

**DISCUSSION:** ADMINISTRATIVE FEE AMOUNTS PROVIDED WITHIN THE CODE

**CONCERN:** VARIOUS ADMINISTRATIVE FEE AMOUNTS ARE PROVIDED THROUGHOUT THE CODE, REQUIRING ORDINANCES TO MAKE CHANGES.

**SOLUTION:** CAN/SHOULD CERTAIN FEE AMOUNTS BE REMOVED FROM THE CODE, AND INSTEAD LISTED IN A GENERAL FEE SCHEDULE WITHIN TOWN HALL? THE FEE SCHEDULE COULD BE REVIEWED AND APPROVED YEARLY, POTENTIALLY WITH THE ANNUAL BUDGET.

**EXCERPT FROM SECTION 16 of DEWEY BEACH TOWN CHARTER, TOWN MANAGER RESPONSIBILITIES:**

(f)The Town Manager shall have charge and supervision of the sewer system, water system, street lighting, streets, gutters, curbs, sidewalks, boardwalks, jetties, piers, parks, and other administrative affairs of the Town and all work relating thereto. The Town Manager shall have charge of and shall collect all taxes, assessments, rentals, franchise fees, license fees, or other charges due the Town. The Town Manager shall have charge of the administration of all provisions of this Charter and ordinances and resolutions of the Town Council relating to the affairs of the Town when not otherwise provided for by this Charter or by any ordinance or resolution of the Town Council.

**PROTOCOL FOR NEIGHBORING TOWNS:**

Rehoboth: Fees outlined in code.

Lewes (confirmed with clerk): Any increase in fees are approved within the budget discussion/vote each year. Full fee schedule is kept by administrative department.

South Bethany (confirmed with clerk): Fees reviewed yearly and passed by resolution.

Bethany: Fee amounts not provided in code, refers back to "fee schedule on file at Town Hall."

Fenwick: Fee amounts not provided in code, refers back to "fee as set by resolution by Town Council from time to time."

**FEES FOR POTENTIAL REVIEW ARE ATTACHED**

ARTICLE I  
**General Fee Schedule**  
**[Last amended 1-8-2005 by Ord. No. 527]**

**§ 93-1. Building permits and requests; limousines business licenses.**

- A. Building permits: 3% of the total construction cost for all required permits, with a \$50 minimum permit fee. **[Amended 1-8-2021 by Ord. No. 757]**
- B. Fifty cents per square foot of sign area, but not less than \$50 per sign. **[Amended 1-8-2021 by Ord. No. 757]**
- C. Building permit application fee beginning March 1, 2021: **[Amended 1-8-2021 by Ord. No. 757]**
  - (1) For projects having a total construction cost of \$15,000 or more: \$150.
  - (2) Any project less than \$15,000: \$0.
- D. Relocation of dwelling units: \$100. If new site is within Town limits, fee is same as for new construction, plus \$100.
- E. Request for approval of conditional use: \$750. However, applications to amend existing conditional use permits to change or remove special requirements imposed as conditions pursuant to § 185-40 are subject to a reduced fee of \$400 if submitted not less than 12 months from the date of issuance. **[Amended 7-24-2020 by Ord. No. 763]**
- F. Request for approval of conditional use: \$750.
- G. Request for variance, special exception, appeal, or interpretation requiring Board of Adjustment action: \$500.
- H. Fences, signs, driveways in excess of \$100, including flag poles, towers, sidewalks, and paved patios: \$30.
- I. Entranceway permits: \$10.
- J. Renewal of building permit: \$50.
- K. The above fee shall be doubled if a permit is not obtained prior to beginning of construction.
- L. Limousine business license fee: \$25 per year. **[Added 5-13-2006 by Ord. No. 565]**
- M. Request for demolition of 50% or more of a building other than an accessory building: \$1,500. **[Added 2-28-2009 by Ord. No. 652]**

**§ 93-2. Infrastructure maintenance and improvements. [Amended 2-11-2012 by Ord. No. 689]**

- A. Twenty percent of the revenues derived from building permits each month shall be

transferred to the infrastructure maintenance and improvements escrow account ("infrastructure account") to be used for infrastructure maintenance and improvements undertaken by the Town.

- B. For the purpose of this chapter, "infrastructure" shall be defined to include only those areas directly impacting health and safety issues related to roads and rights-of-way, such as roadways and road surfaces, mitigation of roadway flooding and stormwater drainage, pedestrian walkways and crossings and street lighting.
- C. Activities authorized to be funded out of the infrastructure account shall serve to create new infrastructure or result in the maintenance or improvement of existing infrastructure-related grant writing, feasibility studies, engineering design, permitting, construction and construction oversight, repairs and maintenance and maintenance contracts.
- D. Prior to any appropriation of funds from the infrastructure account, proposed projects may be referred to the Infrastructure Committee for its review and recommendation to Council, and council shall subsequently hold a public hearing on the proposed project.

