shall be July 1, 2024.
100

101 Section 8. This Ordinance shall become effective immediately upon its adoption by County
102 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:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance will authorize New Castle County to issue bonds in the net amount of \$21,461,546 to finance projects approved in the Fiscal Year 2025 Capital Budget.

FISCAL NOTE: See attached Exhibit "A" for fiscal impact of this Ordinance.

EXHIBIT "A"

FISCAL NOTE: This Ordinance will authorize County Bonds in the maximum aggregate principal amount (net of issuance costs) of \$21,461,546.

The fiscal impact of this Ordinance, if approved, is demonstrated on a pro-forma basis below:

<u>Previous Authorizations</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
Authorized and Issued Bonds ⁽¹⁾ (2/28/2024)	\$504,120,000	\$150,805,997	\$654,925,997
Authorized and Unissued Bonds (2/28/2024)	<u>131,383,970</u>	<u>55,181,267⁽²⁾</u>	<u>186,565,237</u>
Total Previous Authorizations	635,503,970	205,987,264	841,491,234
Proposed Net Authorizations ⁽³⁾ by the Ordinance	21,461,546	9,013,849 ⁽²⁾	30,475,395
Total Previous Authorizations and Proposed Net Authorizations	<u>\$656,965,516</u>	<u>\$215,001,113</u>	<u>\$871,966,629</u>

The following State Revolving Fund loans are not included in the above totals:

Authorized and Issued Bonds (2/28/2024)	\$24,418,970	\$4,242,573 ⁽⁴⁾	\$28,661,543
Authorized and Unissued Bonds (2/28/2024)	31,084,630	10,504,253 ⁽⁴⁾	41,588,883
Total Previous Authorizations	<u>\$55,503,600</u>	<u>\$14,746,826</u>	<u>\$70,250,426</u>

⁽¹⁾ These amounts have been adjusted to reflect retired principal and interest through 4/30/24.

⁽²⁾ Interest is computed at 4.0 percent.

⁽³⁾ Assuming a constant principal amount of \$1,073,077 over a term of twenty years, total debt service for the \$21,461,546 would be \$30,475,395.

⁽⁴⁾ Interest is based on estimated future repayment schedules. Interest rates for various loans are 2.00, 2.394 and 2.601 percent.

ORDINANCE NO. 24-053

**THE CAPITAL BUDGET ORDINANCE OF NEW CASTLE COUNTY
FOR THE FISCAL YEAR BEGINNING JULY 1, 2024**

1 **WHEREAS**, Chapter 22 of Title 9 of the *Delaware Code*, as amended, authorizes New
2 Castle County to plan, acquire, purchase, construct, reconstruct, improve, better and extend,
3 and maintain and operate sewerage systems therein defined, and the County Council of New
4 Castle County has determined to extend existing sewerage systems now maintained by the
5 County by rehabilitating and constructing local sewer projects and to improve existing sewer
6 systems, pump stations, treatment plant sites, and facilities; and

7
8 **WHEREAS**, Chapter 39 of Title 7 of the *Delaware Code*, as amended, authorizes New
9 Castle County to carry out preventive and control measures and works of improvement for the
10 prevention of erosion, floodwater, and sediment damages, and the County Council of New
11 Castle County determines to construct, improve, and develop stormwater courses and
12 facilities; and

13
14 **WHEREAS**, Section 1163 of Title 9 of the *Delaware Code* authorizes New Castle
15 County to issue bonds to finance the cost of any object, program or purpose for which New
16 Castle County may raise, appropriate or expend money, and the County Council of New Castle
17 County determines to expend money for various facilities and services; and

18
19 **WHEREAS**, Subchapter III, Chapter 13 of Title 9 of the *Delaware Code*, as amended,
20 authorizes New Castle County to develop plans for buildings/facilities, parks, open spaces,
21 natural areas and greenways within the County. Said plans provide for the acquisition of land
22 for the development of parks and recreation facilities and the improvements and development
23 of existing parks and buildings/facilities. The County has deemed it necessary to implement
24 such plans for development and improvements.

25
26 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

27
28 Section 1. Exhibit "A", entitled "Capital Budget – FY2025" consisting of two (2) pages,
29 dated March 31, 2024, attached hereto and made a part hereof, is hereby adopted as the
30 Capital Budget of New Castle County for the fiscal year beginning July 1, 2024, and ending
31 June 30, 2025.

32
33 Section 2. The projects listed on Exhibit "B," entitled "Projects to Sunset Fiscal Year
34 End 2024" will sunset in accordance with Key Financial Policy (KFP) #1 on June 30, 2024. All
35 unexpended appropriations and bond authorizations on June 30, 2024, will be deauthorized.
36 Any encumbrances will remain open until liquidated.

37
38 Section 3. This Ordinance shall become effective immediately upon its adoption by
39 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* §
40 1156.

41
42 Section 4. The effective date for the provisions in this Ordinance shall be July 1, 2024.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance is the Capital Budget Ordinance for the Fiscal Year 2025, authorizing capital spending of \$34,207,715 for 46 County projects. This Ordinance also will deauthorize the projects on Exhibit "B" and the corresponding available appropriations and bond authorizations on June 30, 2024.

FISCAL NOTE: The Capital Budget Ordinance for Fiscal Year 2025 authorizes capital spending of \$34,207,715 for various projects. A companion Ordinance authorizing the issuance of General Obligation Bonds of \$21,461,546 to fund the Capital Budget must be adopted.

In addition, this Ordinance sunsets 8 capital projects, effective June 30, 2024. Projects are listed on Exhibit "B".

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2025

24-053

DEPARTMENT OF ADMINISTRATION

Firewall Replacement	\$	425,000
Subtotal	\$	425,000

DEPARTMENT OF COMMUNITY SERVICES

Appoquinimink Library	\$	54,482
Glasgow Library		150,000
Newark Library		4,700,000
Rockwood Museum		175,000
Surratte Pool Renovations		50,000
Subtotal	\$	5,129,482

DEPARTMENT OF PUBLIC SAFETY

Public Safety Equipment	\$	136,000
Public Safety Vest Protection Program		264,515
Subtotal	\$	400,515

DEPARTMENT OF PUBLIC WORKS

Facilities/Equipment

Electric Vehicle Infrastructure	\$	2,019,708
Fleet Equipment 2022		(450,000)
Fleet Equipment 2023		(1,900,000)
Fleet Equipment 2024		49,590
Fleet Equipment 2025		6,510,906
Subtotal	\$	6,230,204

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2025

24-053

DEPARTMENT OF PUBLIC WORKS (Continued)

Parks

Agricultural Preservation	\$	1,500,000
Bechtel Park Improvements		2,250,000
Game Court Improvements Pre-2021		(106,744)
Game Court Improvements 2021		181,744
General Parkland Improvements 2024-2025		750,000
Greenway Systems		1,000,000
Open Space Preservation		1,000,000
Southern Regional Park		4,400,000
Subtotal	\$	10,975,000

Sewer/Stormwater

Airport Road System Rehabilitation	\$	2,500,000
Brandywine Hundred South Rehabilitation Phase I		(450,000)
Christiana Pump Station Upgrade		(500,000)
Christina River Force Main		1,000,000
Countywide Drainage Problems		(500,000)
Delaware City Industrial Sewer Expansion		(2,500,000)
Delaware City Treatment Plant Rehab		(500,000)
DelDOT Coordination Project 2021		(500,000)
General Sewer Improvements		1,000,000
Glasgow Area Sewer Improvements		(400,000)
Holloway Terrace Outfall Replace		(1,000,000)
Public Works Complex		400,000
Pump Station Rehab 2024-2025		500,000
Septage Receiving Station Upgrade		300,000
Sewer Fleet Equipment 2022		(3,051)
Sewer Fleet Equipment 2023		(764,800)
Sewer Fleet Equipment 2025		2,665,366
Sewer Repairs and Rehabilitation 2024-2025		2,000,000
Stormwater Basin Renovation II		1,500,000
Terminal Avenue System Rehabilitation		(500,000)
Water Farm #1 System Rehabilitation		300,000
Water Quality Improvement Plans		2,400,000
White Clay System Rehabilitation		4,100,000
Subtotal	\$	11,047,515

CAPITAL BUDGET TOTAL

\$	34,207,715
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ORDINANCE NO. 24-054

**ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY
FOR THE FISCAL YEAR BEGINNING JULY 1, 2024**

1 **WHEREAS**, County Council has adopted revenue measures which together with
2 any reserves and available cash balances shall, in the opinion of the County Executive, be
3 estimated to yield sums at least sufficient to balance the proposed expenditures as set forth
4 herein.
5

6 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
7

8 Section 1. County Council hereby ordains that the taxes and other revenue
9 measures which the County Executive has certified as yielding sufficient revenue, together
10 with any reserves and available cash balances, serve to balance the Annual Operating
11 Budget of New Castle County for the fiscal year beginning July 1, 2024, and ending June
12 30, 2025.
13

14 Section 2. Exhibit "A," entitled "Departmental Operating Budget," consisting of six
15 (6) pages, attached hereto and made a part hereof, is adopted as the Annual Operating
16 Budget of Appropriations to the respective departments, offices, reserves and services for
17 the fiscal year beginning July 1, 2024, and ending June 30, 2025.
18

19 Section 3. Exhibit "B," entitled "Operating Budget Components," consisting of one
20 (1) page, attached hereto and made a part hereof, representing the component budgets
21 encompassed by the "Departmental Operating Budget" for the fiscal year beginning July 1,
22 2024, and ending June 30, 2025.
23

24 Section 4. As the County Council has done in all past years, by and through the
25 budget hearing, review, and adoption process undertaken for the FY2025 budget, the
26 County Council hereby confirms its review and approves the schedule of fees established
27 by the Department of Land Use set forth in, *inter alia*, Appendix 2 of Chapter 40 of the *New*
28 *Castle County Code* ("the UDC"). The County Council also confirms and clarifies that
29 through the budget hearing, review, and adoption process, it has reviewed and approved
30 the schedule of fees established by the Department of Land Use in all prior budget years,
31 and the County hereby confirms, clarifies, and ratifies its previous approvals of the fee
32 schedules heretofore established by the Department of Land Use.
33

34 Section 5. This Ordinance shall become effective immediately upon its adoption by
35 County Council and approval by the County Executive, or as otherwise provided by 9 *Del.*
36 *C. § 1156*.
37

38 Section 6. The effective date for the provisions in this Ordinance shall be July 1,
39 2024.

Adopted by Council of
New Castle County on:

Karen Hartley-Nagle
President of Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance authorizes the Annual Operating Budget of New Castle County for the fiscal year beginning July 1, 2024 and ending June 30, 2025.

Exhibit "A" provides a summary of appropriations to departments, row offices, reserves and non-departmental operating budgets.

Exhibit "B" provides the component budgets (i.e. General Operating, Local Service Function, Sewer, Crossing Guard and Street Lighting) encompassed by Exhibit "A."

FISCAL NOTE: This Ordinance embodies, by detailed appropriation, by object of expenditure for each department and office (Exhibit "A") as required by State Law, and, by component budgets supported by various revenue measures (Exhibit "B"), the County's Annual Operating Budget for Fiscal Year 2025.

The fiscal impact of this Ordinance is the authorization to expend \$342,427,908 in Fiscal Year 2025 and to legislate the amounts within New Castle County's reserve accounts.

This Ordinance has no explicit impact on subsequent fiscal years, as the Operating Budget is legislated annually by County Council.

EXHIBIT "A"
DEPARTMENTAL OPERATING BUDGET

COUNTY COUNCIL

Salaries and Wages	\$	2,552,351
Benefits		1,493,866
Training and Civic Affairs		70,388
Communication and Utilities		17,483
Materials and Supplies		62,776
Contractual Services		256,588
Equipment		1,600
Grants and Fixed Charges		440,233
Operating Transfer Charges		175,627
Total	\$	5,070,912
Total Authorized Full-Time Positions	35	

COUNTY EXECUTIVE

Salaries and Wages	\$	2,033,684
Benefits		1,190,296
Training and Civic Affairs		31,904
Communication and Utilities		16,798
Materials and Supplies		22,236
Contractual Services		148,565
Equipment		1,000
Grants and Fixed Charges		43,000
Contingency		55,000
Operating Transfer Charges		105,264
Total	\$	3,647,747
Total Authorized Full-Time Positions	17	

DEPARTMENT OF ADMINISTRATION

Salaries and Wages	\$	12,986,061
Benefits		7,506,461
Training and Civic Affairs		132,825
Communication and Utilities		8,258,220
Materials and Supplies		162,673
Contractual Services		6,855,976
Equipment		392,900
Grants and Fixed Charges		3,932,350
Operating Transfer Charges		1,142,324
Operating Transfer Credits		(12,812,422)
Total	\$	28,557,368
Total Authorized Full-Time Positions	168	

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	27,135,440
Benefits		15,765,968
Training and Civic Affairs		45,445
Communication and Utilities		26,068,271
Materials and Supplies		4,565,701
Contractual Services		10,843,698
Equipment		483,333
Grants and Fixed Charges		1,192,757
Land and Structures		35,000
Operating Transfer Charges		4,574,405
Operating Transfer Credits		(7,722,122)
Total	\$	82,987,896
Total Authorized Full-Time Positions	389	

DEPARTMENT OF LAND USE

Salaries and Wages	\$	8,156,971
Benefits		4,742,077
Training and Civic Affairs		66,975
Communication and Utilities		111,242
Materials and Supplies		101,727
Contractual Services		1,447,909
Equipment		44,940
Grants and Fixed Charges		56,500
Operating Transfer Charges		1,061,595
Total	\$	15,789,936
Total Authorized Full-Time Positions	112	

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	12,519,168
Benefits		5,565,327
Training and Civic Affairs		18,560
Communication and Utilities		1,069,498
Materials and Supplies		1,429,039
Contractual Services		2,214,606
Equipment		18,900
Grants and Fixed Charges		3,235,149
Operating Transfer Charges		1,175,272
Operating Transfer Credits		(225,977)
Total	\$	27,019,542
Total Authorized Full-Time Positions	162	

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	71,332,068
Benefits		40,954,368
Training and Civic Affairs		206,456
Communication and Utilities		1,008,304
Materials and Supplies		1,069,526
Contractual Services		2,251,228
Equipment		1,660,283
Grants and Fixed Charges		7,278,357
Operating Transfer Charges		7,843,655
Total	\$	133,604,245
Total Authorized Full-Time Positions		728

REGISTER OF WILLS

Salaries and Wages	\$	1,159,211
Benefits		660,186
Training and Civic Affairs		34,950
Communication and Utilities		12,209
Materials and Supplies		10,053
Contractual Services		62,715
Equipment		2,800
Operating Transfer Charges		82,214
Total	\$	2,024,338
Total Authorized Full-Time Positions		20

RECORDER OF DEEDS

Salaries and Wages	\$	1,256,525
Benefits		723,402
Training and Civic Affairs		40,170
Communication and Utilities		33,689
Materials and Supplies		12,398
Contractual Services		82,718
Equipment		6,150
Grants and Fixed Charges		18,350
Operating Transfer Charges		162,265
Total	\$	2,335,667
Total Authorized Full-Time Positions	23	

SHERIFF

Salaries and Wages	\$	1,380,772
Benefits		804,406
Training and Civic Affairs		29,452
Communication and Utilities		14,993
Materials and Supplies		21,259
Contractual Services		55,999
Equipment		5,000
Operating Transfer Charges		142,020
Total	\$	2,453,901
Total Authorized Full-Time Positions	21	

CLERK OF THE PEACE

Salaries and Wages	\$	483,477
Benefits		282,975
Training and Civic Affairs		9,600
Communication and Utilities		5,484
Materials and Supplies		8,754
Contractual Services		18,268
Equipment Replacement		6,000
Operating Transfer Charges		30,824
Total	\$	845,382
Total Authorized Full-Time Positions	7	

DEBT SERVICE

Debt Service	\$	45,778,427
Total	\$	45,778,427
Total Authorized Full-Time Positions		

ETHICS COMMISSION

Salaries and Wages	\$	40,200
Benefits		4,181
Training and Civic Affairs		10,500
Communication and Utilities		1,898
Materials and Supplies		2,450
Contractual Services		235,747
Equipment		500
Operating Transfer Charges		6,360
Total	\$	301,836
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	\$	(6,164,693)
Personal Services - Employee Benefits	\$	(3,608,135)
Total	\$	(9,772,828)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	478,539
Total	\$	478,539

NEW CASTLE COUNTY

Salaries and Wages	\$	134,871,235
Benefits		76,085,378
Training and Civic Affairs		697,225
Communication and Utilities		36,618,089
Materials and Supplies		7,468,592
Contractual Services		24,474,017
Equipment		2,623,406
Grants and Fixed Charges		16,196,696
Debt Service		45,778,427
Land and Structures		35,000
Contingency		1,838,539
Operating Transfer Charges		16,501,825
Operating Transfer Credits		(20,760,521)
<i>Sub-Total New Castle County</i>	\$	342,427,908
<i>Total Authorized Full-Time Positions</i>		1,682

RESERVE ACCOUNTS ANTICIPATED BALANCES AS OF JUNE 30, 2024

Tax Stabilization Reserve Account	63,193,549
Sewer Rate Stabilization Reserve Account	7,482,353
General Fund Budget Reserve Account	44,592,418
Sewer Fund Budget Reserve Account	18,872,304
<i>Total Reserves:</i>	134,140,624

**OPERATING BUDGET COMPONENTS
FISCAL YEAR 2025**

General Operating Budget	\$	106,039,101
Local Service Function Budget		135,070,632
Sewer Fund		88,915,956
Street Light Fund		8,496,529
Crossing Guard Fund		3,905,690
Recommended Operating Budget	\$	342,427,908

ORDINANCE NO. 24-055

**AMEND THE FY2025 APPROVED OPERATING BUDGET:
REALLOCATE \$8,000,000 FROM THE REASSESSMENT RESERVE ACCOUNT TO
THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT AND
APPROPRIATE FUNDING FOR PAY PLAN INCREASES FOR ALL CERTIFIED
POLICE CLASSIFICATIONS**

1 **WHEREAS**, County Council established the Reassessment Reserve Account via
2 Ordinance 19-016 on March 14, 2019; and

3
4 **WHEREAS**, County Council approved the transfer of \$26,640,000 from the
5 General Fund Tax Stabilization Reserve Account to the Reassessment Reserve
6 Account via Ordinance 21-014 on March 16, 2021; and

7
8 **WHEREAS**, the estimated balance of the Reassessment Reserve Account will
9 be \$10,000,000 upon completion of the current reassessment project, including the
10 appeal process; and

11
12 **WHEREAS**, approval is requested to transfer \$8,000,000 from the
13 Reassessment Reserve Account to the General Fund Tax Stabilization Reserve
14 Account; and

15
16 **WHEREAS**, approval is also requested to appropriate \$8,000,000 from the
17 General Fund Tax Stabilization Reserve Account to fund pay plan increases for all
18 certified police classifications effective July 1, 2024; and

19
20 **WHEREAS**, the revenue measures heretofore adopted by the County Council,
21 are, in the opinion of the County Executive, estimated to yield sums at least sufficient to
22 balance the proposed expenditures as set forth in the Approved FY2025 Annual
23 Operating Budget as hereinafter amended.

