



# TOWN OF DEWEY

## BEACH

www.townofdeweybeach.com

105 Rodney Avenue  
Dewey Beach, DE 19971  
302-227-6363 (Voice or TDD)  
302-227-8319 (Fax)

ORDINANCE # \_\_\_\_\_

**AN ORDINANCE TO AMEND CHAPTER 93, ARTICLE II, ADMINISTRATIVE AND POLICE DEPARTMENT FEE SCHEDULE, SECTION 93-7 ADMINISTRATIVE AND OTHER MISCELLANEOUS FEES, AND SECTION 93-8 POLICE DEPARTMENT FEES RELATED TO COPY FEE PER PAGE.**

**WHEREAS**, the Commissioners of the Town of Dewey Beach find it reasonable to amend the fee for the fee for copies per page.

**NOW THEREFORE, BE IT ENACTED AND ORDAINED**, by the Commissioner of the Town of Dewey Beach, Sussex County, Delaware, in session met, as follows:

**Section 1.** Chapter 93, Article II, of the Municipal Code of Dewey Beach, Delaware, is hereby amended by amending Section 93-7 as follows:

**§93-7 Administrative and other miscellaneous fees.**

- A. Copy fee per page: ~~\$1.~~ \$0.25
- B. Bad check fee: \$50.
- C. Fax charge, per page: \$0.50

**Section 2.** Chapter 93, Article II, of the Municipal Code of the Town of Dewey Beach, Delaware, is hereby amended by amending Section 93-8 as follows:

**§93-8 Police Department fees.**

- A. Slim jim (refundable deposit): \$10.
- B. Fingerprinting (passport, etc): \$15.
- C. Refundable deposit for processing a warrant (deposit will be returned at trial): \$50.
- D. Copy of a police report: \$10.
- E. Copy of an accident report: \$25.  
[Amended 3-15-2002]
- F. Bad check fee: \$50.
- G. Fax charge per page: \$0.50.
- H. Copy charge per page: ~~\$1.~~ \$0.25  
[Added 3-14-2009 by Ord. No. 651]

**Section 3.** If any provision of this Ordinance shall be deemed or held to be invalid or unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect any other provision of this Ordinance which may be given effect without such invalid or unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to be severable.

**Section 4.** This Ordinance shall take effect immediately upon its adoption by a majority vote of all Commissioners of the Town of Dewey Beach.

Adopted by at least a majority of all Commissioners of the Town of Dewey Beach on Saturday, December 8, 2018.

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TJ Redefers, Mayor

Attest: \_\_\_\_\_

Scott Koenig, Town Manager

**SYNOPSIS:** This Ordinance lowers the Copy charge per page amount from \$1 to \$0.25 per page for copies made by administrative departments of the town, and lowers the Copy charge per page amount from \$1 to \$0.25 per page for copies made by the Police Department.

## **CURRENT LANGUAGE ON THE TOWN WEBSITE:**

### **PURSUANT TO THE DELAWARE FREEDOM OF INFORMATION ACT TITLE 29 Del. Chapter. 100**

#### **§10003 Examination and copying of public records.**

**(h)** The public body shall respond to a FOIA request as soon as possible, but in any event within 15 business days after the receipt thereof, either by providing access to the requested records, denying access to the records or parts of them, or by advising that additional time is needed because the request is for voluminous records, requires legal advice, or a record is in storage or archived. If access cannot be provided within 15 business days, the public body shall cite 1 of the reasons hereunder why more time is needed and provide a good-faith estimate of how much additional time is required to fulfill the request.

If you do not receive a receipt of your request to the email address provided within 1 full business day, please call Dewey Beach Town Hall at 302-227-6363.

