

ORDINANCE NO. 2869

**AN ORDINANCE ESTABLISHING THE ANNUAL OPERATING BUDGET FOR
FISCAL YEAR 2023**

THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. The Statement of Anticipated General Fund Revenues for the Fiscal Year Ending June 30, 2023 is as follows:

	<u>Amount Year</u> <u>Ending</u> <u>June 30, 2023</u>
<u>Revenues:</u>	
<u>Taxes</u>	
Real Property - County	\$ 15,944,000
Real Property - Library	1,868,000
Realty Transfer	32,800,000
Fire Service	1,860,000
Lodging Tax	1,000,000
Penalties and Interest	150,000
<u>Intergovernmental</u>	
Federal Grants	
Emergency Operations	200,000
Housing and Urban Development	2,403,000
Library	9,000
Payments in Lieu of Taxes	6,100
State Grants	
Economic Development	150,000
Local Emergency Planning Commission	72,000
Library	350,000
Other	100,000
Paramedic	5,200,000
<u>Charges for Services</u>	
Constitutional Office Fees	
Marriage Bureau	175,000
Recorder of Deeds	5,488,000
Recorder of Deeds - Maintenance	60,000
Recorder of Deeds - Town Realty Transfer Tax	135,000
Register of Wills	1,300,000
Sheriff	750,000

	<u>Amount Year</u> <u>Ending</u> <u>June 30, 2023</u>
General Government Fees	
Building Permits & Zoning Fees	2,630,000
9-1-1 System Fee	559,630
Manufactured Home Placement Fee	150,000
Building Inspection Fees	1,960,000
Airport Operations/Economic Development	670,000
Miscellaneous Fees	62,000
Private Road Review & Inspection Fees	2,200,000
 <u>Miscellaneous Revenue</u>	
Fines and Forfeits	50,000
Investment Income	1,000,000
Miscellaneous Revenues	227,200
 <u>Other Financing Sources</u>	
Interfund Transfers In	47,000
Appropriated Reserve	<u>6,059,900</u>
 <u>Total Revenues</u>	<u>\$ 85,635,830</u>

Section 2. The Statement of Anticipated General Fund Appropriations and Expenditures for the Fiscal Year Ending June 30, 2023 is as follows:

<u>EXPENDITURES</u>	<u>AMOUNT</u> <u>YEAR</u> <u>ENDING</u> <u>JUNE 30, 2023</u>
<u>General Government</u>	
County Council	737,463
Administration	618,822
Legal	550,000
Finance	2,587,040
Assessment	5,847,200
Building Code	1,487,313
GIS	1,056,527
Human Resources & General Employment	1,025,649
Records Management	333,607
Facilities Management	2,413,626
Information Technology	2,509,600

<u>Expenditures (continued)</u>	<u>Amount Year Ending June 30, 2023</u>
<u>Planning and Zoning</u>	
Planning and Zoning	1,787,548
Constable	1,539,346
 <u>Paramedics</u>	 21,187,553
 <u>Emergency Preparedness</u>	 5,606,655
 <u>Engineering</u>	 2,234,269
 <u>Library</u>	
Administration	891,913
Operations	2,682,816
 <u>Economic Development</u>	
Economic Development	553,460
Safety and Security	490,666
Airport and Business Park	1,013,341
 <u>Community Development</u>	 2,965,945
 <u>Grant-in-aid</u>	 22,085,609
 <u>Constitutional Offices</u>	
Marriage Bureau	280,471
Recorder of Deeds	1,001,135
Register of Wills	690,456
Sheriff	742,300
 <u>Other Financing Uses</u>	
Transfers Out	115,500
Reserve for Contingencies	600,000
 <u>Total Expenditures</u>	 <u>\$ 85,635,830</u>

Section 3. If Realty Transfer Tax collections exceed an amount of \$33,800,000, the excess amount shall be transferred to the Capital Project Fund for future capital projects.

Section 4. The Tax Rate, Fireman's Enhancement Funding Program, Cluster Fees, fee increases and new sources of revenue for the Fiscal Year Ending June 30, 2023 are as follows:

- (a) County Property Tax Rate \$.4450 per \$100.00 of taxable assessed valuation.
- (b) Firemen's Enhancement Funding Program - Building Permit surcharge of one-quarter of one percent (.25%) of construction values. Distribution will be made to fire companies and ambulance companies who are in good standing with the Sussex County Volunteer Fire Association.