24
25 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
26 (10/13^{ths} of all the members elected to the County Council concurring therein):

27
28 Section 1. The Annual Operating Budget for the fiscal year beginning July 1,
29 2024, is hereby amended by deleting the material stricken and adding the material
30 underscored on the attached "Exhibit A."

31
32 Section 2. The foregoing amendment shall be considered a part of the Annual
33 Operating Budget for the fiscal year beginning July 1, 2024, and shall be effective
34 retroactively as though incorporated initially in the Annual Operating Budget.

35
36 Section 3. This Ordinance shall become effective immediately upon its adoption
37 by County Council and approval by the County Executive, or as otherwise provided in 9
38 *Del. C. § 1156*.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, reallocates \$8,000,000 from the Reassessment Reserve Account to the General Fund Tax Stabilization Reserve Account. This Ordinance further amends the FY2025 Approved Operating Budget by appropriating \$8,000,000 from the General Fund Tax Stabilization Reserve Account to the Department of Public Safety, Division of Police Salaries and Benefits Budget Line Items. These funds are needed to fund pay plan increases for all certified police classifications.

FISCAL NOTE: This Ordinance, if approved, reallocates \$8,000,000 from the Reassessment Reserve Account to the General Fund Tax Stabilization Reserve Account. This Ordinance further amends the FY2025 Approved Operating Budget by appropriating \$8,000,000 from the General Fund Tax Stabilization Reserve Account to the Department of Public Safety, Division of Police Salaries and Benefits Budget Line Items. These funds are needed to fund pay plan increases for all certified police classifications.

The revised FY2025 Approved Operating Budget will be \$350,427,908. The Reassessment Reserve Account balance upon passage of this Ordinance will be \$2,000,000. The General Fund Tax Stabilization Reserve balance upon passage of this Ordinance will be \$63,193,549.

COUNTY COUNCIL

Salaries and Wages	\$	2,552,351
Benefits		1,493,866
Training and Civic Affairs		70,388
Communication and Utilities		17,483
Materials and Supplies		62,776
Contractual Services		256,588
Equipment		1,600
Grants and Fixed Charges		440,233
Operating Transfer Charges		175,627
Total	\$	5,070,912
Total Authorized Full-Time Positions	35	

COUNTY EXECUTIVE

Salaries and Wages	\$	2,033,684
Benefits		1,190,296
Training and Civic Affairs		31,904
Communication and Utilities		16,798
Materials and Supplies		22,236
Contractual Services		148,565
Equipment		1,000
Grants and Fixed Charges		43,000
Contingency		55,000
Operating Transfer Charges		105,264
Total	\$	3,647,747
Total Authorized Full-Time Positions	17	

DEPARTMENT OF ADMINISTRATION

Salaries and Wages	\$	12,986,061
Benefits		7,506,461
Training and Civic Affairs		132,825
Communication and Utilities		8,258,220
Materials and Supplies		162,673
Contractual Services		6,855,976
Equipment		392,900
Grants and Fixed Charges		3,932,350
Operating Transfer Charges		1,142,324
Operating Transfer Credits		(12,812,422)
Total	\$	28,557,368
Total Authorized Full-Time Positions	168	

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	27,135,440
Benefits		15,765,968
Training and Civic Affairs		45,445
Communication and Utilities		26,068,271
Materials and Supplies		4,565,701
Contractual Services		10,843,698
Equipment		483,333
Grants and Fixed Charges		1,192,757
Land and Structures		35,000
Operating Transfer Charges		4,574,405
Operating Transfer Credits		(7,722,122)
Total	\$	82,987,896
Total Authorized Full-Time Positions	389	

DEPARTMENT OF LAND USE

Salaries and Wages	\$	8,156,971
Benefits		4,742,077
Training and Civic Affairs		66,975
Communication and Utilities		111,242
Materials and Supplies		101,727
Contractual Services		1,447,909
Equipment		44,940
Grants and Fixed Charges		56,500
Operating Transfer Charges		1,061,595
Total	\$	15,789,936
Total Authorized Full-Time Positions	112	

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	12,519,168
Benefits		5,565,327
Training and Civic Affairs		18,560
Communication and Utilities		1,069,498
Materials and Supplies		1,429,039
Contractual Services		2,214,606
Equipment		18,900
Grants and Fixed Charges		3,235,149
Operating Transfer Charges		1,175,272
Operating Transfer Credits		(225,977)
Total	\$	27,019,542
Total Authorized Full-Time Positions	162	

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	71,332,068	\$	77,332,068
Benefits	40,954,368		42,954,368
Training and Civic Affairs			206,456
Communication and Utilities			1,008,304
Materials and Supplies			1,069,526
Contractual Services			2,251,228
Equipment			1,660,283
Grants and Fixed Charges			7,278,357
Operating Transfer Charges			7,843,655
Total	133,604,245	\$	<u>141,604,245</u>
Total Authorized Full-Time Positions	728		

REGISTER OF WILLS

Salaries and Wages		\$	1,159,211
Benefits			660,186
Training and Civic Affairs			34,950
Communication and Utilities			12,209
Materials and Supplies			10,053
Contractual Services			62,715
Equipment			2,800
Operating Transfer Charges			82,214
Total		\$	<u>2,024,338</u>
Total Authorized Full-Time Positions	20		

RECORDER OF DEEDS

Salaries and Wages		\$	1,256,525
Benefits			723,402
Training and Civic Affairs			40,170
Communication and Utilities			33,689
Materials and Supplies			12,398
Contractual Services			82,718
Equipment			6,150
Grants and Fixed Charges			18,350
Operating Transfer Charges			162,265
Total		\$	2,335,667
Total Authorized Full-Time Positions	23		

SHERIFF

Salaries and Wages		\$	1,380,772
Benefits			804,406
Training and Civic Affairs			29,452
Communication and Utilities			14,993
Materials and Supplies			21,259
Contractual Services			55,999
Equipment			5,000
Operating Transfer Charges			142,020
Total		\$	2,453,901
Total Authorized Full-Time Positions	21		

CLERK OF THE PEACE

Salaries and Wages		\$	483,477
Benefits			282,975
Training and Civic Affairs			9,600
Communication and Utilities			5,484
Materials and Supplies			8,754
Contractual Services			18,268
Equipment Replacement			6,000
Operating Transfer Charges			30,824
Total		\$	845,382
Total Authorized Full-Time Positions	7		

DEBT SERVICE

Debt Service		\$	45,778,427
Total		\$	45,778,427
Total Authorized Full-Time Positions			

ETHICS COMMISSION

Salaries and Wages	\$	40,200
Benefits		4,181
Training and Civic Affairs		10,500
Communication and Utilities		1,898
Materials and Supplies		2,450
Contractual Services		235,747
Equipment		500
Operating Transfer Charges		6,360
Total	\$	301,836
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	\$	(6,164,693)
Personal Services - Employee Benefits	\$	(3,608,135)
Total	\$	(9,772,828)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	478,539
Total	\$	478,539

NEW CASTLE COUNTY

Salaries and Wages	134,871,235	\$	<u>140,871,235</u>
Benefits	76,085,378		<u>78,085,378</u>
Training and Civic Affairs			697,225
Communication and Utilities			36,618,089
Materials and Supplies			7,468,592
Contractual Services			24,474,017
Equipment			2,623,406
Grants and Fixed Charges			16,196,696
Debt Service			45,778,427
Land and Structures			35,000
Contingency			1,838,539
Operating Transfer Charges			16,501,825
Operating Transfer Credits			(20,760,521)
<i>Sub-Total New Castle County</i>	<i><u>342,427,908</u></i>	\$	<i><u>350,427,908</u></i>
<i>Total Authorized Full-Time Positions</i>	<i>1,682</i>		

RESERVE ACCOUNTS ANTICIPATED BALANCES AS OF JUNE 30, 2024

Tax Stabilization Reserve Account	63,193,549
Sewer Rate Stabilization Reserve Account	7,482,353
General Fund Budget Reserve Account	44,592,418
Sewer Fund Budget Reserve Account	18,872,304
<i>Total Reserves:</i>	<i>134,140,624</i>

ORDINANCE NO. 24-056

**AMEND THE PAY PLANS AND RATES OF PAY FOR ALL CERTIFIED POLICE
CLASSIFICATIONS**

1 **WHEREAS**, the County Executive has recommended amendments to the Pay
2 Plan and Rates of Pay for Fraternal Order of Police, New Castle County Lodge No. 5 to
3 reflect wage increases for certified police classifications; and
4

5 **WHEREAS**, the County Executive has recommended amendments to the Pay
6 Plan and Rates of Pay for Fraternal Order of Police, New Castle County Lodge No. 5
7 (Police Executive Staff) to reflect wage increases for police executive staff classifications;
8 and
9

10 **WHEREAS**, the County Executive has recommended amendments to the Pay
11 Plan and Rates of Pay for Non-Union Unclassified Service Employees of the Executive
12 Office to reflect wage increases for the Chief of Police classification.
13

14 **NOW, THEREFORE, THE NEW CASTLE COUNTY COUNCIL HEREBY**
15 **ORDAINS:**
16

17 Section 1. The Pay Plan and Rates of Pay for Fraternal Order of Police, New
18 Castle County Lodge No. 5 as set forth in Exhibit "A", amended by adding the material
19 that is underscored and deleting the material that is stricken for Fiscal Years 2024 and
20 2025.
21

22 Section 2. The Pay Plan and Rates of Pay for Fraternal Order of Police, New
23 Castle County Lodge No. 5 (Police Executive Staff) as set forth in Exhibit "B", amended
24 by adding the material that is underscored and deleting the material that is stricken for
25 Fiscal Years 2024 and 2025.
26

27 Section 3. The Pay Plan and Rates of Pay for Non-Union Unclassified Service
28 Employees of the County Executive as set forth in Exhibit "C", effective July 1, 2024, is
29 hereby amended by adding the material that is underscored and deleting the material that
30 is stricken.
31

32 Section 4. The Pay Plan and Rates of Pay for Non-Union Unclassified Service
33 Employees of the County Executive as set forth in Exhibit "D", effective July 1, 2025, is
34 hereby amended by adding the material that is underscored and deleting the material that
35 is stricken.
36

37 Section 5. The Pay Plan and Rates of Pay for Non-Union Unclassified Service
38 Employees of the County Executive as set forth in Exhibit "E", effective July 1, 2026, is
39 hereby amended by adding the material that is underscored and deleting the material that
40 is stricken.
41

42 Section 6. This Ordinance shall be effective upon adoption by New Castle County
43 Council and approval of the County Executive.

44 Section 7. It is the intent of the County Council that the provisions of this Ordinance
45 shall be effective July 1, 2024.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, amends the Pay Plan and Rates of Pay for Fraternal Order of Police, New Castle County Lodge No. 5; the Pay Plan and Rates of Pay for Fraternal Order of Police, New Castle County Lodge No. 5 (Police Executive Staff); and the Pay Plan and Rates of Pay for Non-Union Unclassified Service Employees of the County Executive for the Chief of Police effective July 1, 2024 by providing a 10% increase to all steps.

FISCAL IMPACT: This Ordinance, if approved, amends the Pay Plan and Rates of Pay for Fraternal Order of Police, New Castle County Lodge No. 5; the Pay Plan and Rates of Pay for Fraternal Order of Police, New Castle County Lodge No. 5 (Police Executive Staff); and the Pay Plan and Rates of Pay for Non-Union Unclassified Service Employees of the County Executive for the Chief of Police effective July 1, 2024 by providing a 10% increase to all steps.

The estimated fiscal impact on the Operating Budget for (Salaries/Wages \$6,000,000 and Benefits \$2,000,000) are as follows:

FY2025	\$8,000,000
FY2026	\$8,160,000
FY2027	\$8,160,000

**PAY PLAN AND RATES OF PAY FOR
FRATERNAL ORDER OF POLICE, NEW CASTLE COUNTY LODGE NO. 5**

Effective 7/1/2022												
CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	Completion of Year 18 Year 21
POLICE OFFICER	24	54,169	56,878	59,722	62,711	65,844	69,137	72,594	76,224	80,035	84,036	86,557 89,154
CORPORAL	25	56,878	59,722	62,711	65,844	69,137	72,594	76,224	80,035	84,036	88,239	90,886 93,613
SENIOR CORPORAL	26	59,722	62,711	65,844	69,137	72,594	76,224	80,035	84,036	88,239	92,651	95,430 98,293
MASTER CORPORAL	27	62,711	65,844	69,137	72,594	76,224	80,035	84,036	88,239	92,651	97,284	100,203 103,209
SERGEANT	29	69,137	72,594	76,224	80,035	84,036	88,239	92,651	97,284	102,147	107,254	110,472 113,786
SR. SERGEANT	30	72,594	76,224	80,035	84,036	88,239	92,651	97,284	102,147	107,254	112,618	115,996 119,476
LIEUTENANT	31	76,224	80,035	84,036	88,239	92,651	97,284	102,147	107,254	112,618	123,880	127,596 131,424
SR. LIEUTENANT	32	80,035	84,036	88,239	92,651	97,284	102,147	107,254	112,618	123,880	130,074	133,976 137,996

Effective 7/1/2023												
CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	Completion of Year 18 Year 21
POLICE OFFICER	24	55,524	58,300	61,215	64,278	67,490	70,865	74,409	78,130	82,035	86,137	88,721 91,383
CORPORAL	25	58,300	61,215	64,278	67,490	70,865	74,409	78,130	82,035	86,137	90,445	93,159 95,953
SENIOR CORPORAL	26	61,215	64,278	67,490	70,865	74,409	78,130	82,035	86,137	90,445	94,967	97,816 100,751
MASTER CORPORAL	27	64,278	67,490	70,865	74,409	78,130	82,035	86,137	90,445	94,967	99,716	102,708 105,789
SERGEANT	29	70,865	74,409	78,130	82,035	86,137	90,445	94,967	99,716	104,701	109,936	113,234 116,631
SR. SERGEANT	30	74,409	78,130	82,035	86,137	90,445	94,967	99,716	104,701	109,936	115,433	118,896 122,463
LIEUTENANT	31	78,130	82,035	86,137	90,445	94,967	99,716	104,701	109,936	115,433	126,977	130,786 134,710
SR. LIEUTENANT	32	82,035	86,137	90,445	94,967	99,716	104,701	109,936	115,433	126,977	133,326	137,326 141,446

Effective 7/1/2024												
CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	Completion of Year 18 Year 21
POLICE OFFICER	24	56,942 <u>72,637</u>	59,757 <u>72,637</u>	62,746 <u>72,637</u>	65,885 <u>72,637</u>	69,178 <u>76,269</u>	72,637 <u>80,082</u>	76,269 <u>84,086</u>	80,083 <u>88,291</u>	84,086 <u>92,705</u>	88,294 <u>97,341</u>	90,939 <u>100,261</u> 93,668 <u>103,269</u>
CORPORAL	25	59,757 <u>72,637</u>	62,746 <u>72,637</u>	65,885 <u>72,637</u>	69,178 <u>76,269</u>	72,637 <u>80,082</u>	76,269 <u>84,086</u>	80,083 <u>88,291</u>	84,086 <u>92,705</u>	88,294 <u>97,341</u>	92,706 <u>102,208</u>	95,487 <u>105,274</u> 98,352 <u>108,432</u>
SENIOR CORPORAL	26	62,746 <u>72,637</u>	65,885 <u>72,637</u>	69,178 <u>76,269</u>	72,637 <u>80,082</u>	76,269 <u>84,086</u>	80,083 <u>88,291</u>	84,086 <u>92,705</u>	88,294 <u>97,341</u>	92,706 <u>102,208</u>	97,341 <u>107,318</u>	100,262 <u>110,537</u> 103,269 <u>113,854</u>
MASTER CORPORAL	27	65,885 <u>72,637</u>	69,178 <u>76,269</u>	72,637 <u>80,082</u>	76,269 <u>84,086</u>	80,083 <u>88,291</u>	84,086 <u>92,705</u>	88,294 <u>97,341</u>	92,706 <u>102,208</u>	97,341 <u>107,318</u>	102,209 <u>112,684</u>	105,276 <u>116,064</u> 108,434 <u>119,546</u>
SERGEANT	29	72,637 <u>80,082</u>	76,269 <u>84,086</u>	80,083 <u>88,291</u>	84,086 <u>92,705</u>	88,294 <u>97,341</u>	92,706 <u>102,208</u>	97,341 <u>107,318</u>	102,209 <u>112,684</u>	107,319 <u>118,318</u>	112,684 <u>124,234</u>	116,065 <u>127,961</u> 119,546 <u>131,800</u>
SR. SERGEANT	30	76,269 <u>84,086</u>	80,083 <u>88,291</u>	84,086 <u>92,705</u>	88,294 <u>97,341</u>	92,706 <u>102,208</u>	97,341 <u>107,318</u>	102,209 <u>112,684</u>	107,319 <u>118,318</u>	112,684 <u>124,234</u>	118,319 <u>130,446</u>	121,869 <u>134,359</u> 125,525 <u>138,390</u>
LIEUTENANT	31	80,083 <u>88,291</u>	84,086 <u>92,705</u>	88,294 <u>97,341</u>	92,706 <u>102,208</u>	97,341 <u>107,318</u>	102,209 <u>112,684</u>	107,319 <u>118,318</u>	112,684 <u>124,234</u>	118,319 <u>136,657</u>	124,234 <u>143,490</u>	127,961 <u>147,795</u> 131,800 <u>152,229</u>
SR. LIEUTENANT	32	84,086 <u>92,705</u>	88,294 <u>97,341</u>	92,706 <u>102,208</u>	97,341 <u>107,318</u>	102,209 <u>112,684</u>	107,319 <u>118,318</u>	112,684 <u>124,234</u>	118,319 <u>136,657</u>	124,234 <u>143,490</u>	130,446 <u>150,665</u>	134,359 <u>155,185</u> 138,390 <u>159,840</u>

