

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE TO REDISTRICIT THE COUNCILMANIC DISTRICTS OF THE CITY OF WILMINGTON PURSUANT TO SECTION 2-102 OF THE WILMINGTON CITY CHARTER

WHEREAS, Section 2-102 of the Wilmington City Charter requires redistricting of Councilmanic Districts within six (6) months following the publication by the United States Census Bureau of the population of the City at each Decennial Census; and

WHEREAS, the United States Census Bureau released the census data on August 12, 2021 and City Council held Redistricting Committee Meetings/Public Hearings on August 25, 2021, September 23, 2021, October 28, 2021, November 17, 2021 and an Officially Advertised Public Hearing on December 6, 2021; and

WHEREAS, on September 23, 2021, the Redistricting Committee decided by a majority vote that, if an incarcerated individual was a resident of the City prior to being incarcerated at a state or federal correctional facility then, for redistricting purposes, the individual would be counted based on the individual's last known address, and not the correctional facility's address that currently houses the individual; and

WHEREAS, on November 18, 2021, City Council passed Ordinance 21-050 that codified that the Redistricting Committee and City Council would count incarcerated individuals who were residents of the City prior to incarceration, for redistricting purposes, at the individual's last known address before incarceration; and

WHEREAS, the 2020 U.S. Census population for the City of Wilmington is 70,898, which includes inmates' addresses located at the correctional facilities Howard R Young and Plummer House. In accordance with the expressed intent of the Redistricting Committee and City Council, the official 2020 City of Wilmington population is 70,569, after accounting for inmates' last

known address as provided by the Delaware Department of Corrections and the Delaware Department of Elections; and

WHEREAS, on November 17, 2021, the Redistricting Committee, by a majority vote, recommended that Wilm-026 Proposal #9 would be placed in official form and filed with the clerk to be considered at the Official Advertised Public Hearing and voted on as the official minority report that would be reported to City Council; and

WHEREAS, on November 22, 2021, the official report was filed with the City Clerk for Wilm-026 Proposal #9 as a draft ordinance that outlines the legal boundaries for each district attached with a map of each district for redistricting purposes; and

WHEREAS, the City Council deems it necessary and proper to redistrict the Councilmanic Districts pursuant to this report of the Council's Redistricting Committee and in accordance with the mandates of the City Charter, the provisions of applicable statutes and case law, and the Voting Rights Act of 1965.

THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:

SECTION 1. Section 2-31 of the Wilmington City Code is hereby amended by amending the boundaries of the following City Council districts by deleting the stricken language and by adding the underlined language to read as follows:

Sec. 2-31. Number and boundaries of councilmanic districts.

There shall be eight councilmanic districts, each encompassing as nearly as possible a contiguous area in which is included as nearly as practicable an equal population distribution in accordance with the requirements of the City Charter § 2-102. For purposes of this section, all boundaries (as illustrated on maps that are on file in the city council's office) shall be considered as passing along the centerlines of the streets. The boundaries of the eight councilmanic districts shall be as follows:

~~(1) *First councilmanic district.* The first councilmanic district shall comprise all that portion of the city bounded by a line beginning at the intersection of the centerlines of 30th Street and Washington Street; thence in a northwesterly direction along the~~

centerline of 30th Street and the extension of 30th Street to its intersection with the center of the northwest boundary of the city; thence in a clockwise direction along such boundary to its intersection with the centerline of Northeast Boulevard; thence in a southwesterly and southerly direction along the centerline of Northeast Boulevard to its intersection with the centerline of 26th Street; thence in a westerly direction along the centerline of 26th Street to its intersection with the centerline of Market Street; thence in a northerly direction along the centerline of Market Street to its intersection with the centerline of 27th Street; thence in a westerly direction and a northwesterly direction along the centerline of 27th Street to its intersection with the centerline of Washington Street; thence in a northerly direction along the centerline of Washington Street to its intersection with the centerline of 30th Street which is the point and place of beginning.

(2) ~~Second councilmanic district.~~ The second councilmanic district shall comprise all that portion of the city bounded by a line beginning at the intersection of the centerline of Market Street and the centerline of Brandywine Creek; thence in a northwesterly direction along the center of Brandywine Creek in its various courses to its intersection with the northwestern boundary of the city; thence in a northeasterly direction along such boundary to its intersection with the centerline of 30th Street extended to a point where it meets the city boundary; thence in a southeasterly direction along the centerline of 30th Street extended and the centerline of 30th Street to its intersection with the centerline of Washington Street; thence in a southwesterly direction along the centerline of Washington Street to its intersection with the centerline of 27th Street; thence in a southeasterly direction along the centerline of 27th Street to its intersection with the centerline of Market Street; thence in a southwesterly direction along the centerline of Market Street to its intersection with the center of Brandywine Creek which is the point and place of beginning.