(c) Cluster Fee for density bonus.

- 1.) For the Town Centers and Developing Areas around Greenwood, Bridgeville, Seaford, Blades, Laurel and Delmar - \$15,000 per unit in excess of two dwelling units per acre.
- 2.) For the Town Centers and Developing Areas around Milford, Milton, Ellendale, Georgetown, Millsboro, Dagsboro, Frankford and Selbyville - \$15,000 per unit in excess of two dwelling units per acre.
- 3.) For the Environmentally Sensitive Developing Area - \$20,000 per unit in excess of two dwelling units per acre.

(d) Fee increases.

- 1.) Utility Enterprise - Water Annual Service Charge based on EDU - increased from \$342 per EDU to \$377.
- 2.) Utility Enterprise - Sewer Annual Service Charge - increased from \$296 per EDU to \$320.
- 3.) Library late fees for all overdue fees will be \$0.25 per day for all mediums.
- 4.) Board of Adjustment application fee changes from \$400 to \$500 - \$800 depending on number of variances
 - a. 1 to 6 variances - \$500
 - b. 7 to 9 variances - \$600
 - c. 10 or more variances - \$800
 - d. Board of Adjustment code interpretation or administrative appeal - \$500
 - e. Variance modification request within 1 year of approval - \$500
- 5.) Change of Zone petition to amend Comprehensive Land Use Plan and Zoning map increases from \$500 to \$1,000
- 6.) Conditional Use application (non-small scale Conditional Uses) increases from \$500 to \$1,000 plus \$50 per dwelling unit
- 7.) Conditional Use application for business, commercial, industrial, and other buildings increases from \$500 to \$100 per 1,000 square feet capping at \$5,000 per phase of construction
- 8.) Major Subdivision/RPC application increases from \$500 plus \$10/lot to \$1,000 plus \$50/dwelling unit
- 9.) Re-subdivision or revised record plan for residential increases from \$500 to \$1,000 plus \$50 per additional dwelling unit
- 10.) Revised record plan for nonresidential increases from \$500 to \$1,000
- 11.) Plan expiration extension increases from \$500 to \$1,000
- 12.) Appeal with regard to subdivision standards affecting an individual lot or use, or other residential and nonresidential lots or use, increases from \$500 to \$3,000
- 13.) Special event fee for paramedic staff increases from \$60/hour/paramedic to \$75/hour/paramedic
- 14.) Special event fee for dispatcher staff increases from \$40/hour/dispatcher to \$50/hour/dispatcher
- 15.) Special event fee for the mobile command unit increases from \$40/hour to \$50/hour
- 16.) Enterprise Fund - Bulk Water Usage Fee - first 5,000 gallons – from \$25 to \$30
- 17.) Enterprise Fund – Bulk Water Usage Fee – 5,001 gallons and up – from \$5 per 1,000 gallons to \$6 per 1,000 gallons

(e) New Sources of Revenue

- 1.) Enterprise Fund - Water Irrigation System Fee - \$377 annual fee per connection
- 2.) Enterprise Fund - Sewer Assessment Fee - Mulberry Knoll - \$7.76 per front footage
- 3.) Enterprise Fund – Sewer Assessment Fee – Pintail Pointe - \$954 based on equivalent dwelling unit (EDU).
- 4.) Foreign transaction fees will be reimbursed by customer
- 5.) Minor subdivision (2-5 lots) - \$200 plus \$20 per lot
- 6.) Minor lot line adjustments or lot consolidation - \$150
- 7.) Zoning or certificate of use verification letter - \$150
- 8.) Additional P&Z reviews required to release bond - \$150
- 9.) Application to amend zoning ordinance - \$1,000
- 10.) Re-advertising due to postponement by applicant – reimbursement of cost
- 11.) Site Plan reviews for business, commercial, industrial, and other buildings excluding hospitals, schools, institutional, and worship structures - \$100 per 1,000 square feet up to \$5,000 per phase
- 12.) Appeal of a revised landscape plan - \$500
- 13.) Appeal of a record plan modification or sunset plan review/determination - \$1,000

