

Prime Sponsor(s): Mr. Tackett, Ms. Kilpatrick
Requested by: Department of Land Use
Date of introduction: October 28, 2025

ORDINANCE NO. 25-130

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 6 (“BUILDING CODE”) REGARDING ARTICLE 1 (“GENERAL”), ARTICLE 2 (“DEFINITIONS”), ARTICLE 3 (“ADMINISTRATION”), ARTICLE 4 (“BUILDING CODE”), ARTICLE 5 (“RESIDENTIAL CODE”), ARTICLE 9 (“EXISTING BUILDING CODE”), ARTICLE 10 (“ENERGY CONSERVATION CODE”), ARTICLE 11 (“SWIMMING POOL AND SPA CODE”), AND SCHEDULE OF PERMIT AND REVIEW FEES

1 **WHEREAS**, New Castle County is charged with ensuring the health, safety, and
2 welfare of the citizens of New Castle County by administering and enforcing the
3 regulations of the building industry; and
4

5 **WHEREAS**, by the adoption of this Ordinance, the New Castle County Executive
6 and County Council intend: (1) to update Chapter 6 of the *New Castle County Code*
7 consistent with the *International Building Code, 2024 edition*, *International Residential*
8 *Code, 2024 edition*, the *International Existing Building Code, 2024 edition*, the
9 *International Swimming Pool and Spa Code, 2024 edition*, and the *State Energy*
10 *Conservation Code* (also known as the *International Energy Conservation Code*) as may
11 be amended herein; and (2) to otherwise update, clarify, and strengthen the
12 administrative provisions of Chapter 6 of the *New Castle County Code*; and
13

14 **WHEREAS**, based on a comprehensive review of Chapter 6 of the *New Castle*
15 *County Code* by the professional staff in the New Castle County Department of Land Use
16 and comments by stakeholders, applicants and local experts in building code issues, New
17 Castle County has developed updated standards for buildings and structures and has
18 identified additional clarifications, corrections, improvements and changes necessary to
19 further administer and enforce the regulations of the building industry; and
20

21 **WHEREAS**, New Castle County Council finds that the provisions of this Ordinance
22 are rationally and reasonably related to, substantially advance, and are narrowly tailored
23 to achieve its goal of protecting and preserving legitimate government interests, including,
24 but not limited to, the protection and preservation of the public health, safety, prosperity,
25 general welfare, and quality of life.
26

27 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
28

29 Section 1. *New Castle County Code* Chapter 6 (“Building Code”), Article 1
30 (“General”), is hereby amended by adding the material that is underscored and deleting
31 the material that is stricken, as set forth below:
32

33 **ARTICLE 1. GENERAL.**

34 **Sec. 6.01.001. General.**

35
36 B. *Purpose...*

37
38 C. *Scope.* The provisions of this Chapter shall apply to the design, construction, quality
39 of materials, workmanship, ~~alteration~~alteration, movement, relocation, enlargement,
40 replacement, repair, equipment, use and occupancy, location, maintenance, removal and
41 demolition of all premises, buildings, swimming pools, spas, systems and structures. The
42 specific scope of the technical codes herein adopted and enforced, is as follows:
43

44 Section 2. *New Castle County Code* Chapter 6 ("Building Code"), Article 2
45 ("Definitions"), is hereby amended by adding the material that is underscored and deleting
46 the material that is stricken, as set forth below:
47

48 **ARTICLE 2. DEFINITIONS**

49
50 **Sec. 6.02.001. Definitions.**

51
52 The following words, terms, and phrases, when used in this Chapter shall have the
53 meaning ascribed...

54
55 *Building Code Official* means...

56
57 *Building contractor* means a person performing any construction activity which requires
58 the issuance of a building permit, including, but not limited to, the demolition or
59 construction of structures, including, but not limited to, the construction of pools, signs, or
60 new homes, or any ~~constructor~~contractor participating in the Department of Community
61 Services rehabilitation program.
62

63 *County* means ...

64
65 *Code Official* means...

66
67 *Construction and demolition waste* means lumber, roofing material, sheathing, rubble,
68 broken concrete, plaster and brick, conduit, pipe, wire, insulation and similar material
69 which results from a construction process which shall include packaging materials and
70 equipment used in the delivery or shipment of goods to or from the construction site.
71

72 *Contractor license* means...

73
74 *Person* means...

75
76 *Place of public accommodation* means any establishment which caters to or offers
77 goods or services or facilities to, or solicits patronage from, the general public. This
78

definition includes state agencies, local government agencies, and state-funded agencies performing public functions. This definition shall apply to hotels and motels catering to the transient public, but it shall not apply to the sale or rental of houses, housing units, apartments, rooming houses, or other dwellings, ~~nor~~ to tourist homes with less than ten (10) rental units catering to the transient public.

Sanitary sewer contractor means...

Show cause hearing means an administrative hearing held by the Code Official where a person is afforded an opportunity to contest a violation and any penalty or action that has been asserted or will be asserted ~~again~~against such person.

Statewide Energy Conservation Code means...

Stop work order means...

Third party inspector means an individual, or business entity that whose employees are not employed by New Castle County, that provides County required inspections but with the express permission of the Code Official. ~~whose employees are not employed by New Castle County.~~

Third party plan reviewer means...

Section 3. *New Castle County Code* Chapter 6 ("Building Code"), Article 3 ("Administration"), is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below:

ARTICLE 3. ADMINISTRATION

Sec. 6.03.001. Requirements for a contractor license.

B. *Additional requirements for a licensed contractor to obtain a permit contractor endorsement.* Every business entity must be separately registered, bonded, and insured.

1. *Testing and licensure*...

2. *Surety bond.* All applicants shall ~~deliver~~provide to New Castle County a surety bond naming the County as the beneficiary and the contractor's business entity as the principal. The bond shall be issued by an A-rated surety company authorized to do business in the State of Delaware by the Delaware Insurance Department in accordance with the bond schedule set forth in the Appendix. The bond shall provide that the principal, and its surety or sureties, shall indemnify and hold harmless from any or all loss, damage, or expenses growing out of or in any way connected to the

execution of work done under and by virtue of the authority contained in said license, including the negligence of the principal, its agents, and employees. The bond shall also cover any and all costs or expenses relating to the enforcement of this Chapter including the repair, replacement, or correction of any works undertaken by said contractor and shall cover any unpaid administrative fees and fines relating to violations of this Chapter. Proceeds from the surety bond will be limited to costs associated with the remediation of code violations and will not include costs associated with the remediation of any work non-compliant with the New Home Minimum Warranty Standards contained in the Appendix that do not amount to code violations. Bond proceeds may be used to purchase a new home warranty or the equivalent thereof where the registered builder fails to provide one in violation of this Chapter. The surety bond shall be kept current for the entire license period.

3. *Insurance coverage requirements...*

C. *Limited contractor license.*

1. *Issuance...*

a. To allow....

b. To allow a licensed contractor who is seeking the re-issuance of a permit contractor endorsement that has been suspended or revoked, or the issuance of a permit contractor endorsement that has been denied, to secure a limited number of permits and certificates of occupancy approval for a specific period of time as stated in the limited contractor license. After the expiration of any suspension period and at such time the work that has been in substantial compliance with this Code, the applicant may re-apply for a permit contractor endorsement.

Sec. 06.03.012. Permits.

C. *Work exempt from permit...*

1. *Building, Residential and Swimming Pool and Spa.*

f. Replacement...

g. Fences, other than swimming pool barriers.

h. Retaining walls...

o. Flotation tank systems intended for sensory deprivation therapy...

p. Brick repointing.

q. Electric vehicle charging stations.

r. Flagpoles.

s. Refacing of existing signs provided no change is made to the dimensions.

2. *For one- and two-family dwellings only regulated by the Residential Code. The following exemptions are in addition to work identified in Sec. 06.03.012.C.1.*

e. Temporary modular ramps, constructed of light-frame materials...

f. Replacement of deck boards and railings.

g. Installation of rooftop solar panels for the purpose of producing electricity.

3. *Gas:...*

4. *Plumbing:*

c. The clearing of....

d. Sump pumps, or the replacement thereof.

D. *Emergency repairs...*

Sec. 6.03.018 Inspections.

A. *General...*

E. *Approval required...*

F. *Final inspection.* Upon completion of the building or structure, and before issuance of the certificate of occupancy approval, a final inspection shall be made by a County employee duly authorized by the Code Official. A third party inspector may perform a final inspection only when express permission has been granted to do so by the Code Official. Failure to comply with approved plans shall result in additional inspection and review fees as set forth in the Appendix.

G. *Who is eligible to perform inspections required by the County...*

~~1. *Inspection agencies.* The Code Official is authorized to accept reports of approved inspection agencies on construction requiring a building permit, provided the Code Official, after sufficient investigation, determines that such agencies are qualified and reliable. Inspections must be conducted under the direct supervision of a design professional.~~

213
214 1. Third party inspection agencies. The Code Official is authorized to accept reports
215 from approved inspection agencies on construction requiring a building permit, provided
216 all the following are met:

- 217
218 a. The report is prepared by a design professional.
219
220 b. The inspection was conducted under the direct supervision of the design
221 professional.
222
223 c. The Code Official, after sufficient investigation, determines that the agency is
224 qualified and reliable.
225

226 2. *Design Professionals...*

227
228 H. *Third party inspections.*

229
230 1. *Regulations for third party inspections...*

- 231
232 a. General. Third party inspectors shall be responsible for inspecting the
233 construction to make sure that the building or structure conforms to New Castle
234 County Building Code and all other laws, rules, and regulations that apply to
235 the construction, installation, and modification of buildings and structures and
236 associated mechanical systems and plumbing. Completed inspection reports
237 and checklists for all required inspections must be approved by the Code
238 Official before a certificate of ~~occupancy~~approval will be issued. In no case shall
239 a third party inspector perform a final inspection unless express permission has
240 been granted to do so by the Code Official.

- 241
242 b. *Conflict...*
243

244 Section 4. *New Castle County Code* Chapter 6 ("Building Code"), Article 4
245 ("Building Code"), is hereby amended by adding the material that is underscored and
246 deleting the material that is stricken, as set forth below:

247
248 **ARTICLE 4. BUILDING CODE**

249
250 **Sec. 6.04.001. Adoption of the International Building Code.**

251
252 That certain document, on file with the office of the Clerk of the County Council, being
253 marked and designated as the International Building Code, ~~2021~~2024 edition, as
254 published by the International Code Council, be and is hereby adopted as the Building
255 Code of New Castle. All the regulations, provisions, conditions, and terms of the
256 International Building Code, ~~2021~~2024 edition, and any supplements, referenced codes,
257 and standards, are hereby referred to, adopted and made part of this Chapter, as if fully

set out in this legislation, with the additions, insertions, deletions and changes prescribed in Sec. 6.04.002.

Sec. 6.04.002. Amendments to the International Building Code.

The following sections of the International Building Code, ~~2021~~2024 edition, are revised as follows. All code references including text and lines are based on the ~~2021~~2024 International Building Code, second printing: ~~September 2021~~August 2024. Note: Although the International Building Code does not identify sections with a “B” designation, such a designation is utilized to avoid any confusion as to which Code the amendment relates.

References to the International Fire Code, ~~2021~~2024 edition, as published by the International Code Council, are not specifically adopted. Provisions of the International Fire Code are addressed through the adoption of the National Fire Prevention Association (NFPA) Codes and Standards and the Delaware Fire Prevention Regulations as adopted by the Delaware State Fire Marshal’s Office.

CHAPTER 1. ADMINISTRATION...

CHAPTER 3. USE AND OCCUPANCY CLASSIFICATION

Section B305.2, Group E, Day care facilities, is amended in the ~~third~~first line by deleting the phrase “five children” and substituting the phrase “twelve children.”

Section B305.2.3, Five or fewer children in a dwelling unit, is amended in the title and the ~~third~~first line by deleting the word “Five” and substituting the word “Twelve”.

Section B308.5, Institutional Group I-4, day care facilities, is amended in the ~~third~~second line by deleting the phrase “persons” and substituting the phrase “adults or more than 12 children.”

Section B308.5.1, Classification as Group E, is amended in the ~~second~~first line by deleting the word “five” and substituting the word “twelve”.

Section B308.5.4, Five or fewer persons receiving care in a dwelling unit, is amended in the title and ~~third~~first line by deleting the phrase “Five or fewer persons” and substituting “More than five adults or more than twelve children of any age”.

Section B310.4, Residential Group R-3, is amended in the ~~eighth~~third line by deleting the word “persons” and substituting the phrase “adults or twelve or fewer children”.

Section B310.4.1, Care facilities within a dwelling, is amended in the ~~second~~first line by deleting the word “persons” and substituting the phrase “adults or twelve or fewer children” and ~~in the fourth, fifth and sixth lines~~ by deleting the phrase “an automatic sprinkler system is installed in accordance with Section 903.3.1.3 or Section P2904 of

the International Residential Code” and substituting the phrase “the following restrictions are met: (i) A license shall be obtained from the State of Delaware Department of Services of Children, Youth, and Their Families. All regulations of such Department shall be met; (ii) Rooms to be occupied by infants shall have a direct path of egress, on the same floor level, to the exterior of the house; (iii) Smoke alarms shall be installed in accordance with Section B907; (iv) Carbon monoxide detection shall be installed in accordance with Section B915.”

CHAPTER 4. SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY...

CHAPTER 9. FIRE PROTECTION SYSTEMS

Section B903.2.1.2...

Section B907.2.1, Group A, is amended in the ~~fifth, sixth, and seventh~~second and third lines by deleting the phrase “or where the Group A occupant load is more than 100 persons above or below the lowest level of exit discharge”.

CHAPTER 10. MEANS OF EGRESS

Section B1023.9, Stairway identification signs, is amended in the ~~third~~second line by deleting the word “three” and substituting the word “two.”

~~*Section B1025.1, General*, is amended in the second and third lines by deleting the phrase “high-rise buildings” and substituting the phrase “buildings having three (3) or more stories above or below the level of exit discharge” and in the third line by deleting the phrase “or R-1” and substituting the phrase “, R-1 or R-2”.~~

CHAPTER 11. ACCESSIBILITY

~~*B1105.1.1, Automatic doors*~~*Power-operated door at public entrances*, is amended in the first line by deleting the phrase “facilities with the occupancies and building occupant loads greater than those indicated in Table 1105.1.1” and substituting the phrase “places of public accommodations as defined by this Chapter” and in the ~~fifth~~third line by adding the phrase “as in accordance with 6 Del. C. ch. 45 (“Equal accommodations”).” to the end of the first sentence.

Table B1105.1.1, Public entrance with power-operated door, is amended by deleting the table in its entirety.

CHAPTER 13. ENERGY EFFICIENCY...

CHAPTER 16. STRUCTURAL DESIGN

~~Section B1608.2, Ground snow loads, is amended to indicate the ground snow loads to be used in determining the design snow loads for roofs is 25 pounds per square foot.~~

~~Section B1612.2...~~

~~Section B1612.3, Established~~Establishment of flood hazard areas, is clarified to depict that the effective date of the most recent FIRM maps for New Castle County is January 22, 2020 and encompasses Map Number ~~[0003C0025J10003C0035L~~ through and including Map Number ~~10003C0475J10003C0437K~~ and all revisions defined by FEMA FIRM maps.

~~Section B1612.3.2 Determination of impacts, is amended in the sixth~~third line by deleting the phrase “1 foot (305 mm)” and substituting the phrase “0.1 foot”.

CHAPTER 18. SOILS AND FOUNDATIONS

~~Section 1803.5.2, Questionable soil and rock, is amended by adding the following sentence to the end of the section: “All applications in subsidence areas shall include a report, prepared by a professional geologist or a professional geotechnical engineer registered in the State of Delaware, evaluating the vulnerability of the subsurface (sinkholes).”~~

~~Section B1805.4.3...~~

CHAPTER 22. STEEL

~~Section B2205.1B2202.1, General, is amended by adding the following sentence at the beginning of the paragraph: “The structural engineer of record shall be responsible for the design and adequacy of all structural steel, including connections.”~~

CHAPTER 23. WOOD...

~~CHAPTER 24. GLASS AND GLAZING~~

~~Section B2403.1, Identification, is amended by adding the following sentence to the end of the subsection: “Glass that is not labeled shall be assumed to be annealed or plate glass.”~~

CHAPTER 27. ELECTRICAL

~~Section B2702.1.4, Load transfer, is amended in the fifth~~third line by deleting the number “60” and substituting the number “10”.

CHAPTER 30. ELEVATORS AND CONVEYING SYSTEMS

~~Chapter 30, Elevators and conveying systems, is amended by adding the following section and subsections: Section B3009, Private Residence Elevators, is amended by deleting the text in its entirety and replacing it with the following:~~

Section B3009, Certificate of Compliance...

CHAPTER 31. SPECIAL CONSTRUCTION...

CHAPTER 32. ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY...

CHAPTER 33. SAFEGUARDS DURING CONSTRUCTION

Section B3302.5, Handling and storage of construction and demolition waste, trash, and litter. During all construction activities, the lot(s) shall be kept neat of trash and building materials. All construction sites shall be required to obtain and maintain on the site a container of suitable size and design to hold and confine trash, scraps, and other construction and demolition waste created or accumulated on the site, which might be blown from the site. All such construction refuse shall be maintained in a closed container, or a container of sufficient depth to prevent construction and demolition waste from blowing out of the container, at all times, until transferred to a landfill. Containers may be placed in setback areas, provided that the placement of the container does not obstruct the view of motorists and thereby create traffic hazards. ~~It~~ shall be a violation to permit accumulated debris, litter, or trash attributable to the construction site and the construction activity to blow or scatter onto adjoining properties, including the public street or to accumulate on the site outside of the container, ~~or~~ in transit to a landfill or dump. The owner or contractor shall service the container as frequently as needed to prevent trash from over- flowing.

Section 5. *New Castle County Code* Chapter 6 ("Building Code"), Article 5 ("Residential Code"), is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below.

ARTICLE 5. RESIDENTIAL CODE

Sec. 6.05.001. Adoption of the International Residential Code

That certain document, on file with the office of the Clerk of the County Council, being marked and designated as the International Residential Code, ~~2021~~2024 edition, including Appendices ~~AEB~~A and ~~AJB~~O, as published by the International Code Council, be and is hereby adopted as the Residential Code of New Castle County. All the regulations, provisions, conditions, and terms of the International Residential Code, ~~2021~~2024 edition, and any supplements, referenced codes, and standards, are hereby referred to, adopted and made part of this Chapter, as if fully set out in this legislation, with the additions, insertions, deletions and changes prescribed in Sec. 6.05.002.

Sec. 6.05.002. Amendments to the International Residential Code.

The following sections of the International Residential Code, ~~2021~~2024 edition, are revised as follows. All code references including text and lines are based on the ~~2021~~2024 International Residential Code, second printing: ~~November 2021~~October 2024.
~~Note: Although the International Residential Code does not identify sections with a “R” designation, such a designation is utilized to avoid any confusion as to which Code the amendment relates.~~

References to the International Fire Code, ~~2021~~2024 edition, as published by the International Code Council, are not specifically adopted. Provisions of the International Fire Code are addressed through the adoption of the National Fire Prevention Association (NFPA) Codes and Standards and the Delaware Fire Prevention Regulations as adopted by the Delaware State Fire Marshal’s Office.

CHAPTER 3. BUILDING PLANNING

Table R301.2(1), Climatic and Geographic Design Criteria, is filled in as follows:

GROUND SNOW LOAD ^a	WIND DESIGN				SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			Ice Barrier Underlayment Required ^h	Flood Hazard ^g	Air Freezing Index ⁱ	Mean Annual Temp
	Speed ^d (mph)	Topographic effects ^k	Special wind region ^l	Wind-borne debris zone ^j		Weathering ^a	Frost line depth ^p	Termites ^e				
25 lbs./sq.ft.	115 mph	No	No	No	B	Severe	32"	Yes	No	10/05/2000 2/04/2015/22/2020	596	54°F
MANUAL J DESIGN CRITERIA												
Elevation	Altitude correction factor ^e	Coincident wet bulb		Indoor winter design dry-bulb temperature		Indoor winter design dry-bulb temperature		Outdoor winter design dry-bulb temperature		Heating temperature difference		
79 ft	1.0	74		72		72		16		56°F		
Latitude	Daily range	Indoor summer design relative humidity		Summer design gains		Indoor summer design dry- bulb temperature		Outdoor summer design dry- bulb temperature		Cooling temperature difference		
40o	M	50%		38		75		89		14		

Table R301.2(1), Flood hazards, is clarified to depict that the effective date of the most recent FIRM maps for New Castle County is January 22, 2020 and encompasses Map Number ~~10003C0025J~~10003C0035L through and including Map Number ~~10003C0475J~~10003C0437K and all revisions defined by FEMA FIRM maps.

Figure R301.2(6), Ground snow loads for the United States...

Section R302.1, Exterior walls, Exception Number 3, is amended in the first line by adding the word “garages,” after the word “detached” and in the ~~second~~first line by

deleting “exempted from permit” and inserting “that have a fire separation distance of 3 feet or more.”

Table R302.3.6, Dwelling-shared accessory room separation, is amended in the second column of the second row by adding the phrase “two layers of” before the number “5/8.”

Table R302.3.6, Dwelling-shared accessory room separation, is amended in the second column of the third row by deleting “1/2-inch” and substituting the phrase, “two layers of 5/8-inch Type X”.

~~Section R305.1, Minimum height~~, is amended in the first and second lines by deleting the phrase “and portions of basements containing these spaces.”

~~Section R305.1.1, Basements~~, is amended in the first line by deleting the phrases “Portions of” and “do not.”

~~Section R322.1.4.2~~R306.1.4.2, Determination of impacts, is amended in the ninth line by deleting the phrase “1 foot (305 mm)” and substituting the phrase “0.1 foot”.

~~Section R322.2.1~~R306.2.1, Elevation requirements, Number 1, is amended in the ~~third~~ second line by adding the phrase “or crawlspace” after the word “floors” and in the ~~fourth~~ second line by deleting the phrase “1 foot (305 mm)” and substituting “18 inches (457 mm).”

~~Section R322.2.1~~R306.2.1, Elevation requirements, Number 2, is amended in the ~~sixth~~ second line by deleting the phrase “1 foot (305 mm)” and substituting “18 inches (457 mm).”

~~Section R322.2.1~~R306.2.1, Elevation requirements, Number 3, is amended in the ~~third~~ first line by deleting the phrase “1 foot (305 mm)” and substituting “18 inches (457 mm).”

~~Section R313.1~~R309.1, Townhouse automatic fire sprinkler systems, is amended in the second line by deleting the word “shall” and substituting the word “may.”

~~Section R313.1~~R309.1, Townhouse automatic fire sprinkler system, Exception, is amended by deleting the exception in its entirety.

~~Section R313.1.1~~R309.1.1, Design and installation, is amended in the third line by deleting the phrase “Section P2904 or”.

~~Section R313.2~~R309.2, One- and two-family dwellings automatic fire sprinkler systems, is amended in the second line by deleting the word “shall” and substituting the word “may.”

~~Section R313.2~~R309.2, One- and two-family dwellings automatic fire sprinkler systems, is amended by deleting the exception in its entirety.

513
514 Section ~~R313.2.1~~R309.2.1, *Design and installation*, is amended in the third line by
515 deleting the phrase "Section P2904 or".
516

517 Section ~~R313.3~~R309.3, *Permanent model home automatic fire sprinkler systems*. An
518 operative automatic fire sprinkler system shall be installed in all new permanent model
519 homes for which a building permit is submitted on or after July 1, 2025.
520

521 *Exception:* An automatic fire sprinkler system shall not be required where additions
522 or alterations are made to an existing permanent model home that does not have
523 an automatic fire sprinkler system installed.
524

525 Section ~~R313.3.1~~R309.3.1, *Design and installation*. An automatic fire sprinkler
526 system for a permanent model home shall be designed and installed in accordance
527 with NFPA 13D.
528

529 Section ~~R313.3.2~~R309.3.2, *Assessment*. The Department of Land Use shall issue
530 a report to County Council and the County Executive within 18 months after the
531 effective date of this Section, reviewing variables such as the number of installation
532 requests for fire sprinkler systems, efforts to promote sprinkler systems, costs of
533 installation, ongoing monthly/quarterly/annual costs such as water bills and annual
534 inspection, as well as related data which provides insight into the viability of
535 automatic fire sprinkler systems and expansion thereof.
536

537 Section ~~R309.1~~R317.1, *Floor surface*, is amended by deleting the second sentence and
538 substituting the following: "That area of the floor used for parking automobiles or other
539 vehicles shall have a four (4) inch step between the garage and the living space and
540 shall be sloped to facilitate the movement of liquids to a drain or toward the main vehicle
541 entry doorway."
542

543 Section ~~R311.7.5.1~~R318.7.5.1, *Risers, Exception*, is amended by adding the following
544 as exception number three:
545

- 546 3. Where the bottom or top riser adjoins a sloping public way, walkway or
547 driveway having an established grade and serving as a landing, the bottom or
548 top riser is permitted to be reduced along the slope to less than 4 inches (102
549 mm) in height with the variation in height of the bottom or top riser not to exceed
550 one unit vertical in 12 units horizontal (8-percent slope) of stairway width.
551

552 Section ~~R310.7~~R319.7, *Alterations or repairs of existing basements*, is amended in the
553 ~~second~~first line by adding the phrase "and ~~alternations~~alterations" after the word
554 "rooms" and in the ~~fourth~~second and ~~fifth~~third lines by deleting the phrase "Other than
555 sleeping rooms, w" and substituting "W" and by deleting the phrase "alterations or".
556

557 ~~Section R322.3.2, Elevation requirements, Number 1, is amended in the seventh line~~
558 ~~by deleting the phrase “1 foot (305 mm)” and substituting the phrase “18 inches (457~~
559 ~~mm).”~~

561 ~~Section R322.3.2, Elevation requirements, Number 5, is amended in the second line by~~
562 ~~adding the phrase “not to exceed 20 cubic yards on a single lot,” after the word “fill,”.~~

564 ~~Section R303.4R325.3, Mechanical ventilation, is amended by deleting the subsection~~
565 ~~in its entirety.~~

567 ~~Section R303.11R325.9, Prohibited connections, is added as a new subsection as~~
568 ~~follows:~~

570 ~~Section R303.11R325.9, Prohibited connections.~~ It shall be unlawful for any
571 person to connect sump pump, French drains, area drainage, storm drainage, roof
572 drainage, swimming pool drainage, condensate pump drainage, or drainage from
573 any device directly or indirectly into any public or private sewer, except when such
574 a connection has been specifically authorized in writing by the General Manager
575 of Public Works.

577 Exception: Heater condensate drains connected into the sanitary sewer system
578 for slab-on-grade foundation or total crawl space dwellings. The connection of this
579 drain shall be upstream of a trap to block the backflow of any sewer gases into the
580 dwelling.

582 ~~Section R329.2R331.2, Installation, is amended in the fourthsecond line by deleting the~~
583 ~~phrase “Chapters 34 through 43” and substituting the phrase “the Statewide Fuel Gas~~
584 ~~Code”.~~

586 ~~Section R331R333, Construction Sanitation, is added as a new section as follows:~~

588 ~~Section R331R333, Construction sanitation.~~

590 ~~Section R331.1R333.1, Facilities Required.~~ Sanitary facilities shall be provided
591 during construction, remodeling or demolition activities in accordance with the
592 Statewide Plumbing Code.

594 ~~Section R331.2R333.2, Storage of construction and demolition waste.~~
595 Construction and demolition waste may be stored upon the land where actual
596 construction or demolition is in progress; provided, however, that such waste shall
597 not be stored for a period exceeding ninety (90) days and all other waste not stored
598 in a dumpster shall not be stored for periods exceeding thirty (30) days.

600 ~~Section R331.3R333.3, Handling and storage of construction and demolition~~
601 ~~waste, trash, and litter.~~ During all construction activities, the lot(s) shall be kept
602 neat of trash and building materials. All construction sites shall be required to

obtain and maintain on the site a container of suitable size and design to hold and confine trash, scraps, and other construction and demolition waste created or accumulated on the site, which might be blown from the site. All such construction refuse shall be maintained in a closed container, or a container of sufficient depth to prevent construction and demolition waste from blowing out of the container, at all times, until transferred to a landfill. Containers may be placed in setback areas, provided that the placement of the container does not obstruct the view of motorists and thereby create traffic hazards. It shall be a violation to permit accumulated debris, litter, or trash attributable to the construction site and the construction activity to blow or scatter onto adjoining properties, including the public street or to accumulate on the site outside of the container, or in transit to a landfill or dump. The owner or contractor shall service the container as frequently as needed to prevent trash from over-flowing.

Section ~~R331.4~~R333.4, Final Inspection. A final clean-up is required, including the removal of all building debris, stumps, portable toilets, etc. within five (5) days after the final inspection on that parcel.

Exception: Stumps located outside of the limit of disturbance that are not required to be removed by any plan approved by the Department are not subject to this section.

Section ~~R331.5~~R333.5, Enforcement. Any person who fails to comply with the requirements found in this Section shall be subject to the penalty and enforcement provisions provided in this Chapter.

CHAPTER 4. FOUNDATION

R403.1.1, Minimum size, is amended in the ~~fifth~~second and third line by deleting the phrase "6 inches (152 mm)" and substituting the phrase "8 inches (203 mm)".

Section R405.2.3, Drainage system, is amended in the ~~fifth and sixth lines~~third line by deleting the phrase "below the bottom of the basement floor" and substituting the phrase "in depth."

Section R407.3, Structural requirements, is amended in the ~~second~~first line by adding the phrase "at the top and" after the word "displacement".

APPENDIX ~~AE~~BA. MANUFACTURED HOUSING USED AS DWELLINGS

Appendix ~~AE~~BA. Manufactured housing used as dwellings, is adopted with the following modifications: Subsection ~~AE~~BA102.5, section ~~AE~~BA104 through and including section ~~AE~~BA112 and section ~~AE~~BA117 are hereby deleted.

APPENDIX ~~AJ~~BQ. EXISTING BUILDINGS AND STRUCTURES

Appendix A ~~JBO~~. Existing building and structures, is adopted in its entirety.

Section 6. *New Castle County Code* Chapter 6 (“Building Code”), Article 9 (“Existing Building Code”), is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below:

ARTICLE 9. EXISTING BUILDING CODE

Sec. 6.09.001. Adoption of the International Existing Building Code.

That certain document, on file with the office of the Clerk of the County Council, being marked and designated as the International Existing Building Code, ~~2021~~2024 edition, including Appendix A and Appendix B, as published by the International Code Council, be and is hereby adopted as the Existing Building Code of New Castle County. All regulations, provisions, conditions, and terms of the International Existing Building Code, ~~2021~~2024 edition, and any supplements, referenced codes, and standards, are hereby referred to, adopted and made part of this Chapter, as if fully set out in this legislation, with the additions, insertions, deletions and changes prescribed in Sec. 6.09.002.

Sec. 6.09.002. Amendments to the International Existing Building Code.

The following sections of the International Existing Building Code, ~~2021~~2024 edition, are revised as follows. All code references including text and lines are based on the ~~2021~~2024 International Existing Building Code, first printing: ~~December 2020~~August 2023. Note: Although the *International Existing Building Code* does not identify sections with an “E” designation, such a designation is utilized to avoid any confusion as to what Code the amendment relates.

Section 7. *New Castle County Code* Chapter 6 (“Building Code”), Article 10 (“Energy Conservation Code”), is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below:

ARTICLE 10. ENERGY CONSERVATION CODE

Sec. 6.10.001. Enforcement of the Statewide Energy Conservation Code

Pursuant to 16 *Del. C.* ch. 76...