#### **PUBLIC ACCESS RECORD INFORMATION**

1. Any citizen of Delaware may have access to public records for purposes of inspection and copying pursuant to the terms of these regulations and pursuant to Delaware's Freedom of Information Act (29 Del. f. Chapter 100).
2. Inspection and copying of public records may take place only during the regular business hours of 9:00 a.m. to 5:00 p.m., Monday through Friday.
3. Requests shall be in writing on the FOIA Request Form.
4. The Town reserves the right to refuse access to any records which do not constitute "public records" under 29 Del. f. S 10002.
5. Public records which are in active use or in storage will be provided as promptly as possible.
6. At no time shall public records be removed from the Town Hall.
7. Persons requesting copies of public records shall pay the following

#### **FEES:**

- (a) No cost for the first 20 black and white pages. \$0.10 for each additional page.
- (b) No charge for the first hour of administrative time.
- (c) Fees for the copying of tapes, photographs, or any other public record not subject to photocopying shall be the actual cost of reproduction. Specific arrangements must be worked out with the Town Manager.

## MINUTES

### Town Commissioners Meeting and Public Hearing

Town Commissioner's Meeting TO CONVENE AT 9:00A.M

Public Hearing TO CONVENE AT 10:00 A.M.

Dewey Beach Lifesaving Station

#1 Dagsworthy Avenue,

Dewey Beach, DE. 19971

Saturday, April, 11, 2015

#### Convene Town Meeting at 9:00 A.M.

Opening Ceremonies/ Pledge/ Moment of Silence/ Roll Call- Audio 1 of 2: Audio Recoding Mark (ARM): 00:04, Commissioner Riordan, Commissioner Jasinski, Commissioner Legates, Commissioner Mauler, Mayor Hanson, Town Manager Marc Appelbaum, Town Attorney Fred Townsend, and Chief of Police Sam Mackert are all present

Adoption of Agenda- Audio 1 of 2: ARM: 01:17, Motion to adopt the agenda by Commissioner Riordan. Second by Commissioner Jasinski. The vote carried unanimously.

Approval of Minutes Audio 1 of 2: ARM: 02:44, Request to strike "Commissioner Riordan" out of line #4 on item number #12 in the March minutes. Audio 1 of 2: ARM: 11:41, Motion to approve the minutes with the one change by Commissioner Jasinski. Seconded by Commissioner Legates. The vote carried unanimously.

The January, February and March Executive Session minutes were tabled until the next Executive Session to allow for further discussion.

Announcements and Updates: Audio 1 of 2: ARM: 12:10

- New Businesses
- FOIA Coordinator
- Website design
- Chesapeake Street property dispute update
- Realtor Workshop date
- Audio 1 of 2: ARM: 2:23:26, Update on Marketing Committee project with the Sea Est mural by Marketing Chair Marilyn Seitz.

#### Public Hearing at 10:00A.M.:

#### Convene Public Hearing

10. Discuss and possibly vote to revise the fees associated with preparation and copying of public records pursuant to FOIA Audio 2 of 2: ARM: 48:30, Overview of current FOIA procedures and volume of FOIA requests given by Mayor Hanson. Discussion among Commissioners. Commissioner Jasinski made a motion to charge 25 cents per copy on FOIA requests. Seconded by Commissioner Mauler. The vote carried 4-1 with Commissioner Legates opposing.
11. Discussion of broadcasting and documenting Town Meetings Audio 2 of 2: ARM: 1:04:53, Discussion among Town Manager and Commissioners. Town Manager Marc Appelbaum stated that if the Town meetings are going to continue to be broadcasted and recorded, that the Town needs to outsource the duties to a Professional.
12. Town Space update and outline a plan going forward Audio 2 of 2: ARM: 1:14:18, Town Space update by Town Manager Marc Appelbaum.
13. Committees working groups and task force: Audio 2 of 2: ARM: 1:19:38,
  - a. Discuss creating a work group regarding town space and next steps Discussion among Town Manager and Commissioners. Mayor Hanson stated that Bob Duncan, & Pierce Quinlan offered to be on the Town Space working group.
  - b. Discuss and possibly vote appointment to Planning and Zoning Motion to appoint Dale Cooke as a member Planning and Zoning Commission by Commissioner Jasinski. Seconded by Commissioner Riordan. The vote carried unanimously.
  - c. Discuss creating a task force for lighting Town Manager recommended that Alvin Huffman is on the lighting task force
  - d. Discuss creating a task force to look into drainage concerns Town Manager recommended that Alvin Huffman is on the drainage concern task force
  - e. Discuss creating a Comp Plan working group Mayor Hanson stated that Mark Richardson and Phil Winkler agreed to be on the Comp Plan working group
14. Discuss a possible ban on the use of sky lanterns in Dewey Beach Audio 2 of 2: ARM: 1:26:10, Overview on the use of sky lanterns in Dewey Beach by Mayor Hanson. She asked that the item is put on the May agenda to be voted on.
15. Discuss and possibly vote to amend the FY 2016 budget by debiting \$20,000 from misc. police budget and adding \$20,000 to an analytical analysis of the police department. Discussion began Audio 2 of 2: ARM: 1:28:20, Overview of the agenda item by Mayor Hanson, followed by comment by Commissioners, Town Manager Marc Appelbaum, and Town Attorney Fred Townsend. Audio 2 of 2: ARM: 1:53:27, Motion to amend the FY2016 budget by debiting \$20,000 from misc. budget and adding \$20,000 to an analytical analysis of the police department, and to table agenda item #16, by Commissioner Jasinski. There was no second. The motion did not pass.
16. Discuss and possibly vote to retain the services of Strategic Management Research Center to do the analytical analysis of the Police Department Discussion regarding this topic began the same time as agenda item #15 (the conversation on both agenda items

Approved, May 17, 2013, Rev. 030218  
 City Secretary's Office  
 229 Rehoboth Avenue  
 Rehoboth Beach, DE 19971  
 Phone: (302) 227-6181  
 Email: [awomack@cityofrehoboth.com](mailto:awomack@cityofrehoboth.com)

**FEE SCHEDULE**

<b>Printed, Typed or Written Material</b>	
Public records already available in duplicate form	No charge
Black and White Copies (8.5" x 11", 8.5" x 14" and 11" x 17") per page (each side)	\$ 0.50
Color Copies (8.5" x 11", 8.5" x 14" and 11" x 17") per page (each side)	\$ 1.00
Black and White Copies of Drawings, Plots, Plans and Maps per page (larger than 11" x 17")	\$ 15.00
Color Copies of Drawings, Plots, Plans and Maps per page (larger than 11" x 17")	\$ 45.00
Adhesive Labels	\$0.15 per label
<i>Note: The City does not have the in-house capability to copy documents larger than 11" x 17"</i> <i>A minimum fee of \$1.00 per request shall be charged for standard-sized copies. Two-sided copies shall be considered two copies</i>	
<b>Electronic Records</b>	
The fee for copying records consisting of data and information which is input, created, manipulated and/or stored on electronic media will be calculated by the material costs involved in generating the copies (including, but not limited to: electronic storage media) and administrative costs. Actual costs shall be assessed for copying computer generated records and providing other materials such as computer discs, etc.	
In the event that requests for records maintained in an electronic format can be electronically provided to the requesting party, only the administrative charges in preparing the electronic records will be charged.	
<b>Recordings of Oral Dialogue</b>	
Upon request, individuals may listen to recorded oral dialogue. Proper supervision must be ensured in order to protect the material from damage or loss.	
<b>Computer Generated Stored Information</b>	
Administrative fees will be billed to produce computer generated paper copies of computer-stored information or copies stored on electronic media.	
<b>Published Documents</b>	
Zoning Ordinance	\$ 30.00
City Charter	\$ 30.00
Subdivision Regulations	\$ 10.00
Comprehensive Development Plan	\$ 40.00
Zoning Map (black/white)	\$ 10.00
Zoning Map (color)	\$ 30.00
<i>Note: The cost for copies of portions of other documents not listed shall be as stated above. The cost to purchase a complete publication shall be the greater of the fee established at the time of publication or actual cost, whichever is greater.</i>	
<b>Administrative Fees</b>	
Actual Labor Costs: City staff time utilized to fulfill a request for records shall be billed at an hourly rate of \$20.00. Staff time charges will be billed to the requesting party per quarter hour. Staff time charges will be in addition to any duplicating/copying charges. Charges for actual staff time costs include: (a) Staff time associated with processing FOIA requests; (b) Locating and reviewing files; (c) Monitoring file reviews; (d) Generating computer records (electronic or print-outs); and (e) Any other time rendered by the employee in researching, examining, developing, duplicating, reviewing and separating exempt from non-exempt information that has been requested.	
Other Costs: Any other actual costs associated with fulfilling a request for information, such as postage, shall be at the expense of the requesting party.	

