ORDINANCE NO. 20-01

AN ACT TO AMEND CHAPTERS 46 AND 62 OF THE CODE OF ORDINANCES OF THE TOWN OF TOWNSEND CONCERNING THE ABOLISHMENT OF STREET LIGHT UTILITY FEES AND SOLID WASTE/TRASH COLLECTION FEES IN FAVOR OF AN ADJUSTMENT TO PROPERTY TAXES.

WHEREAS, Town Council is obligated to promote the health, safety and welfare of the residents of the town of Townsend;

WHEREAS, the town is authorized pursuant to Sections 2.1.2.1 and 2.1.2.13 to provide for the lighting of streets;

WHEREAS, the town is authorized pursuant to Sections 2.1.2.1, 2.1.2.6. and 2.1.2.21 to provide for the collection of trash and solid waste;

WHEREAS, the town is authorized to raise revenue for the provision of street lights and the collection of trash and solid waste pursuant to 2.1.2.36;

WHEREAS, the Town Council has determined that it is advisable to finance the cost of street lighting and trash collection through its annual budget as an adjustment to property taxes rather than as an individual assessed street light fee.

NOW, THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF TOWNSEND (a majority of the members elected thereto concurring therein):

Section 1. Amend Chapter 46 of the Code of Ordinances, Town of Townsend, Delaware by striking §46-23, §46-24, §46-25, §§(a), (b) and (c) of §46-26, §46-28 and §46-30.

Section 2. Amend Chapter 62 of the Code of Ordinances, Town of Townsend, Delaware by striking therefrom §62-70 in its entirety.

Section 3. If any provision of this Act, or its application to any person or circumstance is held invalid, the remainder of this Act, or the application of the provision to other persons or circumstances shall remain unaffected.

Section 4. This Act shall become effective upon the adoption of the fiscal year 2021 budget.

Ssynopsis

This Act reflects that the cost and expense of street lighting and solid waste/trash collection shall be financed through an adjustment to property taxes during the course of the general budgeting process rather than through an individual fee accounts assigned to property owners.

Enacted: MARCH 18, 2020

Thomas McDonald
Mayor of Townsend
Town of Townsend, New Castle County, DE