(3) ~~Third councilmanic district.~~ The third councilmanic district shall comprise all that portion of the city bounded by a line beginning at the intersection of the centerlines of Walnut Street and Ninth Street; thence in a northerly direction along the centerline of Walnut Street to its intersection with the centerline of 15th Street; thence in a westerly direction along the centerline of 15th Street to its intersection with the centerline of Market Street; thence in a generally northeasterly direction along the centerline of Market Street to its intersection with the centerline of 26th Street; thence in an easterly direction along the centerline of 26th Street to its intersection with the centerline of Northeast Boulevard; thence in a northerly and northeasterly direction along the centerline of Northeast Boulevard to its intersection with the northern boundary of the city; thence in a clockwise direction along the northern and eastern boundary of the city to its intersection with the centerline of the Christina River, extended; thence westerly along the extended centerline and centerline of the Christina River by its various courses to its intersection with the extended centerline of East Fourth Street; thence in a westerly direction along the centerline of East Fourth Street to its intersection with the centerline of the Amtrak right of way to its intersection with the center of the extension of Ninth Street; thence in a westerly direction along the centerline of the extension of Ninth Street and the centerline of ninth Street to its

intersection with the centerline of Walnut Street which is the point and place of beginning.

~~(4) *Fourth councilmanic district.* The fourth councilmanic district shall comprise all that portion of the city bounded by a line beginning at the intersection of the southern boundary of the city and the centerline of I-95; thence in a northerly direction along the centerline of I-95 to its intersection with the centerline of Maryland Avenue; thence in a northerly direction along the centerline of Maryland Avenue to its intersection with the centerline of N. Madison Street; thence in a northerly direction along the centerline of N. Madison Street to its intersection with the centerline of 2nd Street; thence in an easterly direction along the centerline of 2nd Street to its intersection with the centerline of West Street; thence in a northerly direction along the centerline of West Street to its intersection with the centerline of Eighth Street; thence in a westerly direction along the centerline of Eighth Street to its intersection with the centerline of Adams Street; thence in a northerly direction along the centerline of Adams Street and Adams Street extended to its intersection with the centerline of the Brandywine Creek; thence in a southeasterly direction along the center of the Brandywine Creek in its various courses to its intersection with the centerline of Washington Street; thence in an easterly and northeasterly direction along the centerline of Washington Street to its intersection with the centerline of 20th Street; thence in a southeasterly direction along the centerline of 20th Street to its intersection with the centerline of Market Street; thence in a southwesterly and southerly direction along the centerline of Market Street to its intersection with the centerline of 15th Street; thence in an easterly direction along the centerline of 15th Street to its intersection with the centerline of Walnut Street; thence in a southerly direction along the centerline of Walnut Street to its intersection with the centerline of Ninth Street; thence in an easterly direction along the centerline of Ninth Street and the extension of Ninth Street to its intersection with the center of the Amtrak right of way; thence in a southerly direction along the centerline of the Amtrak right of way to its intersection with Fourth Street; thence in an easterly direction along the centerline of Fourth Street extended to its intersection with the centerline of the Christina River; thence in an easterly direction along the centerline of the Christina River by its various courses to its intersection with the eastern boundary of the city; thence in a clockwise direction along such boundary and the southern boundary of the city to the point and place of beginning.~~

~~(5) *Fifth councilmanic district.* The fifth councilmanic district shall comprise all that portion of the city bounded by a line beginning at the intersection of the centerlines of Lancaster Avenue and Union Street; thence in a northerly direction along the centerline of Union Street to its intersection with the centerline of Second Street; thence in an easterly direction along the centerline of Second Street to its intersection with the centerline of Broom Street; thence in a northerly direction along the centerline of Broom Street to its intersection with the centerline of Eighth Street; thence in a westerly direction along the centerline of Eighth Street to its intersection with the centerline of Clayton Street; thence in a northerly direction along the centerline of Clayton Street to its intersection with the centerline of Ninth Street; thence in a westerly direction along the centerline of Ninth Street to its intersection with the~~

centerline of Scott Street; thence in a northerly direction along the centerline of Scott Street to its intersection with the centerline of 11th Street; thence in an easterly direction along the centerline of 11th Street to its intersection with the centerline of Broom Street; thence in a southerly direction along the centerline of Broom Street to its intersection with the centerline of Tenth Street; thence in an easterly direction along the centerline of Tenth Street to its intersection with the centerline of I-95; thence in a southerly direction along the centerline of I-95 to its intersection with the centerline of Eighth Street; thence in an easterly direction along the centerline of Eighth Street to its intersection with the centerline of West Street; thence in a southerly direction along the centerline of West Street to its intersection with the centerline of Second Street; thence in a westerly direction along the centerline of Second Street to its intersection with the centerline of Madison Street; thence in a southerly direction along Madison Street to its intersection with the centerline of Lancaster Avenue; thence in a westerly direction along the centerline of Lancaster Avenue to its intersection with the centerline of Union Street which is the point and place of beginning.