Note: New Castle County enforces the provisions of 16 *Del. C.* ch. 80 (“Residential Dwelling Electric Vehicle Charging Infrastructure”). New Castle County also enforces the provisions of 16 *Del. C.* ch. 76 (“County or Municipal Building, Plumbing, Electrical and Other Codes”), including section § 7605 (“Solar-ready zone”).

~~Sec. 6.10.002. Amendments of the Statewide Energy Conservation Code.~~

~~The following sections of the International Energy Conservation Code, 2018 Edition, (IECC) are revised as follows. All code references including text and lines are based on~~

the 2018 International Energy Conservation Code, fifth printing: November 2021. Note: Although the IECC does not identify sections with the designations that follow, to avoid any confusion, commercial provisions are provided with a "C" designation and residential provisions are provided with an "R" designation.

IECC — COMMERCIAL PROVISIONS

CHAPTER 2. DEFINITIONS

Section C202, General definitions, is amended by adding the following:

Electric Vehicle (EV). An automotive-type vehicle for on-road use such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like, primarily powered by an electric motor that draws current from a rechargeable storage battery, a fuel cell, a photovoltaic array, or another source of electric current. Plug-in hybrid electric vehicles are electric vehicles having a second source of motive power. Off-road, self-propelled electric mobile equipment, such as industrial trucks, hoists, lifts, transports, golf carts, airline ground support equipment, tractors, boats and the like, are not considered electric vehicles.

Electric Vehicle Support Equipment (EVSE). The conductors, including the ungrounded, grounded, and equipment grounding conductors and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

Electric Vehicle Supply Equipment Space (EVSE Space). A designated parking space with dedicated electric vehicle supply equipment, installed as required under the currently adopted electrical code in the State of Delaware, and capable of charging an electric vehicle located within five (5) feet of the parking space,

EV-Capable Parking Space. A designated parking space that can be converted to an EVSE Space and is subject to the following requirements, unless otherwise required under the currently adopted electrical code of the State of Delaware:

1. The conduit shall be continuous between a junction box or receptacle located within five (5) feet of the parking space and an electrical panel serving the area of the parking space. The junction box or receptacle must be conspicuously marked and identified as "For electric vehicle charging".
2. The conduit shall be sized and rated to accommodate a branch circuit of sufficient size to the future electrical charging facility.

3. ~~The electrical panel shall reserve sufficient dedicated physical space for the breaker required to supply the future electrical charging facility and shall be identified as "For electric vehicle charging".~~

~~CHAPTER 4. COMMERCIAL ENERGY EFFICIENCY~~

~~Section C401, General, is amended by adding the following subsection:~~

~~*C401.3, Electric Vehicle charging infrastructure.* Electric infrastructure for the current and future charging of electric vehicles shall be installed in accordance with this section and the most recently adopted electrical code in the State of Delaware. Parking spaces intended for electric vehicle charging shall be in accordance with the Unified Development Code. This chapter shall apply to Group R-2 occupancies for which a building permit is submitted for on or after July 1, 2022.~~

~~*C401.3.1, Residential occupancies.* Parking facilities serving Group R-2 occupancies shall comply with Section C401.3.1.1.~~

~~*C401.3.1.1, Parking spaces provided.* For all Group R-2 occupancies, ten percent (10%) of the total available designated parking spaces must be EV-capable parking spaces. The calculations for the required number of spaces must be rounded up to the nearest whole number. There shall be a minimum of two EV-capable parking spaces, one of which shall be designated as a handicap accessible parking space. All handicapped-accessible parking spaces must be in accordance with The Americans with Disabilities Act, as shall all EV charging stations when present.~~

~~*C403.3.2, Construction documents.* Construction documents must indicate the location of all proposed electric vehicle parking spaces.~~

~~IECC—RESIDENTIAL PROVISIONS~~

~~CHAPTER 2. DEFINITIONS~~

~~Section R202, General definitions, is amended by adding the following:~~

~~*Electric Vehicle (EV).* An automotive-type vehicle for on-road use such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like, primarily powered by an electric motor that draws current from a rechargeable storage battery, a fuel cell, a photovoltaic array, or another source of electric current. Plug-in hybrid electric vehicles are electric vehicles having a second source of motive power. Off-road, self-propelled electric mobile equipment, such as industrial trucks, hoists, lifts, transports, golf carts,~~

~~airline ground support equipment, tractors, boats and the like, are not considered electric vehicles.~~

~~*Electric Vehicle Support Equipment (EVSE).* The conductors, including the ungrounded, grounded, and equipment grounding conductors and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.~~

~~*Electric Vehicle Supply Equipment Space (EVSE Space).* A designated parking space with dedicated electric vehicle supply equipment, installed as required under the currently adopted electrical code in the State of Delaware, and capable of charging an electric vehicle located within five (5) feet of the parking space,~~

~~*EV-Capable Parking Space.* A designated parking space that can be converted to an EVSE Space and is subject to the following requirements, unless otherwise required under the currently adopted electrical code of the State of Delaware:~~

- ~~1. The conduit shall be continuous between a junction box or receptacle located within five (5) feet of the parking space and an electrical panel serving the area of the parking space. The junction box or receptacle must be conspicuously marked and identified as "For electric vehicle charging".~~
- ~~2. The conduit shall be sized and rated to accommodate a branch circuit of sufficient size to the future electrical charging facility.~~
- ~~3. The electrical panel shall reserve sufficient dedicated physical space for the breaker required to supply the future electrical charging facility and shall be identified as "For electric vehicle charging".~~

~~*EV-Ready Parking Space.* A designated parking space that meets the requirements for an EV-capable parking space and includes a designated electrical outlet that complies with currently adopted electrical code of the State of Delaware.~~

~~CHAPTER 4. — RESIDENTIAL ENERGY EFFICIENCY~~

~~Section R401, General, is amended by adding the following subsection:~~

~~*R401.4, Electric Vehicle charging infrastructure.* Electric infrastructure for the current and future charging of electric vehicles shall be installed in accordance with this section and the most recently adopted electrical code in the State of Delaware. Parking spaces intended for electric vehicle charging shall be in accordance with the Unified Development Code. This chapter shall apply to one- and two- family dwellings and townhouses for which a building permit is submitted for on or after July 1, 2022.~~

~~R401.5, Building and Parking Requirements.~~

~~R401.5.1., Garages and off-street parking.~~

~~R401.5.1.1. Where a one- and two-family dwelling or townhouse includes an attached or detached garage and the electrical panel is not located in the garage, the EV-capable parking space must be located in the attached or detached garage.~~

