REGULAR COUNCIL MEETING

The Regular Council Meeting was held on December 14, 2015 at 8:15 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Hosfelt, Mr. Hare, and Mr. Hutchison. Mr. Cole was absent.

Council staff members present were Police Chief Bernat, Mrs. Mitchell, Mrs. Townshend, Fire Chief Hall, Mr. Koenig, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen was also present.

OPEN FORUM

The Open Forum was held at 7:15 p.m., prior to commencement of the Official Council Meeting. Council President Slavin declared the Open Forum in session and reminded those present that Council was not in official session and could not take formal action.

Mr. EShed Alston advised members that he was a legal professional who had lived in the State of Delaware for almost 42 years. Mr. Alston read portions of a prepared statement and submitted the full statement for the record ***(Exhibit#1)***. He also advised members that he had been banned from Delaware State University by Judge Warren, noting that he was a descendant of the Alston Plantation and his family's name was from a plantation in Delaware.

Mr. Anwar Dyer, 52 Traybern Boulevard, Camden-Wyoming, stated that the four (4) current police officers who were present believed that it was okay for Mr. Webster to be rehired. He felt that rehiring Officer Webster or allowing him back on the force made all officers look bad and that this would be an injustice. Mr. Dyer thought that they should rethink what they were about to do and when all was said and done, these officers needed to go as well. Noting that the court said Mr. Webster was not guilty, Mr. Dyer stated that, looking at the video, you could not say that an injustice was not done. He felt that it did not make any sense when a person standing on all four (4) limbs gets kicked in the chest and face. Mr. Dyer stated that they were all crooks.

Mr. Frederick Tolbert advised members that he was a resident of Dover and he appreciated the opportunity to address Council on a very important matter to people of color and minorities. He stated that, from the camera shots that were in the news locally, all over the country, and in parts of the world, Officer Webster committed an act that he was not punished for and should have been. Mr. Tolbert stated that it was incumbent upon Council to make sure that these kind of acts do not continue to occur. He indicated that this was not the first time such a thing had happened to a person of color. Mr. Tolbert stated his belief that Council emasculated the Dover Human Relations Commission (DHRC) not long ago, which was a slap in the face, and that Council cut some of the DHRC members and reprimanded them severely for trying to push Council to recommend to the State Legislature that a resolution be passed apologizing for slavery. He noted that the Governor had just gone on record for being fully in support of this, but for some reason Dover City Council was not in support. Mr. Tolbert stated that they were being slapped in the face again because an officer committed an act that was truly ridiculous. He advised members that it was time to stop slapping their good citizens in the face repeatedly. Mr. Tolbert stated that they were asking nicely and respectfully that members do the right thing, which was required and necessary, noting that citizens of color had voted for many of them. He felt that enough was enough and that two (2) men sitting on Council were perhaps more acutely aware of some of the abuse that had never been reported,

pointing out that Councilmen Hutchison and Hosfelt had previously served as Police Chief. Mr. Tolbert stated that this was important to all, noting that his grandparents on both sides of his family were born into slavery not too long ago, and the effects of slavery were still being felt with decisions like the one that occurred in court.

Mr. Slavin advised that City Council voted five (5) years ago to issue an apology for slavery and he voted for this. He expressed appreciation that the State wanted to catch up with the City more than five (5) years later and do the same thing.

Mr. La Mar Gunn stated that less than a week ago, two painfully hard (2) words for the souls of the community were heard: "Not guilty." He stated that what was important to him and should be to the City were the cries of the people that they swore to protect and serve. Mr. Gunn stated that, contrary to the testimony of State Trooper Ricardo Torres, he did not believe that officers were trained to use NFL-style field goal kicks to arrest suspects, regardless of their criminal past. He noted that all had heard of the suspect's record and it was probably true that he earned it; however, a member of the City's police family had committed the ultimate betrayal through an egregious and unworthy badge and conduct that Mr. Gunn would call unbecoming for a Dover police officer. He stated his belief that police officer dishonesty was grounds for termination. Mr. Gunn felt that last week's verdict had turned Dr. Martin Luther King, Jr.'s "I Have a Dream" speech into a nightmare for the black community. He expressed his opinion that the City had a fine Police Department that was one (1) of the best in the land, having learned firsthand that they care, and he pointed out that many white brothers and sisters had extended calls vigorously condemning the subject kick. Mr. Gunn stated that we, as a community, should refuse to allow the actions of one (1) to taint an entire police force. He indicated that there had been recent attempts to build trust between the Police Department and the black community and quoted Dr. King's statement that, "in the end, we will not remember the words of our enemies but the silence of our friends." Having been in Dover for a couple of years, Mr. Gunn stated that he had never heard silence quite this loud from its leaders. He indicated that the City has a strong mayor form of government, stating his belief that the Mayor was either sitting down or standing up, since there was no in between. He quoted from Sir Edmund Burke, stating "evil persists when men of goodwill do nothing," and encouraged members to establish a legacy of doing the right thing and not let Officer Webster back on the streets. Mr. Gunn stated his belief that members probably thought that everything was fine since there was no rioting, unrest, or chaos in the streets. He felt that this was because people were trusting that the right thing would be done and were giving Council a chance to send a message. In case Officer Webster was watching, Mr. Gunn stated that Mr. Gunn's ear was very close to the streets, some of the things he was hearing were not good, and there was a group that cared to have their own court of the streets, of which Mr. Gunn was not a member. Mr. Gunn stated that he would be afraid for Mr. Webster if he were placed back on the streets. Mr. Gunn also expressed a desire to talk about Title 11, Section 92 and the Fraternal Order of Police (FOP) labor agreement to prevent the same thing from ever happening again and so that Council could stand up, do the right thing, and change things, which is why they were elected.

Mr. Larry Bryant, member of Men of Vision and Value (MOVV), located at United Way, Dover, stated that he was present because he sat through the trial and watched and listened to the evidence. He thought there was an injustice done and did not want to compound it by doing another injustice. Mr. Bryant stated that what he saw on the video at the trial was wrong. Someone told him that the

officer had the best lawyer. Mr. Bryant advised members that he shut off his ears and trusted his eyes, and what his eyes saw was an injustice. He reiterated that he did not want to compound it by having another injustice done.

Reverend Michael B. Rogers, Pastor, Central Baptist Church and President of the Interdenominational Ministerial Alliance of Dover and Vicinity (IMA), stated that his goal was to express what he had been hearing in regard to the Dover community and the situation with Mr. Webster. He stated that the trial was over and the matter was now in Council's hands, noting that what transpires now is on the City. Reverend Rogers asked that the wrong message not be sent again, that members be mindful of the community and try to bring it together so that everyone might work as one and have a wholesome place to work and live. He felt that no one should walk in fear of the police who are supposed to be protecting everyone. Rev. Rogers requested that members review this situation and not send the wrong message to the entire community, compounding a situation that was already in a bad state. He asked Council to consider the position they would take with Mr. Webster being reinstated to the Dover Police Department.

Master Corporal Dave Gist stated that he was representing the men and women of the Dover Police Department's Fraternal Order of Police (FOP). He reminded everyone that Mr. Webster's case was originally sent to a grand jury of 12 civilians and he was cleared. Mr. Gist advised that Mr. Webster's case went to a federal civil rights commission and he was cleared. The case was resubmitted under a new Attorney General to another grand jury and he was cleared, even though a grand juror stated that they were intimidated to go against him. The case went to trial, Mr. Webster was arrested, and he again was cleared by 12 civilians that had nothing to do with the City of Dover. Mr. Gist noted that Mr. Webster had never been terminated from the City of Dover, was suspended without pay, and had been internally punished for his actions on the internal side. He stated that Mr. Webster was still an employee of the City of Dover and there were laws that protect employees. Whether people agreed or disagreed with the decision, that decision was made by a jury of Mr. Webster's peers on three (3) accounts, and 36 different people judged him. Mr. Gist stated that he had been given numerous Facebook posts by Councilman Anderson where had called Mr. Webster a liar, which Mr. Gist indicated was slander. He indicated that Mr. Anderson had given the wrong information on this case numerous times and he felt that Mr. Anderson should know better, as a public official and leader, noting that, as the FOP leader, Mr. Gist is accountable if he gets bad information and he does not go flying off like that. Mr. Gist felt that it was a shame that a criminal matter was being turned into a race matter, stating that this had nothing to do with race but had to do with crime. He advised that City police officers do not get to pick and choose what they are called to but respond to crime. Mr. Gist reminded the City of Dover, the employees, members of Council, and the Mayor that Mr. Webster was still an employee with the City of Dover. He understood the community being upset but stated that someone is not prosecuted based on a 10-second video. Mr. Gist noted that Mr. Webster had done his time through the court system and 36 of his peers had found him not guilty.

Mr. Enrico Stratton-Bey, Felton, Delaware, stated his belief that there was an injustice. He indicated that victims who do not show up in court are usually subpoenaed and wondered why this victim did not show up. He felt that Mr. Gist's statement that Dover police officers do not have a choice where they respond was a lie, stating his belief that certain officers are designated to go to certain areas and protect certain people. Mr. Stratton-Bay indicated that the court was not a jury of peers because

there were black police officers at the Dover Police Department but not on the jury. He felt that members had the right to show that Dover was not going to go back to the year 1555, when the first slaves were brought to the shores of North America. Mr. Stratton-Bey felt that the police force was implemented in this country to keep slaves in line. He stated that, in looking at the tape, the gentleman did not follow orders properly and so he was given a kick to the face. He felt this was not becoming for an officer and questioned who officers were representing when they do this. Mr. Stratton-Bey expressed his hope that this was not the conduct of Dover Police Department. He stated that he witnessed the assault of a man in broad daylight a year earlier on the corner of New Street and the man was hit in the head by a police officer and a probation officer. He stated that no more was heard about this or the Fletcher case. Mr. Stratton-Bey questioned where the cases of police brutality and injustice were that were not heard about, indicating that things were being swept under the rug. He questioned if this was the history of Dover and expressed his hope that members would not do another disservice by continuing this history.

Reverend Rita Paige, 355 Rita Wilma Road, indicated that she was standing with everyone else and encouraging members not to reinstate Officer Webster, noting that reinstatement would cause people to question the integrity of those who have the authority to reinstate or not reinstate. She indicated that they were entrusting their elected officials to do the right thing. Reverend Paige stated that she was standing as a pastor, mother, grandmother, aunt, and a mentor to many and would hate to build distrust and a disconnect. She felt that there would be a need to rebuild trust all over again between the police and the community, stating that it was not wanted that young people would be fearful and afraid to trust those who are supposed to be protecting and serving them. Reverend Paige indicated that those who may want to be officers may not get the opportunity to do so because of what they had just witnessed. She stated that she could not see how someone, with another officer, could take someone from the 7-Eleven and take them somewhere out into the wilderness and just leave them, which caused her to question the officer. Reverend Paige indicated that she often wondered if there had been some white supremacist connection in that case and felt that actions spoke to this. She expressed her hope that members would do the right thing and not reinstate Officer Webster, quoting Dr. Martin Luther King, Jr.'s statement that "injustice anywhere is a threat to justice everywhere."

Pastor Anthony Wallace, 52 Dove Creek Terrace, stated his desire to echo what everyone else had said. He advised members that there was a group of citizens behind him representing hundreds of thousands of others that could not be present. He indicated that, despite the jury's verdict, everyone knows that in America guilty people get off the hook all the time. Pastor Wallace advised members that he would forever have the image etched in his head where a gentleman had two (2) hands firmly on the ground and one (1) knee on the ground as he lowered himself, and then the shock of a field goal kick. Pastor Wallace stated that he was a United States Army Veteran, Chief Warrant Officer, and an instructor pilot for the AH-64 advanced attack helicopter. He informed members that he was also an Iraq war veteran; therefore, he knew order and discipline and somebody, sadly a member of the Dover Police Department, lost it that night. Pastor Wallace demanded that Officer Webster not return, which would allow the Police Department and community to heal so that trust could be built and all could return to some similitude of normalcy and sanity. He stated that a lot of people were hurt, even members of the police force, explaining that an officer from the Dover Police Department was almost in tears as he demonstrated what was going to be seen in the video before it was released. Pastor Wallace indicated that this officer had advised members of the community and clergy that this was not the Dover Police Department and it was a departure from the Department's policy, yet there

was this verdict and defense by the FOP. He stated that this officer should not be reinstated, and if the FOP tentative labor agreement was not substantially different from the previous agreement, then there would be a problem. Pastor Wallace felt that Council knew the right thing to do and requested that they do it.

Mr. Fred Bowden, Camden, Delaware, advised members that there was injustice in the system, noting that his wife passed away going on three (3) years ago and he had a lawsuit in Superior Court against Kent General, Brookside Medical, and Pinnacle Rehabilitation for their negligence regarding his wife. Mr. Bowden indicated that he had contacted approximately 14 law firms in the State of Delaware and none would take his case. He obtained the assistance of Mr. Eshed Alston, who stood by his side through the whole system. Mr. Bowden indicated that he hand delivered his paperwork in the court system at 1:14 as he had to respond to the request of Judge Robert Young, and Pinnacle did not file and Kent General did. He asked for a 30-day extension and gave them a list of all the attorneys that he was going to call since he was the pro se and needed time go get his case squared away. Mr. Bowden stated that at 2:26 Pinnacle e-filed the court and he questioned how Pinnacle could have known that he filed unless someone in the court system told them. He stated that Judge Young denied his request and granted Pinnacle's request to dismiss his case. Mr. Bowden felt that this was injustice because they refused to hear his case, noting what had happened to his wife in their care. He stated that his daughter, who was present at the meeting, was motherless and he did not have a wife because of these organizations. Mr. Bowden had an interview with WBOC, accompanied by Mr. Alston, and they refused to take his story, and he contacted the Dover Post and other newspapers to try to get justice for his wife. He noted that he was a black pro se, stating that Caucasians had been through the same thing in the "injustice system." Mr. Bowden advised members that he had been a civilian employee with the Delaware State Police for 24 years and had never gotten in trouble. He stated that people should be treated right, everyone should be treated the same, and that if someone wanted to be treated with respect, they should treat others with respect. Mr. Bowden encouraged everyone to work together.

Ms. Lillian Rogers, Dover, advised members that she was present because it was time to turn the page and, as grandparents, parents, mothers, brothers, and sisters, to look at injustice, stating her belief that anyone who saw the video would think this was an injustice. Ms. Rogers indicated that now there was an opportunity to make a huge difference. She expressed happiness that the police were here to serve us and put our security in their hands, and she was sure they were honorable men who would want to work with honorable men because bad police officers make their jobs much harder. Ms. Rogers stated that everyone wants the security of the police and to be able to trust them. She indicated a desire to make sure that the community is heard, noting that the community was determined to have justice and fairness and to get it from this body. Ms. Rogers stated that the Mayor was the head of the City and the Police Chief reports to him. She indicated that police officers report to the Police Chief, who should get on them if they are not doing their job. Ms. Rogers felt that if the Police Chief is not doing his or her job, the Mayor should get on them, noting that in the same way that the Mayor can get rid of police officers, the Mayor is voted in and voted out. She stated that she was not making a threat but making a promise that people would no longer sit by or go away, but would be persistent and consistent and know who was voting with them and for them and who was protecting them. Ms. Rogers indicated they would also know who was not protecting them, and these parties would not be in office next time; therefore, the City was expected to do the right thing. She stated that the community had a long memory and new leadership.

Mr. Pernest Sparks stated that, as a father of 12 kids with eight (8) living at home, his children's safety was something that he valued and he feared for their safety if he let them go to the store if this officer was allowed back on the force. Mr. Sparks also expressed fear of other young people who may not have agreed with the decision to let Mr. Webster back on the force, and there may be gun violence. He did not want his children to be caught up in something like that because there would be angry people if the gentleman was let back on the force. Mr. Sparks felt that this situation should not have come about and that things that had been said earlier were lies. He commented that there were no black men on the jury and indicated that the people who were standing behind him were going to keep coming for this officer not to be reinstated. Mr. Sparks advised members that he had lost his job because he called an individual a name; however, this officer who was trained to serve and protect kicked a man in the head could get his job back, be suspended without pay, and come back to work. He felt that there would be confusion when Mr. Webster came back because this community and other communities that were not represented tonight would be upset and may want retaliation. Mr. Sparks stated that this was not desired on the streets, but peace was desired. He asked that Officer Webster, who started all the violence, not be reinstated, indicating that it did not look like the individual in the video was a threat.

Mr. James Muhammad advised members that he was born and raised in Dover and was 51 years old. He agreed with what everyone had said. Mr. Muhammad questioned if it was in the Councilmen's nature to change a pattern that had been going on. He stated that he had been a victim of Dover Police brutality and had a pending lawsuit on 12 police officers and the Dover Police Department, noting that Mr. Stratton-Bey had been talking about Mr. Muhammad in his statement. Mr. Stratton-Bay stated his opinion that people are promoted in Dover when they do damage to the black community. He stated that Councilman Hosfelt had been previously promoted to Police Chief and this police brutality happened under him, Mr. Reggie Hannah was killed when Councilman Hutchison was Mayor, and Councilman Sudler had been on the Dover Human Relations Commission and was now a City Council member.

In response to Mr. Muhammad, Mr. Sudler stated that he does no damage and had done nothing but bring blessings to the City of Dover.

Mr. Muhammad reiterated his feeling that people are promoted when they do damage in the black community. Mr. Muhammad noted that there were no black officers present. He stated that this was like Ferguson, Missouri, and questioned how many black officers were on the Dover police force and how many black mayors had served. He questioned if the City had the heart to stand up for truth and justice, stating, for example, that Loockerman Street was named after a slave owner who was still being honored. Mr. Muhammad stated that there had been damage, including the murder of Reggie Hannah and police brutality to himself, and that his cousin, Anthony Barlow, was shot in the face with a taser while the Police Department was under Mr. Hosfelt, former Police Chief now serving on Council. He stated that there were two (2) different people in Dover and in America, one (1) black and one (1) white. He stated that black people had been shot eight (8) times in the back and put in choke holds. He felt that people should be praying to God that he would chastise them and Dover if people do not do the right thing.

Mr. Greg Fuller, Sr., Lincoln, Delaware, stated that everyone in the room needed to contemplate what the true issue is, that all are one. He advised members that he worships in Dover and this was a concern to him because it was a concern of those present, stating his desire to serve those all over the State. Mr. Fuller indicated that he had been going around the State advising everyone that service is about putting people's needs above one's own. This meant not making decisions based on whether someone will be re-elected or not and making decisions that are best for the entire City of Dover and people, whether they are black, white, yellow, or brown. He advised those sitting behind him that their authority was in their vote. Mr. Fuller stated to those in front of him had an obligation to do the right thing. He reminded members of the golden rule that if they would not want something done to themselves, then they would not do it to someone else. He quoted John F. Kennedy who said, "I seek not the Republican answer, nor the Democratic answer but the right answer."

There being no one else present wishing to speak, Mr. Slavin declared the Open Forum closed and announced that the Regular Council Meeting would begin at 8:15 p.m.

The invocation was given by Chaplain Wallace Dixon, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

Mr. Hutchison moved for approval of the agenda, seconded by Mr. Hare and unanimously carried.

Mr. Neil moved for approval of the Consent Agenda, seconded by Mr. Lewis and carried by a unanimous roll call vote (Cole absent).

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF NOVEMBER 23, 2015

The Minutes of the Regular Council Meeting of November 23, 2015 were unanimously approved by motion of Mr. Neil, seconded by Mr. Lewis and bore the written approval of Mayor Christiansen.

PUBLIC HEARING/FINAL READING - PROPOSED ORDINANCE #2015-17 WITH STAFF AMENDMENTS (SA) #1 - #6

A public hearing was duly advertised for this time and place to consider approval of proposed amendments to Chapter 14 - Amusements and Entertainments; Appendix B - Zoning, Article 3 - District Regulations, Section 18 - Recreational and Commercial Zone (RC); and Appendix F - Fees and Fines.

Mr. Hutchison moved that the Final Reading of proposed Ordinance #2015-17 be acknowledged by title only, seconded by Mr. Hare and unanimously carried. *(The First Reading of the ordinance was accomplished during the Council Meeting of October 26, 2015.)*

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that the text amendments were related to special events and outdoor music festivals. She stated that the proposed ordinance would eliminate Chapter 14 - Amusements and Entertainments, noting that it was an older section of the Code dealing with music festivals. The amendments would add provisions to the Recreational and Commercial (RC) Zone regarding temporary outdoor events and temporary camping associated with events, and include measures to make sure that these events are

done in a well-planned manner. Mrs. Townshend explained that the amendments would clean up some of the existing language. For example, referring to Line 67, she noted that it would remove baseball, football, or boxing stadiums from the permitted uses in the RC Zone and add sports stadiums and arenas. She stated that the amendments would change auto, horse, and motorcycle racetracks from the conditional uses to the permitted uses, and would also add indoor and outdoor recreation and amusement establishments as permitted uses.

Mrs. Townshend reviewed Staff Amendments (SA) #1 - #6, noting that the Planning Commission unanimously recommended in favor of SA #1, #2, #3, #4, and #6. She stated that SA# 1 would add casinos as a permitted use, noting that this was an oversight in drafting the ordinance. Mrs. Townshend explained that SA #2 would add language to Section 18.1 (l)(2), stating that "the permit application must address water supply, wastewater disposal, sanitation, erosion and sediment controls, and maintenance of traffic as it relates to any City streets." She stated that this amendment would clarify that there does not need to be a plan sheet if the matter can be addressed in the application.

Mrs. Townshend informed members that SA #3 - SA #6 would clarify the proposed ordinance. She stated that SA #3 and #6 would include the phrase "but not limited to" in regard to the discharge of substances on Lines 115 and 170-171. Mrs. Townshend explained that SA #4 would remove the phrase "within all zones" from Lines 117-118 since it was only for the RC Zone. She stated that SA #5 proposed to amend Line 54 to ensure that the spacing between recreational vehicles would include bump outs; however, she advised that Dover International Speedway and members of the Planning Commission expressed concern regarding how this amendment would be enforced. Mrs. Townshend stated that the Planning Commission unanimously recommended against SA #5.

Mrs. Townshend stated that the fees associated with camping and temporary outdoor event permits were included in Appendix F - Fees and Fines and informed members that Dover International Speedway did not have concerns with the fees during her last discussion with representatives.

Mrs. Townshend stated that there would be subsequent proposed ordinances to address camping and smaller scale special events. She explained that Staff wanted to get this particular provision in place in order to work with the Speedway on annexation of the woodland property prior to the next festival season.

In response to Mr. Sudler, Mrs. Townshend stated that Dover International Speedway representatives had expressed that they were in agreement with the provisions and annexation preparation. She noted that Speedway representatives were present.

Mr. Neil asked what type of revenue increase the City could expect from the proposed fees. Responding, Mrs. Townshend stated that the revenue increase would not be significant since there are only two (2) events per year, noting that a fee of $500 would only equate to $1,000.

Council President Slavin declared the hearing open.

Mr. Gregory Moore, Becker Morgan Group, stated that he was representing Dover International Speedway and informed members that Dover International Speedway was pursuing this change because it would allow the Firefly event to have a long-term of probability. Mr. Moore noted that

the proposed ordinance would clarify that the Firefly event is in accordance with the zoning ordinance and the Speedway is generally in favor of all of the proposed changes. He stated that the Speedway did want to ensure that they have the right to have temporary water and sewer facilities, like showers, bathrooms, etc., that would be movable around the facility as the event expands and moves. Mr. Moore indicated that this would include electric lines that would be on the surface, and water lines that would serve these temporary facilities as they move from venue to venue and event to event. He stated that, with that clarification, the Speedway is fine with the language. Mr. Moore noted that Speedway representatives met with Mrs. Townshend and Mr. Scott Koenig, City Manager, and indicated that the Speedway is in accordance.

In response to Mr. Anderson, Mr. Moore stated that the Speedway was comfortable with the language in the proposed ordinance. He explained that the previous language indicated that the Speedway would have to provide plans for permanent facilities and the Speedway thought that it could be interpreted to not permit some of the temporary things they were doing. However, since that was changed to be addressed in application form, Mr. Moore stated that the Speedway was comfortable with the proposed ordinance.

Responding to Mr. Anderson, Mrs. Townshend stated that she was comfortable that the language in the proposed ordinance was clear. Referring to Lines 92-95 of the proposed ordinance, Mrs. Townshend reiterated that SA #2 would incorporate the results of Staff's discussion with the Speedway. She explained that the Public Works Department wanted to ensure that issues such as water, wastewater, sanitation, etc. were addressed. Mrs. Townshend stated that, with the amended language, the application forms for the outdoor event permit would be developed to provide an opportunity to answer those types of questions, so that there is no impression that a set of plans needs to be submitted to address those things.

Mr. Moore noted that the Speedway originally interpreted a set of plans to mean that they had to build hard facilities that would sustain from year to year.

There being no one else present wishing to speak during the public hearing, Council President Slavin declared the hearing closed.

Mr. Hare moved for adoption of Staff Amendment (SA) #1 to Proposed Ordinance #2015-17. The motion was seconded by Mr. Anderson and unanimously carried.

Mr. Hutchison moved for adoption of Staff Amendment (SA) #2 to Proposed Ordinance #2015-17. The motion was seconded by Mr. Hare and unanimously carried.

Mr. Hutchison moved for adoption of Staff Amendment (SA) #3 to Proposed Ordinance #2015-17. The motion was seconded by Mr. Hare and unanimously carried.

Mr. Neil moved for adoption of Staff Amendment (SA) #4 to Proposed Ordinance #2015-17. The motion was seconded by Mr. Lewis and unanimously carried.

Mr. Hare moved for adoption of Staff Amendment (SA) #5 to Proposed Ordinance #2015-17, seconded by Mr. Lewis.

Mr. Hosfelt reminded members that Staff worked with Becker Morgan and the Fire Marshal's Office and, after hearing testimony from the Fire Marshal's Office, the Planning Commission voted eight (8) to zero (0) against SA #5. He suggested that Council go with that endorsement and vote for the Planning Commission recommendation regarding SA #5.

Mr. Slavin advised members that a positive motion was made; therefore, if a member votes yes, they will have to state their reason for opposing the Planning Commission recommendation. A no vote would uphold the Planning Commission recommendation.

Responding to Mr. Sudler, Mr. Slavin clarified that a no vote would deny the amendment, which was the recommendation of the Planning Commission.

Mr. Anderson requested clarification on the exact language of SA #5. In response, Mrs. Townshend, referring to Line 154 of the Proposed Ordinance, explained that the original language was proposed to state that, "the required ten feet shall exclude any bump outs", and the staff amendment proposed to change that language to state that, "the required ten feet shall include any bump outs." Mrs. Townshend stated that the Planning Commission recommended keeping the word exclude.

The motion for adoption of Staff Amendment (SA) #5 to Proposed Ordinance #2015-17 failed by a unanimous roll call vote (Cole absent).

Mr. Hosfelt moved for adoption of Staff Amendment (SA) #6 to Proposed Ordinance #2015-17. The motion was seconded by Mr. Neil and unanimously carried.

Mr. Hare moved for adoption of Proposed Ordinance #2015-17, as amended. The motion was seconded by Mr. Sudler and, by a unanimous roll call vote (Cole absent), Council adopted Ordinance #2015-17, as follows:

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Chapter 14 - Amusements and Entertainments of the Dover Code be deleted in its entirety.

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 3 - District Regulations, Section 18 - Recreational and Commercial Zone (RC) of the Dover Code be amended to read as follows:

Section 18. - Recreational and commercial zone (RC).

18.1 *Uses permitted*. No building or premises shall be used and no building shall be erected which is arranged, intended or designed to be used, in whole or in part, for any purpose except the following:

(a) Public and private parks and playgrounds.
(b) Athletic fields.
(c) Sports stadiums and arenas.