- (6) ~~Sixth councilmanic district.~~ The sixth councilmanic district shall comprise all of that portion of the city bounded by a line beginning at the intersection of the centerlines of Union Street and Lancaster Avenue; thence in an easterly direction along the centerline of Lancaster Avenue to its intersection with the centerline of I-95; thence in a southerly direction along the centerline of I-95 in its various courses to its intersection with the southern boundary of the city; thence in a generally clockwise direction along such boundary by its various courses to its intersection with the centerline of Union Street; thence in a northeasterly and northerly direction along the centerline of Union Street to its intersection with the centerline of Lancaster Avenue which is the point and place of beginning. All that certain piece, parcel or lot of land situate in Christiana Hundred, New Castle County and State of Delaware known as 1000 South Madison Street, being Tax Parcel No. 07-044.10-002 and being more particularly bound and described as follows, to wit:

*BEGINNING as a point in the Southwesterly end of South Madison Street, a corner for this parcel and lands now or formerly of Harbor Associates, Tax Parcel No. 26-049.00-022 said point of Beginning also being in the Division Line between the City of Wilmington and Christiana Hundred, said point of Beginning being distant the following four courses and distances from the point of intersection of the centerline of Marsh Road (at 33 feet wide) with the Northerly side of the abandoned right-of-way of the Baltimore and Philadelphia Railroad; (1) N 82°09'00" W., 30.02 feet to a point in the Northwesterly side of South Madison Street (formerly known as Marsh Road); (2) Thence thereby, S 05°44'30" W. 78.70 feet to a point; (3) S 08°52'30" W., 298.39 feet to a point in the Southerly end of South Madison Street; (4) Thereby, S 27°17'30" E., 88.11 feet to the point of beginning;

THENCE from said point of beginning, but the Southwesterly end of South Madison Street, S 27°17'30" E., 13.56 feet to a point a center for Lands now or formerly of Ahmad E. Amer (Tax Parcel No. 26-049.00-003);

~~THENCE thereby and by the division line between the City of Wilmington and Christiana Hundred, S 27°17'30" E., 585.21 feet to a point in the bank of the Christina River;~~

~~THENCE thereby, S 11°51'30" W., 725.39 feet to a point;~~

~~THENCE S 46°40'30" E., 54.10 feet to a point in the low watermark of the Christina River;~~

~~THENCE thereby the following two courses and distances:~~

~~S 00°25'00" W., 93.64 feet to a point; (2) S 02°17'15" E., 77.88 feet to a point, a corner for other Lands now or formerly of Harbor Associates; (Tax Parcel No. 26-049.00-016);~~

~~THENCE thereby and by the division line between the City of Wilmington and Christiana Hundred, the following twelve courses and distances;~~

~~(1) N 89°01'00" W., 62.53 feet to a point; (2) S 02°17'15" E., 32.00 feet to a point;~~

~~(3) N 89°01'00" W., 54.00 feet to a point; (4) N 64°05'30" W., 34.97 feet to a point; (5) N 89°01'00" W., 395.64 feet to a point in the Southeasterly side of a 40-foot easement; (6) Thereby, N 01°01'30" E., 324.18 feet to a point; (7) S 88°58'30" E., 13.56 feet to a point; (8) N 01°01'30" E., 183.64 feet to a point; (9) By the arc of a curve to the right having a radius of 67.24 feet; an arc distance of 12.98 feet to a point of tangency; the chord of said curve being N 43°35'07" E., 12.96 feet; (10) N 49°07'00" E., 255.72 feet to a point of curve of a curve to the left having a radius of 121.89 feet; (11) By said curve to the left an arc distance of 85.61 feet to a point of tangency; the chord of said curve being N 28°59'45" E., 83.86 feet; (12) N 08°52'30" E., 584.83 feet to a point, a corner for Lands now or formerly of Harbor Associates (Tax Parcel No. 26-049.00-022);~~

