

#0036

Sponsor:

**Council
Member
Spadola**

WHEREAS, Section 3-906 of the Wilmington City Charter establishes the City Planning Commission, which is composed of five (5) members appointed by the Mayor, the Director of the Finance Department, and the Administrative Assistant (or Chief of Staff) to the Mayor; and

WHEREAS, the City Planning Commission is responsible for reviewing and/or making recommendations on proposed changes to the zoning code, zoning map, subdivision regulations, large scale redevelopment plans and Comprehensive Plans; and

WHEREAS, Title 22, Section 701 of the Delaware Code is an enabling statute that permits any incorporated city or town in Delaware to establish a planning commission; and

WHEREAS, pursuant to the enabling statute, in the case of cities, the members of a planning commission are to be appointed by the mayor and confirmed by the city council; and

WHEREAS, Wilmington City Charter does not require the five (5) members appointed by the Mayor to serve on the City Planning Commission to be confirmed by City Council; and

WHEREAS, the confirmation process is an important step to ensure the qualifications and performance of the members of the City Planning Commission, who perform a vital service to the City government and the residents of the City of Wilmington; and

WHEREAS, City Council believes that requiring the appointed members of the City Planning Commission to be confirmed is consistent with the practice of all the major cities in Delaware, the letter and spirit of the enabling statute, and is in the best interest of City residents; and

WHEREAS, pursuant to Title 22, Section 811 of the Delaware Code, a municipal corporation's home rule charter may be amended by act of the Delaware General Assembly passed with the concurrence of two-thirds of all members elected to each House thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, this Council respectfully requests the members of the Delaware General Assembly to amend Sections 3-906 of the City of Wilmington Charter by adding the underlined language and deleting the stricken language to read as follows:

Sec. 3-906. – City Planning Commission.

The city planning commission shall be composed of five (5) ~~appointed~~ members appointed by the mayor and confirmed by the council, and the director of finance and the administrative assistant to the mayor. Of the appointed members, at least four (4) shall be persons who hold no other public office or paid public employment.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution urges the Delaware General Assembly to enact legislation that will amend City Charter § 3-906 to require the five (5) members of the City Planning Commission who are appointed by the Mayor to be subject to confirmation by City Council.