

**ORDINANCE NO. 2677**

**AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 110, ARTICLE XIII, SECTION 110-88, SUBSECTIONS D AND H THEREOF, RELATING TO THE ESTABLISHMENT OF ANNUAL SERVICE CHARGES; DETERMINATION OF AMOUNT OF CHARGE**

WHEREAS, Section 110-88D of the Code of Sussex County attributes Equivalent Dwelling Units, or “EDUs” to certain types of establishments; and

WHEREAS, it is the recommendation of the Sussex County Engineer that 0.083 is an appropriate calculation of EDUs per square foot for “Retail store(s) building(s)”; and

WHEREAS, Section 110-88D of the Code of Sussex County did not identify certain medical and healthcare establishments, which required individual and often complex EDU calculations for every new establishment being served by Sussex County sanitary sewer which can be avoided by having a uniform allocation of EDUs for these types of medical and healthcare establishments; and

WHEREAS, Section 110-88H of the Code of Sussex County provides a method of calculating EDUs for certain types of establishments based upon an assigned number of EDUs plus a determination based upon the number of “Fixture Units” that exist in the establishment; and

WHEREAS, Section 110-88H of the Code of Sussex County should be amended to include certain types of uses that previously were not specifically identified, and to delete specific categories for gas station-type uses; and

WHEREAS, All of these changes are at the recommendation of the Sussex County Engineer, after evaluating the need to update these provisions of Section 110-88 of the Code of Sussex based upon the current application of that section of the Sussex County Code.

**NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:**

**Section 1.** The Code of Sussex County, Chapter 110, Article XIII, Section 110-88, Subsection D, “Establishment of Annual Service Charges; Determination of

Amount of Charge”, is hereby amended by deleting the number [0.10] as contained therein and by inserting in lieu thereof the number 0.083 as follows:

**§110-88 Establishment of Annual Service Charges; Determination of Amount of Charge.**

...

D. One equivalent dwelling unit (EDU) shall be equal to 250 GPD in discharge and determined as enumerated below:

<b>Type of Establishment</b>	<b>Number of EDUs</b>
Dwelling detached or attached or apartment with one kitchen and one or more baths and two or more bedrooms separate from kitchen	1.0
Any manufactured home (with a Motor Vehicle title) with one kitchen and one or more baths	1.0
Apartment, condo or rental vacation cottage having either a single combined living space with an integrated kitchen or a maximum of one bedroom and having one bath	0.75
Motel or hotel room without kitchen and with bath	1/3 per room
Retail store(s) building(s) [0.10] <u>0.083</u> GPD/SF	1.0/3,000 square feet
	1.0 minimum per building
Laundromat, 250 GPD/washer	6.0 minimum
Office units, 0.25 GPD/square foot	1.0/1,000 square feet
Car wash	
Self-service	1.0 per stall
Self-service and recycling water	0.2 per stall
Semi-automatic (mechanical without conveyor)	5.0 per stall
Semi-automatic (mechanical without conveyor) conserving and recycling water	1.2 per stall
Automatic with conveyor	33.0 per lane
Automatic with conveyor conserving and recycling water	13.6 per lane
<i><u>Emergency Centers &amp; Special Treatment Centers</u></i>	<i><u>1.0 EDU per treatment room or treatment bay</u></i>

<u>Hospitals</u>	<u>1.0 EDU per overnight bed</u>
<u>Nursing Homes, Assisted Living, Rehabilitation, &amp; Detox Facilities and Halfway Houses</u>	<u>0.33 EDU per bed</u>

**Section 2.** The Code of Sussex County, Chapter 110, Article XIII, Section 110-88, Subsection H, “Establishment of Annual Service Charges; Determination of Amount of Charge”, is hereby amended by deleting the language in brackets, and by adding the language that is underlined and in italics, as follows:

**§110-88 Establishment of Annual Service Charges; Determination of Amount of Charge.**

...

H. Establishments listed below shall be assigned equivalent dwelling units (EDUs) as a fixed number of equivalent dwelling units plus a number of equivalent dwelling units based on the number of fixture units (FUs).

<b>Type of Establishment</b>	<b>Number of EDUs</b>
Drive-in food service	1 EDU + FU/6 EDUs
Delicatessen, eat-in and take-out	1 EDU + FU/6 EDUs
Bars and lounges with no food service	1 EDU/150 seats + FU/6 EDUs
Restaurants and eating places, including combination eat-in and take-out and eating places with bar(s)	1 EDU/50 seats + FU/6 EDUs
[Gas station without service bay	1 EDU + FU/6 EDUs
Service station with up to two bays and no gas service	1 EDU + FU/6 EDUs
Each additional service bay over two	0.5 EDUs]
<u>Car Dealerships without service bays</u>	<u>1.0/3,000 square feet</u>
<u>Car Dealerships with service bays</u>	<u>1.0/3,000 square feet</u> <u>+ FU/6 EDUs for bays</u>
<u>Service station with bays</u>	<u>1 EDU + FU/6 EDUs</u>
<u>General workshop for any trade</u>	<u>FU/6 EDUs; 1 EDU MIN</u>

<i>Funeral Home</i>	<i>FU/6 EDUs; 1 EDU MIN</i>
Grocery stores	1 EDU + (#FUs/6)
Convenience stores	1.0 EDU + (#FUs/4)
Marina without boat waste-pumping facilities	1 EDU/200 boat slips + FU/6 EDUs
Marina with boat waste-pumping facilities	1 EDU/100 boat slips + FU/6 EDUs
Campgrounds and recreational vehicle parks with waste-handling and/or water facilities	1 EDU/4 sites + FU/6 EDUs
Campgrounds and recreational vehicle parks without waste-handling and water facilities	1 EDU/8 sites+ FU/6 EDUs
Theaters, indoor	1 EDU/60 seats
Theaters, outdoor	1 EDU/30 spaces

**Section 3.** This Ordinance shall become effective upon its adoption by Sussex County Council.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2677 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 20TH DAY OF AUGUST 2019.

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ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL