

ORDINANCE No. _____

AN ORDINANCE TO AMEND CHAPTER 62, ARTICLE IV, § 62-15 OF THE CODE OF SUSSEX COUNTY TO INCREASE VARIOUS FEES CHARGED BY THE SHERIFF

WHEREAS, Sussex County Code, Chapter 62, Article IV, § 62-15 establishes the fees to be charged by the Sheriff for serving various legal documents; and

WHEREAS, this ordinance has been requested by the Sheriff of Sussex County to increase the amounts of fees and/or deposits charged by that office because the costs of rendering those services now exceeds the amounts of the fees and deposits now being charged by that office for the services, identified herein; and

WHEREAS, the Sheriff desires to increase the amounts charged for the affected fees and deposits in order to prevent the cost of services from exceeding the amounts presently charged and to make certain that the fees received by that office completely cover the cost of rendering the services identified in this ordinance; and

WHEREAS, by the adoption of this ordinance, the Sussex County Council desires to update the fees and/or deposits required for the services identified herein that are performed by the Sheriff of Sussex County.

NOW THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. Sussex County Code, Chapter 62, FEES, Article IV, Sheriff, § 62-15. Enumeration of fees, is hereby amended by deleting the matter to be omitted by enclosing it in brackets [] and indicates new matter being inserted therein by underlining, as set forth below:

§ 62-15. Enumeration of fees.

A. The fees of the Sheriff in and for Sussex County to be charged by Sussex County to the appropriate parties and to be paid by such appropriate parties to Sussex County for the services specified in this section shall be as follows:

- (1) For serving a writ of summons and complaint, amended summons, writ of alias summons, first, second pluries, etc, writ of waste, summons in partition, subpoena ad respondendum, attachment for attaching property, process of certiorari, citation, appeal, complaint and notice of ejectment, attachment, attachment upon garnishees, for each garnishee summoned, or any process of arrest in a civil case, notice of sale to each plaintiff and defendant and landlord or execution creditor, notice to plaintiffs and defendants in inquisition, advertising rule or notice to defendant in divorce or any other process in the nature thereof and making due return of the same for each person so served or notified (per person, whether served or not): [\$30] \$40. For service of an alias or additional scire facias summons, for each person so served or notified (per person, whether served or not): [\$40] \$50. For service of an original or additional summons in replevin, for each person so served or notified (per person, whether served or not): \$50.

- (a) For each additional defendant at the same address: \$5.

- (b) For each additional defendant at a different address: [\$30] \$40.
- (2) For serving and returning a subpoena to give evidence or to bring papers for each person summoned both in civil or criminal actions, for the first and subsequent filings: [\$15] \$20.
- (5) For attachment fieri facias (wage attachment): [\$30] \$40.
- (6) For levying an execution on goods, chattels, lands and tenements and making inventory, causing appraisement:
- (a) Fieri facias attachment – levy:
1. For Court of Common Pleas (personal property, vehicles): [\$75] \$90.
 2. For Superior Court (personal property, vehicles): [\$75] \$90.
 3. For Superior Court (real estate): [\$75] \$90.
 4. For Superior Court (foreign attachments on boats, horses, etc.): [\$75] \$90.
- (b) If no levy is made: [\$75] \$90.
- (11) For service on all papers, except those described above:
- (a) Per person: [\$30] \$40
- (b) For each additional person at the same address: \$5
- (c) For each additional person at a different address: [\$30] \$40.
- (12) For a certified letter: [\$7.50] \$10.00
- (21) For services of any document or paper regarding any matter not originating in the State of Delaware: [\$75] \$90.

Synopsis

This Ordinance amends Sussex County Code, Chapter 62, Article V, § 62-15 A, (1), (2), (5), (6), (11), and (12) to increase the fee for services performed by the Sheriff.

Deleted text is shown in brackets. Additional text is underlined.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. _____ ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE ____ DAY OF JUNE 2025.

TRACY TORBERT
CLERK OF THE COUNCIL