

DATE INTRODUCED: April 26, 1994
PUBLIC HEARING DATE: May 10, 1994
PUBLIC HEARING TIME: 7:15 P.M.
ADOPTION DATE: May 10, 1994
EFFECTIVE DATE: June 7, 1994

ORDINANCE NO. 94-10

AN ORDINANCE TO AMEND THE KENT COUNTY BUILDING CODE SUPPLEMENT ADOPTED DECEMBER 17, 1991, TO PROVIDE FOR A KENT COUNTY BUILDING CODE SUPPLEMENT TO THE BOCA NATIONAL BUILDING CODE/1990 AND A KENT COUNTY BUILDING CODE SUPPLEMENT TO THE CABO ONE AND TWO FAMILY DWELLING CODE, 1992 EDITION.

THE LEVY COURT OF KENT COUNTY, DELAWARE HEREBY ORDAINS:

[Section 1 was intentionally left out.]

Section 2. This ordinance is adopted pursuant to the powers conferred upon the Levy Court of Kent County, Delaware, in the Delaware Code, Title 9, Section 4414.

Section 3. If any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance which shall continue in full force and effect; and to this end, the provisions of this Ordinance are hereby declared to be severable.

ADOPTED BY LEVY COURT
OF KENT COUNTY, DELAWARE



PRESIDENT, KENT COUNTY LEVY COURT

ATTEST: 

CLERK OF THE PEACE

SYNOPSIS

This Ordinance deletes the reference to the CABO One and Two Family Dwelling Code, 1989 Edition from the Kent County Building Code Supplement adopted December 17, 1991 and provides for separate Kent County Building Code supplements for the BOCA National Building Code/1990 and the CABO One and Two Family Dwelling Code, 1992 Edition.

KENT COUNTY
BUILDING CODE SUPPLEMENT
TO THE
1992 CABO ONE AND TWO FAMILY DWELLING CODE

1992 CABO ONE & TWO FAMILY DWELLING CODE

The 1992 CABO One & Two Family Dwelling Code is to be adopted, as per BOCA 309.5, in its entirety with the following exceptions. (Any additions or revisions to the original text are underlined)

Part I - Administration - Delete in entirety - Refer to BOCA Article 1, Administration and Enforcement, and Article 2, Definitions.

Part II - Building Planning**Chapter 2 - Building Planning****Table R201.2 Climatic & Geographic Design Criteria**

Insert: Roof Live Load - 20
Roof Snow Load - 10
Wind Pressure - 24
Seismic Condition by Zone - 0
Subject to Damage from:
Weathering - Severe
Frost Line Depth - 24"
Subject to Damage from:
Termite - yes
Decay - yes
Winter Design Temp. for Htg. Facilities - 20

Part III - Construction**Chapter 3 - Foundations****SECTION R-303-FOOTINGS**

All exterior walls, bearing walls, columns and piers shall be supported on continuous solid masonry or concrete footings, wood foundations, or other approved structural systems which shall be of sufficient design to support safely the loads imposed as determined from the character of the soil, and shall extend to 24" below the final grade. Minimum sizes for concrete footings shall be as specified in Section R-303.1. Footings for wood foundations shall be in accordance with the details set forth in Figure Nos. R-304.5a and R-304.5b and NFOPA Technical Report No. 7 listed in Section S-26.303.

The top surface of footings shall be level. The bottom surface of footings may have a slope not exceeding 1 in 10. Footings shall be stepped where it is necessary to change the elevation of the top surface of the footing or where the slope of the bottom surface of the footing will exceed 1 in 10.

Structural slabs-on-ground and mat-type footings for dwellings located on expansive soils shall be designed and installed in accordance with PTI "Post-Tensioned Slabs on Ground" or WRI "Design of Slabs-on-Ground Foundations" listed in Section S-26.303, or in accordance with other approved methods.

R-303.1 Footing Size: Minimum thickness of a footing shall be the nominal width of the wall. In any case, footing thickness shall be a minimum of 8". The nominal width of the footing shall be twice the nominal thickness of the wall. On a two-story section of a building, footings are to be a minimum of 24" wide and 10" thick. All footings to be reinforced with a minimum of two (2) #4 bars wired together with 15" overlap. All other provisions shall be provided as set forth by this Code.

R-303.2 Pier and Column Footings: All pier and column footings shall be 24"x24"x12" concrete. Column footings shall be reinforced with a minimum of three (3) #4 bars in two directions.

