



RESOLUTION NO. 1-18

**A RESOLUTION TO REVISE SOUTH BETHANY'S SCHEDULE OF FEES**

**WHEREAS**, fees shall be as set by resolution of the Town Council and available in the Town office; and

**WHEREAS**, fees are an important source of revenue for the Town;

**NOW, THEREFORE, LET IT BE RESOLVED**, that the Mayor and Town Council of the Town of South Bethany approves the attached revised Schedule of Fees to become effective February 9, 2018.

**ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF SOUTH BETHANY ON THE 9<sup>TH</sup> DAY OF FEBRUARY 2018.**


  
Pat Voveris, Mayor

  
Tim Saxton, Council Secretary

Attest:

  
Pam Smith, Administrative Assistant

Members of Town Council:

  
Tim Shaw

  
Don Boteler

  
Frank Weisgerber

  
Carol Stevenson

  
Sue Callaway

SEAL:

Sponsored by Councilmember Boteler  
phs:Resolution No. 1-18

**TOWN OF SOUTH BETHANY SCHEDULE OF FEES**  
**(Pursuant to 29 Del. C., Chapter 100)**  
**(Revised and Adopted by Town Council on February 9, 2018)**

**EXAMINATION AND COPYING OF PUBLIC RECORDS (Found in Title 29 of the Delaware Code Chapter 100 ("Freedom of Information Act") § 10003(m) ("Fees")):**

Unless otherwise set forth in the Delaware Code or any applicable code of a county or municipal public body, the following fees shall apply:

- Photocopying fees. — In instances in which paper records are provided to the requesting party, photocopying fees shall be as follows (*Note: The Town does not have the capability to copy documents larger than 11" x 17"*):

Standard-sized, black and white copies: The first 20 pages of standard-sized, black and white copies material shall be provided free of charge. The charge for copying standard sized, black and white public records for copies over and above 20 shall be **\$0.10 per sheet (\$0.20 for a double-sided sheet)**. This charge applies to copies on the following standard paper sizes: 8.5" x 11", 8.5" x 14", and 11" x 17".

Oversized copies/printouts: The charge for copying oversized public records shall be as follows: 18" x 22", \$2.00 per sheet; 24" x 36", \$3.00 per sheet; documents larger than 24" x 36", \$1.00 per square foot.

Color copies/printouts: An additional charge of \$1.00 per sheet will be assessed for all color copies or printouts for standard-sized copies (8.5" x 11", 8.5" x 14", and 11" x 17") and \$1.50 per sheet for larger copies.

- Administrative fees. — Administrative fees shall be levied for requests requiring more than 1 hour of staff time to process. Charges for administrative fees may include staff time associated with processing FOIA requests, including, without limitation: identifying records; monitoring file reviews; and generating computer records (electronic or print-outs). Administrative fees shall not include any cost associated with the public body's legal review of whether any portion of the requested records is exempt from FOIA. The public body shall make every effort to ensure that administrative fees are minimized, and may only assess such charges as shall be reasonably required to process FOIA requests. In connection therewith, the public body shall minimize the use of nonadministrative personnel in processing FOIA requests, to the extent possible.

Prior to fulfilling any request that would require a requesting party to incur administrative fees, the public body shall provide an itemized written cost estimate of such fees to the requesting party, listing all charges expected to be incurred in retrieving such records. Upon receipt of the estimate, the requesting party may decide whether to proceed with, cancel, or modify the request.

Administrative fees will be billed to the requesting party per quarter hour. These charges will be billed at the current hourly pay grade (prorated for quarter hour increments) of the lowest-paid employee capable of performing the service. Administrative fees will be in addition to any other charges incurred under this section for copying fees.

When multiple FOIA requests are submitted by or on behalf of the requesting party in an effort to avoid incurring administrative charges, the public body may in its discretion aggregate staff time for all such requests when computing fees hereunder. Notwithstanding the foregoing, any Freedom of Information Act policy adopted by a public body pursuant to subsection (b) of this section hereunder may include provisions for the waiver of some or all of the above administrative fees; provided that such waiver shall apply equally to a particular class of persons (i.e., nonprofit organizations).

- Payment. — The public body may require all or any portion of the fees due hereunder to be paid prior to any service being performed pursuant to this section.

The following fees are set forth by the Town of South Bethany:

- **Digital Recordings of Oral Dialogue:** Upon request, individuals may listen to recorded oral dialogue; proper supervision must be ensured in order to protect the material from damage or loss. The charge for requests of copies of digital recordings of oral dialogue on a USB Flash Drive provided by the Town shall be \$10 per USB Flash Drive.
- **Computer Stored Information:** The charge for requests of digital copies of computer-stored information on a USB Flash Drive provided by the Town shall be \$10 per USB Flash Drive.
- **Transcripts:** If recordings are available, a typed verbatim transcript of meetings and/or hearings will be made upon written request. The cost of one copy of a transcript shall be at the rate of \$1.00 per typed page (double spaced) plus the current hourly pay grade (prorated for quarter hour increments) of the lowest-paid employee capable of performing the service. Additional copies may be purchased at the rates charged for photocopies or actual cost, whichever is more.

**BUILDING PERMITS:**

| <u>Fee</u>  | <u>Type</u>   |
|---|---|
| 1. * ICC Index X 3.15% per square foot  | New building, principal: Gross floor area of each living floor, excluding floor areas open to the sky, attached or unattached storage structures, attached or unattached automobile structures, shed and open sheds |
| 2. *ICC Index X 3.15% per square foot   | New building, accessory: Gross floor area of attached or unattached storage structures, attached or unattached automobile structures, sheds and open sheds  |
| 3. *ICC Index X 3.15% per square foot   | New enclosed porch: Gross floor area of enclosed and screened porch not intended for primary use of living space  |
| 4. *ICC Index X .47% per square foot  | New open deck: Gross floor area of attached or unattached open deck including stairs open to the sky, including ground-level decks or boardwalks  |
| 5. Minimum of \$50 or 1% of contract fee, whichever is higher                         | Interior or exterior renovation, alteration and/or remodeling of existing principal or accessory buildings or structures  |
| *For current ICC Index refer to International Code Council Building Valuation Data-VB |   |
| 6. \$50.00  | Signs   |
| 7. \$50.00  | Minimum permit fee for items one (1) through six (6) above  |
| 8. \$100.00   | Demolition or relocation of dwelling units: If new site is within Town limits, the fee is the same as for new construction, plus \$100.00   |
| 9. Minimum of \$50 or 1% of contract fee, whichever is higher                         | Fences, paved driveways, flagpoles, towers, paved sidewalks, paved patios, the installation of permeable interlocking pavers, the installation of impervious surfaces, and HVAC replacement and grading             |
| 10. \$100.00  | Renewal of building permit issued by the Code Enforcement Constable   |
| 11. \$100.00  | Install new, removal of existing to replace with new, or repairs of, bulkheads, docks, ramps, boat lifts, davits and jet ski lifts or any combination thereof   |
| 12. \$100.00  | Water service connection to Artesian's distribution system. New construction and substantial improvements shall not require a separate permit fee per § 141-5D  |
| 13. \$100.00  | Central propane service connection  |
| 14. \$100.00  | Geothermal  |
| 15. \$750.00  | Request for variance, special exception, appeal or interpretation requiring Board of Adjustment action  |
| 16. \$100.00<br>Plus Recording Fees   | Combining or partitioning of lots requiring Planning Commission action  |
| 17. \$100.00  | Home occupation special use permit requiring Town Council action  |
| 18. \$10.00   | Renewal of Home Occupation Special Use Permit requiring Town Council action   |
| 19. \$250.00  | Appeals requiring Town Hearing Board (consists of three Town Council members)   |
| 20. \$100.00  | Gas Connection  |
| 21. \$100.00  | Road Cut  |

**MISCELLANEOUS:**

|                               |   |                              |
|-------------------------------|---|------------------------------|
| 1. Fax Transmittals           | (per page by private individuals)   | @ \$ .50 Per Page            |
| 2. Photocopies                | (per page by private individuals up to 11" x 17")   | @ \$ .15 Per Page            |
| 3. Annual Mercantile License  | (May 1 through April 30)  | @ \$ 150.00                  |
| 4. 6-Month Mercantile License | (November 1 through April 30)   | @ \$ 80.00                   |
| 5. 30-Day Mercantile License  | (One 30-day license per fiscal year. The \$30.00 fee can be applied to the purchase of an Annual or 6-Month Mercantile License within the 30 days.) | @ \$ 30.00                   |
| 6. Rental License             |   | @ \$ 150.00                  |
| 7. Rental Tax                 |   | (8% of total gross receipts) |
| 8. Parking Permits:           | Property Owner (2 transferable/2 permanent)   | @ \$ 20.00                   |
|                               | Replacements  | @ \$ 50.00                   |
|                               | One-Day (non-residents)   | @ \$ 20.00                   |
|                               | Contractors   | @ No Fee                     |
| 9. Return Check Fee           |   | @ \$25.00                    |