(d) Public and private swimming pools and clubs.
(e) Miniature golf courses and pitch and putt golf courses.
(f) Golf or baseball driving ranges.
(g) Golf courses and country clubs.
(h) Casinos
(I) Hotels, motels and restaurants.
(j) Auto, horse and motorcycle racetracks.
(k) Indoor and/or outdoor recreation and amusement establishments.
(l) A temporary outdoor activity, such as a fair, circus, carnival, bazaar, music festival, or other outdoor event, subject to the following requirements:

(1) *Permit required*. A temporary outdoor activity permit shall be required. Such permit may be issued for a calendar year, provided that any changes to the permit are reviewed and approved by the department of planning and inspections.

(2) *Plan required*. The owner shall submit a plan to the department of planning and inspections showing the layout for the temporary activity a minimum of 30 days prior to the event, including the location of all existing structures and any proposed temporary structures, including but not limited to stages, tents, trailers, and temporary buildings. The permit application must address water supply, wastewater disposal, sanitation, erosion and sediment controls, and maintenance of traffic as it relates to any City streets. The permit shall include any other pertinent information deemed appropriate by the department director for this permit.

(3) *Fees*. A fee for the temporary activity permit shall be in accordance with Appendix F - Fees and Fines.

(4) *Parking*. The application for the temporary activity permit shall include a plan delineating the proposed parking area(s), number of parking spaces, ingress and egress to the parking area, and any other pertinent information deemed appropriate for the permit.

(5) *Noise*. The use of loud speakers and other amplification systems outdoors shall be prohibited between 12:00 a.m. and 7:00 a.m. on Monday through Friday and between 2:00 a.m. and 9:00 a.m. on Saturday and Sunday.

(6) *Documentation of approval*. The director of planning and inspections may require documentation of approval for outside agencies having jurisdiction over such activity including but not limited to the Delaware division of public health, department of transportation, and the Dover police department.

(7) *Discharge of substances*. No activity associated with a temporary outdoor activity shall be permitted to discharge any substance, including but not limited to wash water, to any storm drain, storm water management area, drainage ditch, or other water conveyance system.

(m) *Temporary Camping Areas*. Temporary camping areas shall be permitted subject to the following requirements:

(1) *Permit required*. Property owners wishing to provide more than five camping sites shall apply for a permit from the planning and inspections department. Such permit shall be valid for the calendar year in which it is issued. Any changes to the permit shall be approved by the department of planning and inspections.

(2) *Fees*. Fees for the permit and/or amendments to the permit will be charged in accordance with Appendix F - Fees and Fines.

(3) *Diagram required*. Prior to issuance of a permit, the property owner or his/her agent must submit a legible diagram of the camping area to the department of planning and inspections. The diagram shall include:

I. Identification of camping areas and indicate whether each area will be utilized for tent camping or recreational vehicle camping.

ii. Emergency access, drive aisles, entrance(s) and exit(s).

iii. Number of proposed recreational vehicles or tents to be permitted in each camping area.

iv. Location of power lines.

v. Location of restroom facilities.

vi. The period of time for which the permit is requested.

(4) *Distance from power lines*. No camping sites shall be permitted within 25 feet of power lines as measured from the center of the utility pole. Vertical extensions from camping sites shall not be closer than 25 feet to power lines as measured from any point on the vertical extension.

(5) *Tent placement in relation to vehicles*. Tent camping sites shall be laid out to avoid the location of tail pipes, generators, and other carbon monoxide sources near tent placement. The Fire Marshal or other city code official shall have the authority to require that vehicles and/or tents be relocated to avoid the danger of carbon monoxide entering tents.

(6) *Restrooms and shower facilities required*. Tent camping areas shall be required to include temporary or permanent restrooms and shower facilities.

(7) *Parking recreational vehicles*. Recreational vehicles shall not be parked closer than ten feet to other recreational vehicles, buildings, or other structures, as measured from the long side of the vehicle; nor closer than two feet from other recreational vehicles, buildings, or other structures, as measured from the front or rear of the vehicle. The required ten feet shall exclude any bump-outs or other protrusions from the side of the vehicle. Any exceptions to this shall be subject to review by the fire marshal upon the determination that the safety objectives of this subsection are achieved.

(8) *Drive aisles*. Camping areas shall have drive aisles constructed of drivable surfaces engineered to hold the weight of recreational vehicles, fire equipment, and other emergency response equipment in all types of weather. Crushed stone or gravel surfaces shall be permitted for such drive aisles.

(9) *Residential buffering*. Any camping area abutting a residential use shall be buffered by a landscape buffer of evergreen trees of a minimum height of six feet tall and an opaque fence of six feet tall.

(10) *Change approval*. Any changes to the approved layout of temporary camping areas shall be approved by the department of planning and inspections.

(11) *Discharge of substances*. No activity associated with any camping area shall be permitted to discharge any substance, including but not limited to wash water, to any storm drain, storm water management area, drainage ditch, or other water conveyance system.

18.2 *Conditional uses*. The following uses are permitted, conditional upon the approval of the planning commission in accordance with the procedures and subject to the general conditions set forth in article 10, section 1:

(a) Outdoor and drive-in theaters, provided that adequate screening is installed to shield all adjacent properties and public streets and alleys from the glare of lights from the parking areas.

(b) Airports and facilities incident to aviation.

(c) Livery stables and riding academies, provided that the corrals shall be at least 200 feet from any dwelling, school, church, eating place and intermittent or running, natural or artificial watercourses.

18.3 *Accessory uses*. The following uses shall be permitted accessory to other permitted uses on a lot.

(a) Accessory uses customarily incident to the principal use and any other necessary to the operation of the principal permitted use located on the same premises therewith shall also be a permitted use.

18.4 *Performance standards*. All uses are subject to performance standards as set forth in article 5, section 8.1.

18.5 *Site development plan approval*. Site development plan approval in accordance with article 10, section 2 hereof shall be required prior to the issuance of building permits for the erection or enlargement of all permanent structures and prior to the issuance of certificates of occupancy for any change of use.

(Ord. of 7-10-2000; Ord. of 2-12-2001)

BE IT FURTHER ORDAINED:

That Appendix F - Fees and Fines of the Dover Code be amended by inserting the following:

Appendix B - Zoning, Article 3 - District Regulations			
Sec. 18	Recreational and commercial zone (RC)		
	Subsec. 18.1	Uses permitted	
	(k)(3)	Temporary Activity Fee	
		Less than 5 acres	$50.00
		5-25 acres	$100.00
		26-100 acres	$250.00
		100+ acres	$500.00
	(l)(2)	Temporary Camping Permit Fee	
		Less than 5 acres	$50.00
		5-25 acres	$100.00
		26-100 acres	$250.00
		100+ acres	$500.00

ADOPTED: DECEMBER 14, 2015

MONTHLY REPORTS - OCTOBER 2015

By motion of Mr. Neil, seconded by Mr. Lewis, the following monthly reports were accepted by consent agenda:

City Assessor's Report
City Manager's Report
City Planner's Report
Controller/Treasurer's Budget Report
Economic Development Office Report
Fire Chief's Report (*September and October*)
Police Chief's Report

TENTATIVE LABOR AGREEMENT - FRATERNAL ORDER OF POLICE (FOP)

Mr. Scott Koenig, City Manager, reminded members that during the Special Council Meeting of February 2, 2015, Mr. William Bowser of Young Conaway Stargatt & Taylor, LLC, was retained to represent the City of Dover in the Fraternal Order of Police (FOP) contract negotiations. He stated that the City had been working diligently to bring forth a labor contract that really identifies what it costs to run the Police Department.

Mr. Bowser advised members that he was assisted in the contract negotiations by Mr. Koenig, Mrs. Donna Mitchell, Controller/Treasurer; Police Chief Paul Bernat; Mr. Kirby Hudson, Assistant City Manager; and Mrs. Kim Hawkins, Human Resources Director.

Staff recommended approval of the tentative agreement with the FOP for a new collective bargaining agreement, and authorizing the City Manager to execute a new collective bargaining agreement.

Mr. Bowser stated that the tentative agreement includes a number of changes; however, most of the changes are housekeeping or minor in nature. He reviewed the major changes to the agreement. Mr. Bower stated that the term of the agreement was for three (3) years, from July 1, 2015 through June 30, 2018. He advised that there are not general across-the-board wage increases through the term of the agreement; however, the salary scale is adjusted with increases concentrated in the lower ranks and for employees with fewer years of service. These salary changes would become effective July 1, 2015 and remain constant for the entire term of the agreement, if there are not additional wage increases in the second and the third year of the contract. In addition, Mr. Bowser stated that the starting salary for new officers out of the police academy is raised to about $50,000, noting that the administration and the Chief felt that this would help with recruitment of qualified of new officers.

In regard to healthcare, Mr. Bowser informed members that, under this agreement, newly hired officers will pay 20% of their total healthcare premium, instead of the current 15%. He stated that these newly hired officers will have to work for at least 20 years with the City to get healthcare in their retirement and the City will not contribute towards the healthcare for their dependents upon retirement.

Mr. Bowser advised that, under this agreement, an officer who works over 80 hours but under 84 hours over a two (2) week period will be paid straight time for these hours, rather than time and one-half. This would require the Chief to expand the current schedule, which is a 12-hour shift, and officers are currently given four (4) hours off every two (2) weeks to work an 80-hour schedule. Mr. Bowser explained that if the Chief decides to expand that shift to an 84-hour work period, those extra four (4) hours would be paid at straight time.

Mr. Bowser stated that another major change in this agreement is that five (5) holidays have been eliminated and replaced by floating holidays. Employees who work on one (1) of the five (5) days that have been eliminated would be paid straight time, rather than time and one-half. The employees will receive 40 hours of personal leave in lieu of those five (5) days, to use and schedule as they see fit.

Mr. Bowser advised members that another issue is physical fitness. Under this contract, all employees in the unit will now be required to take a yearly physical fitness test. Lastly, Mr. Bowser stated that this contract includes a residency incentive. All employees who establish residency in the City will receive a $1,000 incentive payment per year, upon showing and proving that they are living in the City.

Mr. Bowser stated that, in summary, the negotiating team believes this is a fair agreement, not perfect but fair to both the City and its police officers. He reiterated that Staff recommended approval of the tentative agreement negotiated by the team, and authorizing the City Manager to prepare and execute a collective bargaining agreement on the terms agreed to. He noted that the FOP had already ratified the tentative agreement.

Mr. Anderson noted that there was a provision in the contract which clarifies the policies and procedures of discipline that go to the Chief and requested Mr. Bowser to read that section. Responding, Mr. Bowser read Article 1.7, Management, from the current agreement, as follows:

> The Management of the City of Dover Police Department and the direction of all Department personnel, including; the right to hire; assign; suspend; transfer; promote; discharge or discipline for violation of the Rules and Regulations of the Department, duly promulgated, providing, for such discipline and to maintain the discipline and efficiency of its members; the right to relieve members from assignments for legitimate reasons; the right to determine the manner of operation, and to change the methods or processes, or to use new equipment; the right to establish schedules; to introduce new or improved methods of operation; and to extend, limit, or curtail its operations, is vested exclusively in the Police Chief. The above statement of management functions shall not be deemed to exclude other functions not listed herein. In no case shall the exercise of the above prerogative of management be in derogation of the terms and conditions of this Agreement or of State law.

Mr. Bowser stated that this language was in the current agreement between the City of Dover and the FOP and was not discussed during this round of negotiations.

Mr. Anderson expressed his opinion that the language in Article 1.7, Management, if applied correctly, has the potential to solve some future problems. He stated that there is a review and urged the City to make sure that policies and procedures have explicit language in them to ensure that the excessive use of force that creates serious injury is a dismissible offense. Mr. Anderson felt that this was vital and essential to the rule of law, as well as the confidence of the citizens.

In response to Mr. Anderson's comments, Mr. Neil asked how that law would affect State law, including State law dealing with the rights for police officers. Responding to Mr. Neil, Mr. Koenig felt that it would mean that the Chief has to take State law into consideration when he is considering the impact of policies and procedures.

Mr. Hosfelt suggested tabling any vote on the FOP labor agreement until the first meeting in January 2016, noting that members had heard from the community and emotions were running high. He stated that there were two (2) separate matters and tabling the agreement would provide Chief Bernat and the Human Resources Department time to determine what actions could be taken in regard to Mr. Webster.

Mr. Hosfelt moved to table consideration of the tentative labor agreement with the Fraternal Order of Police (FOP) until the first meeting in January 2016, seconded by Mr. Anderson.

Mr. Sudler asked how the City would define excessive force so that the Police Chief would have the right to discharge. Responding to Mr. Sudler, Mr. Rodriguez did not believe that it could be defined. He stated that it would be a case-by-case decision.

The motion to table consideration of the tentative labor agreement with the Fraternal Order of Police (FOP) until the first meeting in January 2016 was carried by a unanimous roll call vote (Cole absent).

RESOLUTION NO. 2015-16 PROPOSING THAT COUNCIL MEMBERS AND CIVILIAN STANDING COMMITTEE MEMBERS ACT AS A COMMITTEE OF THE WHOLE ON A TRIAL BASIS

Mr. Hare moved that Resolution No. 2015-16 be acknowledged by title only, seconded by Mr. Neil and carried by a vote of seven (7) yes (Sudler, Neil, Lewis, Hosfelt, Hare, Hutchison, and Slavin), one (1) no (Anderson), and one (1) absent (Cole).

Responding to Mr. Hare, Mr. Slavin explained that the trial basis would begin on January 26, 2016 and there was no end date included in the recommendation; however, Council could adopt this meeting format at the Annual Council Meeting in May.

Mr. Hare moved for adoption of Resolution No. 2015-16, seconded by Mr. Sudler.

In response to Mr. Anderson, Mrs. Traci McDowell, City Clerk, explained that the Committee of the Whole meetings would be held on each Tuesday following a Monday Council Meeting.

Mr. Anderson stated that this would basically double the number of meeting nights, noting his understanding that it was not in the budget.

Resolution No. 2015-16 was unanimously adopted, as follows:

A RESOLUTION PROPOSING THAT COUNCIL MEMBERS AND CIVILIAN STANDING COMMITTEE MEMBERS ACT AS A COMMITTEE OF THE WHOLE ON A TRIAL BASIS

WHEREAS, in an effort to be more efficient and effective, to allow greater opportunity for interaction and networking among elected officials and the civilian committee members, and to enhance the decision making process by involving all members of City Council in discussions at the Committee level, City Council has decided to temporarily set aside the Standing Committees as provided for in the Dover Code and act as a Committee of the Whole on a temporary basis; and

WHEREAS, the Committee of the Whole, which would include all members of City Council and the civilian members for the Parks, Recreation, and Community Enhancement; Safety Advisory and Transportation; Utility; and Legislative, Finance, and Administration committees, would be chaired by the Council President. Each of the chairpersons of the four (4) standing committees would chair their respective committee meeting and the civilian members would participate in only their committee's discussions. The Committee of the Whole would enable members to give detailed consideration to agenda items in a committee setting. In a Committee of the Whole the results of votes taken are not final decisions, but have the status of recommendations which City Council would consider further and vote on at its Regular meeting, either as a discussion item or on Consent Agenda; and

NOW, THEREFORE, BE IT RESOLVED that the City Council and civilian members of the Standing Committees will act as a Committee of the Whole on a trial basis beginning on January 26, 2016 and, if Council chooses to adopt this meeting format, an Ordinance amendment regarding the Standing Committees will be presented for adoption prior to the Annual Meeting in May.

ADOPTED: DECEMBER 14, 2015

REZONING REQUEST FOR PROPERTY LOCATED ON THE WEST PROPERTY LINE OF 1042 SOUTH BRADFORD STREET - FIRST READING OF PROPOSED ORDINANCE #2015-24

A request was received to rezone a $2,373^{+/-}$ S.F. portion of a $10,373^{+/-}$ S.F. parcel located adjacent to the west property line of 1042 South Bradford Street, owned by Halpern Family Property Investment, LP. The property is currently zoned R-8 (One Family Residence) and the proposed zoning is C-1A (Limited Commercial).

Prior to amending the zoning ordinances and zoning map of the City of Dover, a public hearing is required.

By motion of Mr. Hutchison, seconded by Mr. Anderson, Council unanimously referred the request to the Planning Commission and set a public hearing for February 8, 2016 at 7:30 p.m.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of the Zoning Ordinance Amendment as read by the City Clerk, by title only, as follows:

- PROPOSED ORDINANCE #2015-24 AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF A PORTION OF THE PROPERTY LOCATED AT 1042 SOUTH BRADFORD STREET

FINAL READING - PROPOSED ORDINANCE #2015-21 AMENDING CHAPTER 82 - PLANNING AND APPENDIX F - FEES AND FINES (PROPOSED NEW REVENUE SOURCES)

The First Reading of the proposed ordinance was accomplished during the Council Meeting of November 23, 2015. Copies of the proposed ordinance were available at the entrance of the Council Chambers.

Mr. Neil moved that the Final Reading of the proposed ordinance be acknowledged by title only, seconded by Mr. Lewis and unanimously carried.

Mr. Scott Koenig, City Manager, stated that staff had been discussing issues related to new revenue sources for a number of months. He advised that the proposed amendments would add new revenue sources including fees for temporary certificates of occupancy for residential uses, temporary certificates of occupancy for non-residential uses, zoning verification and administrative interpretations, copies of utility bills, and credit checks. Mr. Koenig stated that the estimated revenue from these new revenue sources was $31,760, and the fees would become effective January 1, 2016, if adopted by Council tonight.

By motion of Anderson, seconded by Hosfelt, and carried by a unanimous roll call vote (Cole absent), Ordinance #2015-21 was adopted with an effective date of January 1, 2016, as follows:

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Chapter 82, Planning, of the Dover Code be amended to read as follows:

Chapter 82 - Planning

Sec. 82-1. - Planning commission.

There is hereby created a planning commission. The members of the planning commission shall be appointed by the mayor, subject to confirmation by the council. The planning commission shall consist of nine members serving three-year terms. Two members shall be selected from each council district and one member shall serve from the city at-large. The terms of the members shall be arranged so that each year the terms of three members shall expire, and the expiration date shall be on June 1. Incumbent members of the planning commission shall continue to serve beyond the expiration of their term until a successor is appointed by the mayor and confirmed by the council.

(Code 1968, § 2-68; Ord. of 10-12-1970; Code 1981, § 17-1; Ord. of 6-27-1994)

Charter reference— Power of council to create planning commission, subpart A, § 23.

State Law reference— Planning commission, 22 Del. C. §§ 701—711.

Sec. 82-2. - City planner.

There is hereby established the office of city planner who shall be selected by the city council and employed at the pleasure of mayor and council. The city planner shall be directly responsible to the mayor and council.

(Code 1968, § 2-68; Ord. of 10-12-1970; Code 1981, § 17-2; Ord. of 1-9-2006; Ord. of 7-24-2006(1); Ord. No. 2009-24, 11-9-2009)

Sec. 82-3. - Planning services.

(a) *Zoning verification letters/administrative interpretations*. A zoning verification letter or administrative interpretation will be provided by the city planner upon request to verify the current zoning of a particular piece of property and the types of uses that are allowed in that zoning district. A request for a zoning verification letter or administrative interpretation shall be submitted using forms provided by the planning office. Fees related to zoning verification letters shall be as provided for in Appendix F - Fees and Fines.

(b) *Content*. A zoning verification letter or administrative interpretation may contain the following information based upon the request received:

(1) The zoning district of the property and any zoning overlay districts applicable to the property.

(2) Verification that a particular use is permitted within the property's zoning district.

(3) A list of permitted uses in the zoning district.

(4) Identification of any current Notice of Violations issued for code enforcement violations on the subject property.

(5) Any other requested information determined by the city planner to be within the scope of this section.

(c) *Appeal of zoning verification letter or administrative interpretation*. Any determination made by the city planner may be appealed to the board of adjustment in accordance with the provisions of Appendix B - Zoning, Article 9 - Board of Adjustment, Section 2.2 - Appeal of administrative order, requirement, decision or determination.

BE IT FURTHER ORDAINED:

That Appendix F, Fees and Fines, of the Dover Code be amended by inserting the following:

Description	Fees and Fines (in dollars)

Chapter 82 - Planning			
Sec. 82-3	Planning services		
	(a)	Zoning verification letters/ administrative interpretations	$50.00 per letter/interpretation

Appendix B - Zoning, Article 8 - Enforcement and Penalties			
Sec. 2	Certificates of occupancy		
	Subsec 2.4	Certificate of occupancy for one-family residential uses	$60.00
		Temporary certificate of occupancy for one-family residential uses	$75.00 for a maximum of 45 days. Fee applies for any extensions beyond 45 days

	Certificate of occupancy for uses other than one-family residential uses	$75.00 for the first 20,000 square feet of building area, plus the sum of $15.00 for each additional 10,000 square feet of building area in excess of the first 20,000 square feet or multiple thereof.
	Temporary certificate of occupancy for uses other than one-family residential uses	$100.00 for a maximum of 45 days. Fee applies for any extensions beyond 45 days

ADOPTED: DECEMBER 14, 2015
EFFECTIVE: JANUARY 1, 2016

FINAL READING - PROPOSED ORDINANCE #2015-22 AMENDING CHAPTER 110 - UTILITIES, ARTICLE II - ELECTRIC SERVICE AND APPENDIX F - FEES AND FINES (REVIEW AND MAINTENANCE OF PLANNING AND CUSTOMER SERVICE FEES)

The First Reading of the proposed ordinance was accomplished during the Council Meeting of November 23, 2015. Copies of the proposed ordinance were available at the entrance of the Council Chambers.

Mr. Neil moved that the Final Reading of the proposed ordinance be acknowledged by title only, seconded by Mr. Lewis and unanimously carried.

Mr. Scott Koenig, City Manager, stated that Staff reviewed existing fees and proposed a series of adjustments related to the maintenance of fees. He advised members that the proposed changes related to Planning and Inspections and Customer Service Departments fees. Mr. Koenig explained that the amendment included an increase in the return check fee from $25 to $40 as well as an increase in the after hours utility re-connection fee from $50 to $100 between the hours of 5:00 p.m. and 9:00 p.m. He stated that the estimated revenue generated from these proposed increases was $225,000.

Mr. Koenig advised that the proposed increases for the Planning and Inspections Department included fees for planning applications, public occupancy permits, certificates of occupancy, mechanical permits, plumbing permits, rental permits, itinerant merchant licenses, vacant building registrations, and sign permits.

Mr. Hare moved for the adoption of Ordinance #2015-22 *(Exhibit #2),* with an effective date of January 1, 2016. The motion was seconded by Neil and carried by a unanimous roll call vote (Cole absent).

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Slavin stated that Council had received the resignation of S. Renee Smith from the Dover Human Relations Commission (DHRC) ***(Exhibit #3)***, noting that she had served as the Commission Chair. He advised that Council would be working with the DHRC to identify a candidate for the chair position.

Mr. Slavin reminded everyone that the Council and committee meetings for the week of December 28, 2015 had been cancelled due to the holidays.

Mr. Slavin wished a belated happy birthday to Mr. Neil as well as an early happy birthday to Mr. Lewis.

Mr. Hosfelt acknowledged that the Public Works Department continued to do a good job in spite of working with reduced staffing for several months. He stated that no one could have predicted that the leaves would fall all at once, noting his appreciation for the hard work of the Department in catching up and cleaning up the streets and neighborhoods in the City.

Mr. Anderson wished the Jewish community a happy final night of Hanukkah, noting that it is a great holiday of freedom that inspires everyone. He also wished everyone a Merry Christmas.

Mr. Anderson stated that he intended to rise on a point of personal privilege and respond to the statements by the distinguished representatives of the Dover Fraternal Order of Police, noting that he was saddened by the verdict because he believed that it was wrong. He stated that we do not have to pretend that it was right or that we agree with it, but we do have to move forward together in acceptance. Mr. Anderson noted that the vast majority of the Dover Police Department does a great job day in and day out, and having disappointment with one (1) officer should not affect everyone else. He expressed his opinion that everyone should always have respect for the job being done. Mr. Anderson felt that the Dover Police Department was the finest police force in the State, and stated that he was pleased to support the Department and would continue to do so.

Mr. Sudler felt that it was a tragedy that the City of Dover had to bear this kind of injustice. As an African American and a local legislator, he thought that the local and state levels needed to work together to change some of the bill of rights for officers. Mr. Sudler expressed his opinion that, since police chiefs understand the day in and day out and protect and serve the community, the Chief of Police should be empowered with the authority to make decisions and the right to discharge a member of the Police Department if he deems it necessary, without the interruption of the Fraternal Order of Police or any bill of rights. Mr. Sudler stated that he was a strong supporter of a strong mayor form of government and the Chief of Police. It was his belief that Chief Bernat, as well as forms chiefs Hosfelt and Hutchison, had done a great job.

Mr. Hare moved for adjournment, seconded by Mr. Sudler and unanimously carried.

Meeting adjourned at 9:03 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of December 14, 2015, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM
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Exhibits
Exhibit #1 - Statement submitted by Mr. EShed Alston
Exhibit #2 - Ordinance #2015-22 - Amending Chapter 110 - Utilities, Article II - Electric Service and Appendix F - Fees and Fines (Review and Maintenance of Planning and Customer Service Fees)
Exhibit #3 - Letter of Resignation - S. Renee Smith - Dover Human Relations Commission

PRESENTATION TO THE PUBLIC AND TO CITY COUNCIL OF PROOF IN DEMONSTRATION OF INSTITUTIONAL FRAUD AND OF CORRUPTION

1. Opening: There is one unchanging supreme omnipresent omnipotent omniscient and Almighty **GOD**. Before I give acknowledgement to anyone in this chamber I give thanks to Almighty **GOD**. The manifest purpose of this presentation is to expose fraud and corruption but for fraud and corruption I will not be obstructed in a public body in exposing the fraud and the corruptions Before I get started I would like to take some time at year's end to thank Mayor Robin Christianson who is not at all a subject of my complaint of institutional fraud and corruption.

2. Documentation of a claim of historical figure standing and status and of malicious prosecution by the Obama administration relating to the filing of U.S. Of America v. Alston action taken in federal court unlawfully by Charles Oberly U.S. Attorney and Obama appointment in 2010 and registered democrat as is the current governor to remove and replaced unlawfully. Suit filed Nov 6, 2015 in Superior Court contesting the illegality of being illegally permanently ban by a racist judge Vaughn given Alston is descendant of Delaware slavery from a 1891 land grant institution. And regarding the You tube posting of Nov. 16, 2015, the heading: EShed the Prophet speaks.

3. Before I go any further as time is limited in this forum, historical status/standing are as a result of filing more documents then anyone without an attorney black or white in Delaware's long history, in every court to include federal filings outside of the state successfully without an attorney is without peer black or Caucasian over the past 35 years. It is important to expose the disparity that exist between reality regarding the Webster decision and social perceptions as is perpetrated by the Caucasian controlled media limited by information coming from their black proxies. I take this opportunity to make a public record plea and an appeal to the NAACP outside of the State of Delaware because I will get no help or assistance from inside the State as a Black Republican opposing a Democrat governor Markell my plea and my appeal are to Maryland Pennsylvania New York or New Jersey or anyone in the surrounding areas within the sound of my voice because of the existence of proxy racism it is noted that the current president of the Dover branch of the NAACP is in fact a Black Republican in lock step with the democrat governor Markell who I have sued in federal court regarding Alston v. Markell 15 **CV-235 SLR**.

4. We have heard of Black on Black crime whereas most criminal assaults statistically are by Black persons against other black persons. What is exposed herein is a similar civil circumstance perpetrated by Black persons marginalizing the black community against the disenfranchised black community best interest by intentionally doing the perverted bidding of the white racist the proxy represent in fact and in function a good example of what I am exposing is the city of Dover human relations commission in 10 years from 2005 to 2015 resolved no complaint I filed several personally and conducted no interviews or competent investigation of any kind in 10 years as a benefit of the perpetuation of Caucasian exploitation. The phenomenon as described hereinabove is specifically to promote proxy racism aided and abetted by the Caucasian owned and operated State news News Journal and WBOC and WMDT local broadcast media broadcast.

