

CITY OF MILFORD
NOTICE OF ORDINANCE ADOPTION

NOTICE IS HEREBY GIVEN that City Council of the City of Milford hereby adopted the following ordinance during a regular session on February 13, 2023:

Ordinance 2023-06
ARTICLE III. Powers of the City-Council and Mayor
Chapter 26-Enhancement Funds

WHEREAS, the Charter of the City of Milford (“City”) authorizes City Council (“Council”) to provide for the organization of a fire department and to contribute such amounts of money as deemed appropriate and necessary for the prevention or extinguishment of fires; and

WHEREAS, the costs of providing fire protection and life safety services continues to increase and the ordinance was created to find an alternative method of supplementing those expenses; and

WHEREAS, at the time of its origination, Carlisle Fire Company was the sole volunteer fire organization serving the residents and businesses within the City of Milford; and

WHEREAS, as the City continues to expand its boundaries, City Staff recommends the enhancement fee created by Chapter 26 of the Code of the City of Milford no longer be restricted for use exclusively by the Carlisle Fire Company; and

WHEREAS, upon the effective date of this ordinance, any funds collected for the outlined purposes under Chapter 26 shall be shared among those fire districts within its jurisdiction and specifically assigned to the volunteer fire company whose service district in which the enhancement fee was collected to be distributed after proper application and Council approval.

NOW THEREFORE, the City of Milford hereby ordains:

Section 1. Part I Administrative Legislative Chapter 26 Enhancement Funds of the Code of the City of Milford is hereby amended.

§ 26-1. Surcharges authorized.

Enhancement Funds shall be funded by means of surcharges on the construction costs as indicated on the applications for building permits issued by the City, as outlined in this chapter. Said surcharges shall be paid to and collected by the City as are all other building permit fees for new construction projects, expansion projects or other building projects that increase building size. Enhancement Fund surcharges shall not be required, billed or collected on permits for residential accessory structures, renovations, replacements or similar work that does not increase the building size.

§ 26-2. Rates.

A. ~~Carlisle~~ Fire Company Equipment and Facilities:

- (1) City Council may award ~~to the Carlisle Volunteer Fire Company~~ grants for equipment purchases and facility improvements **to volunteer fire companies with service districts within the City**, which shall be in addition to any other payments provided by the City.

- (a) ~~Carlisle~~ **The** fire company shall identify the amount and need for the grant by written request to the City Manager.
- (b) In accordance with Delaware's Freedom of Information Act, the request will be placed on the next permitted City Council agenda.
- (c) Upon a favorable determination by City Council, the funds will be dispersed within sixty days of the date of approval.
- (2) The grants shall be known as the "~~Carlisle~~ Fire Company Enhancement Fund."
- (3) On or after August 1st of each year, the City Manager shall provide ~~the Carlisle Volunteer Fire Company~~ an estimate of the funds that may be available for grants as a result of the imposed surcharge described hereinafter **to all volunteer fire companies with service districts within the City.**
- (4) The surcharge for the "~~Carlisle~~ Fire Company Enhancement Fund" shall be billed at the rate of 0.25% in accordance with Section 26-1 **and shall be tracked by fire service districts.**
- (5) The City Council, at its sole discretion, may utilize the funds for any fire safety purpose it so deems reasonable.**

B. Police and General Government Facilities

- (1) The surcharge, to be used by City Police and General Government, shall be known as "Police and General Government Facilities Enhancement Fund".
- (2) The surcharge for the "Police and General Government" shall be billed at the rate of 0.75% in accordance with Section 26-1.

§ 26-3. Rules and regulations.

The City Manager is hereby authorized to promulgate such rules and regulations as he/she deems necessary for the purpose of giving full force and effect to the provisions of this chapter.

Section 2. Dates.

Council Introduction 01/23/2023

Council Review/Public Comment/Adoption 02/13/2023

Effective 02/23/23

For additional information, please contact the City Clerk's Office at Milford City Hall at 302-422-1111 or by email at cityclerk@milford-de.gov.

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