

#4336

**AN ORDINANCE TO AMEND CHAPTER 5 OF THE CITY CODE REGARDING NOTIFICATION TO NEIGHBORHOOD PLANNING COUNCILS.**

**Sponsor:**

**Council  
Member  
Guy**

**WHEREAS**, the City Council deems it appropriate to establish a requirement that applicants for building permits for work that is estimated to be more than Two Hundred Fifty Thousand Dollars (\$250,000.00) in value shall provide notice to and meet with Neighborhood Planning Councils regarding the construction activity for which the building permit is sought.

**THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:**

**SECTION 1.** Chapter 5 of the City Code is hereby amended by adding thereto a new section to read as follows:

Sec. 5-37.1. Applicant for Building Permit to Provide Notice and Presentation to Neighborhood Planning Councils.

- (a) Every applicant for a City building permit for work that is estimated to exceed in value Two Hundred Fifty Thousand Dollars (\$250,000.00) shall provide written notice to and shall meet with, for purposes of making a presentation, the Neighborhood Planning Council (“NPC”) in whose jurisdiction the building permit related work activity will be located or situated. Such notice may be provided by the applicant through the Wilmington Department of Planning and Development, which, once the applicant has notified the Department of Planning and Development, shall then notify the Neighborhood Planning Council which shall meet within seven days thereafter for purposes of the presentation by the applicant. For such purposes, the Department of Planning and Development shall provide notice of such meetings to be held every Wednesday at 7:00 p.m. at a location to be determined by the Department of Planning and Development. The agenda for such meetings shall be posted in accordance with the Freedom of Information Act requirements. If there is no matter for the agenda, a meeting may be canceled. In such instances in which the Neighborhood Planning Council does not wish to appear or receive

a presentation, the NPC may waive the opportunity to receive the presentation and so advise the Department of Planning and Development in writing. Each applicant shall receive either a certificate evidencing the conduct of a presentation or a copy of the written waiver by the NPC. The applicant shall present such certification or such waiver to the building code official who shall not issue the requisite building permit without first being provided with either the certification or the written waiver.

- (b) In the presentation, the applicant or applicant-entity shall present the NPC with the job and procurement impacts of the work for the building permit that is sought. In any case of construction activity, whether new construction or improvements to existing structures, the entity shall present the NPC with a rendering, or description in sufficient detail for the NPC, that clearly illustrates the finished image and character of the proposed building that is subject to regulations under the requested building permit. Upon the completion of the presentation to the NPC, the Department of Planning and Development shall give the applicant a Certificate of Notice and Presentation as evidence of the applicant having met the notice and presentation requirements of this section. The Certificate of Notice and Presentation shall be given to the applicant or applicant-entity immediately after the applicant has finished making the required presentation to the NPC. In the event of a waiver, the Department of Planning and Development shall provide the applicant with a copy of the written waiver within twenty-four (24) hours of the Department of Planning and Development's receipt of that waiver.

**SECTION 3.** This Ordinance shall become effective immediately upon its date of passage by the City Council and approval by the Mayor.

First Reading..... March 2, 2017  
Second Reading.... March 2, 2017

Third Reading.....

Passed by City Council,

\_\_\_\_\_  
President of City Council

ATTEST: \_\_\_\_\_  
City Clerk

Approved as to form this \_\_\_\_\_  
day of February, 2017.

\_\_\_\_\_  
Assistant City Solicitor

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
Mayor

**SYNOPSIS:** This Ordinance amends Chapter 5 of the City Code to add a section requiring that applicants for a building permit for work that is estimated to exceed \$250,000.00 in value shall provide notice to the Department of Planning and Development which shall then notify the Neighborhood Planning Council for the area within which the building-permitted activity will take place. The applicant shall make a presentation or shall receive a copy of a written waiver of presentation by the Neighborhood Planning Council.