Effective 7/1/2025												
CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	Completion of Year 18 Year 21
POLICE OFFICER	24	58,334 <u>74,453</u>	61,251 <u>74,453</u>	64,344 <u>74,453</u>	67,532 <u>74,453</u>	70,907 <u>78,176</u>	74,453 <u>82,084</u>	78,176 <u>86,189</u>	82,085 <u>90,498</u>	86,189 <u>95,023</u>	90,498 <u>99,774</u>	93,213 <u>102,767</u> 96,009 <u>105,850</u>
CORPORAL	25	61,251 <u>74,453</u>	64,344 <u>74,453</u>	67,532 <u>74,453</u>	70,907 <u>78,176</u>	74,453 <u>82,084</u>	78,176 <u>86,189</u>	82,085 <u>90,498</u>	86,189 <u>95,023</u>	90,498 <u>99,774</u>	95,024 <u>104,763</u>	97,875 <u>107,906</u> 100,814 <u>111,143</u>
SENIOR CORPORAL	26	64,344 <u>74,453</u>	67,532 <u>74,453</u>	70,907 <u>78,176</u>	74,453 <u>82,084</u>	78,176 <u>86,189</u>	82,085 <u>90,498</u>	86,189 <u>95,023</u>	90,498 <u>99,774</u>	95,024 <u>104,763</u>	99,775 <u>110,001</u>	102,768 <u>113,301</u> 105,851 <u>116,700</u>
MASTER CORPORAL	27	67,532 <u>74,453</u>	70,907 <u>74,453</u>	74,453 <u>82,084</u>	78,176 <u>86,189</u>	82,085 <u>90,498</u>	86,189 <u>95,023</u>	90,498 <u>99,774</u>	95,024 <u>104,763</u>	99,775 <u>110,001</u>	104,765 <u>115,501</u>	107,908 <u>118,966</u> 111,145 <u>122,535</u>
SERGEANT	29	74,453 <u>82,084</u>	78,176 <u>86,189</u>	82,085 <u>90,498</u>	86,189 <u>95,023</u>	90,498 <u>99,774</u>	95,024 <u>104,763</u>	99,775 <u>110,001</u>	104,765 <u>115,501</u>	110,002 <u>121,276</u>	115,501 <u>127,340</u>	118,966 <u>131,160</u> 122,535 <u>135,095</u>
SR. SERGEANT	30	78,176 <u>86,189</u>	82,085 <u>90,498</u>	86,189 <u>95,023</u>	90,498 <u>99,774</u>	95,024 <u>104,763</u>	99,775 <u>110,001</u>	104,765 <u>115,501</u>	110,002 <u>121,276</u>	115,501 <u>127,340</u>	121,277 <u>133,707</u>	124,916 <u>137,718</u> 128,663 <u>141,849</u>
LIEUTENANT	31	82,085 <u>90,498</u>	86,189 <u>95,023</u>	90,498 <u>99,774</u>	95,024 <u>104,763</u>	99,775 <u>110,001</u>	104,765 <u>115,501</u>	110,002 <u>121,276</u>	115,501 <u>127,340</u>	121,277 <u>140,074</u>	127,340 <u>147,077</u>	131,160 <u>151,490</u> 135,095 <u>156,034</u>
SR. LIEUTENANT	32	86,189 <u>95,023</u>	90,498 <u>99,774</u>	95,024 <u>104,763</u>	99,775 <u>110,001</u>	104,765 <u>115,501</u>	110,002 <u>121,276</u>	115,501 <u>127,340</u>	121,277 <u>140,074</u>	127,340 <u>147,077</u>	140,076 <u>154,431</u>	144,278 <u>159,064</u> 148,606 <u>163,836</u>

**PAY PLAN AND RATES OF PAY FOR
FRATERNAL ORDER OF POLICE, NEW CASTLE COUNTY LODGE NO. 5
POLICE EXECUTIVE STAFF**

EXHIBIT B

CLASSIFICATION	PAY GRADE								Completion of	
		1	2	3	4	5	6	7	Year 18	Year 21
POLICE CAPTAIN	1	107,192	117,912	123,807	129,997	136,497	143,323	150,488	155,003	159,653
POLICE MAJOR	2	117,912	123,807	129,997	136,497	143,323	150,488	158,012	162,752	167,635
DEPUTY CHIEF OF POLICE	3	123,807	129,997	136,497	143,323	150,488	158,012	165,913	170,890	176,017

Effective: 07/01/2022 - 6/30/2023

CLASSIFICATION	PAY GRADE								Completion of	
		1	2	3	4	5	6	7	Year 18	Year 21
POLICE CAPTAIN	1	109,872	120,860	126,902	133,247	139,910	146,906	154,251	158,878	163,645
POLICE MAJOR	2	120,860	126,902	133,247	139,910	146,906	154,251	161,962	166,821	171,826
DEPUTY CHIEF OF POLICE	3	126,902	133,247	139,910	146,906	154,251	161,962	170,060	175,162	180,417

Effective: 07/01/2023 - 6/30/2024

CLASSIFICATION	PAY GRADE								Completion of	
		1	2	3	4	5	6	7	Year 18	Year 21
POLICE CAPTAIN	1	112,619	123,881	130,074	136,578	143,407	150,578	158,107	162,850	167,736
		<u>124,163</u>	<u>136,579</u>	<u>143,408</u>	<u>150,579</u>	<u>158,108</u>	<u>166,013</u>	<u>174,314</u>	<u>179,543</u>	<u>184,929</u>
POLICE MAJOR	2	123,881	130,074	136,578	143,407	150,578	158,107	166,011	170,992	176,121
		<u>136,579</u>	<u>143,408</u>	<u>150,579</u>	<u>158,108</u>	<u>166,013</u>	<u>174,314</u>	<u>183,029</u>	<u>188,520</u>	<u>194,176</u>
DEPUTY CHIEF OF POLICE	3	130,074	136,578	143,407	150,578	158,107	166,011	174,312	179,541	184,928
		<u>143,408</u>	<u>150,579</u>	<u>158,108</u>	<u>166,013</u>	<u>174,314</u>	<u>183,029</u>	<u>192,181</u>	<u>197,946</u>	<u>203,885</u>

Effective: 07/01/2024 - 6/30/2025

CLASSIFICATION	PAY GRADE								Completion of	
		1	2	3	4	5	6	7	Year 18	Year 21
POLICE CAPTAIN	1	115,435	126,978	133,326	139,992	146,993	154,343	162,060	166,921	171,929
		<u>127,267</u>	<u>139,994</u>	<u>146,993</u>	<u>154,343</u>	<u>162,060</u>	<u>170,163</u>	<u>178,671</u>	<u>184,032</u>	<u>189,552</u>
POLICE MAJOR	2	126,978	133,326	139,992	146,993	154,343	162,060	170,162	175,266	180,524
		<u>139,994</u>	<u>146,993</u>	<u>154,343</u>	<u>162,060</u>	<u>170,163</u>	<u>178,671</u>	<u>187,605</u>	<u>193,233</u>	<u>199,030</u>
DEPUTY CHIEF OF POLICE	3	133,326	139,992	146,993	154,343	162,060	170,162	178,670	184,030	189,551
		<u>146,993</u>	<u>154,343</u>	<u>162,060</u>	<u>170,163</u>	<u>178,671</u>	<u>187,605</u>	<u>196,985</u>	<u>202,895</u>	<u>208,982</u>

Effective: 07/01/2025

Ordinance 23-003

Ordinance 24-xxx (Effective 7/1/2024)

**PAY PLAN AND RATES OF PAY FOR
NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE**

EXHIBIT C

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
LEGAL SECRETARY	17	36,676	38,510	40,436	42,457	44,580	46,809	49,150	51,607	54,188	56,897
ETHICS COMMISSION ADMIN ASST	20	42,458	44,581	46,810	49,151	51,609	54,189	56,898	59,744	62,730	65,867
EXECUTIVE ASSISTANT I	22	46,809	49,150	51,607	54,188	56,897	59,743	62,729	65,866	69,159	72,617
OFFICE OF LAW PARALEGAL	24	51,609	54,189	56,898	59,744	62,730	65,867	69,160	72,618	76,249	80,062
PARALEGAL TO THE COUNTY ATTORNEY	25	54,190	56,899	59,745	62,732	65,868	69,161	72,619	76,250	80,063	84,066
EXECUTIVE ASSISTANT II LAW ENFORCEMENT TECHNICIAN	26 26	56,899	59,745	62,732	65,868	69,161	72,619	76,250	80,063	84,066	88,269
COMPLAINTS OFFICER	27	59,744	62,730	65,867	69,160	72,618	76,249	80,062	84,065	88,268	92,682
EXECUTIVE ASSISTANT III STAFF DIRECTOR	30 30	69,161	72,619	76,250	80,063	84,066	88,269	92,683	97,317	102,183	107,292
ASSISTANT COUNTY ATTORNEY I	32	76,252	80,065	84,068	88,271	92,685	97,319	102,185	107,294	112,658	118,291
ASSISTANT COUNTY ATTORNEY II DIRECTOR OF COMMUNICATIONS EXECUTIVE ASSISTANT IV	34 34 34	84,067	88,270	92,684	97,318	102,184	107,293	112,657	118,290	124,204	130,414
DIRECTOR OF REDEVELOPMENT	36	92,684	97,318	102,184	107,293	112,657	118,290	124,204	130,414	136,934	143,781
CHIEF HUMAN RESOURCES OFFICER CHIEF OF TECHNOLOGY AND ADMIN SERVICES COMMUNITY SERVICES DEPT. GEN. MANAGER	38 38 38	102,185	107,294	112,658	118,291	124,206	130,416	136,937	143,784	150,974	158,523
COUNTY SOLICITOR	39	107,295	112,659	118,293	124,207	130,417	136,938	143,785	150,975	158,524	166,449
CHIEF FINANCIAL OFFICER CHIEF OF STAFF COUNTY ATTORNEY DEPUTY CHIEF ADMINISTRATIVE OFFICER DIRECTOR OF PUBLIC SAFETY LAND USE DEPARTMENT GENERAL MANAGER POLICY DIRECTOR FOR THE COUNTY EXECUTIVE PUBLIC WORKS DEPARTMENT GENERAL MGR.	40 40 40 40 40 40 40 40	112,658	118,291	124,206	130,416	136,937	143,783	150,973	158,522	166,447	174,769
CHIEF OF POLICE	41	<u>125,167</u> <u>137,997</u>	<u>131,426</u> <u>144,896</u>	<u>137,996</u> <u>152,141</u>	<u>144,896</u> <u>159,748</u>	<u>152,141</u> <u>167,736</u>	<u>159,749</u> <u>176,123</u>	<u>167,736</u> <u>184,929</u>	<u>176,122</u> <u>194,175</u>	<u>184,929</u> <u>203,884</u>	<u>194,175</u> <u>214,078</u>
PART-TIME ATTORNEY (hourly rate)		42.42	44.54	46.77	49.11	51.57	54.15	56.86	59.70	62.69	65.82
EXECUTIVE AND ADMINISTRATIVE RATES OF PAY											
CHIEF ADMINISTRATIVE OFFICER		109,439	123,665	131,085	138,951	154,235	161,946	170,043	178,545	187,472	196,846
BOARD AND COMMISSIONERS RATES OF PAY											
JUDGEMENT COMMISSIONERS		\$9.25 PER HOUR									
MEMBER, BOARD OF ADJUSTMENT		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, BOARD OF ASSESSMENT REVIEW		\$100 PER MEETING FOR ANY MEETING LASTING NOT MORE THAN SIX (6) HOURS PLUS \$25 PER HOUR FOR EVERY HOUR OVER SIX THAT A MEMBER SPENDS HEARING APPEALS IN A SINGLE DAY.									
MEMBER, HISTORIC REVIEW BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, HUMAN RESOURCES ADVISORY BOARD		\$100 PER MEETING									
MEMBER, PLANNING BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, POLICE ACCOUNTABILITY BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									

Effective: 07/01/2024 (Ordinance 23-063)

Revised: 07/01/2024 (Ordinance 23-086)

Revised: 07/01/2023 (Ordinance 23-148)

Revised: 07/01/2024 (Ordinance 24-xxx)

**PAY PLAN AND RATES OF PAY FOR
NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE**

EXHIBIT D

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
LEGAL SECRETARY	17	37,593	39,473	41,447	43,519	45,695	47,980	50,379	52,898	55,543	58,320
ETHICS COMMISSION ADMIN ASST	20	43,520	45,696	47,981	50,380	52,900	55,544	58,321	61,238	64,299	67,514
EXECUTIVE ASSISTANT I	22	47,980	50,379	52,898	55,543	58,320	61,237	64,298	67,513	70,888	74,433
OFFICE OF LAW PARALEGAL	24	52,900	55,544	58,321	61,238	64,299	67,512	70,889	74,434	78,156	82,064
PARALEGAL TO THE COUNTY ATTORNEY	25	55,545	58,322	61,239	64,301	67,515	70,891	74,435	78,157	82,065	86,168
EXECUTIVE ASSISTANT II LAW ENFORCEMENT TECHNICIAN	26 26	58,322	61,239	64,301	67,515	70,891	74,435	78,157	82,065	86,168	90,476
COMPLAINTS OFFICER	27	61,238	64,299	67,514	70,889	74,434	78,156	82,064	86,167	90,475	95,000
EXECUTIVE ASSISTANT III STAFF DIRECTOR	30 30	70,891	74,435	78,157	82,065	86,168	90,476	95,001	99,750	104,738	109,975
ASSISTANT COUNTY ATTORNEY I	32	78,159	82,067	86,170	90,478	95,003	99,752	104,740	109,977	115,475	121,249
ASSISTANT COUNTY ATTORNEY II DIRECTOR OF COMMUNICATIONS EXECUTIVE ASSISTANT IV	34 34 34	86,169	90,477	95,002	99,751	104,739	109,976	115,474	121,248	127,310	133,675
DIRECTOR OF REDEVELOPMENT	36	95,002	99,751	104,739	109,976	115,474	121,248	127,310	133,675	140,358	147,376
CHIEF HUMAN RESOURCES OFFICER CHIEF OF TECHNOLOGY AND ADMIN SERVICES COMMUNITY SERVICES DEPT. GEN. MANAGER	38 38 38	104,740	109,977	115,475	121,249	127,312	133,677	140,361	147,379	154,749	162,487
COUNTY SOLICITOR	39	109,978	115,476	121,251	127,313	133,678	140,362	147,380	154,750	162,488	170,611
CHIEF FINANCIAL OFFICER CHIEF OF STAFF COUNTY ATTORNEY DEPUTY CHIEF ADMINISTRATIVE OFFICER DIRECTOR OF PUBLIC SAFETY LAND USE DEPARTMENT GENERAL MANAGER POLICY DIRECTOR FOR THE COUNTY EXECUTIVE PUBLIC WORKS DEPARTMENT GENERAL MGR.	40 40 40 40 40 40 40 40	115,475	121,249	127,312	133,677	140,361	147,378	154,748	162,486	170,609	179,139
CHIEF OF POLICE	41	<u>128,297</u> <u>141,447</u>	<u>134,712</u> <u>148,518</u>	<u>141,446</u> <u>155,945</u>	<u>148,519</u> <u>163,742</u>	<u>155,945</u> <u>171,929</u>	<u>163,743</u> <u>180,526</u>	<u>171,930</u> <u>189,552</u>	<u>180,526</u> <u>199,029</u>	<u>189,553</u> <u>208,981</u>	<u>199,030</u> <u>219,430</u>
PART-TIME ATTORNEY (hourly rate)		43.48	45.65	47.93	50.33	52.85	55.49	58.26	61.17	64.23	67.44
EXECUTIVE AND ADMINISTRATIVE RATES OF PAY											
CHIEF ADMINISTRATIVE OFFICER		112,175	126,757	134,363	142,425	158,091	165,995	174,295	183,009	192,159	201,768
BOARD AND COMMISSIONERS RATES OF PAY											
JUDGEMENT COMMISSIONERS		\$9.25 PER HOUR									
MEMBER, BOARD OF ADJUSTMENT		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, BOARD OF ASSESSMENT REVIEW		\$100 PER MEETING FOR ANY MEETING LASTING NOT MORE THAN SIX (6) HOURS PLUS \$25 PER HOUR FOR EVERY HOUR OVER SIX THAT A MEMBER SPENDS HEARING APPEALS IN A SINGLE DAY.									
MEMBER, HISTORIC REVIEW BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, HUMAN RESOURCES ADVISORY BOARD		\$100 PER MEETING									
MEMBER, PLANNING BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, POLICE ACCOUNTABILITY BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									

Effective: 07/01/2025 (Ordinance 23-063)

Revised: 07/01/2025 (Ordinance 23-086)

Revised: 07/01/2023 (Ordinance 23-148)

Revised: 07/01/2025 (Ordinance 24-xxx)

**PAY PLAN AND RATES OF PAY FOR
NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE**

EXHIBIT E

CLASSIFICATION	PAY	1	2	3	4	5	6	7	8	9	10
	GRADE										
LEGAL SECRETARY	17	38,533	40,460	42,484	44,607	46,838	49,180	51,639	54,221	56,932	59,778
ETHICS COMMISSION ADMIN ASST	20	44,608	46,839	49,181	51,640	54,223	56,933	59,780	62,769	65,907	69,202
EXECUTIVE ASSISTANT I	22	49,180	51,639	54,221	56,932	59,778	62,768	65,906	69,201	72,661	76,294
OFFICE OF LAW PARALEGAL	24	54,223	56,933	59,780	62,769	65,907	69,202	72,662	76,295	80,110	84,116
PARALEGAL TO THE COUNTY ATTORNEY	25	56,934	59,781	62,770	65,909	69,203	72,664	76,296	80,111	84,117	88,323
EXECUTIVE ASSISTANT II LAW ENFORCEMENT TECHNICIAN	26 26	59,781	62,770	65,909	69,203	72,664	76,296	80,111	84,117	88,323	92,738
COMPLAINTS OFFICER	27	62,769	65,907	69,202	72,662	76,295	80,110	84,116	88,322	92,737	97,375
EXECUTIVE ASSISTANT III STAFF DIRECTOR	30 30	72,664	76,296	80,111	84,117	88,323	92,738	97,377	102,244	107,357	112,725
ASSISTANT COUNTY ATTORNEY I	32	80,113	84,119	88,325	92,740	97,379	102,246	107,359	112,727	118,362	124,281
ASSISTANT COUNTY ATTORNEY II DIRECTOR OF COMMUNICATIONS EXECUTIVE ASSISTANT IV	34 34 34	88,324	92,739	97,378	102,245	107,358	112,726	118,361	124,280	130,493	137,017
DIRECTOR OF REDEVELOPMENT	36	97,378	102,245	107,358	112,726	118,361	124,280	130,493	137,017	143,867	151,061
CHIEF HUMAN RESOURCES OFFICER CHIEF OF TECHNOLOGY AND ADMIN SERVICES COMMUNITY SERVICES DEPT. GEN. MANAGER	38 38 38	107,359	112,727	118,362	124,281	130,495	137,019	143,871	151,064	158,618	166,550
COUNTY SOLICITOR	39	112,728	118,363	124,283	130,496	137,020	143,872	151,065	158,619	166,551	174,877
CHIEF FINANCIAL OFFICER CHIEF OF STAFF COUNTY ATTORNEY DEPUTY CHIEF ADMINISTRATIVE OFFICER DIRECTOR OF PUBLIC SAFETY LAND USE DEPARTMENT GENERAL MANAGER POLICY DIRECTOR FOR THE COUNTY EXECUTIVE PUBLIC WORKS DEPARTMENT GENERAL MGR.	40 40 40 40 40 40 40 40	118,362	124,281	130,495	137,019	143,871	151,063	158,617	166,549	174,875	183,618
CHIEF OF POLICE	41	128,297 <u>141,447</u>	134,712 <u>148,518</u>	141,448 <u>155,945</u>	148,520 <u>163,742</u>	155,946 <u>171,929</u>	163,743 <u>180,526</u>	171,930 <u>189,552</u>	180,527 <u>199,029</u>	189,553 <u>208,981</u>	199,031 <u>219,430</u>
PART-TIME ATTORNEY (hourly rate)		44.57	46.80	49.14	51.60	54.18	56.89	59.73	62.72	65.86	69.15
EXECUTIVE AND ADMINISTRATIVE RATES OF PAY											
CHIEF ADMINISTRATIVE OFFICER		114,980	129,926	137,723	145,986	162,044	170,145	178,653	187,585	196,963	206,813
BOARD AND COMMISSIONERS RATES OF PAY											
JUDGEMENT COMMISSIONERS		\$9.25 PER HOUR									
MEMBER, BOARD OF ADJUSTMENT		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, BOARD OF ASSESSMENT REVIEW		\$100 PER MEETING FOR ANY MEETING LASTING NOT MORE THAN SIX (6) HOURS PLUS \$25 PER HOUR FOR EVERY HOUR OVER SIX THAT A MEMBER SPENDS HEARING APPEALS IN A SINGLE DAY.									
MEMBER, HISTORIC REVIEW BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, HUMAN RESOURCES ADVISORY BOARD		\$100 PER MEETING									
MEMBER, PLANNING BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, POLICE ACCOUNTABILITY BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
Effective: 07/01/2026 (Ordinance 23-063)											
Revised: 07/01/2026 (Ordinance 23-086)											
Revised: 07/01/2023 (Ordinance 23-148)											
Revised: 07/01/2026 (Ordinance 24-xxx)											