~~R401.5.1.2. Where a one- and two-family dwelling or townhouse does not include an attached or detached garage, an EV-capable parking space must be provided in the driveway, where applicable, or at a dedicated parking space designated for the dwelling or townhouse, and the EV-capable parking space infrastructure must be sealed and labeled for future use. All dedicated parking spaces shall be in accordance with the Unified Development Code.~~

~~R401.5.2, EV-capable parking space upgrade. Where one- and two-family dwelling or townhouse is being constructed for a specific buyer, the developer shall offer the buyer the option of upgrading the EV-capable parking space to an EV-ready parking space and ensuring that the EV-ready parking space provides access to discounted Plug-In Vehicle (PIV) electricity rates, where available.~~

~~APPENDIX CA. SOLAR-READY ZONE — COMMERCIAL~~

~~Appendix CA. Solar-Ready Zone — Commercial, is adopted with the following modifications:~~

~~Section CA101.1, General, is amended by deleting it in its entirety and substituting the following:~~

~~Section CA101.1, General. These provisions shall be applicable for new construction of commercial buildings in New Castle County for which a building permit has been submitted to the Department of Land Use on or after January 1, 2023 and which have a foundation footprint of 50,000 square feet or more.~~

~~Section CA103.1, General, is amended in the second line by deleting the phrase "are five stories or less in height above grade plane, and are oriented between 110 degrees and 270 degrees of true north or have low-slope roofs. Solar-ready zones shall comply with Sections CB103.2 through CB103.9." and substituting the phrase and sentence "have low-sloped roofs. Solar-ready zones shall comply with Sections CA103.2 through CA103.8."~~

~~Section CA103.1, General, Exception #1, is amended by adding the phrase “or where a vegetative “green” roof is proposed, installed and maintained for 60 percent or more of total rooftop area” after the word “system”.~~

~~Section CA103.1, General, Exception #2, is amended by deleting it in its entirety.~~

~~Section CA103.1, General, Exception #3, is amended by renumbering it to Exception #2 and adding the phrase “due to significant shade (shaded more than 70 percent of daylight hours) after the word “zone”.~~

~~Section CA103.1, General, Exception #4, is amended by renumbering it to Exception #3.~~

~~Section CA103.2, Construction document requirements for a solar-ready zone, is amended by adding the following sentence to the end of the subsection “The presence of a solar-ready zone does not relieve the requirement for a roof structural evaluation before a future installation of a solar photovoltaic or solar thermal system.”~~

~~Section CA103.3, Solar-ready zone area, is amended in the fifth and sixth lines by deleting the phrase “as required by The International Fire Code”.~~

~~Section CA103.4, Obstructions, is amended by adding the following sentence to the end of the subsection “Solar-ready zones maybe relocated to allow future installation of roof equipment as long as the 40 percent minimum allocation is maintained.”~~

~~Section CA103.6, Interconnection pathway, is amended in the second line by adding the phrase “, raceway” after the word “conduit” and in the third line by adding the phrase “reserved space for” before the words “electrical service”.~~

~~Section CA103.7, Electrical service reserved space, is amended by deleting the subsection in its entirety and substituting the following: “The main electrical service panel shall have a reserved space labeled “For Future Solar Electric”, or if a licensed design professional certifies that additional or alternative space is needed for the placement of equipment necessary for the installation of a solar electric system, space shall be reserved either on the interior or exterior wall proximate to the main electrical service panel or on a prepared exterior pad site in close proximity to the electrical service panel. Any such space shall be labeled “For Future Solar Electric” in a conspicuous manner.~~

Section 8. *New Castle County Code* Chapter 6 (“Building Code”), Article 11 (“Swimming Pool and Spa Code”), is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below:

ARTICLE 11. SWIMMING POOL AND SPA CODE

921
922 **Sec. 6.11.001. Adoption of the International Swimming Pool and Spa Code.**
923

924 That certain document, on file with the office of the Clerk of the County Council, being
925 marked and designated as the International Swimming Pool and Spa Code, ~~2021~~2024
926 edition, as published by the International Code Council, be and is hereby adopted as the
927 Swimming Pool and Spa Code of New Castle County. All regulations, provisions,
928 conditions, and terms of the International Swimming Pool and Spa Code, ~~2021~~2024
929 edition, and any supplements, referenced codes, and standards, are hereby referred to,
930 adopted and made part of this Chapter, as if fully set out in this legislation, with the
931 additions, insertions, deletions and changes prescribed in Sec. 6.11.002.
932

933 **Sec. 6.11.002. Amendments to the International Swimming Pool and Spa Code.**
934

935 The following sections of the International Swimming Pool and Spa Code, ~~2021~~2024
936 edition, are revised as follows. All code references including text and lines are based on
937 the ~~2021~~2024 International Swimming Pool and Spa Code, second printing: ~~June 2021~~
938 August 2024. Note: Although the International Swimming Pool and Spa Code does not
939 identify sections with an "SP" designation, such a designation is utilized to avoid any
940 confusion as to what Code the amendment relates.
941

942 **CHAPTER 3. GENERAL COMPLIANCE**
943

944 ~~Section SP302.1 through and including Section SP321.4, are amended by deleting all~~
945 ~~references to the phrase "Section 102.7.1" and substituting "this Chapter".~~
946

947 *Section SP305.4, Structure wall as barrier*, is amended in the ~~fourth~~second line by
948 deleting the phrase "one of."
949

950 *Section SP305.4, Structure wall as barrier...*
951

952 Section 9. *New Castle County Code* Chapter 6 ("Building Code"), Schedule of
953 Permit and Review Fees, is hereby amended by adding the material that is underscored
954 and deleting the material that is stricken, as set forth below:
955

956 **SCHEDULE OF PERMIT AND REVIEW FEES**
957

958 **Building Permit**

959 Valuation fee:

960 For the first \$1,000 valuation or any part thereof up to \$1,000,000.....\$12.00

961 For each additional \$1,000 valuation in excess of \$1,000,000.....\$5.25

962 Minimum fee.....\$60.00

963 Zoning review fee: 10% of permit valuation fee

964 Minimum fee.....\$21.00

965 Maximum fee.....\$145.00

966 Certificate of Occupancy fee:.....\$60.00

NCC Volunteer Fire Assistance Fund fee: 0.50% of permit valuation fee

Permit extension

Application fee...

