

RESOLUTION NO. R 022 17

A RESOLUTION TO ESTABLISH THE WESTERN SUSSEX 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 Bridgeville have passed a Resolution and the Greenwood Town Council have approved a Motion requesting Sussex County to create a sanitary sewer district in accordance with Delaware Code, Title 9, to serve all properties currently served by their respective municipal sanitary sewer systems; and

WHEREAS, Title 9, Delaware Code, Section 6501, 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 Western Sussex Area of the 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 Western Sussex Area of the Sussex County Unified Sanitary Sewer District shall be established as a sanitary sewer district and the description of the Western Sussex Area is as shown on the map submitted as Exhibit “A”; and that the said district 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 Greenwood and the Town of Bridgeville have further agreed to adopt by ordinance specific consent for Sussex County to operate and maintain the sanitary sewer system within their town limits; and

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; and

BE IT FURTHER RESOLVED that the County Engineer is hereby directed 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; and

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 022 17 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 22ND DAY OF AUGUST 2017.

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