SUBSTITUTE NO. 4 TO ORDINANCE NO. 23-122

**AMENDING NEW CASTLE COUNTY CODE CHAPTER 40
(THE “UNIFIED DEVELOPMENT CODE”), ARTICLE 22 (“DRAINAGE, UTILITIES,
SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING”)
AND ARTICLE 33 (“DEFINITIONS”) RELATING TO LIGHT POLLUTION
IN NEW CASTLE COUNTY**

1 **WHEREAS**, New Castle County recognizes the importance of energy
2 conservation as a means of achieving energy independence, reducing unnecessary
3 expenses, and reducing any negative environmental impact of energy generation; and
4

5 **WHEREAS**, this Ordinance applies to nonresidential land development
6 applications only; and
7

8 **WHEREAS**, the use of artificial outdoor lighting has proliferated in New Castle
9 County, resulting in a disruption to the natural patterns of wildlife and substantial negative
10 environmental impacts, increases in health implications, and wasted energy; and
11

12 **WHEREAS**, night skies are considered an air quality-related value under the *Clean*
13 *Air Act Amendments of 1977*, and air quality, in turn, affects the quality of the night sky;
14 and
15

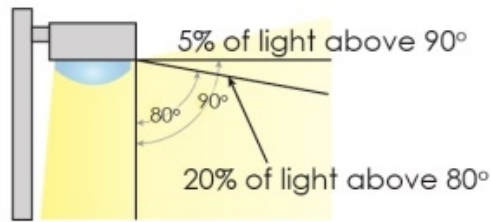
16 **WHEREAS**, light trespass from night lighting fixtures has increased dramatically,
17 negatively impacting the natural environment and the quality of life of people in the
18 County by, among other things, reducing night sky visibility and enjoyment for citizens
19 and visitors alike; and
20

21 **WHEREAS**, exposure to artificially extended daytime light is resulting in numerous
22 problems to our citizens, including sleep deprivation, fatigue, anxiety, stress, and other
23 health problems; and
24

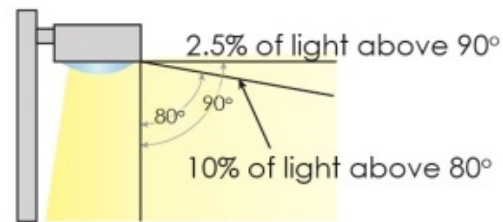
25 **WHEREAS**, vast amounts of money have been and continue to be wasted on
26 outdoor lighting; importantly, in contrast, proper and more efficient outdoor lighting
27 provides an appropriate amount of light... not too little and not too much; and
28

29 **WHEREAS**, limiting energy use and redirecting lighting to point downward, or in
30 a manner that substantially reduces disturbance to surrounding properties and/or night
31 sky light pollution will reduce energy costs, and provide a more natural environment for
32 wildlife and the residents of the County; and

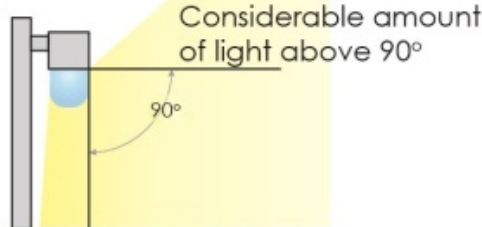
Semi-Cutoff



Cutoff



Non-Cutoff



~~Luminaire with cut-off less than 90 deg.~~

- ~~B. All luminaire output is to be aimed downward and shall meet Illuminating Engineering Society ("IES") full-cutoff/fully shielded criteria where possible, and have no direct uplight.~~
- ~~C. Luminaires with an aggregate rated lamp output not exceeding 500 lumens, e.g., the rated output of a standard non-directional 40-watt incandescent, 10-watt LED, or 10-watt compact fluorescent lamp, are exempt from the requirements of this Section.~~
- ~~D. When a non-residential use is adjacent to a residential zoning district or use, the maximum illumination from the non-residential use shall not exceed one-tenth (0.1) foot candle as measured at the residential property line. Non-cutoff street lights shall only be permitted if required by DelDOT. All light sources or luminaires that are installed pursuant to a plan submitted after January 1, 2022 shall utilize LEDs or other luminaire technologies that meet or exceed the energy efficiency of LEDs.~~

Section 2. *New Castle County Code* Ch. 40 ("Unified Development Code"), Article 22 ("Drainage, Utilities, Septic Systems, Parking, Loading, and Lighting"), Section 40.22.741 ("Sign lighting, shielded spotlights") is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

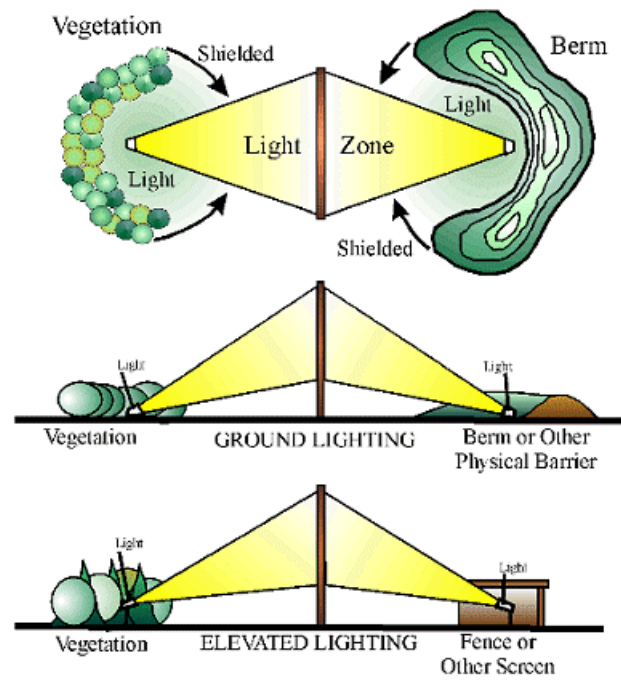
Sec. 40.22.741. - Sign lighting, shielded spotlights and floodlights.

- ~~A. Spotlights and floodlights~~ Shielded spots shall be screened by evergreen landscaping, walls, berms, and/or cutoff shielding so the light source is not visible off site. ~~All shielded spots in plans submitted after January 1, 2022 shall utilize LED or other luminaire technologies that are at least as energy efficient as LED.~~ In most cases, a combination of cutoff shielding and a landscape or other feature will be

needed to provide the necessary screening. Figure 40.22.741 provides an example of how this objective is to be accomplished.

- B. Spotlights and floodlights are to be installed and aimed so that they do not project their output onto neighboring residential properties, past the object being illuminated, skyward, or onto a public roadway. Spotlights and floodlights installed above grade shall not be aimed out more than 45% from straight down. When a spotlight or floodlight creates glare, as viewed from a neighboring residential property, it shall be re-aimed and/or fitted with a shielding device, if not already in place, to block the direct view of the glare from neighboring residences.

Figure 40.22.741
SHIELDED SPOTLIGHTS FOR SIGNS



- C. Vegetation screens must not be the primary means for shielding. Rather, glare control shall be achieved primarily through the use of full cutoff/fully shielded luminaires, shields and baffles, and appropriate application of luminaire mounting height, wattage, aiming angle, and luminaire placement.
- D. Spotlights and floodlights with an aggregate rated lamp output not exceeding 500 lumens, e.g., the rated output of a standard nondirectional 40-watt incandescent, 6-watt LED, or 10-watt compact fluorescent lamp, are exempt from the requirements of this Section.

Section 3. *New Castle County Code* Ch. 40 ("Unified Development Code"), Article 22 ("Drainage, Utilities, Septic Systems, Parking, Loading, and Lighting"), Section 40.22.750 ("Lighting, generally") is hereby amended by adding the material that is

underscored and deleting the material that is stricken, as set forth below.

Sec. 40.22.750. Lighting, generally.

~~A. Exterior lights for nonresidential uses shall be shielded, shaded or directed so that light intensity and glare shall not adversely affect neighboring residential property owners or passing motorists, and emit no upward light. Such lighting shall be considered to adversely affect another person when such lighting would disturb a person of normal sensibilities.~~

AB. Exterior lights in residential areas shall be shielded, shaded, or directed, as best as is reasonably possible, so that light intensity and glare shall not adversely affect neighboring property owners, pedestrians, or passing motorists, consistent with Sec. 40.22.720, and emit no upward light. Such lighting shall be considered to adversely affect someone when the lighting would disturb a person of normal sensibilities. All exterior lights in residential areas in plans submitted after January 1, 2022 shall utilize LED or other luminaire technologies that are at least as energy efficient as LED. Such lighting shall be considered to adversely affect another person when such lighting would disturb a person of normal sensibilities.

BC. All exterior lights depicted in lighting plans for nonresidential uses in plans submitted after January 1, 2022 shall utilize LED or other luminaire light emitting technologies that are at least as energy efficient as LEDs, having a light source efficacy of no less than 90 lumens per watt, and utilize “warm-white” or filtered LEDs (Correlated Color Temperature (CCT)) ≤ 3000K; S/P (Scotopic/Photopic) ratio ≤ 1.2) to minimize blue light emission.

CD. Because of the higher luminous efficiency of LEDs and potential environmental and ecological impacts and cost savings, plans for exterior lighting should strive to avoid over-lighting.

Section 4. *New Castle County Code* Ch. 40 (“Unified Development Code”), Article 33 (“Definitions”), Division 40.33.300 (“General Definitions”) is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

...
~~Cutoff-type luminaire. An outdoor lighting fixture, or luminaire, with shields, reflectors, or refractor panels which direct and cut off the light at an angle that is less than ninety (90) degrees. See Figure 40.22.720.~~

Cutoff fixture. An outdoor lighting fixture or luminaire with intensity at or above 90° (horizontal), where no more than 2.5% of the luminaire’s light intensity is emitted at or above horizontal, and no more than 10% of the luminaire’s light intensity is emitted at or above 80°. See Figure 40.22.720.

~~Luminaire, cutoff-type. See Cutoff-type luminaire.~~

160 Cutoff angle. The angle, formed by a line drawn from the light source to the ground,
161 and a line perpendicular to the ground from the light source, above which no light is
162 emitted.

163
164 Cutoff angle of a luminaire. The angle of an outdoor light fixture or luminaire,
165 measured up from the nadir (i.e., straight down), between the vertical axis and the first
166 line of sight at which the bare source (the bulb or lamp) is not visible.

167
168 Semi cut-off. A luminaire light distribution is designated as semi cut-off when the
169 candlepower per one thousand (1,000) lamp lumens does not numerically exceed fifty-
170 five (55) percent at an angle of ninety (90) degrees above nadir and two hundred twenty
171 (220) percent at an angle of eighty (80) degrees above nadir. This applies to any lateral
172 angle around the luminaire. An outdoor lighting fixture or luminaire with intensity at or
173 above 90° (horizontal), where no more than 5% of the luminaire's light intensity is
174 emitted at or above horizontal, and no more than 20% of the luminaire's light intensity
175 is emitted at or above 80°. See Figure 40.22.720.

176
177 Section 5. This Ordinance shall become effective on September 1, 2024, following
178 passage by New Castle Council and approval of the County Executive, or as otherwise
179 provided in 9 Del. C. § 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
of New Castle County

SYNOPSIS: The original Ordinance proposed changes which include revising *New Castle County Code* Chapter 40, Article 22 to provide more strategic and intentional light direction, instead of, for example, use of vegetative screens as the primary source of light shielding. The Ordinance also proposed supporting changes to definitions in Chapter 40, Article 33.

Improving energy usage and directing lighting only to where needed will limit light pollution, disruption of natural environmental patterns, negative health implications, and

the cost of energy in New Castle County. Furthermore, vegetative screens can easily die or be damaged or seasonal in nature, and, when this occurs, are not always replaced in a timely manner and/or adequately meet their needs.

Furthermore, vegetative screens can be part of the solution, but, for the reasons noted above, are not to be the primary means of shielding light. This Ordinance shall become effective on September 1, 2024.

The preceding Substitute (No. 3) amended the proposed Ordinance with clarifications regarding LED bulbs and other technologies and their efficacy and energy efficiency.

This Substitute, Substitute No. 4 to Ordinance No. 23-122, amends the proposed original Ordinance by further clarifying lighting standards, including application to spotlights and floodlights, and narrowed the application of the new standards.

FISCAL NOTE: There is no discernible fiscal impact.

SUBSTITUTE NO. 3 TO ORDINANCE NO. 23-122

**AMENDING NEW CASTLE COUNTY CODE CHAPTER 40
(THE “UNIFIED DEVELOPMENT CODE”), ARTICLE 22 (“DRAINAGE, UTILITIES,
SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING”)
AND ARTICLE 33 (“DEFINITIONS”) RELATING TO LIGHT POLLUTION
IN NEW CASTLE COUNTY**

1 **WHEREAS**, New Castle County recognizes the importance of energy
2 conservation as a means of achieving energy independence, reducing unnecessary
3 expenses, and reducing any negative environmental impact of energy generation; and
4

5 **WHEREAS**, the use of artificial outdoor lighting has proliferated in New Castle
6 County, resulting in a disruption to the natural patterns of wildlife and substantial negative
7 environmental impacts, increases in health implications, and wasted energy; and
8

9 **WHEREAS**, night skies are considered an air quality-related value under the *Clean*
10 *Air Act Amendments of 1977*, and air quality, in turn, affects the quality of the night sky;
11 and
12

13 **WHEREAS**, light trespass from night lighting fixtures has increased dramatically,
14 negatively impacting the natural environment and the quality of life of people in the
15 County by, among other things, reducing night sky visibility and enjoyment for citizens
16 and visitors alike; and
17

18 **WHEREAS**, exposure to artificially extended daytime light is resulting in numerous
19 problems to our citizens, including sleep deprivation, fatigue, anxiety, stress, and other
20 health problems; and
21

22 **WHEREAS**, vast amounts of money have been and continue to be wasted on
23 outdoor lighting; importantly, in contrast, proper and more efficient outdoor lighting
24 provides an appropriate amount of light... not too little and not too much; and
25

26 **WHEREAS**, limiting energy use and redirecting lighting to point downward, or in
27 a manner that substantially reduces disturbance to surrounding properties and/or night
28 sky light pollution will reduce energy costs, and provide a more natural environment for
29 wildlife and the residents of the County; and
30

31 **WHEREAS**, light pollution has been documented as a leading cause of insect
32 decline, through exhaustion, collision, incineration or increased predation, and which
33 cascades then into ecosystem decline, as well as negative impacts to birds, wildlife and
34 even fish as described by the [National Wildlife Federation](#); and

35 **WHEREAS**, inexpensive night lighting fixtures are readily available and are
36 designed to direct light only where it is needed, distribute light more efficiently and
37 effectively, and thereby reduce glare, light trespass, power consumption, and cost; and
38

39 **WHEREAS**, although artificial light at night has revolutionized the way we live
40 and work outdoors, it has come at a price, and as [DarkSky International](#) has
41 documented, when used indiscriminately, outdoor lighting can disrupt wildlife, impact
42 human health, waste money and energy, contribute to climate change, and block our
43 view of the universe; and
44

45 **WHEREAS**, County Council has determined that the provisions of this Ordinance
46 will substantially advance, and are reasonably and rationally related to, legitimate
47 government interests by promoting the health, safety, prosperity, and welfare of the
48 citizens of New Castle County.
49

50 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
51

52 Section 1. *New Castle County Code* Ch. 40 (the “Unified Development Code”),
53 Article 22 (“Drainage, Utilities, Septic Systems, Parking, Loading, and Lighting”), Section
54 40.22.720 (“Lighting Standards”) is hereby amended by adding the material that is
55 underscored and deleting the material that is stricken, as set forth below.
56

57 **Sec. 40.22.720. – Lighting ~~standards~~Standards.**

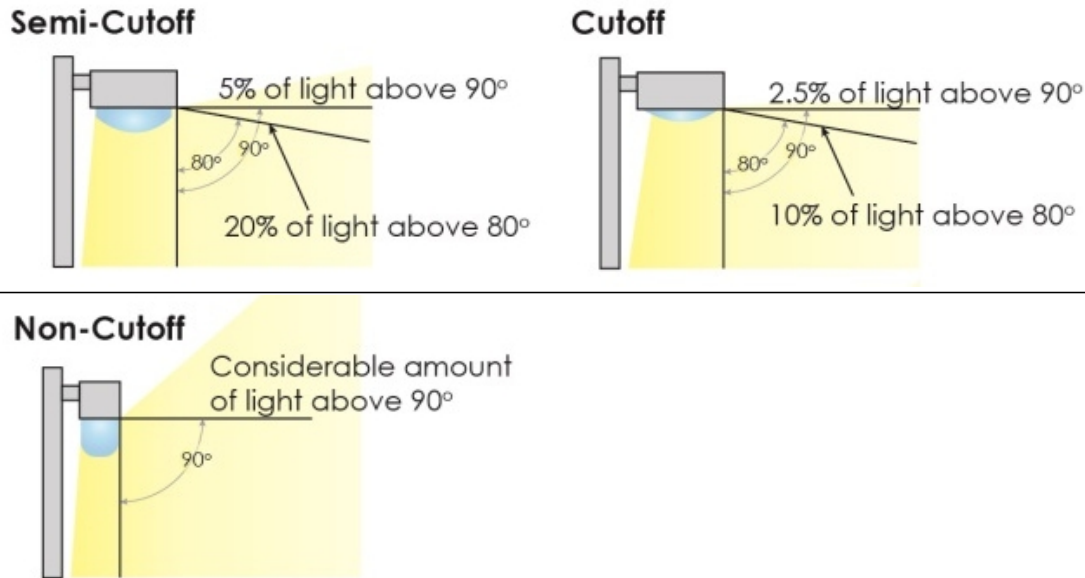
58 A. ~~Two (2) types of light~~ Light fixtures ~~sources,~~ or luminaires, luminaires are available
59 in different types including (See Figure 40.22.720):-

- 60 1. ~~One (1) is a~~ Non-cutoff fixtures
- 61 2. ~~Semisemi-cutoff fixture, directing fixtures which direct the light to partially~~
62 limit view of the light source, or luminaire. The second is a and
- 63 3. Full cutoff fixtures which shield~~fixture, shielding the light source from view~~
64 and prevent any upward light. Full cut-off is the condition where
65 the light emitted from the fixture does not extend upward beyond its bottom.