Expired permit fine

Per offense..... ~~\$25.00~~ \$100.00

Section 10. Certain documents on file in the office of the Clerk of County Council, being marked and designated as the *International Building Code, 2024 edition, International Residential Code, 2024 edition, International Mechanical Code, 2021 edition, International Plumbing Code, 2021 edition, International Fuel Gas Code, 2021 edition, International Existing Building Code, 2024 edition, International Swimming Pool and Spa Code, 2024 edition, and International Energy Conservation Code, 2018 edition*, all published by the International Code Council, are hereby adopted as the Building Code of New Castle County for the control of buildings and structures as provided in this Chapter. All the sections, conditions and terms of the above referenced International Codes are hereby referred to, adopted and made a part of this Chapter as if fully set out in this section, with the additions, insertions, deletions, and changes prescribed in this ordinance.

Section 11. Inconsistent ordinances and resolutions repealed. All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith are hereby repealed upon the effective date of this Ordinance.

Section 12. Effective date of the provisions of the Ordinance. The provisions of this Ordinance shall become effective on January 1, 2026.

Section 13. Continuation of existing ordinances and resolutions. The sections appearing in this Ordinance, so far as they are in substance the same as those ordinances and resolutions adopted and included in the *New Castle County Code*, shall be considered as continuations thereof and not as new enactments.

Section 14. Continuation of existing institutions, rights, and liabilities. The revisions of prior ordinances, resolutions, rules and regulations, provided for in this Ordinance, shall not affect any act done, or any cause of action accruing or accrued or established, or any suit or proceeding had or commenced in any civil action, nor any plea, defense, bar or matter existing before the time when such revisions shall take effect; but the proceedings in every such case shall conform with this ordinance to the extent applicable.

All the provisions of ordinances, resolutions, rules and regulations revised by this Ordinance shall be deemed to have remained in force from the time when they began to take effect, so far as they may apply to any department, agency, office or trust, or of any transaction or event of any limitation or any right or obligation or the construction of any

contract already affected by such ordinances, resolutions, rules and regulations, notwithstanding the revisions of such provisions.

No offense committed and no penalty or forfeiture incurred, under any of the ordinances, resolutions, rules and regulations revised by this Ordinance and before the time when such revisions shall take effect shall be affected by such revisions.

No action or prosecution, pending the effective date of the revisions provided in this Ordinance, for any offense committed or for the recovery of any penalty or forfeiture incurred under any of the ordinances, resolutions, rules and regulations revised herein shall be abated or affected by such revisions, except that the proceedings in such action or prosecution shall conform with this Ordinance if applicable.

The provisions in this Ordinance shall not be construed to abolish or impair existing remedies available to New Castle County or its officers or agencies relating to the remediation of any dangerous, unsafe, or unsanitary condition.

Section 15. Severability. It is hereby declared to be the intention of the County Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance. If any provision of this Ordinance is found to be unconstitutional or void, the applicable former ordinance provisions shall become effective and shall be considered as continuations thereof and not as new enactments regardless if severability is possible.

Section 16. Other laws. The provisions of this Ordinance shall not be deemed to nullify any provisions of local, state, or federal law except as stated in Section 11 above.

Adopted by County Council of
New Castle County on: 11/18/25

Monique Williams-Johns
President of County Council
of New Castle County

Approved on:

Marcus Henry

County Executive
New Castle County

SYNOPSIS: The following is a summary of the revisions contained in this Ordinance broken down by *New Castle County Code* Article or Section number.

Sec. 6.01.001. These amendments correct typographical and grammatical errors found within Chapter Six.

Sec. 6.02.001. These amendments correct typographical and grammatical errors found within Chapter Six and clarify that a third party inspector may be an individual or business authorized to perform required inspections but whose staff are not employed by New Castle County.

Sec. 6.03.001. These amendments correct typographical and grammatical errors found within Chapter Six and change references from 'certificates of occupancy' to 'certificates of approval' for consistency across code sections.

Sec. 6.03.012. These amendments clarify the scope of exemptions for fences; adds exemptions for brick repointing, EV charging stations, flagpoles, and sign refacing; and adds replacement of deck boards and railings, rooftop solar panels, and sump pumps to residential work exempt from a permit.

Sec. 6.03.018. These amendments align third party inspector language with the updated definition and prohibit final inspections from being performed without explicit Land Use approval, which reinforces important public safety considerations.

Sec. 6.04.001. This amendment adopts the 2024 International Building Code (IBC) as the building code for New Castle County.

Sec. 6.04.002. This amendment updates Chapter Six to reflect the applicable version of the International Building Code (IBC) and revises section references to align with the 2024 I-Codes and the current NFPA code. The 2024 IBC introduced a significant formatting change, transitioning from a two-column to a one-column layout. As a result, several section numbers were relocated, and this amendment ensures that all citations within Chapter Six accurately correspond to the updated code structure.

Sec. 6.05.001. This amendment adopts the 2024 International Residential Code (IRC) as the residential code for New Castle County.

Sec. 6.05.002. This amendment updates Chapter Six to reflect the applicable version of the International Residential Code (IRC) and revises section references to align with the 2024 I-Codes. The 2024 IRC introduced a significant formatting change, transitioning from a two-column to a one-column layout. As a result, several section numbers were

relocated, and this amendment ensures that all citations within Chapter Six accurately correspond to the updated code structure.

Sec. 6.09.001. This amendment adopts the 2024 International Existing Building Code (IEBC) as the existing building code for New Castle County.

Sec. 6.09.002. This amendment defines the specific IEBC code version used for Chapter Six amendments.

Sec. 6.10.001. This amendment clarifies that New Castle County will continue to regulate EV-Ready and Solar Ready laws.

Sec. 6.10.002. This amendment removes New Castle County's prior amendments to the IECC pertaining to EV-Ready and Solar Ready requirements. As these provisions have been superseded by state-level legislation, Section 6.10.001 now references state law.

Sec. 6.11.001. This amendment adopts the 2024 International Swimming Pool and Spa Code (ISPSC) as the swimming pool and spa code for New Castle County.

Sec. 6.11.002. This amendment updates Chapter Six to reflect the applicable version of the International Swimming Pool and Spa Code (ISPSC) and revises section references to align with the 2024 I-Codes. The 2024 ISPSC introduced a significant formatting change, transitioning from a two-column to a one-column layout. As a result, this amendment ensures that all citations within Chapter Six accurately correspond to the updated code structure. It also removes an unnecessary deletion as it relates to a code reference.

Schedule of Permit and Review Fees. This amendment updates Chapter Six to reflect current practices by incorporating the 0.5% NCC Volunteer Fire Service Fund fee established by Ordinance 14-057 (2014) and increasing the expired permit fine from \$25 to \$100, consistent with the FY20 budget authorization in Ordinance 19-039 (2019).

FISCAL NOTE: There is no discernible fiscal impact.