Section 5. Fees and Charges Schedule required to be set by budget ordinance as stated in the Sussex County Code:

<i>Area</i>	Fee Description	Fee	Unit of Measure
Planning & Zoning	Minor subdivision (2-5 lots)	\$200 plus \$20 per lot	
Planning & Zoning	Minor lot line adjustment/lot consolidation	\$150	Per occurrence
Planning & Zoning	Zoning and certificate of occupancy verification letters	\$150	Per occurrence
Planning & Zoning	Subsequent reviews to release bond	\$150	Per review
Planning & Zoning	Board of Adjustment application	\$500	1 – 6 variances
Planning & Zoning	Board of Adjustment application	\$600	7 – 9 variances
Planning & Zoning	Board of Adjustment application	\$800	10 or more variances
Planning & Zoning	Board of Adjustment application	\$400	Per special use exception
Planning & Zoning	Board of Adjustment code interpretation or administrative appeal	\$500	Per occurrence
Planning & Zoning	Variance modification request within 1 year	\$500	Per occurrence
Planning & Zoning	Change of zone application	\$1,000	Per occurrence
Planning & Zoning	Application to amend zoning ordinance	\$1,000	Per occurrence

<i>Area</i>	<i>Fee Description</i>	<i>Fee</i>	<i>Unit of Measure</i>
Planning & Zoning	Small scale conditional use (CU) application (small scale is when the proposed CU is to operate as an accessory/ancillary manner to a dwelling on the parcel)	\$500	Per occurrence
Planning & Zoning	Conditional Use application (not small scale)	\$1,000 plus \$50 per dwelling unit	
Planning & Zoning	Conditional Use application for business, commercial, industrial, and other buildings	\$100 per 1,000 square feet, capped at \$5,000 per phase	
Planning & Zoning	Major subdivision/RPC application	\$1,000 plus \$50 per dwelling unit	
Planning & Zoning	Re-advertising due to postponement of applicant	Cost of advertisement	
Planning & Zoning	Re-subdivision or revised record plan – residential	\$1,000 plus \$50 per dwelling unit	
Planning & Zoning	Re-subdivision or revised record plan – nonresidential	\$1,000	Per occurrence
Planning & Zoning	Plan expiration extension	\$1,000	Per occurrence
Planning & Zoning	Construction sign permit fee	\$.50 per square foot, with a minimum of \$25 per sign for signs larger than 32 square feet	
Planning & Zoning	Sign permit fee, signs larger than 32 square feet (annual fee)	\$.25 per square feet, minimum charge of \$25 per sign for sign larger than 32 square feet.	
Planning & Zoning	Sign permit fee, equal to or less than 32 square feet	\$7.50	One-time fee
Planning & Zoning	Site plan review for business, commercial, industrial, and other buildings (hospitals, schools, institutional, and places of worship are exempt)	\$100 per 1,000 square feet, capped at \$5,000 per phase	
Planning & Zoning	Appeal from any finding, decision, or recommendation of the Department with regard to subdivision standards affecting an individual residential lot or use and/or affecting other residential and nonresidential lots or uses	\$3,000	Per appeal
Planning & Zoning	Appeal of revised landscape plan	\$500	Per appeal
Planning & Zoning	Appeal of record plan modification	\$1,000	Per appeal
Planning & Zoning	Appeal of sunset plan review/determination as to whether substantially underway	\$1,000	Per appeal
Planning & Zoning	Site plan review fee - Multifamily residential	\$50 minimum, plus \$2 per dwelling unit in excess of 10 dwelling units.	
Planning & Zoning	Site plan review fee – Commercial, industrial, or private institutional	\$50 minimum, plus \$2 per 1,000 square feet in excess of 4,000 square feet of gross floor area, including outside sales display and storage areas.	