**§ 93-3. Beach fire permits. [Amended 2-28-2009 by Ord. No. 649; 5-13-2017 by Ord. No. 740]**

Fee of \$30 for Dewey Beach property owners and \$50 for nonproperty owners, plus a cleanup fee deposit of \$100, which will be refundable after 1:00 p.m. the following day if no cleanup is required.

**§ 93-4. Special events requiring police assistance.**

A fee not to exceed \$2,500 shall be charged to any private, charitable, nonprofit or profit organization or promoter which requires the assistance of the Dewey Beach Police Department. The fee shall be determined according to the estimated number of police man hours required to serve the special event. The Town Manager shall annually determine the hourly rate per man hour of police assistance and said rate shall be approved by the Commissioners at a regularly scheduled meeting. If no change of the rate is proposed by the Town Manager, the rate shall remain the same in subsequent years. For any special event requiring the assistance of the Dewey Beach Police Department, the organizer and/or promoter and the Town Manager shall determine the number of police man hours required and the organizer and/or promoter of the event shall pay the estimated fee for the special event. Any refund and/or additional charge for police man hours shall be paid within 30 days after the event. This fee may be waived by the Town Manager when approved by three Commissioners.

**§ 93-5. Parking permits. [Amended 4-12-2008 by Ord. No. 622; 2-14-2009 by Ord. No. 646]**

- A. Seasonal: \$250. The price will be reduced to \$125 on August 1 of each year. [Amended 4-25-2009 by Ord. No. 657; 3-10-2012 by Ord. No. 691; 2-29-2020 by Ord. No. 753]

- (1) Dewey Beach property owners and business owners with a business physically located in Dewey Beach are eligible to purchase up to two discounted seasonal parking permits per property or business at \$150 per permit, provided: **[Amended 12-17-2021 by Ord. No. 779]**
    - (a) Assessments for beach replenishment on all applicants' properties are paid in full; and
    - (b) The applicant has no unpaid Dewey Beach parking fines.
  - (2) Business owners without a physical location in Dewey Beach shall be permitted to purchase up to two discounted seasonal permits at \$200.
  - (3) Direct employees of Dewey Beach businesses with valid proof (pay stub or employment letter) and additional passes for property owners are also eligible for the \$200 rate.
- B. Weekly rate (any eight consecutive days): \$90. **[Amended 5-10-2010 by Ord. No. 678; 2-29-2020 by Ord. No. 753; 10-15-2021 by Ord. No. 776]**
- C. Daily and weekend rates. **[Amended 5-10-2010 by Ord. No. 678; 2-29-2020 by Ord. No. 753]**
- (1) Daily rate:
    - (a) For use on a Monday/Tuesday/Wednesday (partial enforcement hours): \$15.
    - (b) For use on a Thursday/Friday/Saturday/Sunday (full enforcement hours): \$20.
  - (2) Weekend rate: \$45 for one-time use on any consecutive Friday, Saturday, and Sunday.
  - (3) Four-hour rate: **[Added 3-18-2022 by Ord. No. 781]**
    - (a) For use on a Monday/Tuesday/Wednesday (partial enforcement hours): \$10.
    - (b) For use on a Thursday/Friday/Saturday/Sunday (full enforcement hours): \$12.
- D. Parking permits are in effect from 12:01 a.m. May 15 to 12:00 midnight September 15 of every year. **[Amended 5-10-2010 by Ord. No. 678]**
- E. Parking permits are required from the hours of 10:00 a.m. to 5:00 p.m. Monday through Wednesday, and 11:00 p.m. to 2:00 a.m. the following day Monday through Wednesday (partial enforcement hours) and 10:00 a.m. to 2:00 a.m. the following day Thursday through Sunday (full enforcement hours). **[Amended 4-10-2010 by Ord. No. 675; 5-10-2010 by Ord. No. 678; 2-8-2014 by Ord. No. 711; 2-29-2020 by Ord. No. 753]**

F. Parking permits will be replaced at a cost of 50% of the original price.

**§ 93-6. Dogs. [Amended 2-14-2009 by Ord. No. 650; 4-6-2013 by Ord. No. 700]**

- A. Dog license, valid for the life of the dog: \$35.
- B. Replacement of lost lifetime dog tag: no charge.
- C. Dog license valid for eight days: \$10.
- D. Dog license valid for a weekend (Friday 5:30 p.m. to Sunday 12:00 midnight): \$5.
- E. For any dog show or event not exceeding five days per event: \$109. Participating dogs must be licensed if they are owned, kept, harbored, or maintained, or on the beaches within the boundaries of the Town of Dewey Beach.

**§ 93-6.1. Wedding permits. [Added 5-14-2016 by Ord. No. 731]**

A permit must be obtained to conduct a wedding ceremony on Town beaches or in Town parks. A permit fee of \$100 shall apply. Property owners and their immediate family are exempt from this fee. One twenty-four-hour complimentary Dewey Beach parking permit will be provided to the wedding applicants.

