

**City Council of the City of New Castle**  
**Public Hearing**  
**Town Hall, 201 Delaware Street, New Castle**  
**Tuesday, January 12, 2015 at 6:45 p.m.**

**Call to order:** 6:45 p.m.

**Roll Call:**

Councilperson Megginson - present  
Councilperson Vannucci - present  
Council President Ratchford - present  
Councilperson Petty - present  
Councilperson Di Mondì - present

Also present:

William Barthel, City Administrator  
Janet Carlin, City Treasurer  
Daniel Tjaden, Police Chief  
Daniel Losco, City Solicitor

**Public Hearing concerning Ordinance 506;** An Ordinance to Amend Section 140-11 of the Code of the City of New Castle (The “Code”) Entitled “Excessive Consumption of Inspections” and Section 140-12 of the Code Entitled “Fees For Excessive Consumption of Inspections; Collection.”

President Ratchford explained that the purpose of this amendment to Ordinance 506 was that the City has had a problem with properties that are being held by banks that have not been kept up. These properties are subject to Code fees. The purpose of this ordinance change is to allow the City to attach the fees to the property. Then when the property is sold the City could be reimbursed for their expenses.

**Comments from the Public**

None

City Solicitor Daniel Losco stated that typically in situations such as bank repossession the properties are not changing hands through the normal channels. The code section, as it presently reads says that the excessive consumption charges do not pass with the land to the new owner. This is a means of evading the fees.

**Comments from City Council**

Councilperson Di Mondì asked why various fees were arbitrarily assessed. He also wanted to know what notification process was in place to make sure that the property owner is made aware of these fees. What channels are there for owners to refute these fines?

President Ratchford stated that this ordinance is only addressing the excessive consumption fees.

Daniel Losco stated that the fees from the planning process are not addressed in this Ordinance. These are inspection fees. When the Code official issues a citation he would give the property owner time to rectify the situation. The property owners get notice of this in the mail in writing. The Code official then would follow up and inspect the property to see if the violation had been corrected. If the Code official must make multiple inspections and the situation is not rectified the City Code provide for additional charges to be imposed.

Mr. Di Mondì asked if it is stated in the Code how many times the Code Official can inspect a property before the excessive consumption fines apply and is there a mechanism for documenting the notification of the property owner.

Mr. Losco said the code does stipulate the number of inspections, and each time the Code official must have documentation of the inspection and the notification of the property owner.

Mr. Barthel stated that he believes that the notification process does involve sending out certified letters to the property owners, and that each inspection would have a separate notification going to the property owner. Mr Barthel said that typically the problem is not with properties where the owner is present in the house.

The **Motion** to adjourn was made by Councilperson Megginson, seconded by Councilperson Vannucci and **passed unanimously**. Council adjourned at 6:52 p.m.

Respectfully submitted,

Kim Burgmuller  
Council Secretary