

## ORDINANCE NO. 2070

### AN ORDINANCE TO AMEND CHAPTER 62 OF THE CODE OF SUSSEX COUNTY BY AMENDING ARTICLE IV § 62-15 RELATING TO FEES CHARGED BY THE SHERIFF

WHEREAS, this ordinance has been requested by the Sheriff of Sussex County to increase the amounts of fees and/or deposits charged by that office because the costs of rendering those services now exceeds the amounts of the fees and deposits now being charged by that office for the services, identified herein; and

WHEREAS, the Sheriff desires to increase the amounts charged for the affected fees and deposits in order to prevent the cost of services from exceeding the amounts presently charged and to make certain that the fees received by that office completely cover the cost of rendering the services identified in this ordinance; and

WHEREAS, by the adoption of this ordinance, the Sussex County Council desires to update the fees and/or deposits required for the services identified herein that are performed by the Sheriff of Sussex County.

#### NOW THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. Sussex County Code, Chapter 62, FEES, Article IV, Sheriff, § 62-15. Enumeration of fees, is hereby amended by deleting the matter to be omitted by enclosing it in brackets [ ] and indicates new matter being inserted therein by underlining, as set forth below:

#### § 62-15. Enumeration of fees.

- A. The fees of the Sheriff in and for Sussex County to be charged by Sussex County to the appropriate parties and to be paid by such appropriate parties to Sussex County for the services specified in this section shall be as follows:
- (1) For serving a writ of summons and complaint, amended summons, writ of alias summons, first, second pluries, etc.[, scire facias, replevin], writ of waste, summons in partition, subpoena ad respondendum, attachment for attaching property, process of certiorari, citation, appeal, complaint and notice of ejectment, attachment, attachment upon garnishees, for each garnishee summoned, or any process of arrest in a civil case, notice of sale to each plaintiff and defendant and landlord or execution creditor, notice to plaintiffs and defendants in inquisition, advertising rule or notice to defendant in divorce or any other process in the nature thereof and making due return of the same for each person so served or notified (per person, whether served or not): \$30. For service of an alias or additional scire facias summons, for each person so served or notified (per person, whether served or not): \$40. For service of an original or additional summons in replevin, for each person so served or notified (per person, whether served or not): \$50.
  - (9) For selling goods and chattels on execution: \$50 for service of the Sheriff plus [3] 4% of the amount made by the sale and legally applied. If an execution is levied upon goods and chattels and settled without sale after the expiration of 30 days from the levy and notice thereof to the defendant, the Sheriff shall be entitled to the costs of the sale; otherwise if the execution is settled before the expiration of 30 days, the costs of the sale shall not accrue or be endorsed.
  - (12) For a certified letter: [\$5] \$7.50

- (18) Advertising sale of lands and tenements; advertising in two newspapers and handbills under 10 Del. C. § 4973; advertising and selling, under order of a Court or a Judge, goods and chattels, lands and tenements: such costs, charges and allowances as shall be fixed and determined by the various vendors and the Sheriff together with a deposit of [\$500] \$1,000 to be credited against the costs of advertising and selling the property. This deposit is refundable to the extent that the proceeds of the sale exceed the total of Sheriff's costs.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2070 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 23<sup>RD</sup> DAY OF JUNE 2009.

A handwritten signature in black ink, appearing to read "Re Griffith", with a stylized flourish at the end.

**ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL**