

AN ORDINANCE TO AMEND THE TOWN OF GREENWOOD  
LAND SUBDIVISION ORDINANCE TO PROVIDE FOR  
SECURITY DEPOSITS FOR IMPROVEMENTS, FINAL  
APPROVAL BY THE TOWN COUNCIL AND FOR THE  
PAYMENT OF REVIEW AND INSPECTION FEES FOR  
EXTENSION OF UTILITIES.

BE IT ORDAINED by the Town Council of The Town of  
Greenwood, in Council met, in the manner following, to wit:

Section 1. Section III, The Town of Greenwood Land  
Subdivision Ordinance, as amended, be and the same is hereby  
further amended, by adding at the end of said Section III, a  
new Subsection to be designated as Subsection P to read as  
follows:

P. Security Deposit.

An improved surety bond or a deposit  
of funds or securities in escrow the face  
amounts of which bond or escrow account  
to be payable to The Town of Greenwood in  
an amount of One Hundred Fifty Percent  
(150%) of the estimated cost of the  
proposed construction of improvements.

Section 2. Paragraph 5, Subsection B, Section IV,  
The Town of Greenwood Land Subdivision Ordinance, as amended,  
be and the same is hereby further amended, by adding the  
following at the end of said Paragraph 5:

After the receipt by the Town Council of  
the Report of the Planning Commission and  
its recommendations on a subdivision  
application, the Town Council, within a  
period of thirty (30) days shall consider  
the application at a public hearing,  
except that in the case of a minor  
subdivision, no public hearing shall be  
required. The Town Council, in its

discretion, either prior or subsequent to such public hearing, may request an informal review with the applicant and the engineer of the applicant and the legal representative of the applicant, or any of them, concerning alteration, changes or modifications deemed desirable by the Town Council. After a subdivision plot plan has been approved by the Town Council, it shall be recorded and developed in its entirety and shall contain the following language:

It is hereby certified that this subdivision plot plan was granted approval by the Town Council of The Town of Greenwood, Delaware, on (date) and accordingly is eligible for recording in the Office of the Recorder of Deeds, in and for Sussex County, Delaware.

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Secretary of the Town Council

If the Town Council disapproves the plot plan of the applicant, the plan shall be returned to the Planning Commission for further action in accordance with the recommendations of the Town Council.

Section 3. Subparagraph (3), Paragraph g, Subsection 2, Section IV, The Town of Greenwood Land Subdivision Ordinance, as amended, be and the same is hereby further amended, by adding at the end of said Subparagraph (3) the following:

After receipt by the Town Council of the Report of the Planning Commission and its recommendations on a subdivision application, the Town Council, within a period of thirty (30) days, shall consider the application at a public hearing. The Town Council, in its

discretion, either prior or subsequent to the public hearing may request an informal review with the applicant or the engineer of the applicant or the legal representative of the applicant, or all of them, regarding alteration, changes, or modifications deemed desirable by the Town Council. After the said public hearing, and if the subdivision application is denied, it shall be returned to the Planning Commission for further action in accordance with the report of the Town Council.

Section 4. Subsection C, Section VI, The Town of Greenwood Land Subdivision Ordinance, as amended, be and the same is hereby further amended by adding at the end of Subsection C, the following:

For any project or construction which requires an engineering review or the making of inspections during construction, or both, because of the construction of streets, the construction or installation of a storm or surface water drainage system, the construction or installation of a sanitary sewer system, the construction or installation of water distribution mains or the construction or installation of streets, or any of them, and prior to any administrative review by any administrative official or administrative review committee, commission or board of the Town, the applicant shall make a cash deposit in an amount to be determined by the Town Council for the purpose of covering any costs to be incurred by the Town in considering, examining, reviewing and making reports and recommendations, concerning the plan, as submitted, or making inspections during construction, or any of them. Upon final disposition of the plan as submitted and approved, the Town Council shall determine the cost which has been incurred in

considering, examining, reviewing and making reports and recommendations concerning the plan or making inspections during construction, or any of them, and shall deduct that cost from the deposit by the applicant. If the deposit exceeds the cost incurred by the Town, the remaining amount shall be refunded to the applicant, without interest. If the deposit is less than the cost incurred by the Town, the applicant shall pay the deficiency prior to any construction being commenced by the applicant.