Area	Fee Description	Fee	Unit of Measure
Planning & Zoning	Site plan review fee – Commercial, industrial, or private institutional	\$50 minimum, plus \$2 per 1,000 square feet in excess of 4,000 square feet of gross floor area, including outside sales display and storage areas.	
Planning & Zoning	Site plan review fee – Manufactured home parks, parks, and campgrounds for mobile campers and tent camping	\$50 minimum, plus \$2 per site in excess of 10 manufactured homes or campsites.	
Building Code	Building Permit	\$7.50 for the first \$1,000 of construction estimate; \$3 for each \$1,000 thereafter for properties not within incorporated municipalities that have their own Zoning Code.	
Building Code	Building Permit	\$5.00 for the first \$1,000 of construction estimate; \$2 for each \$1,000 thereafter for properties within incorporated municipalities that have their own Zoning Code.	
Building Code	Manufactured Home Placement Permits	\$7.50 for the first \$1,000 of construction estimate; \$3 for each \$1,000 thereafter for properties not within incorporated municipalities that have their own Zoning Code.	
Building Code	Manufactured Home Placement Permits	5.00 for the first \$1,000 of construction estimate; \$2 for each \$1,000 thereafter for properties within incorporated municipalities that have their own Zoning Code.	
Building Code	Manufactured Home Inspection	\$120	Fee includes up to three inspections.
Building Code	Manufactured Home Inspection – additional fees	\$40	Additional fee for each need over and above the first three inspections.
Engineering	Plan Review Fees - Chapter 99 - Flat fee for (2) reviews of submitted plans	\$2,500	Flat fee
Engineering	Plan Review Fees - Chapter 99 - Per unit for (2) reviews of submitted plans	\$45	Per unit (addition to flat fee)
Engineering	Plan Review Fees - Chapter 99 - Third Additional review - after first (2) reviews	60%	Original plan review fees
Engineering	Plan Review Fees - Chapter 99 - Fourth Additional review - after first (3) reviews	50%	Original plan review fees
Engineering	Plan Review Fees - Chapter 99 - Fifth Additional review - after first (4) reviews	40%	Original plan review fees
Engineering	Plan Review Fees - Plan Revisions - Chapter 99 - After obtaining County approval	\$1,000	Each
Engineering	Field Inspection Fees - Chapter 99	\$1,225	Per Equivalent Dwelling Unit including as-built assets
Engineering	Field Inspection - Overtime - Holiday or Weekend hours	\$50.00	Per Hour
Utility Enterprise	Damage to County Infrastructure from outside sources	Varies	Actual Cost or equipment rates based on FEMA Schedule

<i>Area</i>	Fee Description	Fee	Unit of Measure
Utility Enterprise	Plan Review Fees - Chapter 110 - Sussex County Sewer District - Sewer - Flat fee including (2) reviews of submitted plans	\$2,000	Flat fee
Utility Enterprise	Plan Review Fees - Chapter 110 - Sussex County Sewer District - Sewer - Per Unit including (2) reviews of submitted plans	\$20	Per unit (addition to Flat Fee)
Utility Enterprise	Plan Review Fees - Chapter 110 - Sussex County Water District - Water - Flat fee including (2) reviews of submitted plans	\$1,500	Flat fee
Utility Enterprise	Plan Review Fees - Chapter 110 - Sussex County Water District - Water – per unit including (2) reviews of submitted plans	\$10	Per unit (addition to flat fee)
Utility Enterprise	Plan Review Fees - Chapter 110 - Third Additional reviews - after first (2) Sewer/Water plan review	60%	Original plan review fees
Utility Enterprise	Plan Review Fees - Chapter 110 - Fourth Additional reviews - after first (3) Sewer/Water plan review	50%	Original plan review fees
Utility Enterprise	Plan Review Fees - Chapter 110 - Fifth Additional reviews - after first (4) Sewer/Water plan review	40%	Original plan review fees
Utility Enterprise	Plan Review Fees - Plan Revisions - Chapter 110 - After obtaining County approval.	\$1,000	Each
Utility Enterprise	Pump Station Review Fees – Chapter 110	\$2,500	Flat fee including 2 reviews of submitted plans
Utility Enterprise	Field Inspection Fees - Chapter 110	\$875	Per EDU including as-built assets
Utility Enterprise	Rescheduled connection inspections - each additional field inspection required due to contractor's methods, no call/no show, or cancellation within 2 hours of scheduled appointment	\$100	Per occurrence
Utility Enterprise	Field Inspection - Overtime	\$50	Per hour
Utility Enterprise	Sewer/Water Connection Permits	\$100	Per permit
Utility Enterprise	Availability fee for Private Fire Service	\$250	Annually
Utility Enterprise	Waste hauler's annual septage discharge license fee	\$250	Annually
Utility Enterprise	Waste hauler fee - Septage Treatment Charges	\$0.076	Per gallon
Utility Enterprise	Wastewater Holding Tank Permit	\$100	Each
Utility Enterprise	Water Turn Off or On Fee	\$300	Each
Utility Enterprise	Bulk Water User Permit (Usage Fees charged separately)	\$50	Each
Utility Enterprise	Bulk Water Usage Fee - First 5,000 Gallons	\$30	5,000 gallons
Utility Enterprise	Bulk Water Usage Fee - 5,001 Gallons and Up	\$6	1,000 gallons
Utility Enterprise	Industrial Wastewater Discharge Permit	\$500	Per issuance

