

ORDINANCE NO. 1816
(As Amended)

AN ORDINANCE TO AMEND CHAPTER 62 OF THE CODE OF SUSSEX COUNTY BY AMENDING ARTICLE IV §62-15 RELATING TO SHERIFF'S FEES.

WHEREAS, the Sussex County Council has determined that in order to better serve the health, safety and welfare of the citizens of Sussex County, it is necessary to revise the Code of Sussex County in relation to the fees charged for services provided by the Sussex County Sheriff, his staff and deputies, to amounts that are currently appropriate based on the amount of work and expenses involved in providing those services;

NOW, THEREFORE THE COUNTY OF SUSSEX HEREBY ORDAINS:

§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:

- (6) For levying an execution on good, chattels, lands and tenements and making inventory, causing appraisalment:
 - (a) Fieri facias attachment -- levy:
 - [1] For Court of Common Pleas (personal property, vehicles): \$[30] 75.
 - [2] For Superior Court (personal property, vehicles): \$[30] 75.
 - [3] For Superior Court (real estate): \$[30] 75.
 - [4] For Superior Court (foreign attachment on boats, horses, etc.): \$[30] 75.
 - (b) If no levy is made: \$[30] 75.
- (9) For selling goods and chattels on execution: \$50 for service of the Sheriff plus 3% of the amount made by the sale and legally applied. If an execution is levied upon goods and chattels and settled without sale after the expiration of 30 days from the levy and notice thereof to the defendant, the Sheriff shall be entitled to the costs of the sale; otherwise if the execution is settled before the expiration of 30 days, the costs of the sale shall not accrue or be endorsed.
- (15) For service of the Sheriff for any moneys arising from a sale of personal property or lands and tenements by virtue of an execution in his hands and applicable to other executions or judgments prior to or subsequent, excepting sales of goods and chattels on execution: \$10.
- (21) For service of any document or paper regarding any matter not originating in the State of Delaware: \$[50] 75.
- (22) For sending levy sheets and/or return of service documents via facsimile: \$20 for the first page and \$2 for each additional page.
- (23) For services performed by a deputy (the need for any more than two (2) deputies shall be approved by the County Administrator): \$35/hr.

B. The fees to be charged to Sussex County by the Sheriff of Sussex County for

performing the services set forth in Subsection A and to be paid by Sussex County to the Sheriff of Sussex County shall be as follows:

(1) For serving each writ, process or notice mentioned in Subsection A necessarily traveled out and in from place of return to the place of service, for each writ, subpoena or notice so served (cost per mile):

(a) For all courts: [\$0.25] the IRS allowable mileage rate as it may change from time to time.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 1816 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 10TH DAY OF JANUARY 2006.

A handwritten signature in black ink, appearing to read "Re Griffith", with a stylized flourish at the end.

**ROBIN A. GRIFFITH
CLERK OF THE COUNCIL**