66 Non-cutoff fixtures are prohibited. The maximum permitted illumination and ~~the maximum~~
67 ~~permitted-luminaire height~~ are set forth in Table 40.04.111.

Figure 40.22.720
TYPES OF LUMINAIRE LUMINARIE

40-22-720



Luminaire with cut-off less than 90 deg.

- B. Regardless of whether the surface to be lit is primarily horizontal or non-horizontal, all luminaire output is to be aimed downward where possible, have no direct uplight, and shall meet Illuminating Engineering Society ("IES") full-cutoff/fully shielded criteria. In addition, luminaires shall have an IES Backlight Uplight Glare ("BUG") rating of at least B2-U0-G2, but a luminaire with a rating of B1-U0-G1 is preferred
- C. Luminaires with an aggregate rated lamp output not exceeding 500 lumens, e.g., the rated output of a standard non-directional 40-watt incandescent, 10-watt LED, or 10-watt compact fluorescent lamp, are exempt from the requirements of this Section.
- D. When a nonresidential use is adjacent to a residential zoning district or use, the maximum illumination from the non-residential use shall not exceed one-tenth (0.1) foot candle as measured at the residential property line. Non-cutoff street lights shall only be permitted if required by DelDOT. All light sources or luminaires that are installed pursuant to a plan submitted after January 1, 2022 shall utilize LEDs or other luminaire technologies that meet or exceed the energy efficiency of LEDs.

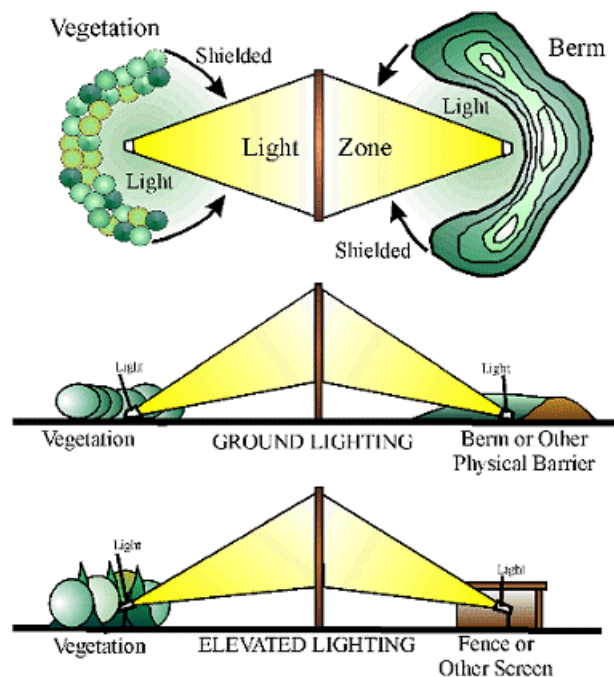
Section 2. *New Castle County Code* Ch. 40 ("Unified Development Code"), Article 22 ("Drainage, Utilities, Septic Systems, Parking, Loading, and Lighting"), Section 40.22.741 ("Sign lighting, shielded spotlights") is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

Sec. 40.22.741. - Sign lighting, shielded spotlights and floodlights.

A. Spotlights and floodlights Shielded spots shall be screened by evergreen landscaping, walls, berms, and/or cutoff shielding so the light source is not visible off site. All shielded spots in plans submitted after January 1, 2022 shall utilize LED or other luminaire technologies that are at least as energy efficient as LED. In most cases, a combination of cutoff shielding and a landscape or other feature will be needed to provide the necessary screening. Figure 40.22.741 provides an example of how this objective is to be accomplished.

B. Spotlights and floodlights are to be installed and aimed so that they do not project their output onto neighboring residential properties, past the object being illuminated, skyward, or onto a public roadway. Spotlights and floodlights installed above grade on residential properties shall not be aimed out more than 45 degrees from straight down. When a spotlight or floodlight creates glare, as viewed from a neighboring residential property, it shall be re-aimed and/or fitted with a shielding device, if not already in place, to block the direct view of the glare from neighboring residences.

Figure 40.22.741
SHIELDED SPOTLIGHTS FOR SIGNS



C. Vegetation screens must not be the primary means for shielding. Rather, glare control shall be achieved primarily through the use of means such as full cutoff/fully shielded luminaires, shields and baffles, and appropriate application of luminaire mounting height, wattage, aiming angle, and luminaire placement.

D. Spotlights and floodlights with an aggregate rated lamp output not exceeding 500 lumens, e.g., the rated output of a standard nondirectional 40-watt incandescent, 6-watt LED, or 10-watt compact fluorescent lamp, are exempt from the requirements of this Section.

E. Flag poles. It is preferred that flag poles not be illuminated at dark and, instead, that the traditional raising of the flag after dawn and lowering of the flag before sunset be followed. However, if a flag is illuminated during the hours of darkness, it is preferred that it be done so from above, and in such case the luminaire should shine down at 90 degrees and be fully shielded. The total number of lumens output from any luminaire mounted on top of a flag pole is limited to 2500 lumens.

Section 3. *New Castle County Code* Ch. 40 ("Unified Development Code"), Article 22 ("Drainage, Utilities, Septic Systems, Parking, Loading, and Lighting"), Section 40.22.750 ("Lighting, Generally") is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

Sec. 40.22.750. Lighting, generally.

~~A. Exterior lights for nonresidential uses shall be shielded, shaded, or directed so that light intensity and glare shall not adversely affect neighboring residential property owners or passing motorists, and emit no upward light. Such lighting shall be considered to adversely affect another person when such lighting would disturb a person of normal sensibilities.~~

AB. Exterior lights in residential areas shall be shielded, shaded, or directed, as best as is reasonably possible, so that light intensity and glare shall not adversely affect neighboring property owners, pedestrians, or passing motorists, consistent with Sec. 40.22.720., and emit no upward light. Such lighting shall be considered to adversely affect someone when the lighting would disturb a person of normal sensibilities. All exterior lights in residential areas in plans submitted after January 1, 2022 shall utilize LED or other luminaire light emitting technologies that are at least as energy efficient as LED. Such lighting shall be considered to adversely affect another person when such lighting would disturb a person of normal sensibilities.

BG. All exterior lights for nonresidential uses in plans submitted after January 1, 2022 shall utilize LED or other luminaire light emitting technologies that are at least as energy efficient as LEDs, having a light source efficacy of no less than 90 lumens per watt, and utilize "warm-white" or filtered LEDs (Correlated Color Temperature (CCT) ≤ 3000K; S/P (Scotopic/Photopic) ratio ≤ 1.2) to minimize blue light emission.

CD. Because of the higher luminous efficiency of LEDs and potential environmental and ecological impacts and cost savings, plans for exterior lighting should strive to avoid over-lighting.

Section 4. *New Castle County Code* Ch. 40 ("Unified Development Code"), Article 33 ("Definitions"), Division 40.33.300 ("General Definitions") is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

~~Cutoff-type luminaire. An outdoor lighting fixture, or luminaire, with shields, reflectors, or refractor panels which direct and cut off the light at an angle that is less than ninety (90) degrees.~~

Cutoff fixture. An outdoor lighting fixture or luminaire with intensity at or above 90 degrees above nadir (horizontal) no more than two and one-half (2.5) percent of lamp lumens and no more than ten (10) percent of lamp lumens at or above eighty degrees. See Figure 40.22.720.

~~Luminaire, cutoff-type. See Cutoff-type luminaire.~~

~~Cutoff angle. The angle, formed by a line drawn from the light source to the ground, and a line perpendicular to the ground from the light source, above which no light is emitted.~~

Cutoff angle of a luminaire. The angle of an outdoor light fixture or luminaire, measured up from the nadir (i.e., straight down), between the vertical axis and the first line of sight at which the bare source (the bulb or lamp) is not visible.

~~Semi cut-off. A luminaire light distribution is designated as semi cut-off when the candlepower per one thousand (1,000) lamp lumens does not numerically exceed fifty-five (55) (50) lumens or five (5) percent at an angle of ninety (90) degrees above nadir and two hundred twenty (220) (200) lumens or twenty (20) percent at an angle of eighty (80) degrees above nadir. This applies to any lateral angle around the luminaire. An outdoor lighting fixture or luminaire with intensity at or above ninety (90) degrees above nadir (horizontal) no more than five (5) percent of lamp lumens, and no more than twenty (20) percent of lamp lumens at or above eighty (80) degrees above nadir. See Figure 40.22.720.~~

Section 5. This Ordinance shall become effective on September 1, 2024, following passage by New Castle 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:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
of New Castle County

SYNOPSIS: The original Ordinance proposes changes which include revising *New Castle County Code* Chapter 40, Article 22 to provide more strategic and intentional light direction, instead of, for example, use of vegetative screens as the primary source of light shielding. The Ordinance also proposes supporting changes to definitions in Chapter 40, Article 33.

Improving energy usage and directing lighting only to where needed will limit light pollution, disruption of natural environmental patterns, negative health implications, and the cost of energy in New Castle County. Furthermore, vegetative screens can easily die or be damaged or seasonal in nature, and, when this occurs, are not always replaced in a timely manner and/or adequately meet their needs.

Finally, vegetative screens can be part of the solution, but, for the reasons noted above, shall not be the primary means of shielding light. This Ordinance shall become effective on September 1, 2024.

Substitute No. 3 to Ordinance No. 23-122 amends the proposed ordinance with clarifications regarding LED bulbs and other technologies and their efficacy and energy efficiency.

FISCAL NOTE: There is no discernible fiscal impact.

SUBSTITUTE NO. 2 TO ORDINANCE NO. 23-122

**AMENDING NEW CASTLE COUNTY CODE CHAPTER 40
(THE “UNIFIED DEVELOPMENT CODE”), ARTICLE 22 (“DRAINAGE, UTILITIES,
SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING”)
AND ARTICLE 33 (“DEFINITIONS”) RELATING TO LIGHT POLLUTION
IN NEW CASTLE COUNTY**

1 **WHEREAS**, New Castle County recognizes the importance of energy
2 conservation as a means of achieving energy independence, reducing unnecessary
3 expenses, and reducing any negative environmental impact of energy generation; and
4

5 **WHEREAS**, the use of artificial outdoor lighting has proliferated in New Castle
6 County, resulting in a disruption to the natural patterns of wildlife and substantial negative
7 environmental impacts, increases in health implications, and wasted energy; and
8

9 **WHEREAS**, night skies are considered an air quality-related value under the *Clean*
10 *Air Act Amendments of 1977*, and air quality, in turn, affects the quality of the night sky;
11 and
12

13 **WHEREAS**, light trespass from night lighting fixtures has increased dramatically,
14 negatively impacting the natural environment and the quality of life of people in the
15 County by, among other things, reducing night sky visibility and enjoyment for citizens
16 and visitors alike; and
17

18 **WHEREAS**, exposure to artificially extended daytime light is resulting in numerous
19 problems to our citizens, including sleep deprivation, fatigue, anxiety, stress, and other
20 health problems; and
21

22 **WHEREAS**, vast amounts of money have been and continue to be wasted on
23 outdoor lighting; importantly, in contrast, proper and more efficient outdoor lighting
24 provides an appropriate amount of light... not too little and not too much; and
25

26 **WHEREAS**, limiting energy use and redirecting lighting to point downward, or in
27 a manner that substantially reduces disturbance to surrounding properties and/or night
28 sky light pollution will reduce energy costs, and provide a more natural environment for
29 wildlife and the residents of the County; and
30

31 **WHEREAS**, light pollution has been documented as a leading cause of insect
32 decline, through exhaustion, collision, incineration or increased predation, and which
33 cascades then into ecosystem decline, as well as negative impacts to birds, wildlife and
34 even fish as described by the [National Wildlife Federation](#); and

35 **WHEREAS**, inexpensive night lighting fixtures are readily available and are
36 designed to direct light only where it is needed, distribute light more efficiently and
37 effectively, and thereby reduce glare, power consumption, and cost; and
38

39 **WHEREAS**, although artificial light at night has revolutionized the way we live
40 and work outdoors, it has come at a price, and as the [International Dark-Sky](#)
41 [Association](#) has documented, when used indiscriminately, outdoor lighting can
42 disrupt wildlife, impact human health, waste money and energy, contribute to climate
43 change, and block our view of the universe; and
44

45 **WHEREAS**, County Council has determined that the provisions of this Ordinance
46 will substantially advance, and are reasonably and rationally related to, legitimate
47 government interests by promoting the health, safety, prosperity, and welfare of the
48 citizens of New Castle County.
49

50 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
51

52 Section 1. *New Castle County Code* Ch. 40 (the “Unified Development Code”),
53 Article 22 (“Drainage, Utilities, Septic Systems, Parking, Loading, and Lighting”), Section
54 40.22.720 (“Lighting Standards”) is hereby amended by adding the material that is
55 underscored and deleting the material that is stricken, as set forth below.
56

57 **Sec. 40.22.720. – Lighting ~~standards~~Standards.**

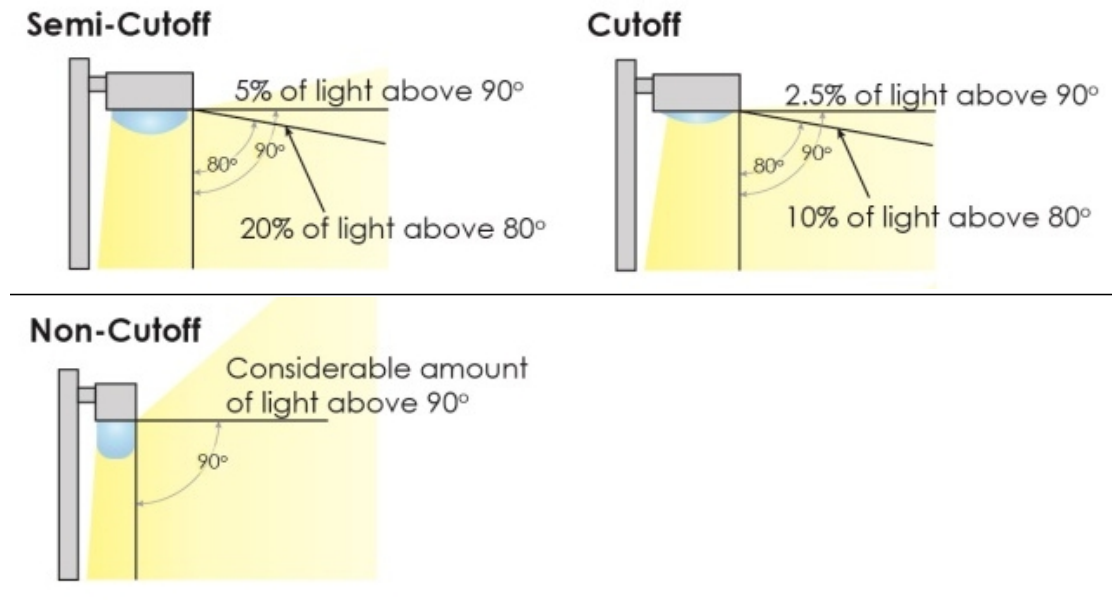
58 A. ~~Two (2) types of light~~ Light fixtures ~~sources, or luminaires, luminaries~~ are available
59 in different types including (See Figure 40.22.720):

- 60 1. ~~One (1) is a~~ Non-cutoff fixtures
- 61 2. ~~Semisemi-cutoff fixture, directing fixtures which direct the light to partially~~
62 limit view of the light source, or luminaire. The second is a and
- 63 3. Full cutoff fixtures which shield~~fixture, shielding the light source from view~~
64 and prevent any upward light. Full cut-off is the condition where
65 the light emitted from the fixture does not extend upward beyond its bottom.

66 Non-cutoff fixtures are prohibited. The maximum permitted illumination and ~~the maximum~~
67 permitted luminaire height are set forth in Table 40.04.111.

Figure 40.22.720
TYPES OF LUMINAIRE LUMINARIE

40-22-720



Luminaire with cut-off less than 90 deg.

- B. Regardless of whether the surface to be lit is primarily horizontal or non-horizontal, all luminaire output is to be aimed downward where possible, have no direct uplight, and shall meet Illuminating Engineering Society ("IES") full-cutoff/fully shielded criteria. In addition, luminaires shall have an IES Backlight Uplight Glare ("BUG") rating of at least B2-U0-G2, but a luminaire with a rating of B1-U0-G1 is preferred
- C. Luminaires with an aggregate rated lamp output not exceeding 500 lumens, e.g., the rated output of a standard non-directional 40-watt incandescent, 10-watt LED, or 10-watt compact fluorescent lamp, are exempt from the requirements of this Section.
- D. When a nonresidential use is adjacent to a residential zoning district or use, the maximum illumination shall not exceed one-tenth (0.1) foot candle as measured at the residential property line. ~~Non-cutoff street lights shall only be permitted if required by DeIDOT. All light sources or luminaires that are installed pursuant to a plan submitted after January 1, 2022 shall utilize LEDs or other luminaire light emitting technologies that meet or exceed the energy efficiency of LEDs.~~

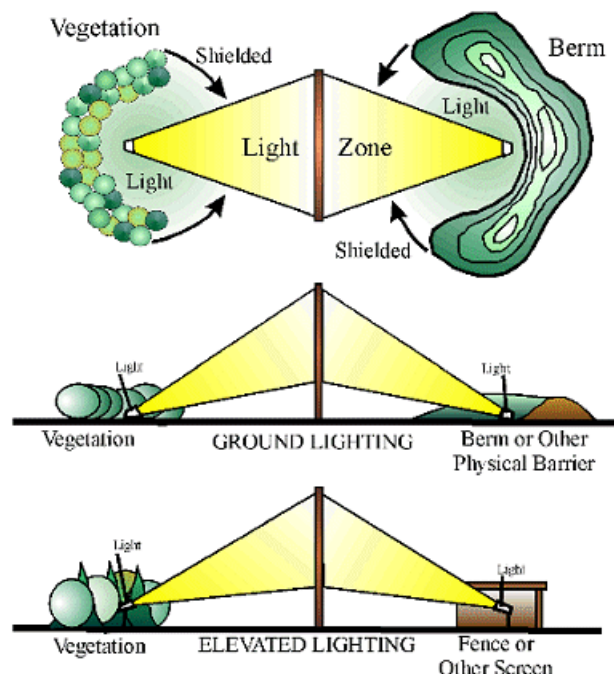
Section 2. *New Castle County Code* Ch. 40 ("Unified Development Code"), Article 22 ("Drainage, Utilities, Septic Systems, Parking, Loading, and Lighting"), Section 40.22.741 ("Sign lighting, shielded spotlights") is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

Sec. 40.22.741. - Sign lighting, shielded spotlights and floodlights.

A. Spotlights and floodlights Shielded spots shall be screened by evergreen landscaping, walls, berms, and/or cutoff shielding so the light source is not visible off site. All shielded spots ~~spotlights and floodlights~~ in plans submitted after January 1, 2022 shall utilize LED or other luminaire light emitting technologies that are at least as energy efficient as LED. In most cases, a combination of cutoff shielding and a landscape or other feature will be needed to provide the necessary screening. Figure 40.22.741 provides an example of how this objective is to be accomplished.

B. Spotlights and floodlights are to be installed and aimed so that they do not project their output onto neighboring residential properties, past the object being illuminated, skyward, or onto a public roadway. Spotlights and floodlights installed above grade on residential properties shall not be aimed out more than 45 degrees from straight down. When a spotlight or floodlight creates glare, as viewed from a neighboring residential property, it shall be re-aimed and/or fitted with a shielding device, if not already in place, to block the direct view of the glare from neighboring residences.

Figure 40.22.741
SHIELDED SPOTLIGHTS FOR SIGNS



C. Vegetation screens must not be the primary means for shielding. Rather, glare control shall be achieved primarily through the use of means such as full cutoff/fully shielded luminaires, shields and baffles, and appropriate application of luminaire mounting height, wattage, aiming angle, and luminaire placement.

D. Spotlights and floodlights with an aggregate rated lamp output not exceeding 500 lumens, e.g., the rated output of a standard nondirectional 40-watt incandescent, 6-watt LED, or 10-watt compact fluorescent lamp, are exempt from the requirements of this Section.

E. Flag poles. It is preferred that flag poles not be illuminated at dark and, instead, that the traditional raising of the flag after dawn and lowering of the flag before sunset be followed. However, if a flag is illuminated during the hours of darkness, it is preferred that it be done so from above, and in such case the luminaire should shine down at 90 degrees and be fully shielded. The total number of lumens output from any luminaire mounted on top of a flag pole is limited to 2500 lumens.

Section 3. *New Castle County Code* Ch. 40 ("Unified Development Code"), Article 22 ("Drainage, Utilities, Septic Systems, Parking, Loading, and Lighting"), Section 40.22.750 ("Lighting, Generally") is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

Sec. 40.22.750. Lighting, generally.

~~A. Exterior lights for nonresidential uses shall be shielded, shaded, or directed so that light intensity and glare shall not adversely affect neighboring residential property owners or passing motorists, and emit no upward light. Such lighting shall be considered to adversely affect another person when such lighting would disturb a person of normal sensibilities.~~

AB. Exterior lights in residential areas shall be shielded, shaded, or directed, as best as is reasonably possible, so that light intensity and glare shall not adversely affect neighboring property owners, pedestrians, or passing motorists, consistent with Sec. 40.22.720., and emit no upward light. Such lighting shall be considered to adversely affect someone when the lighting would disturb a person of normal sensibilities. All exterior lights in residential areas in plans submitted after January 1, 2022 shall utilize LED or other luminaire light emitting technologies that are at least as energy efficient as LED. Such lighting shall be considered to adversely affect another person when such lighting would disturb a person of normal sensibilities.

BG. All exterior lights for nonresidential uses in plans submitted after January 1, 2022 shall utilize LED or other luminaire light emitting technologies that are at least as energy efficient as LEDs, having a light source efficacy of no less than 90 lumens per watt, and utilize "warm-white" or filtered LEDs (Correlated Color Temperature (CCT) ≤ 3000K; S/P (Scotopic/Photopic) ratio ≤ 1.2) to minimize blue light emission.

CD. Because of the higher luminous efficiency of LEDs and potential environmental and ecological impacts and cost savings, plans for exterior lighting should strive to avoid over-lighting.

Section 4. *New Castle County Code* Ch. 40 ("Unified Development Code"), Article 33 ("Definitions"), Division 40.33.300 ("General Definitions") is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

~~Cutoff-type luminaire. An outdoor lighting fixture, or luminaire, with shields, reflectors, or refractor panels which direct and cut off the light at an angle that is less than ninety (90) degrees.~~

Cutoff fixture. An outdoor lighting fixture or luminaire with intensity at or above 90 degrees above nadir (horizontal) no more than two and one-half (2.5) percent of lamp lumens and no more than ten (10) percent of lamp lumens at or above eighty degrees. See Figure 40.22.720.

~~Luminaire, cutoff-type. See Cutoff-type luminaire.~~

~~Cutoff angle. The angle, formed by a line drawn from the light source to the ground, and a line perpendicular to the ground from the light source, above which no light is emitted.~~

Cutoff angle of a luminaire. The angle of an outdoor light fixture or luminaire, measured up from the nadir (i.e., straight down), between the vertical axis and the first line of sight at which the bare source (the bulb or lamp) is not visible.

~~Semi cut-off. A luminaire light distribution is designated as semi cut-off when the candlepower per one thousand (1,000) lamp lumens does not numerically exceed fifty-five (55) (50) lumens or five (5) percent at an angle of ninety (90) degrees above nadir and two hundred twenty (220) (200) lumens or twenty (20) percent at an angle of eighty (80) degrees above nadir. This applies to any lateral angle around the luminaire. An outdoor lighting fixture or luminaire with intensity at or above ninety (90) degrees above nadir (horizontal) no more than five (5) percent of lamp lumens, and no more than twenty (20) percent of lamp lumens at or above eighty (80) degrees above nadir. See Figure 40.22.720.~~

Section 5. This Ordinance shall become effective on September 1, 2024, following passage by New Castle 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:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
of New Castle County

SYNOPSIS: The original Ordinance proposes changes which include revising *New Castle County Code* Chapter 40, Article 22 to provide more strategic and intentional light direction, instead of, for example, use of vegetative screens as the primary source of light shielding. The Ordinance also proposes supporting changes to definitions in Chapter 40, Article 33.

Improving energy usage and directing lighting only to where needed will limit light pollution, disruption of natural environmental patterns, negative health implications, and the cost of energy in New Castle County. Furthermore, vegetative screens can easily die or be damaged or seasonal in nature, and, when this occurs, are not always replaced in a timely manner and/or adequately meet their needs.

Finally, vegetative screens can be part of the solution, but, for the reasons noted above, shall not be the primary means of shielding light. This Ordinance shall become effective on September 1, 2024.

This Substitute No. 2 to Ordinance No. 23-122 amended the original ordinance by: clarifying in Section 40.22.720 the different types of luminaires or lighting fixtures and updating Figure 40.22.720; clarifying the language relating to spotlights and floodlights at Section 40.22.741; and refining the requirements to illuminate a flag and flag pole when dark, among other changes.

FISCAL NOTE: There is no discernible fiscal impact.

SUBSTITUTE NO. 1 TO ORDINANCE NO. 23-122

**AMENDING NEW CASTLE COUNTY CODE CHAPTER 40
(THE “UNIFIED DEVELOPMENT CODE”), ARTICLE 22 (“DRAINAGE, UTILITIES,
SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING”)
AND ARTICLE 33 (“DEFINITIONS”) RELATING TO LIGHT POLLUTION
IN NEW CASTLE COUNTY**

1 **WHEREAS**, New Castle County recognizes the importance of energy
2 conservation as a means of achieving energy independence, reducing unnecessary
3 expenses, and reducing any negative environmental impact of energy generation; and
4

5 **WHEREAS**, the use of artificial outdoor lighting has proliferated in New Castle
6 County, resulting in a disruption to the natural patterns of wildlife and substantial negative
7 environmental impacts, increases in health implications, and wasted energy; and
8

9 **WHEREAS**, night skies are considered an air quality-related value under the *Clean*
10 *Air Act Amendments of 1977*, and air quality, in turn, affects the quality of the night sky;
11 and
12

13 **WHEREAS**, light trespass from night lighting fixtures has increased dramatically,
14 negatively impacting the natural environment and the quality of life of people in the
15 County by, among other things, reducing night sky visibility and enjoyment for citizens
16 and visitors alike; and
17

18 **WHEREAS**, exposure to artificially extended daytime light is resulting in numerous
19 problems to our citizens, including sleep deprivation, fatigue, anxiety, stress, and other
20 health problems; and
21

22 **WHEREAS**, vast amounts of money have been and continue to be wasted on
23 outdoor lighting; importantly, in contrast, proper and more efficient outdoor lighting
24 provides an appropriate amount of light... not too little and not too much; and
25

26 **WHEREAS**, limiting energy use and redirecting lighting to point downward, or in
27 a manner that substantially reduces disturbance to surrounding properties and/or night
28 sky light pollution will reduce energy costs, and provide a more natural environment for
29 wildlife and the residents of the County; and
30

31 **WHEREAS**, light pollution has been documented as a leading cause of insect
32 decline, through exhaustion, collision, incineration or increased predation, and which
33 cascades then into ecosystem decline, as well as negative impacts to birds, wildlife and
34 even fish as described by the [National Wildlife Federation](#); and

35 **WHEREAS**, inexpensive night lighting fixtures are readily available and are
36 designed to direct light only where it is needed, distribute light more efficiently and
37 effectively, and thereby reduce glare, power consumption, and cost; and
38

39 **WHEREAS**, although artificial light at night has revolutionized the way we live
40 and work outdoors, it has come at a price, and as the [International Dark-Sky](#)
41 [Association](#) has documented, when used indiscriminately, outdoor lighting can
42 disrupt wildlife, impact human health, waste money and energy, contribute to climate
43 change, and block our view of the universe; and
44

45 **WHEREAS**, County Council has determined that the provisions of this Ordinance
46 will substantially advance, and are reasonably and rationally related to, legitimate
47 government interests by promoting the health, safety, prosperity, and welfare of the
48 citizens of New Castle County.
49

50 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
51

52 Section 1. *New Castle County Code* Ch. 40 (the “Unified Development Code”),
53 Article 22 (“Drainage, Utilities, Septic Systems, Parking, Loading, and Lighting”), Section
54 40.22.720 (“Lighting Standards”) is hereby amended by adding the material that is
55 underscored and deleting the material that is stricken, as set forth below.
56

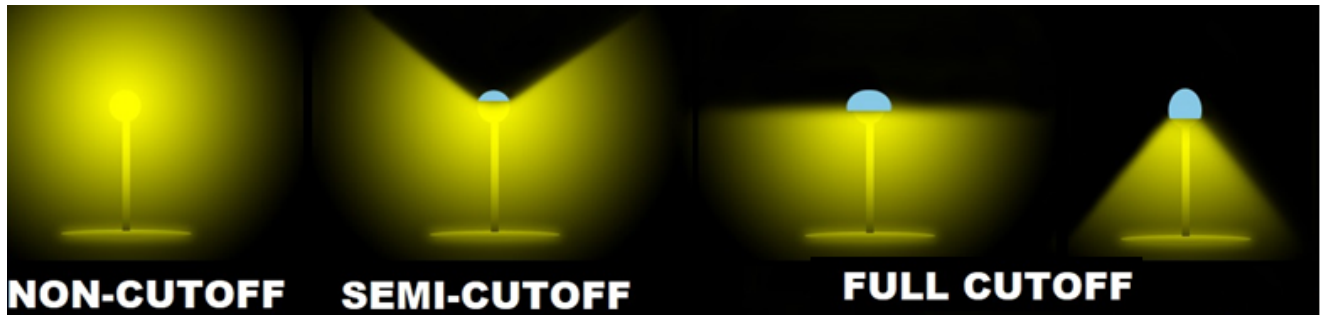
57 **Sec. 40.22.720. – Lighting ~~standards~~Standards.**

58 A. ~~Two (2) types of light~~ Light fixtures ~~sources, or luminaires, luminaries~~ are available
59 in different types including (See Figure 40.22.720):

- 60 1. ~~One (1) is a~~ Non-cutoff fixtures
- 61 2. ~~Semisemi-cutoff fixture, directing fixtures which direct the light to partially~~
62 limit view of the light source, or luminaire. The second is a and
- 63 3. Full cutoff fixtures which shield~~fixture, shielding the light source from view~~
64 and prevent any upward light. Full cut-off is the condition where
65 the light emitted from the fixture does not extend upward beyond its bottom.

66 Non-cutoff fixtures are prohibited. The maximum permitted illumination and ~~the maximum~~
67 permitted-luminaire height are set forth in Table 40.04.111.

Figure 40.22.720
TYPES OF LUMINAIRE LUMINARIE



40-22-720
Luminaire with cut-off less than 90 deg.

- B. Regardless of whether the surface to be lit is primarily horizontal or non-horizontal, all luminaire output is to be aimed downward where possible, have no direct uplight, and shall meet Illuminating Engineering Society ("IES") full-cutoff/fully shielded criteria. In addition, luminaires shall have an IES Backlight Uplight Glare ("BUG") rating of at least B2-U0-G2, but a luminaire with a rating of B1-U0-G1 is preferred
- C. Luminaires with an aggregate rated lamp output not exceeding 500 lumens, e.g., the rated output of a standard non-directional 40-watt incandescent, 10-watt LED, or 10-watt compact fluorescent lamp, are exempt from the requirements of this Section.
- D. When a nonresidential use is adjacent to a residential zoning district or use, the maximum illumination shall not exceed one-tenth (0.1) foot candle as measured at the residential property line. Non-cutoff street lights shall only be permitted if required by DelDOT. All light sources or luminaires that are installed pursuant to a plan submitted after January 1, 2022 shall utilize LEDs or other luminaire light emitting technologies that meet or exceed the energy efficiency of LEDs.

Section 2. *New Castle County Code* Ch. 40 ("Unified Development Code"), Article 22 ("Drainage, Utilities, Septic Systems, Parking, Loading, and Lighting"), Section 40.22.741 ("Sign lighting, shielded spotlights") is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

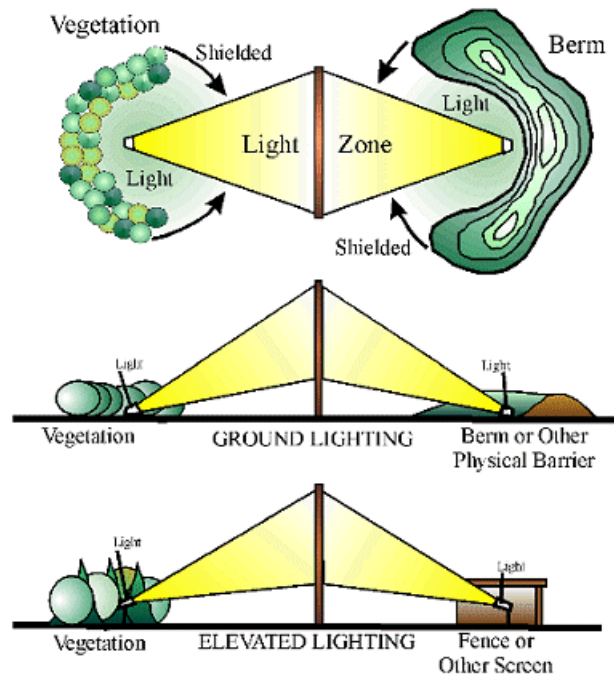
Sec. 40.22.741. - Sign lighting, shielded spotlights and floodlights.

- A. Spotlights and floodlights ~~Shielded spots~~ shall be screened by evergreen landscaping, walls, berms, and/or cutoff shielding so the light source is not visible off site. All ~~shielded spots~~ spotlights and floodlights in plans submitted after January 1, 2022 shall utilize LED or other luminaire light emitting technologies that are at least as energy efficient as LED. In most cases, a combination of cutoff

shielding and a landscape or other feature will be needed to provide the necessary screening. Figure 40.22.741 provides an example of how this objective is to be accomplished.

- B. Spotlights and floodlights are to be installed and aimed so that they do not project their output onto neighboring residential properties, past the object being illuminated, skyward, or onto a public roadway. Spotlights and floodlights installed above grade on residential properties shall not be aimed out more than 45 degrees from straight down. When a spotlight or floodlight creates glare, as viewed from a neighboring residential property, it shall be re-aimed and/or fitted with a shielding device, if not already in place, to block the direct view of the glare from neighboring residences.

Figure 40.22.741
SHIELDED SPOTLIGHTS FOR SIGNS



- C. Vegetation screens must not be the primary means for shielding. Rather, glare control shall be achieved primarily through the use of means such as full cutoff/fully shielded luminaires, shields and baffles, and appropriate application of luminaire mounting height, wattage, aiming angle, and luminaire placement.
- D. Spotlights and floodlights with an aggregate rated lamp output not exceeding 500 lumens, e.g., the rated output of a standard nondirectional 40-watt incandescent, 6-watt LED, or 10-watt compact fluorescent lamp, are exempt from the requirements of this Section.

122 E. *Flag poles.* It is preferred that flag poles not be illuminated at dark and, instead,
123 that the traditional raising of the flag after dawn and lowering of the flag before
124 sunset be followed. However, if a flag is illuminated during the hours of darkness,
125 it is preferred that it be done so from above, and in such case the luminaire should
126 shine down at 90 degrees and be fully shielded. The total number of lumens output
127 from any luminaire mounted on top of a flag pole is limited to 2500 lumens.

128 Section 3. *New Castle County Code* Ch. 40 (“Unified Development Code”), Article
129 22 (“Drainage, Utilities, Septic Systems, Parking, Loading, and Lighting”), Section
130 40.22.750 (“Lighting, Generally”) is hereby amended by adding the material that is
131 underscored and deleting the material that is stricken, as set forth below.

132 **Sec. 40.22.750. Lighting, generally.**

133 ~~A. Exterior lights for nonresidential uses shall be shielded, shaded, or directed so that~~
134 ~~light intensity and glare shall not adversely affect neighboring residential property~~
135 ~~owners or passing motorists, and emit no upward light. Such lighting shall be~~
136 ~~considered to adversely affect another person when such lighting would disturb a~~
137 ~~person of normal sensibilities.~~

138 AB. Exterior lights in residential areas shall be shielded, shaded, or directed, as best as
139 is reasonably possible, so that light intensity and glare shall not adversely affect
140 neighboring property owners, pedestrians, or passing motorists, consistent with
141 Sec. 40.22.720., and emit no upward light. Such lighting shall be considered to
142 adversely affect someone when the lighting would disturb a person of normal
143 sensibilities. All exterior lights in residential areas in plans submitted after January
144 1, 2022 shall utilize LED or other luminaire light emitting technologies that are at
145 least as energy efficient as LED. Such lighting shall be considered to adversely
146 affect another person when such lighting would disturb a person of normal
147 sensibilities.