Area	Fee Description	Fee	Unit of Measure
Utility Enterprise	Industrial Wastewater Discharge - Permit Amendment	\$250	Per issuance
Utility Enterprise	Industrial Wastewater Discharge - Permit Variance(s)	\$250	Per issuance
Utility Enterprise	Industrial Wastewater Discharge - User Annual Monitoring Fee	\$250	Annually
Utility Enterprise	Application Fees - Extending District Boundaries - Sewer and/or Water - 2 Acres or Less	\$500	Each
Utility Enterprise	Application Fees - Extending District Boundaries - Sewer and/or Water - 2.1 - 9.9 Acres	\$750	Each
Utility Enterprise	Application Fees - Extending District Boundaries - Sewer and/or Water - 10 - 150.0 Acres	\$1,500	Each
Utility Enterprise	Application Fees - Extending District Boundaries - Sewer and/or Water - Over 150.0 Acres	\$2,500	Each
Utility Enterprise	Sewer Availability Fee	100%	Annual Service Charges
Utility Enterprise	Sewer Inspection Camera Fee	\$125	Per hour for equipment and crew; charge based on hourly increments
Utility Enterprise	Bio-solids Processing Fee	---	Per individual contracts
Utility Enterprise	Enterprise Employee Premium Hourly Rate for Services for After Hours	Various	Employee premium hourly rate plus 40% overhead charge
Utility Enterprise	Water Fire Service Fee	\$300	Per connection – Annual
Utility Enterprise	Sewer Service Concept Evaluation Fee	\$1,000	Each

Section 6. The Statement of Anticipated Capital Project Fund Revenues and Expenditures for the Fiscal Year Ending June 30, 2023 is as follows:

	<u>Amount Year</u> <u>Ending</u> <u>June 30, 2023</u>
<u>Revenues and Other Financing Sources</u>	
Appropriated Reserves	\$ 26,292,500
Federal Grant	2,005,000
Investment Income	50,000
State Grant	22,500
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<u>Total Revenues and Other Financing Sources</u>	<u>\$ 28,370,000</u>

<u>Expenditures</u>	<u>Amount Year</u> <u>Ending</u> <u>June 30, 2023</u>
Administrative	8,650,000
Information Technology	300,000
Airport and Business Park	9,805,000
Engineering	600,000
Library	215,000
Public Safety	8,800,000
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Total Capital Improvement Expenditures	\$ 28,370,000
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Section 7. The Statement of Anticipated Enterprise Fund Revenues and Expenses for the Fiscal Year Ending June 30, 2023 is as follows:

<u>Revenues and Other Financing Sources</u>	<u>Amount Year</u> <u>Ending</u> <u>June 30, 2023</u>
Operating Revenues	
Service Charges	\$ 28,794,973
Holding Tank Fees	524,000
Licenses, Permit, and Review Fees	1,295,000
Miscellaneous Fees	523,037
Non-Operating Revenues	
Assessment Charges	8,524,061
Capitalized Ord. 38 Fees	2,300,000
Connection Fees	9,205,941
Investment Results	741,000
Miscellaneous Revenues	364,000
Other Financing Sources	
Available Funds	933,085
Transfers	115,500
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Total Revenues and Other Financing Sources	\$ 53,320,597
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<u>Expenses</u>	
Administrative Costs	\$ 10,022,176
Operations and Maintenance Costs	23,886,949
Capital Expenditures	6,005,394
Debt Service	13,406,078
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Total Expenses and Debt Service	\$ 53,320,597
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Section 8. Supplemental funding provided by the American Rescue Plan Act as follows:

Revenue and Other Financing Sources

Coronavirus State and Local Fiscal Recovery Grant \$ 45,340,373

Expenses and Other Financing Uses

Coronavirus State and Local Fiscal Recovery Eligible Expenses \$ 45,340,373

Section 9. Unappropriated or unobligated General Fund expenditures requiring a transfer from the General Fund Undesignated Fund Balance require approval by not less than four-fifths of the members of Sussex County Council concurring.

Section 10. The County Pay Plan and Salary Structure for employees not in a collective bargaining unit for Fiscal Year Ending June 30, 2023 shall be:

Grade	Minimum	Midpoint	Maximum
1	\$ 13.52	\$ 16.90	\$ 20.28
2	\$ 14.20	\$ 17.75	\$ 21.29
3	\$ 14.91	\$ 18.63	\$ 22.36
4	\$ 15.65	\$ 19.56	\$ 23.48
5	\$ 16.43	\$ 20.54	\$ 24.65
6	\$ 17.26	\$ 21.57	\$ 25.88
7	\$ 18.12	\$ 22.65	\$ 27.18
8	\$ 19.02	\$ 23.78	\$ 28.54
9	\$ 19.98	\$ 24.97	\$ 29.96
10	\$ 20.97	\$ 26.22	\$ 31.46
11	\$ 22.02	\$ 27.53	\$ 33.03
12	\$ 23.12	\$ 28.90	\$ 34.69
13	\$ 24.28	\$ 30.35	\$ 36.42
14	\$ 25.49	\$ 31.87	\$ 38.24
15	\$ 26.77	\$ 33.46	\$ 40.15
16	\$ 28.11	\$ 35.13	\$ 42.16
17	\$ 53,712	\$ 67,141	\$ 80,569
18	\$ 56,399	\$ 70,498	\$ 84,597
19	\$ 59,218	\$ 74,023	\$ 88,827
20	\$ 62,180	\$ 77,724	\$ 93,268
21	\$ 65,288	\$ 81,610	\$ 97,932
22	\$ 68,552	\$ 85,691	\$ 102,829
23	\$ 71,980	\$ 89,975	\$ 107,971
24	\$ 75,579	\$ 94,474	\$ 113,369
25	\$ 79,358	\$ 99,197	\$ 119,038
26	\$ 83,326	\$ 104,158	\$ 124,989
27	\$ 87,492	\$ 109,365	\$ 131,238
28	\$ 91,867	\$ 114,834	\$ 137,800
29	\$ 96,460	\$ 120,576	\$ 144,690
30	\$ 101,283	\$ 126,604	\$ 151,925
31	\$ 106,347	\$ 132,934	\$ 159,521
32	\$ 111,665	\$ 139,581	\$ 167,498
33	\$ 117,248	\$ 146,560	\$ 175,872
34	\$ 123,111	\$ 153,888	\$ 184,666

Section 11. The County has invested \$10 million of Appropriated Reserves from Realty Transfer Tax funds with a goal to earn five percent per year. The fire companies are to receive a grant for the annual investment income from this investment up to four percent per year; these fire service grants are to be awarded annually based on recommendations from the Fire Resource Committee of the Sussex County Volunteer Firefighters Association, but at the discretion of the Sussex County Council. The County will receive the first one percent of the investment income earned. The fire service would receive investment income of up to four percent after the County receives one percent. A four-fifths vote of the County Council is required to use principal for any other purpose. If there is a loss from the investments, then the principal balance must be restored before any additional grants are made from investment income in the future to the County or fire service. The County is to receive the investment income over five percent per year. These grants to the fire service will be awarded annually, based on the previous calendar year's annual investment results.

Section 12. This Ordinance shall become effective on July 1, 2022.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2869 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 21ST DAY OF JUNE 2022.

TRACY N. TORBERT
CLERK OF THE COUNCIL