UPDATED FOIA DEMAND IN WRITTEN REQUEST FOR AUDIT AND FOR ALL DOCUMENTS SERVED ON THE CITY BETWEEN 2005 AND 2015 BY ESHED ALSTON TO THE CITY OF DOVER HUMAN RELATIONS COMMISION THE INQUIRY REGARDS DOCUMENTED CLAIMS OF FRAUD AND OF CORRUPTION IN THE INTENTIONAL DEMONSTRATION OF FAILURE TO PERFORM OVER THE EXTENDED 10 YEAR PERIOD AMOUNTS TO LONG TERM DELIBERATE EXPLOITATION OF THE AT RISK DISENFRANCHISED AND MARGINAILZED BLACK COMMUNITIES PUBLIC SAFETY

1. Over an extended period of 10 years the "City" HRC Human Relation Commission existed for the benefit of the Black citizens. To the extent that this body was created the city HRC has as its foundation the Reggie Hannah case repercussions as it origin and came to be as a direct result of the social environment of public distrust in the Black communities between 2003 and 2005 and.

2. Due to fraud and corruption and what is described herein as proxy Black racism whereas black persons do the bidding of Caucasians who are actually pulling the racist strings of the black proxy puppet to fabricate a false narrative has been promoted to revise history by some. I EShed Alston was part of the initial process of the creation of the City HRC 10 years ago that material fact will not be lost or replaced with either revised history or either false doctored narratives and.

3. (a) What are the number of documents filed by number (b) By number how many were FOIA

4. How is it that year after year after year after year after year after year after year after year after year with the HRC in receipt of several written complaints from EShed Alston (a) no complaint is investigated,(b) no complaint is resolved,(c) no complaint interviews are conducted in 10 years (d) No complaint resolution process or processing are conducted at all. Why was the chairman not replaced by the city but rather was rewarded for his 10 years of service rendered.

5. It is asserted herein as a valid claim herein but for fraud and corruption to disenfranchise and to marginalized HRC purpose and function from day one by the use of a proxy actor and in turn continue to disenfranchise the already marginalized black communities over the past 10 years by proxy that is the reason that no replacement was made that should have been made the first year.

6. This is a FOIA FILING request wherein official records demanded are required whereas fraud and corruption are the causation for the noted failure to perform that is based on objectionable racism necessitating a audit. Reasonable concerns expressed are that long term objectives and policies controlled at all times by the City Council appear to be actionable fraudulent corruption.

MEMORANDUM OF CIRCUMSTANTIAL RECORD OF RELEVANT EVENTS THE WEBSTER DECISION WAS INDICATIVE OF FRAUD AND CORRUPTION IN THE BLACK COMMUNITY THAT HAS NOTHING TO DO WITH CAUCASIAN RACISM

There is on supreme unchanging and omnipotent omniscient omnipresent and almighty **GOD**

1.The multiple purposes of this particular document are as stated (a) to document a specific claim of and as a bona fied historical figure verified by official public record of accomplishment in fact based on 35 years of successful court filings (b) reliance on court documents producing a record as the most prolific filer of civil rights complaint on behalf of and as a representative of the Black community in fact and function in every court in the State and in the nation to include 5 certiorari dockets before the U. S. Supreme to establish and document a unique 35 year record of historical status and standing as a legal professional without peer in the State Black or Caucasian.

2. Responsible knowledgeable analysis of the Webster case decision rendered by a jury warrants intelligent discussion on the jury members impounded. For example subsequent to the decision what were the options noted as predicated on what a jury might do. A jury could find a defendant guilty or acquit as was the case and. Successful strategies would have been considerate of either outcome. For example due to the optics of a brutal attack on a human being citizen was a complaint ever filed before or after to the U.S. Attorney's office as a violation of both the Hate Crimes Reporting Act of 1990 and or as a civil rights violation of the victims civil rights in a brutal assault at any time prior to voir dire and. Where relevant concerns raised or documented preserving an appellate record of any status standing and legal capacity consideration made and or of any disqualifying criteria of any of the prospective jurors made before they were seated. 3. What is before the Black community is a cross road in the Webster case predicated on the failure to get a just decision based not on Caucasian racism but rather on a documentation of self inflicted wounds and fraud and on corruption in the Black community. As a illustration and documentation of incompetence fraud and corruption one does not hire a florist to repair ones car likewise one does not consult with a ditch differ on how a proper manicure or pedicure are done. 4. EShed Alston is a person possessing the required and necessary legal skills being intentionally kept out of the information loop by Black members of City Counsel and by the current president of the Dover NAACP Lamar Gunn I believe in concert with them. The circumstances noted are both counterintuitive and are unquestionably ineffective as a Black community public policy.

CITY OF DOVER ORDINANCE #2015-22

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Chapter 110 - Utilities, Article II - Electric Service, of the Dover Code be amended by inserting a new Section 110-33. - Charge for discontinuing or restoring electric service, as follows:

Sec. 110-33. - Charge for discontinuing or restoring electric service.

(a) *Maintenance and repair*. There will be no charge for turning on or off any electric service for maintenance and repair purposes if done between the hours of 7:00 a.m. and 5:00 p.m. There will be a charge as provided for in Appendix F—Fees and Fines, for all service calls between 5:00 p.m. and 7:00 a.m.

(b) *Nonpayment*. There will be a service charge as provided for in Appendix F—Fees and Fines paid prior to turning on any electric service discontinued for nonpayment.

BE IT FURTHER ORDAINED:

That Appendix F - Fees and Fines, of the Dover Code be deleted in its entirety and inserting in lieu thereof the following:

APPENDIX F - FEES AND FINES

Unless specifically provided otherwise, or the context thereof so dictates, each day any violation of any provision of this Code or any ordinance shall continue shall constitute a separate offense. Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.

		Fees and Fines
SUBPART B - RELATED LAWS		
Sec. 2 - Licenses		
	Subsec. (c) - Fines - Operating a business without a license	Not in excess of $100.00

	Fees and Fines
CODE OF ORDINANCES	
Chapter 1 - General Provisions	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 1-17 - General Penalty; separate offenses; unpaid fines	Not less than $25.00, nor more than $1,000.00

		Fees and Fines
Chapter 10 - Alcoholic Beverages		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 10-1 - Consumption or possession		
	Subsec. (c) - Underage persons	$100.00

		Fees and Fines
Chapter 18 - Animals		
Mandatory and nonsuspendable fine of at least the minimum fine for each offense. Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 18-3 - Keeping swine; for each violation		Not less than $25.00 or more than $100.00
Sec. 18-4 - Running at-large; for each violation		Not less than $25.00 or more than $100.00
Sec. 18-5 - Dog licenses required; for each violation		Not less than $25.00 or more than $1,000.00
Sec. 18-6 - Noisy animals or fowl		
	Subsec. (b) - Notice; abatement; fine	Not less than $50.00 or more than $100.00 shall be subject to a fine until such nuisance is abated
Sec. 18-7 - Hitching to public trees; for each violation		Not less than $10.00 Or more than $100.00
Sec. 18-8 - Excrement		
	Subsec. (g) - Violations; penalties	Not less than $25.00 or more than $1,000.00
Sec. 18-9 - Vicious dogs and animals - Generally		
	Subsec. (f) - Violations; penalties; for each violation	$100.00
Sec. 18-12 - Cruelty		
	Subsec. (6) - Violations; penalties; for each violation	$100.00
Sec. 18-13 - Public nuisances		
	Subsec. (d) - Violations; penalties; for each violation	Not less than $25.00 or more

		than $100.00
Sec. 18-16 - Keeping bees		
	Subsec. (m) - Violations; penalties, for each violation	Not less than $25.00 or more than $100.00

		Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article III—Building Code		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 22-61 - Adopted (International Building Code)		
	Sec. 105.5.1 - Expiration; Additional 180 day extensions may be granted with payment of a renewal fee	$25.00 per 180 - day extension
	Sec. 113.4 - Violation penalties; Each day that a violation continues shall be deemed a separate offense	Fine of not less than $100.00 or more than $10,000.00
	Sec. 114.3 - Unlawful continuance	
	First offense	$100.00
	Second offense	$250.00
	Third offense	$500.00
	Fourth and subsequent offenses	No less than $1,000.00 and no more than $10,000.00
Sec. 22-65 - Permit fees		
Fees shall double in the event that a permit is applied for after construction has commenced without the permission of the building inspector. The building inspector may waive the doubling of fees in cases where the building permit applicant is not a professional contractor, and the work is not being done by a professional contractor.		
	Subsec. (a) - Building permits	$25.00 for first $1,000.00 of costs and $8.00 for each additional $1,000.00 of costs or multiples thereof up to $10,000,000.00 of costs, $6.00 for each additional $1,000.00 of costs or multiple thereof up to $20,000,000.00, and $5.00 for each additional $1,000.00 of costs or multiple thereof above $20,000,000.00
	Subsec. (a) - Fence permits	$25.00 for first $1,000.00 of costs and $8.00 for each additional $1,000.00 of costs or multiple thereof

	Subsec. (a) - Sign permits	$0.75 per square foot of sign area; minimum fee for each permit $50.00
	Subsec. (a) - Swimming pool permits	$25.00 for first $1,000.00 of costs and $8.00 for each additional $1,000.00 of costs or multiple thereof
	Subsec. (a) - Demolition permits, any building which is being demolished for the purpose of vacating the land for future development or construction upon the same	$50.00; $0.00 if condemned and required to be demolished by the city or any public entity
	Subsec. (a) - Moving permits, each building	$250.00
	Subsec. (a) - Construction plan reviews, nonresidential (Not subject to doubling)	$20.00 per set of plans
	Subsec. (b) - Reinspections (Not subject to doubling)	
	First reinspection	$0.00
	Second reinspection	$25.00
	Third reinspection	$50.00
	Any subsequent reinspection	$100.00

	Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article IV - Electrical Installations	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 22-110 - Violations	Not less than $25.00 or more than $1,000.00

		Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article V—Mechanical Code		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 22-145 - Heating, air conditioning, and heat pump permit fees		
Fees shall double in the event that a permit is applied for after construction has commenced without the permission of the building inspector.		
	Subsec. (a) - Heating permit	$40.00 first 10,000 BTUs and $7.00 each additional 10,000 BTUs or multiple thereof
	Subsec. (a) - Air conditioning permit	$40.00 per ton

		for the first five tons and $7.00 per ton over five tons or multiple thereof
	Subsec. (a) - Heat pump permit	$40.00 first 10,000 BTUs and $7.00 for each additional 10,000 BTUs or multiple thereof or $40.00 per ton for the first five tons and $7.00 per ton over five tons or multiples thereof

		Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article VI - Plumbing Code		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 22-185 - Permit fees		
Fees shall double in the event that a permit is applied for after construction has commenced without the permission of the building inspector. The building inspector may waive the doubling of fees in cases where the building permit applicant is not a professional contractor, and the work is not being done by a professional contractor.		
	Subsec. (a) - Enumerated	
	Fixtures	$35.00 first five fixtures and $3.00 for each additional fixture
	Garbage disposal and hot water heaters	A minimum fee of $35.00
	Gas, water and sewer inspection underground	$30.00 for first 150 feet and $0.75 for each additional ten feet or multiple thereof

	Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article VIII - Leases	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued,	

shall be automatically doubled in amount.		
Sec. 22-251 - Unlawful leases		
	Subsec. (g) - Violations; penalties	
	First offense	$50.00
	Each subsequent offense	$100.00

		Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article IX - Lodging Houses, Division 2 - Permit		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 22-301 - Generally		
	Subsec. (b) - Expiration; fee	
	Annual permit fee	$50.00 for the first ten rooms and $5.00 for each additional room.
	Annual dormitory permit fee	$50.00 for the first ten rooms and $2.50 for each room thereafter.
	Subsec. (c) - Failure to pay on due date	A penalty fee in the amount of ten percent per month of the amount of the license fee until the same is paid.
	Subsec. (d) - Reinstatement fee	$100.00

		Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article X - Rental Dwellings, Division 2 - Permit		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 22-332 - Inspection required		
	Subsec. (b) - Reinspection fee (Not subject to doubling)	
	First follow-up inspection	$0.00
	Each subsequent reinspection, per inspection	$50.00
If the permit fee is not paid on the date due, the permittee shall incur a penalty fee of ten percent per month of the amount of the license fee until the same is paid.		

Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 22-351—Generally		
	Subsec. (a) - Single-family dwellings, annual permit	
	Single-family detached dwelling, each dwelling	$100.00
	Single-family attached dwelling, each dwelling	$80.00
	Subsec. (b) - Multiple-family dwellings, annual permit	
	Multiple dwellings consisting of three or less dwelling units	$100.00
	Multiple dwellings consisting of four or more dwelling units:	
	For the first three dwelling units	$100.00
	For each additional dwelling unit in excess of three	$35.00
	Condominium units and accessory apartments located within structures principally used for owner occupancy, each	$35.00
	Subsec. (c) - Late payment penalty	A penalty fee in the amount of ten percent per month of the amount of the license fee until the same is paid.
	Subsec. (d) - Reinstatement fee	$100.00

		Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article XI - Dangerous Buildings		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 22-386 - Violations; penalties for disregarding notices or orders		
	Subsec. (a) - Violations by owner, each offense, minimum	$100.00
	Subsec. (b) - Violations by occupant or lessee, each offense, minimum	$100.00
	Subsec. (c) - Removal of notice, each offense, not to exceed	$100.00

		Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article XII - Vacant Buildings		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 22-403 - Registration and Registration Fees		
	Subsec. (a)(2)b.(ii) - Registration fee	
	Residential buildings and non-residential buildings <10,000	

	SF:	
	Buildings vacant one year or less	$375.00
	Buildings vacant for more than one year but less than two years	$750.00
	Buildings vacant for more than two years but less than three years	$1,500.00
	Buildings vacant for more than three years but less than five years	$3,000.00
	Buildings vacant for five years or longer	$5,000.00

		Fees and Fines
Chapter 26 - Businesses, Article II - Licenses		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 26-35 - License required; fees		
	Subsec. (d)(1) - Businesses licensed	
	Advertising agency	$95.00
	Amusement operator	$157.00
	Architect	$250.00
	Attorney-at-law	$313.00
	ATM machines (third-party or off bank premises)	$50.50
	Auctioneer	$157.00
	Automobile race operator	$375.00
	Bank, or loan and trust company	$313.00
	Barber	$63.00
	each additional chair over two	$4.00
	Beautician	$63.00
	each additional chair over two	$4.00
	Broadcasting station	$313.00
	Broker	$157.00
	Car wash	$188.00
	Certified public accountant	$250.00
	Cesspool cleaner	$125.00
	Chiropractor	$313.00
	Clinical social worker	$96.00
	Coin-operated amusement machine owner	$3.00 Per machine
	Coin-operated vending machine owner	$3.00

		Per machine
	Coin-operated electronic video machine	$125.00 Per machine
	Commercial sign business	$125.00
	Computer-related services	$125.00
	Consultant	$50.50
	Day care operator:	
	Center or home provider with greater than six children	$50.50
	Dentist	$313.00
	Distributor	$63.00
	Dray person or mover	$125.00
	Eating establishment and/or eating establishment operator	$125.00
	Employment agency	$125.00
	Entertainer:	
	One - three entertainers per group	$50.50
	Four - nine entertainers per group	$95.00
	Ten or more	$125.00
	Entertainment agent	$188.00
	Finance or small loan agency	$250.00
	Fitness trainer	$69.00
	Funeral director	$250.00
	Gaming position	$155.00
	Gas, light, power, cable TV and telephone company	$938.00
	General repairman	$63.00
	Health spa or health club	$188.00
	Home day care operator	$25.50
	Hotel:	
	Per room	$9.50
	Per suite	$12.50
	Income tax consultant	$188.00
	Incorporator	$125.00
	Insurance adjustor office	$125.00
	Itinerant merchant, per event	$100.00
	Janitorial and cleaning service:	
	One - three employees	$50.50
	Four - nine employees	$95.00
	Ten or more employees	$125.00

	Landscape service company:	
	One - three employees	$50.50
	Four - nine employees	$95.00
	Ten or more employees	$125.00
	Laundry service operator:	
	Primary facility	$125.00
	Additional drop-off locations	$50.50
	Linen supplier	$125.00
	Manicurist	$32.00
	Manufacturer's agent or representative	$125.00
	Mercantile agency or collection agency	$125.00
	Mobile home park, per space	$7.00
	Motel, per room	$7.00
	Motion picture theater	$188.00
	Motor vehicle serviceman	$95.00
	Nursing, rest or convalescent home	$188.00
	Open market operator:	
	First 20 spaces, per rented space	$22.50
	21st - 50th space, per rented space	$11.50
	Each space over 50, per rented space	$6.00
	Outdoor tables, per table	$6.00
	Optometrist	$313.00
	Pawnbroker	$188.00
	Pest control services	$95.00
	Pharmacist	$188.00
	Photographer	$125.00
	Physical therapist	$188.00
	Physician and/or surgeon	$313.00
	Plant nursery and florist	$95.00
	Podiatrist	$313.00
	Pool table operator, per table	$63.00/ Maximum fee $189.00
	Printer	$125.00
	Private investigator agency	$188.00
	Professional counselor	$63.00
	Professional engineer	$250.00
	Professional land surveyor	$250.00

	Psychologist	$313.00
	Public accountant	$188.00
	Public stenographer	$38.00
	Publisher	$313.00
	Real estate broker, appraiser, and manager	$157.00
	Real estate development corporation	$344.00
	Real estate property manager:	
	One - three units managed	$50.50
	Four - ten units managed	$125.00
	Ten + units managed	$125.00
	Real estate salesperson or associated broker	$50.50
	Rental service	$125.00
	Sales representative	$50.50
	School and educational service (nonvocational)	$63.00
	School and educational service (vocational)	$125.00
	Scientific laboratory	$250.00
	Scrap and waste material service	$125.00
	Secondhand dealer of precious metals	$125.00
	Security service	$188.00
	Self-service laundry or dry cleaner	$125.00
	Shoe repairman	$50.50
	Sound truck, per hour	$33.00
	Tailor and garment service	$50.50
	Taxicab or bus operator:	
	First vehicle	$26.00
	Each additional vehicle	$26.00
	Tourist home, per room	$7.00
	Trailer park, per space	$7.00
	Travel agency	$125.00
	Veterinarian	$313.00
	Warehouseman	$250.00
	Wholesale news agency	$63.00
	All other businesses not listed:	
	One - three employees	$50.50
	Four - nine employees	$95.00
	Ten - 50 employees	$125.00
	51 - 100 employees	$313.00

	Subsec. (d)(2) - Manufacturers/contractors rate	$0.00046 of aggregate gross receipts/ Minimum fee $125.00
	Subsec. (d)(3) - Merchants/bottlers rate	$0.00046 of aggregate gross purchases for resale/ Minimum fee $63.00
	Subsec. (d)(4) - Sports betting and horse racing (Simulcast)	rate of $0.00046 of the aggregate gross receipts (defined as commission) for each activity/ Minimum license fee $125.00
Sec. 26-42 - Penalty for late payment of license fee		A penalty fee in the amount of ten percent per month of the amount of the licensee fee until the same is paid

		Fees and Fines
Chapter 26 - Businesses, Article III - Going-Out-Of-Business Sales; Fire Sales		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Division 1- Generally		
	Sec. 26-108 - Violations; penalties	Not less than $25.00, nor more than $1,000.00
Division 2 - License		
	Sec. 26-137 - Fees	$25.00; renewal fee $25.00

		Fees and Fines
Chapter 30 - Code of Conduct and Ethics Commission, Article II - Code of Conduct		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		

Sec. 30-33 - Prohibitions relating to conflicts of interest		
	Subsec. (g)(1) - Criminal Sanctions, penalties	Not to exceed $1,000.00

		Fees and Fines
Chapter 38 - Emergencies, Article II - Civil Emergencies		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Division 3 - State of Emergency		
	Sec. 38-84 - Violations; penalties	Not less than $25.00, nor more than $1,000.00

		Fees and Fines
Chapter 42 - Environment		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 42-2 - Noise		
	Subsec. (d) - Violations; penalties	Not less than $50.00 nor more than $100.00

		Fees and Fines
Chapter 46 - Fire Prevention and Protection, Article I - In General		
Sec. 46-1 - Means of egress		
	Subsec. (f) - Penalties	
	Any exit access, exit, or exit discharge, with the exception of a locked exit door, found to be in violation of this section	$25.00 first offense $50.00 second or subsequent offense
	Any required exit door found to be locked against egress	$100.00 each locked exit
Sec. 46-3 - Impairment of Fire Protection Equipment		
	Subsec. (f) - Fines	$50.00 first offense; $100.00 second and subsequent offenses
Sec. 46-7 - Preventable and malfunctioning alarms to the fire company		

	Subsec. (b)(1) - Responsibility for malfunctioning and preventable alarms, owner response, and corrective action; Generally	Should the person notified fail to appear at said premises within 30 minutes after being notified to do so, the city may charge the owner of the premises a fine of $75.00
	Subsec. (b)(2) - Responsibility for malfunctioning and preventable alarms, owner response, and corrective action; Malfunction	Failure to return documentation of service/repair within the period of time stated on the notice of violation, which is satisfactory to the fire marshal, will result in assessment against the owner of a fine for the fire alarm malfunction
	Subsec. (c)(1) - Fine charges; multiple fire alarm malfunctions or preventable alarms; Amount of fine	
	Number of preventable or malfunctioning fire alarms	Fine per preventable or malfunctioning fire alarm
	Third	$75.00
	Fourth	$100.00
	Fifth	$200.00
	All over fifth, each	$250.00
	Subsec. (c)(2) - Fine charges; multiple fire alarm malfunctions or preventable alarms; Panel reset	A $25.00 fine may be assessed to the owner of a premises where the fire alarm has been reset before the fire department or assisting fire department

		arrives
Sec. 46-8 - Maintaining a known violation or hazard		
	Subsec. (c)(1) - Penalties; Any fines issued for violation of this section	Not less than $25.00, nor more than $1,000.00

	Fees and Fines
Chapter 46 - Fire Prevention and Protection, Article II - Fire Department	
Division 1 - Generally	
Sec. 46-45 (b) - Failure to answer alarms, orders and perform duties orderly; Penalties	Fine of not less than $25.00, nor more than $1,000.00 or by suspension from the fire department or both

		Fees and Fines
Chapter 46 - Fire Prevention and Protection, Article III - Fire Codes		
Fees established in subsection (b) of this section shall be doubled in the event that a permit is applied for after construction has commenced without the permission of the fire marshal. The fire marshal shall waive the doubling of fees in cases where the permit applicant is not a professional contractor and the work is not being done by a professional contractor.		
Sec. 46-126 - Fire Prevention Permit		
	Subsec. (b) - Fee; Each applicant	$12.00 for each $1,000.00 of costs or multiple thereof of the fire protection system; provided that a minimum fee for each permit shall be $50.00
	Subsec. (c) - Reinspection	
	First reinspection	No charge
	Second reinspection	$25.00
	Third reinspection	$50.00
	Any subsequent reinspection	$100.00
	Subsec. (d) - Fire signaling system inspection fee	
	Certificate of inspection	$25.00 each fire

		alarm system
	Exception: apartment or other multifamily dwelling - Five or less buildings per complex	$25.00 each fire alarm system
	Exception: apartment or other multifamily dwelling - More than five buildings per complex	$15.00 each fire alarm system up to a maximum of 20 buildings. Maximum fee per complex not to exceed $300.00 for fire alarm systems
	Subsec. (e) - Fire suppression system inspection fee	
	Certificate of inspection	$25.00 each fire suppression system
	Exception: apartment or other multifamily dwelling - Five or less buildings per complex	$25.00 each fire suppression system
	Exception: apartment or other multifamily dwelling - More than five buildings per complex	$15.00 each fire suppression system up to a maximum of twenty (20) buildings. Maximum fee per complex not to exceed $300.00 for fire suppression systems
Sec. 46-127 Smoke detection devices		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
	Subsec. (g) - Violations; penalties	Revocation of any existing license to do business in the city, or a fine of not more than $100.00 per violation, or both such penalties

		Fees and Fines
Chapter 46 - Fire Prevention and Protection, Article IV - Public Occupancies		
Sec. 46-164 - Fees		
	Churches	$50.00
	Civic auditoriums	$50.00
	Clubhouses	$100.00
	Commercial auditoriums	$50.00 first 200 seats and $5.00 for each additional 50 seats
	Day care facilities	$50.00
	Hospitals, nursing homes or rest home	$15.00 first ten rooms and $2.00 for each additional room
	Mercantile (10,000 square feet of area or greater)	$50.00
	Outdoor public events, including but not limited to firework displays, carnivals, and outdoor music concerts	$250.00
	Public office buildings	$50.00
	Restaurants (10,000 square feet of area or greater)	$50.00
	Restaurants of any size that serve alcoholic beverages	$75.00
	School	$50.00
	Theaters	$50.00 for the first 200 seats and $5.00 for each additional 50 seats
Sec. 46-168 - Reinspection Fee		
	Subsec. (a) - Amount	$25.00 for any repeated violation cited by the fire marshal, determined to be a violation and which requires a followup inspection to confirm the correction of the violation
	Subsec. (b) - Fee Attached	A fee may be attached to any summons written for any violation found to be uncorrected

		upon reinspection

		Fees and Fines
Chapter 46 - Fire Prevention and Protection, Article V - Fire Lanes		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 46-202 - Violations; penalties		
	Subsec. (c) - Other obstructions	Any property owner or tenant found to be in violation; $50.00
	Subsec. (d) - Failure to mark	Any property owner found to be in violation; $50.00
Sec. 46-205 - Responsibility of owner or tenant		Any property owner found to be in violation; $50.00

		Fees and Fines
Chapter 50 - Floods, Article II - Administration		
Sec. 50-22 - Permits Required		
	Permit	$50.00
	Permit extension	$25.00
	Violation and non-compliance penalties	Not less than $25.00 nor more than $100.00, plus cost of prosecution

		Fees and Fines
Chapter 52 - Freedom of Information Act Related to Public Records Access		
Sec. 52-3 - Fees for Responding to FOIA Requests		
	Administrative Fees	
	First 30 minutes of staff time	No charge
	Staff time in excess of 30 minutes	Hourly salary plus overhead rate of the lowest paid staff member capable of performing the service. Billed in 15-minute increments.
	Production Fees - Photocopies	
	Fees for printing the first 10 standard-sized black and white or the first 5 color copies (single sided)	Waived

	Standard-sized (8.5" by 11", 8.5" by 14", or 11" by 17") black and white copies	$0.25 per sheet (each side)
	Standard-sized (8.5" by 11", 8.5" by 14", or 11" by 17") color copies	$0.50 per sheet (each side)
	Oversized copies (larger than 11" by 17")	$30.00 per sheet (each side)
	Production Fees - Electronically generated records	
	Files provided via PDF (via email)	No charge
	CD or DVD (including case)	$2.00
	Other Electronic Storage Costs	Material cost to generate records
	Other Costs	
	Other costs associated with filling the request, such as postage, are the responsibility of the requestor. If the City does not have the resources or equipment to duplicate requested records, the City, at its discretion, may arrange to have records duplicated by an outside contractor. In this instance, the requestor will be liable for payment of these costs.	
	Fee Waivers	
	The FOIA Coordinator or designee shall have the authority to determine if a fee for a FOIA request shall be waived and the following criteria shall be used to render such a decision: 1) The public record is already available in duplicate form (extra copies). 2) The request for public record is made by an individual who is entitled to information under the FOIA and who submits an affidavit, provided by the City upon request, which shall state that the individual is then receiving public assistance or, if not receiving public assistance, stating facts showing inability to pay the cost because of indigence. A person shall be considered indigent if that person's income level is at or below the federal poverty level, as established by the Bureau of the Census. 3) No written request will be required or charges levied for requests to review specific documents which are required by ordinance to be made available to the public by the City Clerk.	
	Payment	
	Payment of fees related to FOIA requests will be due prior to any related service being performed. Full payment of all final costs incurred must be received prior to the retrieval and release of information.	