148 BC. All exterior lights for nonresidential uses in plans submitted after January 1, 2022
149 shall utilize LED or other luminaire light emitting technologies that are at least as
150 energy efficient as LEDs, having a light source efficacy of no less than 90 lumens
151 per watt, and utilize “warm-white” or filtered LEDs (Correlated Color Temperature
152 (CCT) ≤ 3000K; S/P (Scotopic/Photopic) ratio ≤ 1.2) to minimize blue light emission.

153 CD. Because of the higher luminous efficiency of LEDs and potential environmental and
154 ecological impacts and cost savings, plans for exterior lighting should strive to avoid
155 over-lighting.

156
157 Section 4. *New Castle County Code* Ch. 40 (“Unified Development Code”), Article
158 33 (“Definitions”), Division 40.33.300 (“General Definitions”) is hereby amended by adding
159 the material that is underscored and deleting the material that is stricken, as set forth
160 below.

161 ...

~~Cutoff-type luminaire. An outdoor lighting fixture, or luminaire, with shields, reflectors, or refractor panels which direct and cut off the light at an angle that is less than ninety (90) degrees.~~

Cutoff fixture. An outdoor lighting fixture or luminaire with intensity at or above 90 degrees above nadir (horizontal) no more than two and one-half (2.5) percent of lamp lumens and no more than ten (10) percent of lamp lumens at or above eighty degrees. See Figure 40.22.720.

~~Luminaire, cutoff-type. See Cutoff-type luminaire.~~

~~Cutoff angle. The angle, formed by a line drawn from the light source to the ground, and a line perpendicular to the ground from the light source, above which no light is emitted.~~

Cutoff angle of a luminaire. The angle of an outdoor light fixture or luminaire, measured up from the nadir (i.e., straight down), between the vertical axis and the first line of sight at which the bare source (the bulb or lamp) is not visible.

~~Semi cut-off. A luminaire light distribution is designated as semi cut-off when the candlepower per one thousand (1,000) lamp lumens does not numerically exceed fifty-five (55) (50) lumens or five (5) percent at an angle of ninety (90) degrees above nadir and two hundred twenty (220) (200) lumens or twenty (20) percent at an angle of eighty (80) degrees above nadir. This applies to any lateral angle around the luminaire. An outdoor lighting fixture or luminaire with intensity at or above ninety (90) degrees above nadir (horizontal) no more than five (5) percent of lamp lumens, and no more than twenty (20) percent of lamp lumens at or above eighty (80) degrees above nadir. See Figure 40.22.720.~~

Section 5. This Ordinance shall become effective on September 1, 2024, following passage by New Castle 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:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
of New Castle County

SYNOPSIS: The original Ordinance proposes changes which include revising *New Castle County Code* Chapter 40, Article 22 to provide more strategic and intentional light direction, instead of, for example, use of vegetative screens as the primary source of light shielding. The Ordinance also proposes supporting changes to definitions in Chapter 40, Article 33.

Improving energy usage and directing lighting only to where needed will limit light pollution, disruption of natural environmental patterns, negative health implications, and the cost of energy in New Castle County. Furthermore, vegetative screens can easily die or be damaged or seasonal in nature, and, when this occurs, are not always replaced in a timely manner and/or adequately meet their needs.

Finally, vegetative screens can be part of the solution, but, for the reasons noted above, shall not be the primary means of shielding light. This Ordinance shall become effective on September 1, 2024.

This Substitute No. 1 to Ordinance No. 23-122 amended the original ordinance by: clarifying in Section 40.22.720 the different types of luminaires or lighting fixtures and updating Figure 40.22.720; clarifying the language relating to spotlights and floodlights at Section 40.22.741; and refining the requirements to illuminate a flag and flag pole when dark, among other changes.

FISCAL NOTE: There is no discernible fiscal impact.

Introduced by: Ms. Durham, Ms. George
Date of introduction: August 29, 2023

ORDINANCE NO. 23-122

**AMENDING *NEW CASTLE COUNTY CODE* CHAPTER 40
(THE “UNIFIED DEVELOPMENT CODE”), ARTICLE 22 (“DRAINAGE, UTILITIES,
SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING”) AND ARTICLE 33 (“DEFINITIONS”) RELATING TO LIGHT POLLUTION
IN NEW CASTLE COUNTY**

WHEREAS, New Castle County recognizes the importance of energy conservation as a means of achieving energy independence, reducing unnecessary expenses, and reducing any negative environmental impact of energy generation; and

WHEREAS, the use of artificial outdoor lighting has proliferated in New Castle County, resulting in a disruption to the natural patterns of wildlife and substantial negative environmental impacts, increases in health implications, and wasted energy; and

WHEREAS, night skies are considered an air quality-related value under the *Clean Air Act Amendments of 1977*, and air quality, in turn, affects the quality of the night sky; and

WHEREAS light trespass from night lighting fixtures has increased dramatically, negatively impacting the natural environment and the quality of life of people in the County by, among other things, reducing night sky visibility and enjoyment for citizens and visitors alike; and

WHEREAS, exposure to artificially extended daytime light is resulting in numerous problems to our citizens, including sleep deprivation, fatigue, anxiety, stress, and other health problems; and

WHEREAS, vast amounts of money have been and continue to be wasted on outdoor lighting; importantly, in contrast, proper and more efficient outdoor lighting provides an appropriate amount of light... not too little and not too much; and

WHEREAS, limiting energy use and redirecting lighting to point downward, or in a manner that substantially reduces disturbance to surrounding properties and/or night sky light pollution will reduce energy costs, and provide a more natural environment for wildlife and the residents of the County; and

WHEREAS, light pollution is now documented as one of the leading causes of insect decline, through exhaustion, collision, incineration or increased predation, and which cascades then into ecosystem decline, as well as negative impacts to birds, wildlife and even fish as described by the [National Wildlife Federation](#); and

WHEREAS, inexpensive night lighting fixtures are readily available and are designed to direct light only where it is needed, distribute light more efficiently and effectively, and thereby reduce glare, power consumption, and cost; and

WHEREAS, although artificial light at night has revolutionized the way we live and work outdoors, it has come at a price, and as the [International Dark-Sky Association](#) has documented, when used indiscriminately, outdoor lighting can disrupt wildlife, impact human health, waste money and energy, contribute to climate change, and block our view of the universe; and

WHEREAS, County Council has determined that the provisions of this Ordinance will substantially advance, and are reasonably and rationally related to, legitimate government interests by promoting the health, safety, prosperity, and welfare of the citizens of New Castle County.

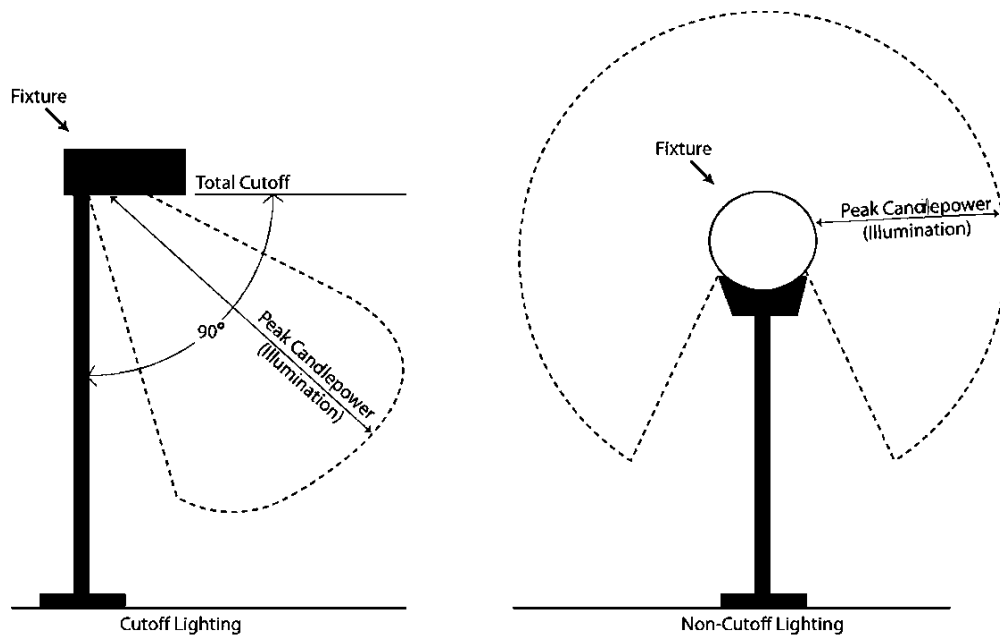
NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. *New Castle County Code* Ch. 40 (the “Unified Development Code”), Article 22 (“Drainage, Utilities, Septic Systems, Parking, Loading, and Lighting”), Section 40.22.720 (“Lighting Standards”) is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

Sec. 40.22.720. - Lighting Standards.

- A. Various ~~Two (2)~~-types of light ~~fixtures-sources~~ or luminaires ~~luminaries~~ are available (*See* Figure 40.22.720). One ~~(1)~~ is a semi-cutoff fixture, directing the light to limit view of the light source or luminaire. Another ~~The second~~ is a cutoff fixture, fully shielding the light source from view. The maximum permitted illumination and the maximum permitted luminaire height are set forth in Table 40.04.111.

Figure 40.22.720
TYPES OF LUMINAIRE LUMINAIRE



40-22-720

Luminaire with cut-off less than 90 deg.

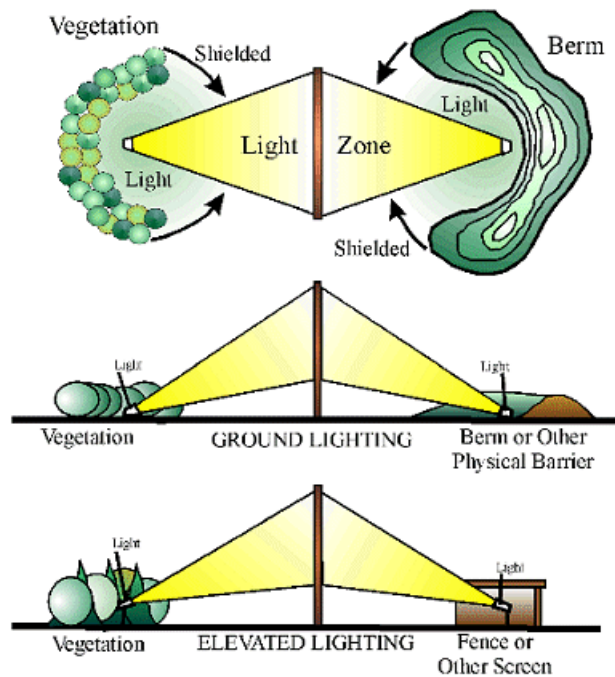
- B. Regardless of whether the surface to be lit is primarily horizontal or non-horizontal, all luminaire output is to be aimed downward where possible, have no direct uplight, and shall meet Illuminating Engineering Society (“IES”) full-cutoff/fully shielded criteria. In addition, luminaires shall have an IES Backlight Uplight Glare (“BUG”) rating of at least B2-U0-G2, but a luminaire with a rating of B1-U0-G1 is preferred and shall be utilized if available.
- C. Luminaires with an aggregate rated lamp output not exceeding 500 lumens, e.g., the rated output of a standard non-directional 40-watt incandescent, 10-watt LED, or 10-watt compact fluorescent lamp, are exempt from the requirements of this Section.
- D. When a nonresidential use is adjacent or very near to a residential zoning district or use, the maximum illumination shall not exceed one-tenth (0.1) foot candle measured line of sight at the residential property line. ~~Non-cutoff street lights shall only be permitted if required by DelDOT. All light sources or luminaires that are installed pursuant to a plan submitted after January 1, 2022 shall utilize LEDs or other luminaire light emitting technologies that meet or exceed the energy efficiency of LEDs.~~

Section 2. *New Castle County Code* Ch. 40 (“Unified Development Code”), Article 22 (“Drainage, Utilities, Septic Systems, Parking, Loading, and Lighting”), Section 40.22.741 (“Sign lighting, shielded spotlights”) is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

Sec. 40.22.741. - Sign lighting, ~~shielded-spots~~ spotlights and floodlights.

- A. Spotlights and floodlights ~~Shielded spots~~ ~~spotlights~~ shall be screened by ~~evergreen landscaping~~, walls, berms, and/or cutoff shielding so the light source is not visible off site. All ~~shielded spots~~ ~~spotlights and floodlights in plans submitted after January 1, 2022~~ shall utilize LEDs or other ~~luminaire~~ light emitting technologies that are at least as energy efficient as LEDs. In most cases, a combination of cutoff shielding and a landscape or other feature will be needed to provide the necessary screening. Figure 40.22.741 provides an example of how this objective is to be accomplished.
- B. In addition, spotlights and floodlights are to be installed and aimed so that they do not project their output onto neighboring residential properties, past the object being illuminated, skyward, or onto a public roadway, as best as is reasonably possible. Spotlights and floodlights installed above grade on residential properties shall not be aimed out more than 45° from straight down. When a spotlight or floodlight creates glare, as viewed from a neighboring residential property, it shall be re-aimed and/or fitted with a shielding device, if not already in place, to block the direct view of the glare from neighboring residences.

Figure 40.22.741
SHIELDED SPOTLIGHTS FOR SIGNS



- C. Vegetation screens must not be the primary means for shielding. Rather, glare control shall be achieved primarily through the use of means such as full cutoff/fully shielded luminaires, shields and baffles, and appropriate application of luminaire mounting height, wattage, aiming angle, and luminaire placement.
- D. Spotlights and floodlights with an aggregate rated lamp output not exceeding 500 lumens, e.g., the rated output of a standard nondirectional 40-watt incandescent, 6-watt LED, or 10-watt compact fluorescent lamp, are exempt from the requirements of this Section.
- E. Flag poles. It is preferred that flagpoles not be illuminated and that the traditional raising of the flag after dawn and lowering of the flag before sunset be followed. However, a flag may be displayed if properly illuminated from above during the hours of darkness. The luminaire must shine down at 90° and be fully shielded. The total number of lumens output from any luminaire mounted on top of a flagpole is limited to 2500 lumens.

Section 3. *New Castle County Code* Ch. 40 (“Unified Development Code”), Article 22 (“Drainage, Utilities, Septic Systems, Parking, Loading, and Lighting”), Section 40.22.750 (“Lighting, Generally”) is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

Sec. 40.22.750. Lighting, generally.

- A. ~~Exterior lights for nonresidential uses shall be shielded, shaded, or directed so that light intensity and glare shall not adversely affect neighboring residential property owners or passing motorists, and emit no upward light. Such lighting shall be considered to adversely affect another person when such lighting would disturb a person of normal sensibilities.~~

~~AB.~~ Exterior lights in residential areas shall be shielded, shaded, or directed, as best as is reasonably possible, so that light intensity and glare shall not adversely affect neighboring property owners, pedestrians, or passing motorists, consistent with Sec. 40.22.720., and emit no upward light. Such lighting shall be considered to adversely affect someone when the lighting would disturb a person of normal sensibilities. All exterior lights in residential areas in plans submitted after January 1, 2022 shall utilize LED or other luminaire light emitting technologies that are at least as energy efficient as LEDs. Such lighting shall be considered to adversely affect another person when such lighting would disturb a person of normal sensibilities.

~~BC.~~ All exterior lights for nonresidential uses in plans submitted after January 1, 2022 shall utilize LED or other luminaire light emitting technologies that are at least as energy efficient as LEDs, having a light source efficacy of no less than 90 lumens per watt, and utilize "warm-white" or filtered LEDs (Correlated Color Temperature (CCT) $\leq$ 3000K; S/P (Scotopic/Photopic) ratio $\leq$ 1.2) to minimize blue light emission.

~~CD.~~ Because of the higher luminous efficiency of LEDs and potential environmental and ecological impacts and cost savings, plans for exterior lighting should strive to avoid over-lighting.

Section 4. *New Castle County Code* Ch. 40 ("Unified Development Code"), Article 33 ("Definitions"), Division 40.33.300 ("General Definitions") is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

...

~~Cutoff type luminaire. An outdoor lighting fixture, or luminaire, with shields, reflectors, or refractor panels which direct and cut off the light at an angle that is less than ninety (90) degrees.~~

Cutoff fixture. An outdoor lighting fixture or luminaire with intensity at or above 90° (horizontal) no more than 2.5% of lamp lumens and no more than 10% of lamp lumens at or above 80°. See Figure 40.22.720.

~~Luminaire, cutoff-type. See Cutoff-type luminaire.~~

~~Cutoff angle. The angle, formed by a line drawn from the light source to the ground, and a line perpendicular to the ground from the light source, above which no light is emitted.~~

Cutoff angle of a luminaire. The angle of an outdoor light fixture or luminaire, measured up from the nadir (i.e., straight down), between the vertical axis and the first line of sight at which the bare source (the bulb or lamp) is not visible.

Section 5. This Ordinance shall become effective on July 1, 2024, following passage by New Castle 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
of New Castle County

SYNOPSIS: This Ordinance proposes changes which include revising *New Castle County Code* Chapter 40, Article 22 to provide more strategic and intentional light direction, instead of, for example, use of vegetative screens as the primary source of light shielding. The Ordinance also proposes supporting changes to definitions in Chapter 40, Article 33.

Improving energy usage and directing lighting only to where needed will limit light pollution, disruption of natural environmental patterns, negative health implications, and the cost of energy in New Castle County. Furthermore, vegetative screens can easily die or be damaged or seasonal in nature, and, when this occurs, are not always replaced in a timely manner and/or adequately meet their needs.

Finally, vegetative screens can be part of the solution, but, for the reasons noted above, should not be the primary means of shielding light. This Ordinance shall become effective on July 1, 2024

FISCAL NOTE: There is no discernible fiscal impact.



Department of Land Use

**DEPARTMENT OF LAND USE &
PLANNING BOARD DECISION**

**Ordinance 23-122
Application 2023-0467-T
Lighting**

January 30, 2024

Sponsor: Councilwoman Dee Durham, Council District 2

Description: To amend New Castle County Code, Chapter 40 (the "Unified Development Code"), Article 22 ("Drainage, Utilities, Septic Systems, Parking, Loading, and Lighting"), and Article 33 ("Definitions") relating to light pollution in New Castle County

EXECUTIVE SUMMARY

Application 2023-0467-T (Ordinance 23-122) is a text amendment to the Unified Development Code (UDC) that proposes changes to code language that deal with lighting regulations for new land development plans. According to the ordinance's sponsor, the proposed changes are to align the County Code with the goals of the Dark Skies initiative¹. As noted in the whereas statements of the ordinance, the use of artificial outdoor lighting can result in disruptions to the natural patterns of wildlife as well as potential negative environmental impacts and wasted energy. The ordinance seeks to encourage the strategic use of light fixtures that have appropriate qualities, such as location and directionality, to mitigate impacts of artificial and outdoor lighting proposed for new land development applications.

