

AMENDMENT OF CHAPTER 127, IMPACT FEES, BY REVISING § 127-6. AMOUNT OF IMPACT FEES, TO ESTABLISH A NEW PARK/RECREATION IMPACT FEE IN SUCH AMOUNT AS SHOWN ON THE FEE SCHEDULE THAT IS ANNUALLY ESTABLISHED AND APPROVED BY THE TOWN COUNCIL AS PART OF THE BUDGET REVIEW AND APPROVAL PROCESS.

WHEREAS, during the most recent budget review and approval process, the need to establish a new “park/recreation impact fee” in order to accrue a fund for the construction, acquisition and maintenance of Town parks and recreation facilities, improvements and systems in Town was identified by Town staff and the Town Council; and

WHEREAS, the new “park/recreation impact fee” will be one of the several impact fees collected by the Town in accordance with § 127-5. Time of payment, as well as a component part of the annexation impact fees collected by the Town upon annexation of property into the Town, as such fee is set forth and described in § 127-6. Amount of impact fees; and

WHEREAS, in keeping with the Town’s current practice, the amount of the new “park/recreation impact fee” will be in such amount as shown on the fee schedule that is annually established and approved by the Town Council as part of the budget review and approval process.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Millsboro, in session met, a quorum pertaining thereto at all times, that **Chapter 127, Impact Fees**, be and is hereby amended as follows:

(1) Amend § 127-6. **Amount of impact fees**, by revising said section as follows (removed language is stricken through; new language is underlined):

§ 127-6. Amount of impact fees.

E. Park/recreation impact fee.

(1) The park/recreation impact fee is designed to accrue a fund for the construction, acquisition and maintenance of town parks and recreation facilities, improvements and systems in Town.

(2) Amount of impact fee per approved EDU: please see the fee schedule annually established and approved by the Town Council as part of the budget review and approval process.

~~E.F.~~ Police protection impact fee.

- (1) The police protection impact fee is designed to accrue a police fund for the construction, acquisition and maintenance of facilities and capital assets for the use by the Town's police department.
- (2) An impact fee of 0.25% of the construction value of the building permit of new residential dwellings (including single-family detached homes, attached homes, townhouses, apartment units and mobile homes) and new nonresidential structures of all types (including tenant fit-outs of existing structures) shall be assessed at the time the building permit is issued; provided that the impact fee for any single building permit shall not exceed \$2,500.

F.G. Annexation impact fees.

- (1) The annexation impact fee is designed to pay for the equitable portion of the planning, design, and initial capital improvement costs to provide municipal and/or public services to the new parcel(s) regardless of use or density. This fee is intended to offset some of the risk to the Town for utility expansion and capital improvements completed in anticipation of future growth to said properties. The annexation impact fee, in combination with the water, wastewater and building fund impact fees, is the equitable share for such annexed properties in that such amount creates a balance that distributes the financial burdens previously borne and yet to be borne by those properties in comparison with the other properties within the Town as a whole. Such funds may be deposited into the respective water capital reserve account or sewer capital reserve account and, if so deposited, may only be expended for the purpose of paying the principal of and interest on any bonds issued for the construction, installation, repair, maintenance or replacement of waterlines and/or sewage treatment system, including the sewage treatment plant and pumping stations, the making of emergency repairs, major renovations, or extensions or expansion, or any combination thereof, to the water distribution system and/or sewer connection or treatment system, including repairs and renovations to the wells and/or sewer treatment plant and pumping stations, as determined by the Town Council. The building fund component may be added to the reserve account with the building fund impact fee for the same purposes as established for said impact fee.
- (2) Amount of impact fee: Includes water, wastewater, building fund, ~~and~~—transportation/stormwater, and park/recreation components. For the amount of each component fee, please see the fee schedule annually established and approved by the Town

Council as part of the budget review and approval process.

Total impact fee:

Please see the fee schedule annually established and approved by the Town Council as part of the budget review and approval process.

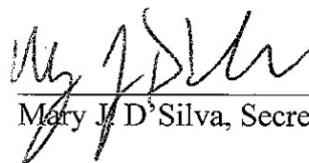
(3) Annexation impact fee is due and payable upon annexation.

G. H. Fire protection. An impact fee of 0.25% of the construction value of the building permit of new residential dwellings (including single-family detached homes, attached homes, townhouses, apartment units and mobile homes) and new nonresidential structures of all types (including tenant fit-outs of existing structures) shall be assessed at the time the building permit is issued; provided that the impact fee for any single building permit shall not exceed \$2,500. The proceeds of the impact fee shall be transferred by the Town to the Millsboro Volunteer Fire Company at the end of each quarter of each year to be used for capital equipment and facilities to enhance fire protection services to the residents and properties of the Town.

H. I. Ambulance services. An impact fee of 0.25% of the construction value of the building permit of new residential dwellings (including single-family detached homes, attached homes, townhouses, apartment units and mobile homes) and new nonresidential structures of all types (including tenant fit-outs of existing structures) shall be assessed at the time the building permit is issued, provided that the impact fee for any single building permit shall not exceed \$2,500. The proceeds of the impact fee shall be transferred by the Town to the Millsboro Volunteer Fire Company at the end of each quarter of each year to be used for capital equipment and facilities to enhance emergency medical protection services to the residents of the Town.

I. J. Exemptions. Building permit applications for decks, sheds, residential additions, pools, fences, sidewalks, moving and demolition, signs and renovations or repairs to existing structures are exempt from the fire protection and ambulance services impact fees.

I, Mary J. D'Silva, Secretary of the Town Council of the Town of Millsboro, do hereby certify that the foregoing is a true and correct copy of an Ordinance passed by the Town Council at its Regular Meeting held on July 1, 2024, at which a quorum was present and voting throughout and that the same is still in full force and effect.



Mary J. D'Silva, Secretary