		Fees and Fines
Chapter 54 - Health and Sanitation, Article I - In General		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 54-4 - Smoking Regulations		
	Subsec. (d) - Violations; penalties; appeals	
	Subsec. (2) - Penalties	Not to exceed $25.00; each day such violation continues shall constitute a separate

		offense

		Fees and Fines
Chapter 54 - Health and Sanitation, Article II - Food and Food Handlers, Division 2 - Certificate		
Sec. 54-52 - Fee		
	Subsec. (a) - Type of establishment	
	Mobile food units	$50.00
	Push carts	$25.00
	For-profit temporary eating places	$25.00
	Membership clubs	$50.00
	Institutions	$100.00
	Subsec. (b) - Services provided	
	Breakfast service	$15.00
	Lunch service	$18.00
	Dinner service	$18.00
	Salad bar service	$15.00
	Hot and cold buffet, including salad bar service	$40.00
	Drive through service	$75.00
	Delivery service	$20.00
	Catering service	$15.00
	Takeout service	$20.00
	Seating service:	
	100 - 150	$50.00
	151 - 200	$75.00
	201 or more	$100.00

	Fees and Fines
Chapter 54 - Health and Sanitation, Article V - Rat Control	
Unless specifically provided otherwise, or the context thereof so dictates, each day any violation of any provision of this Code or any ordinance shall continue shall constitute a separate offense. Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 54-155 - Compliance with notice to ratproof	Unless the work and improvements have been completed by the owner in the time specified in the written notice, which in no event

	shall be more than 15 days, or within the time to which a written extension may have been granted by the health inspector, then the owner shall be punished by a fine of not less than $25.00, nor more than $1,000.00
Sec. 54-156 - Compliance with notice to eradicate rats	Unless eradication measures are undertaken within five days after receipt of the notice, the owner or occupant shall be punished by a fine of not less than $25.00, nor more than $1,000.00

		Fees and Fines
Chapter 59 - Juvenile Curfew		
Sec. 59-7 - Violations and penalties.		
	Subsec. (a)(1) - Offenses by the parent	First offense by a parent - $50.00; each subsequent offense by a parent shall be increased by an additional $20.00: e.g., $70.00 for the second offense and $90.00 for the third offense.
	Subsec. (a)(2) - Personnel costs incurred by the City of Dover for providing personnel to remain in the company of a juvenile who has been detained as a curfew violator if the parent or guardian does not pick up the juvenile within one hour after receiving notice from the city that the city is detaining the juvenile for a curfew violation	The hourly wage and cost of benefits of the city employee assigned to remain with the juvenile
	Subsec. (c) - Operators - Any operator who knowingly permits a juvenile to remain at the establishment under circumstances not constituting an exception	$50.00 for first offense by an operator; for each subsequent offense

		the fine shall be increased by an additional $20.00: e.g., $70.00 for the second offense and $90.00 for the third offense
	Subsec. (d) - False certification - Any parent convicted of knowingly providing any false authorization, information or certification, written or verbal, to the Dover police department in violation of section 59-4(c)	$50.00 for the first offense; for each subsequent offense the fine shall be increased by an additional $20.00, plus costs

		Fees and Fines
Chapter 62 - Law Enforcement, Article I - In General		
Fees not paid within 30 days of the day the fee was issued, including the day the fee was issued, shall be automatically doubled in amount.		
Sec. 62-2 - False alarms to police		
	Subsec. (c)(1) - Violations; penalties	
	Number of False Alarms	Amount of Fee Per False Alarm
	3 - 5	$25.00
	6 - 9	$50.00
	10 - 15	$100.00
	16 and over	$150.00

		Fees and Fines
Chapter 66 - Manufactured Homes and Trailers		
Sec. 66-2 - License		
	Subsec. (a) - Required fee	$45.00 each license
	Subsec. (b) - Payment; penalties	A fine of not less than $25.00, nor more than $1,000.00 and a penalty fee of ten percent per month shall accrue on the unpaid balance of the license fee

		Fees and Fines
Chapter 70 - Offenses and Miscellaneous Provisions		
Sec. 70-1 - Combative fighting		
	Subsec. (d)(1) - Violations; penalties, Fines	Not to exceed $1,000.00. Separate fines may be issued to the promoter of such an event, participants in such an event, and the owner of the premises of such an event
Sec. 70-7 - Registered Sexual Offenders		
	Subsec. (d) - Penalties	$500.00 for any offense; each day shall constitute a separate offense

	Fees and Fines
Chapter 74 - Parks and Recreation, Article I - In General	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 74-51 - Operating any nonpermitted motorboat on Silver Lake	Not to exceed $200.00, and not less than $100.00
Sec. 74-52 - Same - Fine	Not to exceed $100.00, and not less than $10.00

	Fees and Fines
Chapter 78 - Peddlers and Solicitors	
Sec. 78-4 - Refusing to leave premises	A fine of not less than $25.00, nor more than $1,000.00

		Fees and Fines
Chapter 82 - Planning		
Sec. 82-3 - Planning services		
	(a) Zoning verification letters/administrative interpretations	$50.00 per letter/ interpretation

	Fees and Fines
Chapter 86 - Secondhand Goods, Article II - Precious Metals, Division 2 - License	
Sec. 86-63 - Fee	$25.00 per license
Sec. 86-64 - Bond required	Penal sum of $1,000.00

	Fees and Fines
Chapter 90 - Solid Waste	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 90-17 - Violations; penalties	Not in excess of $100.00, nor less than $5.00 for each violation

	Fees and Fines
Chapter 98 - Streets, Sidewalks and Other Public Places, Article I - In General	
Sec. 98-5 - Duty of tenants or owners to maintain sidewalks and landscaped areas within the street right-of-way	Not in excess of $100.00, nor less than $5.00 for each violation

	Fees and Fines
Chapter 98 - Streets, Sidewalks and Other Public Places, Article V - Excavations, Division 2 - Permit	
Sec. 98-193 - Bond	Maximum of $5,000.00 per opening

	Fees and Fines
Chapter 98 - Streets, Sidewalks and Other Public Places, Article VI - Parades, Division 2 - Permit	
Sec. 98-243 - Fee at the time of filing the application for a parade permit	$10.00. This fee may be waived, in whole or in part, by the chief of police.

	Fees and Fines
Chapter 102 - Taxation, Article I - In General	

Sec. 102-2 - Delinquent property tax collection costs		
	Subsec. (a) - Action to collect delinquent property taxes filed in a court of appropriate jurisdiction	Fee of $50.00 added to amount due, plus court costs and service fees assessed by state or county offices
	Subsec. (b) - Action proceeds and a writ of venditioni exponas monition or similar execution process is filed	Additional fee of $100.00 shall be added to the amount due, plus court costs and service fees assessed by state or county offices

	Fees and Fines
Chapter 102 - Taxation, Article III - Realty Transfer Tax	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 102-79 - Violations; penalties, Any person guilty of conduct prohibited in section 102-78 - Prohibited acts enumerated	A fine of not more than $100.00

		Fees and Fines
Chapter 106 - Traffic and Vehicles, Article I - In General		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 106-7 - Obedience to state law; violation of any provision of 21 Del. C. § 101 et seq. (except Sec. 106-7(1) - Handicapped parking and Sec. 106-7(2) - Fire lanes)		A fine of not less than $25.00, nor more than $1,000.00
	Subsec. (1) - Handicapped parking	Minimum fine, as defined in 21 Del. C. § 4183, at the time the violation occurs
	Subsec. (2) - Fire lanes	Minimum fines, as defined in 21 Del. C. § 7001(a), at the time the violation occurs
Sec. 106-14 - Off-road motor vehicle regulations		
	Subsec. (d) - Penalties	A minimum fine of $25.00 and a maximum fine of $100.00

Sec. 106-15 - Failure to stop for a red traffic signal; traffic light signal violation monitoring program; penalties		
	Subsec. (b)(3) - Traffic light signal violation monitoring program; civil or administrative assessment	
	Failure to comply with a traffic light signal	$75.00
	If not paid within 14 days, an additional assessment shall be added to the original assessment	$10.00
	Additional assessment shall be increased if the assessment is not paid within 45 days	$20.00
	Additional assessment shall be increased if the assessment is not paid within 90 days	$30.00
	Court costs or similar administrative fees may also be assessed if the owner requests a hearing to contest the violation, and is ultimately found to be in violation or fails to pay or contest the violation in a timely manner	Maximum $30.00
Sec. 106-16 - Violations; Except as otherwise provided		
	Subsec. (a)(1) - Moving offense	Minimum of $10.00
	Subsec. (a)(2) - Nonmoving offense	Minimum of $15.00
	Subsec. (a)(3) - Parking violation	$20.00 for each offense, if the fine is paid within 72 hours from the date the offense is recorded in time, the fine shall be $15.00

	Fees and Fines
Chapter 106 - Traffic and Vehicles, Article II - Bicycles	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 106-55 - Penalties for violation	Not to exceed $100.00 and not less than $10.00

		Fees and Fines
Chapter 106 - Traffic and Vehicles, Article III - Stopping, Standing and Parking, Division 1 - Generally		
Sec. 106-135 - Residential parking		
	Subsec. (i)(1) - Expiration; Two-hour parking	$20.00 fine or $15.00 if paid within 72 hours of issuance of such fine

	Subsec. (i)(2) - Expiration; Change of residence, etc.	$20.00 fine or $15.00 if paid within 72 hours of issuance of such fine
	Subsec. (m) - Violations; Penalties	Any violation of this section not having a stated, specified penalty will result in a $20.00 fine or $15.00 if paid within 72 hours of issuance of such fine
Sec. 106-137 - Parking areas for persons with disabilities		
	Subsec. (c)(3) - Signage; Fines	Failure to achieve compliance within 30 calendar days of the issuance of the notice of violation shall be subject to the fines set forth in subsection (f) of this section
	Subsec. (f) - Penalties	Whoever violates this section shall be fined not less than the minimum fine as defined in 21 Del. C. § 4183 at the time the violation occurred

		Fees and Fines
Chapter 106 - Traffic and Vehicles, Article III - Stopping, Standing and Parking, Division 2 - Metered Parking		
Sec. 106-163 - Use of meters required		
	Subsec. (a) - Failure to make the required payment in the parking meter	$20.00 fine or $15.00 if paid within 72 hours of issuance of such fine
	Subsec. (b) - Payments accepted	
	Each $0.25 coin	Permits the vehicle to be parked for a

		period of one hour
	Each $1.00	Permits the vehicle to be parked for the duration of the enforcement period of 8:00 a.m. to 5:00 p.m.
Sec. 106-164 Violations; penalties		
	Subsec. (a) - Generally; Each violation if paid within 24 hours from time summons giving notice of violation is issued	A fine of not less than $1.00 for each violation
	Subsec. (a) - Generally; Each violation if paid after expiration of 24 hours from time summons giving notice of violation is issued	$2.00 for each violation, if payment is made voluntarily prior to the time and date set forth in the summons
	Subsec. (a) - Fourth Violation; Each violation if paid within one hour from time summons giving notice of violation is issued	$1.00 for each such violation
	Subsec. (a) - Fourth Violation; Each violation if paid after expiration of one hour from time summons giving notice of violation is issued	$2.00 for each violation, if payment is made voluntarily prior to the time and date set forth in the summons
	Subsec. (a) - Fifth violation, etc.; Any person committing more than four violations within any 30-day period of the provisions of this division	$5.00 for each such violation, if payment is made voluntarily prior to the time and date set forth in the summons.
	Subsec. (b)(4) - Any person who unlawfully removes a device for immobilization of a vehicle	$500.00 fine for each violation
	Subsec. (b)(5) - Any person who tows or otherwise moves an immobilized vehicle without authorization by the chief of police or his designee	$500.00 fine for each violation
	Subsec. (c) - Cost. No cost will be assessed if payment of the penalty as hereinbefore imposed is voluntarily paid without the necessity of a hearing before the proper official	

		Fees and Fines
Chapter 110 - Utilities, Article II - Electric Service		
Sec. 110-32 - Pole attachment fee; use of Dover Electric Department facilities		
If payment is not received for any fee or other amount owed within 30 calendar days after it becomes due, the licensee shall pay interest at the rate of one and one-half percent per month, on the amount due (Subsec. (f)).		
	Subsec. (4) - Fees and charges; Annual pole attachment fee	$8.17 per attachment
	Subsec. (4)(l) - True up	Wherever the actual cost of DED's activity exceeds the advance payment of estimated expenses, licensee agrees to pay DED for the difference in cost when that amount exceeds $50.00;To the extent that the actual cost of the activity is less than the estimated cost, DED shall refund to licensee the difference in cost where that amount exceeds $50.00
	Subsec. (5) - Scope of authority	
	Subsec. (l)(i) - Overlashing, unauthorized attachment penalty	Three times the annual attachment fee, per occurrence
	Subsec. (8) - Permitting, (b) - Pole Attachment Permit Application Process	
	Subsec. (i)(a) - Charge for expenses related to the Pre-Permit survey application	
	Less than 11 poles	$50.00 application fee plus $2.00 per pole
	11 poles up to and including 25 poles	$90.00 application fee plus $2.00 per pole
	26 poles or greater	$4.00 per pole application fee
	Subsec. (i)(b) - Charge for expenses related to the leasing of conduit	
	Less than 100 feet	$50.00 application fee plus $0.50 foot
	100 feet to 251 feet	$90.00 application

		fee plus $0.50 foot
	Greater than 250 feet	$0.75 per foot application fee
	Subsec. (9) - Make-ready work, (b) - Payment of make-ready work	DED may require payment in advance for all make-ready work based upon the estimated cost of such work if the estimate exceeds $1,000.00. Upon completion, licensee shall pay DED's actual cost of make-ready work, which shall be itemized.
	Subsec. 10 -Transfers, (b) - Billing for transfers performed by DED	If DED performs the transfer(s), DED will bill licensee for actual costs per subsection (4) Fees and charges. Licensee shall reimburse DED within 30 calendar days of the receipt of the invoice.
	Subsec. 12 - Abandonment or removal of DED facilities	
	Subsec. (b) - Option to purchase abandoned poles	Rate equal to the depreciated value of said pole; if a pole that is to be purchased is older than 30 years, then the rate to be charged is set at $50.00 per pole
	Subsec. 16 - Unauthorized occupancy or access	
	Subsec. (a) - Penalty fee	Three times the annual attachment fee, per occurrence; if licensee fails to pay such fee within 30 calendar days of receiving notification thereof, DED has the right to

		remove such attachments at licensee's expense, unless such fee is disputed in good faith
	Subsec. 17 - Advance payment	$8.17 per attachment; plus estimated make-ready work expenses

		Fees and Fines
Chapter 110 - Utilities, Article II - Electric Service		
Sec. 110-33 - Charge for discontinuing or restoring electric service		
	Subsec. (a) - Maintenance and repair	No charge for discontinuing or restoring electric service for maintenance purposes if done between 7:00 a.m. and 5:00 p.m.; $100.00 for all service calls between 5:00 p.m. and 7:00 a.m.
	Subsec. (b) - Nonpayment	There will be a service charge of $50.00 paid prior to turning on any service discontinued for nonpayment between 7:00 a.m. and 5:00 p.m. There will be a service charge of $100.00 paid prior to turning on any service discontinued for nonpayment between 5:00 p.m. and 7:00 a.m.

		Fees and Fines
Chapter 110 - Utilities, Article III - Water Service, Division 6 - Rates, Charges and Billing Procedures		
Sec. 110-191 - Water use fees generally		
	Subsec. (b) - Penalty	A penalty of 1½ percent or $1.00, whichever is greater, per month shall be added to all water service fees which shall be in arrears for a period in excess of 30 days after the date of rendering the water service bill
Sec. 110-192 - Charge for discontinuing or restoring water service		
	Subsec. (a) - Maintenance and repair	No charge for turning on or off any service for maintenance purposes if done between 7:00 a.m. and 5:00 p.m.; $100.00 for all service calls between 5:00 p.m. and 7:00 a.m.
	Subsec. (b) - Nonpayment	There will be a service charge of $50.00 paid, together with all current and overdue charges, prior to turning on any service discontinued for nonpayment between 7:00 a.m. and 5:00 p.m. There will be a service charge of $100.00 paid, together with all current and overdue charges, prior to turning on any service discontinued

		for nonpayment between 5:00 p.m. and 7:00 a.m.

		Fees and Fines
Chapter 110 - Utilities, Article III - Water Service, Division 7 - Water Impact Fees		
Sec. 110-208 - Water impact fee established; payment, credits		
	Subsec. (c) - Fee and applicability	
	(1) - Applicable building permit before February 1, 2008. A buyer independent of the seller may submit a sales contract executed prior to February 1, 2008 to the city manager for consideration in lieu of a building permit issued before February 1, 2008	No fee
	(1) - Building permit and certificate of occupancy is issued on or after February 1, 2008	$700.00
	(2) - Certificate of occupancy issued after February 1, 2009	$1,400.00
	(3) - Certificate of occupancy is issued after February 1, 2010	$2,100.00

		Fees and Fines
Chapter 110 - Utilities, Article IV - Sewer Service, Division 1 - Generally		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 110-240 - Violations		
	Subsec. (c) - Payment of cost	Not less than $25.00 nor more than $1,000.00

		Fees and Fines
Chapter 114 - Vegetation, Article II - Weeds		
Every day that a violation of section 114-32 continues shall be considered a separate offense, for which the violator may be tried and convicted without necessity of further notice. Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 114-33 - Failure to maintain proper height; abatement by city; costs and lien.		
	Subsec. (a) - Summons; action by city	$50.00 per hour for such work that must be done to render the property in compliance with this article

Sec. 114-34 - Fines		
	Subsec. (a) - Generally	In addition to charges or assessments imposed, a fine of not less than $25.00, nor more than $100.00 in accordance with minimum fine schedule in subsec. (c)(1)
In determining the applicable minimum fine, an offense shall be considered a recurring offense only if the defendant has previously pleaded, or been found guilty of causing or permitting the same nuisance at the same location within the past 18 months, or for every day that the violation of section 114-32 continues as per subsection (b) of this section.		
	Subsec. (c)(1) - Minimums - Any fine assessed pursuant to subsection (a) of this section shall be no less than the following minimum:	
	First offense	$25.00
	Second offense	$50.00
	Third and subsequent offenses	$100.00

		Fees and Fines
Chapter 118 - Vehicles for hire, Article II - Taxicabs, Division 2 - Operator's Permit		
Sec. 118-54 - Fee		
	Taxicab operator's permit	$5.00

		Fees and Fines
Appendix A - Subdivisions, Article IV - Subdivision - Procedure		
	Subsec. A.2. - Preapplication; filing fee	$200.00
	Subsec. B.2. - Preliminary layout; filing fee	$325.00
	Subsec. C.3. - Plat; review fee	$200.00, plus $85.00 per acre for the first ten acres, $60.00 per acre for the next ten acres and $45.00 per acre for each acre thereafter
	Subsec. C.3. - Plat; review fee - minor lot line adjustment	Plats for minor

		lot line adjustments shall require a review fee of $150.00
	Subsec. C.3. - Plat; review fee - minor subdivision	Plats for minor subdivisions shall require a review fee of $150.00 plus $15.00 per lot

		Fees and Fines
Appendix B - Zoning, Article 3 - District Regulations		
Sec. 24 - Planned neighborhood design option (PND)		
	Subsec. 24.2 - Review process - General sketch plan review fee, each application	$100.00
	Subsec. 24.8 - Conditional use plan approval	
	Subsec. 24.81 - Plan approval fee, each application	$200.00, plus $10.00 per acre
	Subsec. 24.9 - Site development preliminary subdivision plan review	
	Subsec. 24.91 - Preliminary plan approval fee; each application	$325.00, plus $20.00 per acre
	Subsec. 24.10 - Final subdivision plat approval	
	Subsec. 24.101 - Final subdivision plat approval; each application	$250.00
Sec. 28 - Traditional Neighborhood Design Zone (TND)		
	Subsec. 28.4 - Procedure; application for rezoning of a land area to a TND zone	
	Subsec. 28.411 - Minimum fee; each rezoning petition	$325.00
	Subsec. 28.422 - Implementation plan approval; each application	$325.00, plus $10.00 per acre
	Subsec. 28.434 - Site development plan or subdivision plat; each application	$250.00

		Fees and Fines
Appendix B - Zoning, Article 5 - Supplementary Regulations		
Section 4 - Supplementary sign regulations		
	Subsec. 4.8 - Unified campuses and complexes	
	Subsec. D.4. - Submission requirements; application fee	$200.00, due at time of application

	Subsec. 4.9 - Supplementary sign provisions	
	Subsec. D.1. - Temporary signs; permit	$50.00

		Fees and Fines
Appendix B - Zoning, Article 6 - Off-street Parking, Driveways and Loading Facilities		
Sec. 5 - Supplementary Regulations for Parking and Loading Facilities		
	Subsec. 5.5 - Parking for Motorsports Racing	
	Subsec. 5.52 - Recreational vehicle parking	
	1-5 Recreational vehicles	No fee
	6 - 25 Recreational vehicles	$25.00
	26-50 Recreational vehicles	$50.00
	51 - 100 Recreational vehicles	$100.00
	>100 Recreational vehicles	$150.00

		Fees and Fines
Appendix B - Zoning, Article 8 - Enforcement and Penalties		
Sec. 2 - Certificates of occupancy		
	Subsec 2.4 - Every application for a certificate of occupancy or a temporary certificate of occupancy shall be accompanied by a fee:	
	Certificate of occupancy for one-family residential uses	$60.00
	Temporary certificate of occupancy for one-family residential uses	$75.00 for a maximum of 45 days. Fee applies for any extensions beyond 45 days
	Certificate of occupancy for uses other than one-family residential uses	$75.00 for the first 20,000 square feet of building area, plus the sum of $15.00 for each additional 10,000 square feet of building area in excess of the first 20,000 square feet or multiple thereof

	Temporary certificate of occupancy for uses other than one-family residential uses	$100.00 for a maximum of 45 days. Fee applies for any extensions beyond 45 days

		Fees and Fines
Appendix B - Zoning - Article 9 - Board of Adjustment		
Sec. 3 - Procedure		
	Subsec. 3.4 - All variance requests and appeals from an order, requirement, decision or determination made by an administrative official, board or agency of the city shall be accompanied by a fee	
	All variance requests for residential uses	$300.00
	All variance requests for nonresidential uses	$600.00
	All appeals from an order, requirement, decision or determination made by an administrative official, board or agency of the city The board of adjustment may, in its discretion, return to the applicant part or all of the fee paid by him in the event that his appeal under section 2.1 (interpretation) hereof is partially or wholly successful. The fees filed in connection with applications under section 2.2 (variances) shall not be returnable, regardless of disposition of the case by the board	$300.00

		Fees and Fines
Appendix B - Zoning - Article 10 - Planning Commission		
Sec. 1 - Approval of conditional uses		
	Subsec. 1.52 - Application procedure; Conditional use permit; each application	$425.00, plus $25.00 per acre of the area or multiple thereof involved in the application
Sec. 2 - Site development plan approval		
	Subsec. 2.42 - Fees - Application for administrative site plans	$300.00
	Subsec. 2.43 - Fees - Application for site development plan approval	$425.00 plus $25 per acre
Sec. 3 - Historic district commission and architectural review		
	Subsec. 3.26 - Procedures for an architectural review by the historic district commission or planning commission	

	Subsec. (b) Application and fee for an architectural review certificate	$250.00
Sec. 5 - Amendments		
	Subsec. 5.32 - Application. Each application for a zoning map amendment:	
	Minimum fee, in addition to required district supplemental fee	$425.00
	One-family residence zones (R-8, R-10, R-15, and R-20); supplemental fee	$25.00 per acre
	General residence zones, Medium density residence zones, and Mobile home park zones (RG-0, RG-1, RG-2, RG-3, RG-5, RM-1, RM-2, and MHP); supplemental fee	$50.00 per acre
	Commercial and office (C-1, C-1A, C-2, C-2A, C-3, C-4, CPO, RC and IO); supplemental fee	$70.00 per acre
	Shopping center development (SC-1, SC-2 and SC-3); supplemental fee	$75.00 per acre
	Industrial zones (M, IPM, and IPM2); supplemental fee	$75.00 per acre

ADOPTED: DECEMBER 14, 2015
EFFECTIVE: JANUARY 1, 2016
S:\ORDINANCES\2015\ADOPTED\ORDINANCE #2015-22 REVIEW AND MAINTENANCE-PLANNING & CUSTOMER SERVICE FEES-ADOPTED 12-14-2015.wpd

SYNOPSIS

The amendment codifies the maintenance of fees approved by City Council. Appendix F - Fees and Fines has also been reformatted for ease of use.

(SPONSORS: LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

Actions History
12/14/2015 - Final Reading at the City Council meeting
11/23/2015 - Introduced at the City Council meeting

S. Renee Smith
P.O. Box 177
Dover, DE 19903

December 9, 2015

Tim Slavin
City Council President
City of Dover
P.O. Box 475
Dover, DE 19903

Dear Mr. Slavin:

As per my email dated Tuesday, December 7, 2015, on Monday, November 30 I received a call from you stating that as a result of reposting an article on my personal Facebook page, which was published by delawareonline.com, the Dover Police and Fraternal Order of Police were "calling for my resignation." After careful consideration, I have decided to respectfully honor that request. Today I formally tender my resignation as chair of the Dover Human Relations Commission (DHRC).

As you are aware, human relations commission chair Cecil Wilson unexpectedly resigned March 24, 2015. Subsequently as a commissioner it was without hesitation that I accepted the nomination as chair in order to continue to assist city council in realizing DHRCs "PURPOSE" per city code Chapter 58. Leaders in whatever position of influence we may hold share the same objectives and end goal which is to do what's best and get the best results in serving and meeting the needs of citizens in the City of Dover.

To assist in the reorganization, I would like to share highlights and accomplishments during my tenure as chair:

June

- Met with Mayor and Chief of Police (together) and City Council President to understand their vision for the city and their perception of the role of the commission.

  Commissioners promoted, attended and participated in *All Lives Matter Rally* held June 6.

July

- Met with leaders of the State Human Relations Commission. Joined forces with the state commission to make available more resources directly to Dover citizens. First partnership event held December 8— screening and discussion of the movie, *Cracking the Codes*.

- Committed to supporting and understanding Dover Police, Commissioner Sandusky reached out to Dover Police to inquire about Ride Along Program and Citizen's Police Academy. In October, Commissioner Sandusky scheduled a time to ride along with an officer. The November 10 response to my October 26 email inquiry about the academy stated that it would not start until late February or early March. Commissioners are interested.

August

- Commissioner McGiffin and I met with Chief Bernat and Major Mailey to discuss how the commission could provide greater support to Dover Police Department's goals to improve community relations and to discuss the commission's employee relations survey.

September

- City Council President Tim Slavin attended DHRC meeting and shared his hope for the city and the commission's possible contribution.

- Commissioners bios, photos and contact information were added to city's website.

October

- I attended 4-day mediation training on behalf of the commission.

- I attended NAACP and Dover Police Outreach Event for city.

- Commissioner Henderson and I met with Capital School District Superintendent. In building the relationship on November 20, Commissioner Bogle engaged Dover High School to monogram polo shirts for commissioners. In October, the commission voted to submit for Council's approval a DHRC logo-designing contest. Commission wants to partner with Dover High to engage students. Local businesses will be asked to provide prizes.

November

- Partnered (my business provided the funding; commissioners served at event) with NAACP, Inter-denominational Ministerial Alliance, City Police, and Fraternal Order of Police for the ***The Community, Family and Fellowship Dinner.***

Mr. Slavin, the commission's current initiatives include:

- Employee Relations Survey – Commissioner McGiffin is the chair of the Government Policy, Programs and Practices Committee. We have approved the interviewing questions for city leaders and the online survey for employees is being tweaked. Interviews begin this month.

- Community Relations – Commissioner Griffith is the chair of the Communications Committee. The commission voted and passed the PR promotion to create and send congratulatory cards from the commission to citizens who appear in the newspaper.

- Education Engagement– Commissioner Henderson is the chair of the Education Committee and is in communication with organizers for the commission's possible involvement in a TEDx talk in early 2016.

- Community Engagement – Commissioner Roach is the chair of the Community Engagement Committee. City Council should receive (if they haven't already) a solicitation for a mentorship program, Reach One, Teach One Challenge.

Mr. Slavin, again it has been a pleasure to serve the dedicated commissioners who graciously commit their time and talent to the commission. It has been a joy to serve the amazing people in this city.

Wishing all continued success.

S. Renee Smith