The Department has considered the Standards for Text Amendment provided in Section 40.31.420 of the UDC and recommends **CONDITIONAL APPROVAL** of the proposed ordinance with the following condition:

1. The ordinance's sponsor continues to coordinate with the Department of Land Use on minor revisions to the proposed language to ensure clarity and conciseness regarding implementation and enforcement.

DESCRIPTION

Ordinance 23-122 proposes to revise language primarily included in Article 22 ("Drainage, Utilities, Septic Systems, Parking, Loading, and Lighting") and Division 40.22.700 ("Exterior Lighting Standards") to clarify existing provisions regarding lighting for new land development plans. The modifications require the use of lighting fixtures that are either semi-cutoff or total cut-off to provide enhanced shielding of artificial light with a specific Backlight Uplight Glare ("BUG") rating. Additionally, the

¹ <https://www.fws.gov/project/dark-skies-initiative>

ordinance establishes requirements for the use and orientation of floodlights. Finally, the ordinance proposes changes to Article 33 (“Definitions”) to revise the terminology and definitions for a *cutoff fixture*² and *cutoff angle of a luminaire*³.

BACKGROUND

In May of 2023, Councilwoman Dee Durham expressed interest to the Department of Land Use in reviewing and revising exiting lighting standards provided in the UDC to align with the Dark Skies Initiative. The initiative is run by the US Department of Fish and Wildlife to help preserve and protect the continuation of natural processes that are often impacted by the use of artificial, outdoor lighting. As noted in the testimony provided at the public hearing, Councilwoman Durham consulted with Barry Johnson of the Pennsylvania Outdoor Lighting Council to examine existing language for consistency with goals of the Dark Skies Initiative, and to propose revisions to the UDC for consistency. As part of the ordinance’s production, Councilwoman Durham preliminarily consulted with the Department regarding the language of the proposed ordinance and how it would impact the land development process and enforcement of the code provisions.

As currently written, the UDC requires that new land development plans utilize semi-cutoff or total cutoff fixtures and orient lighting on a site in such a manner that illumination at a shared property line between a commercial and residential use does not exceed 0.1 foot-candles. To provide for an enhanced review of lighting conditions proposed on a subject site, Ordinance 23-122 proposes to also require that fixtures utilized provide an IES Backlight Uplight Glare (“BUG”)⁴ rating of at least B2-U0-G2 (and notes that a luminaire with a rating of B1-U0-G1 is preferred). Ordinance 23-122 also includes the addition of language to ensure that spotlights and floodlights used to illuminate signage are shielded from shining upward or on adjacent properties by requiring cutoff or fully shielded luminaires.

The ordinance clarifies that outdoor light fixtures with an aggregate rated lamp output of 500 lumens are exempt from the provisions. Overall, the goal of the ordinance is to eliminate upward or intrusive artificial lighting that may impact natural patterns as well as neighboring property owners.

PRELIMINARY LAND USE SERVICE (PLUS) REVIEW

The proposed text amendment was reviewed at a PLUS meeting held on September 27, 2023. The PLUS letter, dated October 25, 2023, includes comments from the Office of State Planning and Coordination, who noted that they have no concerns or objections on the proposed ordinance. The letter notes that there are no concerns from DNREC, DelDOT, DEMA, SHPO, or the DE State Fire Marshal.

² “An outdoor lighting fixture or luminaire with intensity at or above 90° (horizontal) no more than 2.5% of lamp lumens and no more than 10% of lamp lumens at or above 80°.”

³ “The angle of an outdoor light fixture or luminaire, measured up from the nadir (i.e., straight down), between the vertical axis and the first line of sight at which the bare source (the bulb or lamp) is not visible.”

⁴ BUG ratings were developed by the Illuminating Engineering Society (IES) to be used as a system to evaluate and specify the optical performance of outdoor light fixtures. The rating is broken into three (3) components:

- Backlight (B) – the amount of light from a luminaire projecting in the rearward direction
- Uplight (U) – the amount of light projected in the upward direction
- Glare (G) – the visual discomfort caused by glare from the luminaire from different vantage points

PLANNING BOARD PUBLIC HEARING – December 5, 2023

*Please note, the below is a summary. A recording and transcripts of the public hearing are available at the Department of Land Use.

Councilwoman Dee Durham, the ordinance's sponsor, spoke on behalf of the application. Ms. Durham provided a brief background on the Dark Skies Initiative, noting that she had a long interest in helping improve the code to help mitigate impacts of bright lights and their impacts. She stated that she was able to work with the Pennsylvania Outdoor Lighting Council as well as the Department of Land Use on the ordinance. She noted the various ways light pollution impacts humans, animals, and wildlife populations as well as there is a significant amount of wasted energy. She spoke to the existing requirements of the code and stated that the proposed ordinance would expand on those provisions.

The Board had no questions.

Councilwoman Valerie George spoke in favor of the application. She thanked Councilwoman Durham for bringing the legislation forward and noted that lighting is something that the County needs to consider as we continue to grow.

A member of the public over Zoom noted their support for the ordinance, noting that they had just visited Tucson, Arizona which was a low-light city and how exciting it was to see the skies.

ANALYSIS

The Department of Land Use is supportive of enhancing the provisions of the UDC to align with the Dark Skies Initiative, while also ensuring the use of artificial light has limited impact on surrounding neighborhoods and wildlife. Ordinance 23-122 largely modifies existing language and requirements already included in the UDC, expanding on fixture details to meet Dark Skies Initiative goals.

In consult with the ordinance's sponsor, the Department has identified a few minor edits in the ordinance that are recommended for revision to ensure clarity and conciseness. Specifically, the Department has concern regarding the IES BUG rating requirement included in the proposed 40.22.720.B of the ordinance and recommends that it be revised to a simple Uplight rating of U0. Backlight and Glare values are more dependent on the location of a fixture on the site (i.e. along a property line vs. in the middle of a parking area), which are already reviewed through the foot-candle values on lighting plans currently required by the provisions of the UDC. The Department believes that the goals and objectives of the proposed ordinance can still be achieved by regulating the Uplight value of a BUG rating only, while also ensuring developers have an adequate selection of fixtures to utilize.

Standards for Text Amendment – Section 40.31.420 of the New Castle County Code

Pursuant to Section 40.31.420 of the New Castle County Code, in determining whether a text amendment shall be recommended or approved, all the following factors shall be considered:

A. *Implementation of a new portion of the Comprehensive Development Plan.*

N/A

B. Implementation and achievement of the Comprehensive Plan's goals and objectives.

The 2022 Comprehensive Plan calls for the protection and restoration of the environment. The goals of the proposed ordinance work toward mitigating existing and future air, water, land light and sound pollution while continuing to monitor for air, water, land, light, and noise pollution concerns that might trigger protective actions.

C. Consistency with the provisions of this Chapter and the standards for similar uses.

Ordinance 23-122 expands on and clarifies the existing lighting provisions, identifying specific criteria and measures to limit uplighting.

D. Necessity to respond to State and/or Federal legislation.

N/A

E. Flexibility in meeting the objectives of this Chapter.

N/A

F. Changes to conditions, interpretations, and/or clarifications to existing language for new uses.

Ordinance 23-122 provides enhanced guidance for the use of artificial light in new land development projects.

G. Consideration of specific problems found in this Chapter.

N/A

DEPARTMENT OF LAND USE RECOMMENDATION

The Department has considered the Standards for Text Amendment provided in Section 40.31.420 of the *New Castle County Code* and comments received from other agencies. Based on this analysis, the Department recommends **CONDITIONAL APPROVAL** of the proposed ordinance with the following condition:

1. The ordinance's sponsor continues to coordinate with the Department of Land Use on minor revisions to the proposed language to ensure clarity and conciseness regarding implementation and enforcement.

PLANNING BOARD RECOMMENDATION

At a business meeting held on January 30, 2024, the Planning Board considered the recommendation offered by the Department of Land Use. On a motion made by Mr. Snowden and seconded by Ms.

Visvardis, the Board voted to recommend **CONDITIONAL APPROVAL** of the proposed ordinance with the following condition:

- 1. The ordinance’s sponsor continues to coordinate with the Department of Land Use on minor revisions to the proposed language to ensure clarity and conciseness regarding implementation and enforcement.

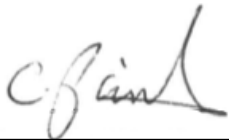
The motion was adopted by a vote of 5-0-0-3 (In Favor: Peterson, Visvardis, Snowden, Gray, Cochran; In Opposition: None; Abstention: None; Absent Drake, Daigle, Cahill-Krout:).

Prior to the vote the following discussion occurred:

Ms. Hatch read the Department of Land Use into the record. Ms. Gray inquired if the ordinance discussed white light versus blue light. Christoper Jackson, Planner III, noted that the standards for lighting temperature would remain.

STATUTORY GUIDELINES

In the phraseology of 9 Delaware Code Section 2603 (a), the Department of Land Use finds that this rezoning would promote the convenience, order, and welfare of the present and future inhabitants of this state.



02/26/2024

Charuni Patibanda date

General Manager

Department of Land Use



02/23/2024

Karen Peterson date

Chair

Planning Board

RESOLUTION NO. 24-103

**RECOGNIZING AND CELEBRATING THE LIFE AND LEGACY OF
SENATOR ROBERT I. MARSHALL**

1 **WHEREAS**, "We make a living by what we get, but we make a life by what we
2 give," as eloquently stated by Winston Churchill, reflects the lifelong dedication and
3 service of Senator Robert I. Marshall to the people of Wilmington and the broader
4 community of Delaware; and

5 **WHEREAS**, Senator Robert I. Marshall, known fondly as Bob and born Robert I.
6 Marchlewicz, passed away on March 30, 2024, at the age of 77, after a life devoted to
7 public service and civic duty, marked by his tenure as a representative of the Third
8 Senatorial District from 1978 to 2018; and

9 **WHEREAS**, Born and raised in Wilmington, Delaware, the only child of Helen and
10 Ignatius Marchlewicz, Senator Marshall was instilled with the virtues of hard work and
11 education from an early age, attending St. Hedwig Parochial School and Salesianum High
12 School, and later earning a Bachelor's Degree in Political Science from Thomas Edison
13 State College; and

14 **WHEREAS**, Senator Marshall served with honor in the Army National Guard and
15 dedicated 18 years as the Executive Director of the Delaware Skills Center, where he
16 significantly contributed to the skills and education of countless Delawareans, preparing
17 them for productive careers; and

18 **WHEREAS**, throughout his illustrious political career, Senator Marshall was a
19 stalwart advocate for labor and public safety, serving as Chairman of the Senate Labor
20 and Industrial Relations Committee and the Senate Public Safety Committee, and was a
21 prominent member of the Senate and House Joint Committee on State public works
22 projects; and

23 **WHEREAS**, beyond his political and professional achievements, Senator Marshall
24 was an enthusiastic sportsman, a lifelong fan of the Eagles and Phillies, and an active
25 participant in community and philanthropic efforts aimed at enriching the lives around him;
26 and

27 **WHEREAS**, Senator Marshall's unwavering commitment to fairness, justice, and
28 equality, combined with his genuine empathy, humility, and kindness, won him the
29 admiration and respect of not only his peers and constituents but also all those who had
30 the privilege of interacting with him; and

31 **WHEREAS**, Senator Marshall's legacy of compassion, integrity, and public service
32 will continue to inspire future generations of leaders, activists, and service members to
33 pursue a more just, inclusive, and secure society; and

34 **WHEREAS**, Senator Marshall is survived by his aunt, Regina Dudziec, and
35 numerous cousins, who along with his many friends and colleagues, mourn his loss but
36 celebrate the profound impact he had on their lives and the community at large.

37 **NOW, THEREFORE, BE IT RESOLVED** that County Council of New Castle
38 County hereby recognizes and honors the extraordinary life and enduring legacy of
39 Senator Robert I. Marshall and extends its deepest condolences to his family, friends,
40 and all those touched by his generous spirit and transformative contributions.

Adopted by County Council
New Castle County on: 4/23/2024

Karen Hartley-Nagle
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.

Prime Sponsors: Mr. Carter, Mr. Sheldon
Co-Sponsor(s): Mr. Bell, Mr. Cartier,
Ms. Durham, Ms. George,
Ms. Hartley-Nagle,
Mr. Hollins, Ms. Kilpatrick,
Mr. Smiley, Mr. Street,
Mr. Tackett, Mr. Toole
Date of introduction: April 23, 2024

RESOLUTION NO. 24-104

**CONGRATULATING AND COMMENDING TRACY SURLES ON HER RETIREMENT
AFTER 25 YEARS AS AN EMPLOYEE OF NEW CASTLE COUNTY**

1 **WHEREAS**, Tracy Surles began her career with New Castle County in 1998 as
2 an Assistant County Attorney in the Law Department, and subsequently was
3 assigned to Public Works in 1999; and
4

5 **WHEREAS**, Tracy has held many leadership positions during her time with
6 New Castle County. She has served as the Chief Administrative Officer in 2009
7 under Executive Coons, Deputy Chief Administrative Officer in 2017 under
8 Executive Meyer, as well as her position as General Manager of Public Works; and
9

10 **WHEREAS**, Tracy serves not only New Castle County, but has served on
11 multiple boards focused on environmental advocacy, such as the Delaware Native
12 Species Commissions, the White Clay Wild and Scenic River Program, as well as
13 participating in numerous environmental workshops and activities to help promote
14 land and water preservation; and
15

16 **WHEREAS**, Tracy has exemplified the highest level of public service and
17 commitment to the citizens of the county throughout her career, setting an example
18 for many others in County Government to follow.
19

20 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of
21 New Castle County that County Council hereby congratulates and commends Tracy
22 Surles for her 25 years of dedicated service to the citizens of New Castle County,
23 and we wish her all the best.

Adopted by County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There is no discernible fiscal impact with the adoption of this Resolution.

RESOLUTION NO. 24-105

**CELEBRATING THE RETIREMENT OF LINDA MURPHY
AS EXECUTIVE DIRECTOR OF SELLERS SENIOR CENTER**

1 **WHEREAS**, Linda Murphy grew up in Boothwyn, PA and graduated from
2 Chichester High School; and
3

4 **WHEREAS**, Linda and her husband Robert raised three daughters, Michelle,
5 Candice, and Jennifer and helped raise their two nieces, Hailey and Samantha. The
6 family lived in Bellefonte, where Linda still resides; and
7

8 **WHEREAS**, Linda started her career at Sellers Senior Center almost 26 years
9 ago after first working for the Girl Scouts. She began as the Administrative Assistant
10 and was promoted to Executive Director; and
11

12 **WHEREAS**, during her long and accomplished tenure, she has written grants to
13 benefit seniors, secured City Fare (Meals on Wheels) for members, held successful
14 fundraisers, and organized enjoyable trips. During Covid, Linda worked diligently to get
15 seniors vaccinated, provided support services, and started many new programs; and
16

17 **WHEREAS**, since the Center moved to the Silverside Church, Linda has grown
18 the membership to serve more seniors in the Brandywine Hundred community. She has
19 been able use grant funding she obtained to achieve upgrades to the church as well;
20 and
21

22 **WHEREAS**, as an outstanding community leader, Linda is always willing to help
23 anyone and tries to see the good in every situation; and
24

25 **WHEREAS**, she enjoys quilting, and traveling with her friends. Linda's retirement
26 plans are to travel more and spend more time with her grandkids and great grandkids.
27

28 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
29 Castle County that County Council hereby congratulates Linda Murphy on an
30 outstanding career of public service and her retirement from the Sellers Senior Center.

Adopted by County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title

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

Prime Sponsor(s): Ms. Hartley-Nagle
Co-Sponsor(s): Mr. Bell, Mr. Carter,
Mr. Cartier, Ms. Durham,
Ms. George, Mr. Hollins,
Ms. Kilpatrick, Mr. Sheldon,
Mr. Smiley, Mr. Street,
Mr. Tackett, Mr. Toole
Date of introduction: April 23, 2024

RESOLUTION NO. 24-106

**RECOGNIZING AND CELEBRATING THE LIFE AND LEGACY OF
THELMA MARCH RAPPOLD**

1 **WHEREAS**, “To know even one life has breathed easier because you have lived—
2 this is to have succeeded,” aptly embodies the caring and impactful life led by Thelma
3 March Rappold, whose kindness and warmth touched the lives of many in her cherished
4 community; and

5 **WHEREAS**, Thelma March Rappold passed away peacefully on April 17, 2024,
6 surrounded by the love and memories of her devoted family, leaving behind a legacy of
7 familial dedication and community service; and

8 **WHEREAS**, born to Aston and Edna March, and predeceased by her siblings
9 Lillian Stokes, Robert March, Doris Moore, and Gloria (Glodie) Rosenberger, Thelma was
10 a beloved figure within her family, treasuring and nurturing her relationships with her
11 children Jeffrey Rappold, Betsy Gardner and her husband Mel, and her cherished
12 grandchildren Megan (Brian), Scott (Kelsey), Mackenzie, and Sean; and

13 **WHEREAS**, as a great-grandmother to Abby and Lennon, Thelma instilled values
14 of love, care, and joy, embodying the role with grace and enthusiasm, always eager to
15 share in their lives and adventures; and

16 **WHEREAS**, Thelma's extended family, including her dear sister-in-law Evelyn
17 Hearn, and many loving nieces and nephews, felt the warmth of her presence and the
18 depth of her kindness throughout her remarkable life; and

19 **WHEREAS**, for over 25 years, Thelma March Rappold served with dedication and
20 compassion as a Teacher’s Secretary at Perry Hall Elementary, where she supported
21 countless students and staff, earning the respect and affection of all who worked
22 alongside her; and

23 **WHEREAS**, residing happily for 69 years in her home in Perry Hall, Thelma
24 created a welcoming environment for all, hosting memorable Christmases, cookouts, and
25 parties that became treasured traditions among her family, friends, and wonderful
26 neighbors; and

27 **WHEREAS**, Thelma's passion for reading and her love for cats showcased her
28 gentle spirit and compassionate nature, making her a beloved figure not only among her
29 human friends but also among the many feline companions she cared for throughout her
30 life; and

31 **WHEREAS**, the life of Thelma March Rappold was one of exemplary generosity,
32 love, and service, deeply impacting those around her and enriching the lives of many
33 through her presence, compassion, and unwavering support.

34 **NOW, THEREFORE, BE IT RESOLVED** that County Council of New Castle
35 County hereby recognizes and celebrates the extraordinary life and lasting legacy of
36 Thelma March Rappold, expressing deep gratitude for her many contributions to the
37 community and extending its heartfelt condolences to her family and all who knew her.

Adopted by County Council
New Castle County on: 4/23/2024

Karen Hartley-Nagle
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.