~~THENCE thereby and by the Southeasterly side of the 40-foot easement and by the division line between the City of Wilmington and Christiana Hundred, N 08°52'30" E., 124.56 feet to the point and place of beginning.~~

~~CONTAINING within said bounds 12.168 acres to be the same more or less.~~

~~(7) *Seventh councilmanic district.* The seventh councilmanic district shall comprise all that portion of the city bounded by a line beginning at the intersection of the centerlines of 2nd Street and Union Street; thence in a southerly and southwesterly direction along the centerline of Union Street to its intersection with the western boundary of the city; thence in a clockwise direction along such boundary to its intersection with the centerline of Greenhill avenue at Seventh Street; thence continuing in an easterly direction along the centerline of Seventh Street to its intersection with the centerline of Woodlawn Avenue; thence in a northerly direction along the centerline of Woodlawn Avenue to its intersection with the centerline of Pennsylvania Avenue; thence in an easterly direction along the centerline of Pennsylvania Avenue to its~~

intersection with the centerline of Pasture Street; thence in a southerly direction along the centerline of Pasture Street to its intersection with the centerline of 11th Street; thence westerly along the centerline of 11th Street to its intersection with the centerline of Scott Street; thence in a southerly direction along the centerline of Scott Street to its intersection with the centerline of Ninth Street; thence in an easterly direction along the centerline of Ninth Street to its intersection with the centerline of Clayton Street; thence in a southerly direction along the centerline of Clayton Street to its intersection with the centerline of Eighth Street; thence in an easterly direction along the centerline of Eighth Street to its intersection with the centerline of Broom Street; thence in a southerly direction along the centerline of Broom Street to its intersection with the centerline of Second Street; thence in a westerly direction along the centerline of Second Street to its intersection with the centerline of Union Street, which is the point and place of beginning.

(8) *Eighth councilmanic district.* The eighth councilmanic district shall comprise all that portion of the city bounded by a line beginning at the intersection of the centerlines of Woodlawn Avenue and Seventh Street; thence in a westerly direction along the centerline of Seventh Street to its intersection with Greenhill Avenue and the western boundary of the city; thence in a clockwise direction along such boundary to its intersection with the center of Brandywine Creek; thence in a northeasterly and easterly direction along the center of Brandywine Creek in its various courses to its intersection with the extension of the centerline of Adams Street; thence in a southwesterly and southerly direction along the centerline of the extension of Adams Street and the centerline of Adams Street to its intersection with the centerline of Tenth Street; thence in a westerly direction along the centerline of Tenth Street to its intersection with the centerline of Broom Street; thence in a northerly direction along the centerline of Broom Street to its intersection with the centerline of 11th Street; thence in a westerly direction along the centerline of 11th Street to its intersection with the centerline of Pasture Street; thence in a northerly direction along the centerline of Pasture Street to its intersection with the centerline of Pennsylvania Avenue; thence in a westerly direction along the centerline of Pennsylvania Avenue to its intersection with the centerline of Woodlawn Avenue; thence in a southerly direction along the centerline of Woodlawn Avenue to its intersection with the centerline of Seventh Street, which is the point and place of beginning.

(1) *First councilmanic district.* The first councilmanic district shall consist of that portion of the City of Wilmington contained in the following Census Blocks in the Census Tract 2, blocks 1000 through 1021, 2000 through 2031, 3000 through 3018, 4000 through 4012, 5000 through 5018, and 6000 through 6020. In the Census Tract 5, 1000 through 1012. In the Census Tract 6.01, 1000 through 1021, and 2000 through 2014. In the Census Tract 6.02, 1000 through 1006, 1010 and 1011.

(2) *Second councilmanic district.* The second councilmanic district shall consist of that portion of the City of Wilmington contained in the following Census Blocks in the Census Tract 3, blocks 1000 through 1010, 2000 through 2015, and 3000 through 3024. In the Census Tract 4, blocks 1000 through 1018, 2000 through 2019, and

3000 through 3030. In the Census Tract 5, blocks 2000 through 2012, 3000 through 3011 and 4000 through 4012.

