# Town of Camden

P.O. DRAWER 1002
CAMDEN, DELAWARE 19934

Mayor Robert A. Mooney
Town Manager Donald H. Mulrine, Jr.


## ORDINANCE TO PROVIDE FOR A SCHOOL CAPITAL RESERVE FUND

## ORDINANCE NUMBER 73

An Ordinance establishing a surcharge on Building Permits fees for the purpose of providing capital funding to Caesar Rodney School District (CRSD) facilities in the municipal limits of the Town of Camden.

The Town Council of the Town of Camden does hereby ordain as follows:

**Section 1.** All applications for Building Permits shall be subject to a surcharge of .5% (1/2) for residential and .25% (1/4) for businesses as determined by the Land Use Administrator for the purpose of establishing financial assistance to Caesar Rodney School District, disbursement limited to capital improvements. The fund shall be known as the CRSD Capital Improvement Fund ("CRSDCIF") and shall be held by the Town in the name of Caesar Rodney School District.

**Section 2.** Proceeds of the CRSDCIF shall be collected on a continual basis by the Town of Camden and shall be held in a reserve account for the Caesar Rodney School District. (Funds collected for the Building Permits issued for the School District shall be held in an account for the Caesar Rodney School District.)

**Section 3.** Disbursement of Funds. Town of Camden shall, as part of its annual budgeting process, distribute to Caesar Rodney School District the funds collected during the preceding fiscal year provided that:

**(i)** the Caesar Rodney School District has capital improvements for the ensuing fiscal year that are eligible for the state matching funds under the State Matching Fund Program and the State Department of Education has granted a Certificate of Need for such improvement; and

**(ii)** the CRSDCIF proceeds have been qualified as the School District's matching contribution (local contribution) towards

capital improvements for purposes of the State Matching Fund Program.

Funds not expended in the manner set forth above shall continue to be held in a restricted reserve account for the Caesar Rodney School District from year to year until such time as they are expended. Town of Camden may retain interest, if any accruing on such accounts, as an administration fee. The Town reserves the right to remove to the Town's General Fund any non-qualifying funds not expended within five (5) years of the year in which the funds were collected. When the Caesar Rodney School District seeks disbursements of the funds it shall file an application with the Town of Camden identifying the qualifying capital improvement project and committing the Caesar Rodney School District to expend the funds in accordance with the application.

**Section 4.** Town of Camden Land Use administrator shall determine the Caesar Rodney School District location of each property for which a Building Permit is issued for purpose of calculating the collection and disbursement of funds to the various eligible Caesar Rodney Districts.

**Section 5.** Town of Camden is authorized to promulgate such rules, procedures and regulations deemed by the Town Mayor to be necessary for the purpose of giving full force and effect to the provisions of this Ordinance.

**Section 6.** The Town of Camden, at the request of Caesar Rodney School District may allow an acceptable credit for a donor for the CRSDCIF surcharge for in kind contributions to the Caesar Rodney School District.

**Section 7.** If any section, subsection, sentence, clause, or provision of this Act or any application of this Act is held invalid, the remainder of the Act shall not be affected and to this end this Act and its terms are declared to be severable.

***SYNOPSIS***

The purpose of this Ordinance is to provide a capital improvement fund for Caesar Rodney School District in the limits of the Town of Camden in order that the CRSD may utilize said funds together with any matching State funds for the purpose of expanding capacity to accommodate growing demand for such facilities. All monies received by the Town will be deposited into a reserve account held by the Town for the benefit of the CRSD in the limits of the Town of Camden.

ENACTED AND ORDAINED THIS _____ DAY OF NOVEMBER 2006.

{SEAL}

APPROVED AS TO FORM:

Town Solicitor

Mayor Robert A. Mooney

Vice-Mayor James O. Plumley, III

Councilman Robert Hawkins

ATTEST:

Town Manager

Councilman Richard Snyder

Councilman Mark Babbitt

1st Reading: Oct 2, 2006
2nd Reading: NOV 6, 2006
Public Hearing: NOV 6 2006
Adopted: NOV 6 2006