



Chapter 96 of the Sussex County Code – Sussex Community Improvement Program (SCI)

Program Synopsis

December 2018

The Chapter 96 – SCI Program was adopted by the Sussex County Council and established to provide an opportunity for a residential subdivision with private roads and a legally established Homeowner's Association (HOA) to request technical and financial assistance for pavement rehabilitation and related improvements.

The SCI program includes the following actions:

- 1) *The HOA of a community which meets the Chapter 96 Code requirements submits a written request to the County Engineer with details as described in the Code.*
- 2) *The Sussex County Engineering Department (SCED) will verify the community satisfies the program requirements, define the project boundary and list assessable properties, and develop a preliminary cost estimate. SCED will mail a petition form with the project information to owners. Each assessable property is eligible to submit one notarized SCI Project petition.*
- 3) *If the petition majority is in favor of proceeding, the SCED will refine the cost estimate for requested improvements, including all related design and inspection costs, and determine the approximate charge to each property owner. A public meeting is scheduled to discuss the proposed project details and costs.*
- 4) *SCED will present the project to Sussex County Council within 60-days of the public meeting and request inclusion under the Chapter 96 – SCI program. A County Council resolution will establish a formal date, time, place and judge of an Election for assessable property owners to vote on the SCI Project and costs.*
- 5) *An Election is held with both in person and absentee voting, to determine whether a simple majority exists in favor of constructing the project. If the Election vote passes, then County Council shall by resolution direct the SCED to proceed with, and the County Finance Director to finance, the project.*
- 6) *SCED prepares contract documents, manages the project through public bidding and award by County Council, and oversees the SCI Project construction phase.*
- 7) *After completion of the project, final cost accounting is used to determine the uniform assessment rate to be charged as a "special community lien" on the annual tax bill for each parcel. A public hearing is held by County Council for adoption of the billing. Typically, a 10-year re-payment period is utilized, with options for one-time lump sum payments. Non-payment is treated as non-payment of County property taxes.*

All roadways improved under the Chapter 96 – SCI Program remain in the ownership of the HOA and perpetual maintenance of all constructed improvements remains the responsibility of the HOA.

Thank you for your interest in the Sussex County Chapter 96 – SCI Program.

For more detailed information, please contact: **Hans M. Medlarz, P.E.** at Sussex County Engineering Department, (302) 855-7718, or by email at hans.medlarz@sussexcountyde.gov

Note: Sussex County Communities interested in having streets become State maintained DeIDOT public roadways should follow the separate procedures set forth in the Delaware Code for that process.