**TOWN OF FENWICK ISLAND, DELAWARE**  
**FY 2018-2019 FEE SCHEDULE**  
**RESOLUTION #93-2018**

<p><b><u>L ANNUAL BUSINESS LICENSE FEES</u></b></p> <p><b><u>Retail Merchant (100-3-A)</u></b>  (a) \$185 + .10 per square foot of floor space + \$53 Emergency Medical Service (EMS) fee</p> <p><b><u>Building or Service Contractor (100-3-B)</u></b>  (a) \$75 if Revenue made in Town is less than \$1500 yearly  (b) \$200 if Revenue made in Town is more than \$1500 yearly  (c) \$5 Business License Decal (additional)</p> <p><b><u>Rental Landlord (100-3-C)</u></b>  (a) \$185 for Residential and Commercial rentals  (b) \$185 + \$7.20 per sleeping unit for motels / hotels</p> <p><b><u>Vending Machines (100-3-D)</u></b>  (a) \$25 Newspaper and postage  (b) \$50 Dispensing machines (drink, food, candy, ice)  (c) \$50 Children's amusements  (d) \$75 Music  (e) \$200 ATM  (f) \$250 Amusements and games</p>	<p><b><u>F FINANCIAL FEES</u></b></p> <p>(1) \$100 Charge for checks returned for insufficient funds  (2) \$100 Late payment of Business License Fee (s)  (3) \$200 Collection letter from Town Legal Counsel</p> <p><b><u>H HEARING FEES</u></b></p> <p>(1) Board of Adjustments and Zoning (160-13-B)  \$750 Basic Application to the Board  \$1,200 Application requiring Town Solicitor review  \$2,000 Application requiring Town Solicitor and court stenographer</p> <p>(2) \$500 Council Hearing / House Move (61-12-A)  (3) \$500 Council Hearing / Sub-Division (142-2-A)  (4) \$500 Council Hearing / Code Exceptions (160-10-B)</p>
<p><b><u>B BUILDING PERMIT FEES</u></b></p> <p>(1) 3% of estimated construction cost \$100 minimum (61-8)  \$350 Permit fee for approved building move (61-12-B)  (3) Renewable Energy Building Permit fee – 2% ECC or \$100 whichever is less (160-7)</p>	<p><b><u>O OTHER FEES (DEFINED BY PERMIT FORM)</u></b></p> <p>(1) Beach Bonfire Permit \$75 fee + \$100 deposit  (2) Villalon Hall Rental \$40 fee + \$40 deposit  • Annual non-profit \$50 fee  (3) Special Events \$150 fee + \$250 deposit  (4) Special Event Police Coverage Fees  • Events less than 75 persons 2 hour min., \$100 per hour  • Events exceeding 75 persons 4 hour min., \$100 per hour</p>
<p><b><u>S SIGN PERMITS FEES (136-6-C)</u></b></p> <p>(1) \$200 Multiple use identification sign (135-6-C)  (2) Single use identification sign \$2 per lineal foot up to maximum of \$100 (135-6-C)  (3) \$20 All other sign permits (135-6-C)</p>	<p><b><u>C COPY FEES</u></b></p> <p>(1) \$0.50 Xerox or computer print-out copy  (2) \$25 Audio cassette / CD / DVD  (3) \$500 Town Code Book  (4) \$100 Town Merchant Address List (PDF available)  (5) \$150 Property Owner Address List (PDF available)</p>
<p><b><u>P PARKING PERMIT FEES (112-11-P)</u></b>  <i>May 15 – September 15<sup>th</sup>, 9:00 a.m. – 4:00 p.m.</i></p> <p>(1) \$2.50 Hourly Permit (2 hour minimum)  (2) \$20 Daily Permit  (3) \$120 Weekly Permit  (4) \$400 Summer Permit  (5) \$400 Additional Resident Hang Tag (BLUE)  (6) \$100 Resident Merchant Employee Permit (ORANGE)  (7) \$200 Replacement of lost Permit</p>	<p><b><u>R REAL ESTATE PROPERTY TAX</u></b></p> <p>(1) \$1.92 per \$100 assessed value</p> <p><b><u>O OTHER FEES</u></b></p> <p>\$53 Emergency Medical Services (EMS)  \$269 Waste Administration</p>

**Town of Bethany Beach  
FY 2019 Schedule of Fees**

**ADMINISTRATIVE FEES:**

(ALL FEES SHOULD BE PREPAID AT TIME OF ORDER)

Copy of Town Code	100.00
Copy Zoning Code	25.00
Copy of Subdivision Code	25.00
Copy of Town Charter	25.00
Copy of Comprehensive Development Plan	25.00
Copy of Town Map (Full Size)	10.00
Copy of Town Map (Reduced Size)	1.00
Copy of Water Line Specifications	10.00
Copy of Street Specifications	10.00
Annual Subscription Fee for Entire Code	50.00
Annual Subscription Fee for Zoning Code	25.00
Annual Subscription Fee for Subdivision Code	10.00
Property Owner Address printed labels or listing (Tax List)	150.00
Property Owner Address on disc or email (Tax List)	50.00
Property Owner Address printed labels for Candidates only (Voter List)	25.00
Tax List (Other)	100.00
Photocopies (Per Page, Per Side)	1.00
Fax Service (1 to 3 Pages)	5.00
Return Check Fee	35.00

**APPLICATIONS TO TOWN COUNCIL:**

Application for Rezoning	250.00
Request for Zoning Code Amendment	300.00

**APPLICATIONS TO PLANNING COMMISSION:**

Application for Land Combining	175.00
Application for Land Partitioning	175.00
PRDs and Minor Residential Subdivisions	\$500 plus \$250 per dwelling
Major Residential Subdivisions	\$1,000 plus \$250 per dwelling

**ADDITIONAL COSTS:**

For all Planned Residential Developments, major and minor subdivisions and all construction projects that require engineering reviews, making periodic inspections or both, the applicants shall make a cash deposit in an amount to be determined by the Building Inspector for the purpose of covering all costs and expenses incurred by the Town of Bethany Beach in using any outside consultant or resource (engineer, scientists, consultant, etc.) in considering, examining, reviewing and making reports and recommendations concerning the plan, as submitted, or making inspections during construction. Upon the final review and approval of the submitted plans, but prior to the issuing of a building permit, the Building Inspector shall determine the costs which have been incurred by the Town for any outside consultant or resource and shall deduct those costs from the deposit made by the applicant(s). If the deposit exceeds the costs incurred by the Town, the Building Inspector shall refund the remaining funds to the applicant(s) without interest. If the deposit is less than the costs incurred by the Town, the applicant(s) shall pay the difference to the Town prior to the issuance of any approval for construction by any Town Official, Committee, or Commission.

**APPLICATION FOR BOARD OF ADJUSTMENTS:**

Application for Home Occupation	50.00
Basic Application to the Board	525.00
Application requiring Town Solicitor review	1,200.00
Application requiring Town Solicitor and court stenographer	2,000.00

**BUILDING PERMITS:**

Building Permit Fee	3%
Based on actual construction costs, but in an amount not less than the cost computed by the International Code Council's square foot construction cost standard (R-3 VB), if applicable. Charged on all commercial and residential primary buildings, accessory buildings, and improvements to an existing open deck, screen porch, accessory building or patio by adding walls and/or roof to become enclosed living space.	
Fee for renovations and retrofits is based on actual construction costs, but in an amount not less than the cost computed by the ICC's square foot construction cost standard (R-3 VB) if applicable.	