- (3) *Third councilmanic district.* The third councilmanic district shall consist of that portion of the City of Wilmington contained in the following Census Blocks in the Census Tract 6.01, blocks 3000 through 3016. In the Census Tract 6.02, blocks 1007 through 1009, 1012 through 1019, 2000 through 2022, and 3000 through 3016. In the Census Tract 9, blocks 1000 through 1015, 2000 through 2008, and 3015 through 3019. In the Census Tract 29, blocks 1000 through 1003, 1005 through 1016, 1021, and 4000 through 4011. In the Census Tract 30.02, blocks 1000 through 1038, and 2001 through 2032. In the Census Tract 1, blocks 1000 through 1015 and 0007.
- (4) *Fourth councilmanic district.* The fourth councilmanic district shall consist of that portion of the City of Wilmington contained in the following Census Blocks in the Census Tract 9, blocks 3000 through 3014. In the Census Tract 16, blocks 1000 through 1015. In the Census Tract 19.02, blocks 1000 through 1044, and 2000 through 2027. In the Census Tract 21, blocks 2023 through 2026. In the Census Tract 27, blocks 1000 through 1013, 1016, 1017, 1024, 1025, 1032 through 1041, 1043, and 1045 through 1049. In the Census Tract 28, blocks 1005 through 1008, 1015 through 1052, 1054 through 1071, 2000 through 2006, and 2009 through 2047. In the Census Tract 29, blocks 1004, 1017 through 1020, 1022, 1023, 2000 through 2013, and 3000 through 3009. In the Census Tract 1, block group 0009.
- (5) *Fifth councilmanic district.* The fifth councilmanic district shall consist of that portion of the City of Wilmington contained in the following Census Blocks in the Census Tract 14, blocks 1000, 1019, 1020, 2000, 2007 and 2020. In the Census Tract 15, blocks 1000 through 1011, and 2000 through 2016. In the Census Tract 16, blocks 1016, 1017, 2000 through 2013, and 3000 through 3013. In the Census Tract 21, blocks 1000 through 1016, and 2000 through 2022. In the Census Tract 22, blocks 1000 through 1015, 2000 through 2009, 3000, 3001, and 3004 through 3007. In the Census Tract 23, block 1000. In the Census Tract 28, blocks 1053, 2007 and 2008.
- (6) *Sixth councilmanic district.* The sixth councilmanic district shall consist of that portion of the City of Wilmington contained in the following Census Blocks in the Census Tract 25, blocks 1000 through 1020, 2000 through 2013, and 3000 through 3017. In the Census Tract 26, blocks 1000 through 1008, 2000 through 2021, 3000 through 3014, and 4000 through 4011. In the Census Tract 27, blocks 1014, 1015, 1018 through 1023, 1026 through 1031, 1042, 1044, and 2000 through 2020.
- (7) *Seventh councilmanic district.* The seventh councilmanic district shall consist of that portion of the City of Wilmington contained in the following Census Blocks in the Census Tract 13, blocks 3006 and 3027. In the Census Tract 14, blocks 1001 through 1018, 1021, 2001 through 2006, 2008 through 2019, and 2021 through 2023. In the Census Tract 22, blocks 3002 and 3003. In the Census Tract 23, blocks 1001 through 1010, 2000 through 2010, and 3000 through 3017. In the Census Tract 24, blocks

1000, 1001, 1003 through 1018, 2000 through 2024, 3000 through 3037, and 4000 through 4022.

(8) Eighth councilmanic district. The eighth councilmanic district shall consist of that portion of the City of Wilmington contained in the following Census Blocks in the Census Tract 11, blocks 1000 through 1014, 2000 through 2010, and 3000 through 3014. In the Census Tract 12, blocks 1000 through 1017, and 2000 through 2024. In the Census Tract 13, blocks 1000 through 1032, 2000 through 2025, 3000 through 3005, 3007 through 3009, 3010 through 3026, and 4000 through 4029. In the Census Tract 24, block 1002. In the Census Tract 28, blocks 1000 through 1004, and 1009 through 1014.

This ordinance establishes the councilmanic districts for the 2024 election of City Council, pursuant to City Charter §§ 2-100 and § 2-101, and thereafter.

SECTION 2. Severability. The provisions of this ordinance are declared to be severable and if any section, sentence, clause or phrase of this ordinance shall for any reason be held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

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

First Reading.....December 9, 2021

Second Reading.....December 9, 2021

Third Reading...

Passed by City Council,

President of City Council

Attest: _____
City Clerk

Approved this _____ day of
_____, 2022

Mayor

Synopsis: This Ordinance amends Section 2-31 of the City Code by redistricting the Councilmanic Districts of Wilmington so as to have each district encompass as nearly as possible a contiguous area within which there is as nearly as practicable an equal population distribution, pursuant to the requirements of Section 2-102 of the City Charter and the Voting Rights Act of 1965, while using the population figures published by the United States Census Bureau in August of 2021, following the 2020 Decennial Census, including the last known addresses of incarcerated individuals who were City residents prior to incarceration.

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