

RESOLUTION NO. R 023 21

A RESOLUTION TO ESTABLISH THE SLAUGHTER BEACH AREA OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT UNDER THE PROVISIONS OF TITLE 9 OF THE DELAWARE CODE

WHEREAS, the Commissioners of the Town of Slaughter Beach have passed an Ordinance (2021-05) requesting Sussex County to form a sanitary sewer district in accordance with Delaware Code, Title 9 to provide sewer service to the Town of Slaughter Beach and authorizing the Mayor to execute the necessary agreements on behalf of the town; and

WHEREAS, Title 9, Delaware Code, Section 6501(a) states the following: “[w]henver contiguous territory containing 1 or more centers of population, whether incorporated or not, shall be so situated that the construction of interceptor sewers, outfall sewers and sewage treatment plants will be conducive to the preservation of public health, the territory shall be established by the government of Sussex County as a sanitary sewer district;” and

WHEREAS, Sussex County, pursuant to the above provisions and as further supported by its authority under 9 Del. C. §7001, wishes to establish the Slaughter Beach Area of the Sussex County Unified Sanitary Sewer District as set forth herein.

NOW, THEREFORE, BE IT RESOLVED that the County Council of Sussex County, Delaware hereby determines that the Slaughter Beach Area of the Sussex County Unified Sanitary Sewer District, consisting of the municipal limits of the Town of Slaughter Beach, shall be established as a sanitary sewer district and the description of said Area is as shown on the map submitted as Exhibit “A”; and that the said district is hereby declared to be validly constituted under the provisions of Title 9 of the Delaware Code; and

BE IT FURTHER RESOLVED that the Town of Slaughter Beach has adopted on August 9, 2021 by Ordinance No. 2021-05 specific consent for Sussex County to install, own, and operate sewer services within the municipal boundaries of the Town of Slaughter Beach.

BE IT FURTHER RESOLVED that the Sussex County Council directs the County Engineer and the Attorney for the County Council to procure the necessary lands and rights-of-way by purchase, agreement or condemnation in accordance with the existing statutes.

BE IT FURTHER RESOLVED that the County Engineer is hereby directed to prepare maps, plans, specifications and estimates, let contracts for and supervise the construction and maintenance of, or enlarging and remodeling of, any structures required to provide for the safe disposal of sewage in the sanitary sewer district.

BE IT FURTHER RESOLVED that the Sussex County Council directs the County Finance Director and County Engineer to apply for, accept, and receive grants, loans, and other funding necessary to provide adequate financing for the planning, design, construction, and all other phases of the sanitary sewer district.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 023 21 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 21ST DAY OF SEPTEMBER 2021.

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