**§ 117-13. License fees. [Amended 12-9-1995 by Ord. No. 335; 4-20-1996 by Ord. No. 347; 3-8-1997 by Ord. No. 365; 1-10-1998 by Ord. No. 384; 1-10-1998 by Ord. No. 385; 7-17-1998 by Ord. No. 393; 12-9-2000 by Ord. No. 444; 5-12-2001 by Ord. No. 449; 12-15-2001 by Ord. No. 462; 12-7-2002 by Ord. No. 481; 12-10-2005 by Ord. No. 556; 3-10-2007 by Ord. No. 589; 5-11-2007 by Ord. No. 595]**

- A. On and after the effective date of this article, no person shall conduct or engage in any trade, business or occupation within the Town for which a license is required without first having obtained a license therefor and having paid the license fee prescribed.
- B. Licenses shall be required for the following trades, businesses, and occupations in the Town, and the license fee shall be as set forth beside the name(s) of said trades, businesses and occupations: **[Amended 12-10-2011 by Ord. No. 688; 2-11-2012 by Ord. No. 690]**
- (1) Residential property rentals: \$142 base fee, plus \$11 for each bedroom over two.
  - (2) Motels and hotels: \$382 base fee, plus \$22 per room.
  - (3) All real estate brokers: \$382.
  - (4) <sup>1</sup>Food and beverage service establishments: \$273 base fee, plus \$6 per person, based on Fire Marshal occupancy.
    - (a) <sup>2</sup>For small establishments for which the Fire Marshal has not established occupancy (e.g., under 35 persons), the \$6 per person multiplier shall be based upon seating capacity as reported to and approved by the Town of Dewey Beach.
    - (b) Occupancy, however calculated, shall include all patron areas, indoor and outdoor, where food and beverages are or can be served.
    - (c) The Town reserves the right to verify occupancy reporting, and assess appropriate additional license fees if occupancy, as defined and applicable to the establishment, is underreported for purposes of obtaining a license under this section.
  - (5) One-day business license: \$50. **[Added 1-14-2017 by Ord. No. 735<sup>3</sup>]**
  - (6) Conference center (2,500 square feet or larger): \$2,180. **[Amended 10-15-2021 by Ord. No. 775]**
  - (7) Small in-Town retail (one to four employees): \$273.

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1. Editor's Note: Former Subsection B(4), regarding real estate agents, was repealed 10-15-2021 by Ord. No. 775. This ordinance also renumbered former Subsection B(5) through (13) as Subsection B(4) through (12), respectively.

2. Editor's Note: Former Subsection B(5)(a), which provided for specific multiplier terms for 2012 and 2013, was repealed 1-14-2017 by Ord. No. 735. This ordinance also redesignated former Subsection B(5)(b) through (d) as Subsection B(5)(a) through (c), respectively.

3. Editor's Note: This ordinance also repealed former Subsection B(6), which provided the license fee for package stores.

- (8) Large in-Town retail (five or more employees): \$382.
- (9) Service businesses: \$109.
- (10) <sup>4</sup>Vending machines: \$28 per machine.
- (11) Large out-of-Town business (five or more employees): \$382.
- (12) Taxis, per car: \$109.<sup>5</sup> [**Added 2-13-2016 by Ord. No. 726**]

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4. Editor's Note: Former Subsection B(11), which provided the license fee for one-time business licenses, was repealed 1-14-2017 by Ord. No. 735. This ordinance also redesignated former Subsection B(12) through (14) as Subsection B(11) through (13), respectively.

5. Editor's Note: Former Subsection B(15), which provided the license fee for transportation network company drivers, which immediately followed this subsection, was repealed 1-14-2017 by Ord. No. 735.

ARTICLE II  
**Administrative and Police Department Fee Schedule**

**§ 93-7. Administrative and other miscellaneous fees. [Added 3-14-2009 by Ord. No. 651<sup>1</sup>]**

- A. Copy fee per page: \$0.10. [Amended 1-21-2019 by Ord. No. 747; 4-13-2019 by Ord. No. 751]
- B. Bad check fee: \$50.
- C. Fax charge, per page: \$0.50.

**§ 93-8. Police Department fees.**

- A. Slim jim (refundable deposit): \$10.
- B. Fingerprinting (passport, etc.): \$15.
- C. Refundable deposit for processing a warrant (deposit will be returned at trial): \$50.
- D. Copy of a police report: \$10.
- E. Copy of a victim crime report: first copy \$0; each copy thereafter: \$10. [Added 1-21-2019 by Ord. No. 747<sup>2</sup>]
- F. Copy accident report: \$25. [Amended 3-15-2002]
- G. Bad check fee: \$50.
- H. Fax charge per page: \$0.50.
- I. Copy charge per page: \$0.10. [Added 3-14-2009 by Ord. No. 651; amended 1-21-2019 by Ord. No. 747; 4-13-2019 by Ord. No. 751]

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1. Editor's Note: This ordinance also renumbered former § 93-7 as § 93-8.

2. Editor's Note: This ordinance also redesignated former Subsections E through H as Subsections F through I, respectively.