R-303.3 Grade Stakes: Wood or metal stakes no larger than 3/4" square may be used. Wooden stakes shall not be used as support for reinforcing bars.

R-303.4 Footings for Residential Accessory Structures over 216 square feet: All accessory structures over 216 square feet, except pole type construction, shall have footings and foundations as specified above.

R-303.5 Residential Accessory Structures 216 square feet and less: structures 216 square feet and less shall be level and secured with tie down or equivalent of manufactured home fastening devices, one per corner. All lumber and wood siding is to be pressure treated from grade to 8" above finished grade.

SECTION R-304-FOUNDATION WALLS

R304.1 Foundation Design: When an architect's or engineer's seal is not imprinted on plans, accepted engineering practices may prevail for construction of foundations. See table R304.3a. When four (4) or more feet of unbalanced fill is required, the following conditions must be met:

1. Duro-wall is to be placed every third course;
2. 4"x16" pilasters tied into the main wall or vertical reinforcement in both grout filled cores of block are to be placed as follows:
 - a. 8" block - 12' on center maximum.
 - b. 10" block - 14' on center maximum.
 - c. 12" block - 18' on center maximum.

Applicant or home owner to assume responsibility of design of foundation.

Chapter 4 - Wall Construction, adopt without changes or additions

Chapter 5 - Wall Covering, adopt without changes or additions

Chapter 6 - Floors, change sections as follows

SECTION R-602-DIMENSION LUMBER

R-602.2 Allowable Spans

R-602.2.1 Joists, beams and girders: The clear span of floor joists utilizing SPF #2 lumber shall not exceed the values set forth in Table Nos. 6-A and 6-B in Appendix A of the Kent County Building Code Supplement.

The allowable clear spans of built-up girders utilizing SPF #2 lumber shall not exceed the values set forth in Tables 6-C through 6-F in Appendix A of the Kent County Building Code Supplement.

Joists beams and girders utilizing other species or grades of lumber shall not exceed the span values set forth in Table Nos. 6-A and 6-B in Appendix B of the CABO Code, based on the design values specified in Table Nos. 6/7A and 6/7B in Appendix B of the CABO Code.

R602.10 Steel Beams: Steel for girders, beams or headers may be used with certification from an accepted engineer, architect, or a certified testing lab registered in the State of Delaware.

Chapter 7 - Roof-Ceiling Construction, change sections as follows

R-702.3 Allowable spans: The unsupported spans for rafters and ceiling joists utilizing SPF #2 lumber shall not exceed the values set forth in Table Nos. 7-A thru 7-G in Appendix A of the Kent County Building Code Supplement, and Table No. R-702.3.

Joists and rafters utilizing other species or grades of lumber shall not exceed the span values set forth in Table Nos. 7-A through 7-S in Appendix B of the CABO Code, based on the design values specified in Table Nos. 6/7A and 6/7B in Appendix B of the CABO Code..

Chapter 8 - Roof Coverings - adopt without changes or additions

Chapter 9 - Chimneys and Fireplaces, change sections as follows:

Section R-906 - Exterior Air Supply

R-906.1 Exterior air: Factory-built or masonry fireplaces covered in this chapter may be equipped with an exterior air supply to assure proper fuel combustion.

Part IV - Mechanical

Chapter 10 - General Mechanical Requirements and Definitions - change sections as follows

M-1006.2 Anchorage of Appliances: Appliances designed to be fixed in position shall be securely fastened in place.

Chapter 11 - Centrally Ducted Heating and Cooling Systems - adopt without changes or additions

Chapter 12 - Electric Resistance Heaters - adopt without changes or additions

Chapter 13 - Hydronic Heating Systems - adopt without changes or additions

Chapter 14 - Vented Floor, Wall, and Room Heaters - adopt without changes or additions

Chapter 15 - Combustion Air - adopt without changes or additions

Chapter 16 - Equipment Venting - adopt without changes or additions

Chapter 17 - Fuel Gas Supply Systems - adopt without changes or additions

Chapter 18 - Fuel Oil Supply Systems - adopt without changes or additions

Chapter 19 - Miscellaneous Appliances - adopt without changes or additions

PART V PLUMBING - change as follows

The Plumbing requirements shall conform to the current editions of the applicable codes enforced by the State of Delaware Department of Health and Social Services and the State of Delaware Department of Natural Resources and Environmental Control.

PART VI ELECTRICAL - Change as follows

The Electrical requirements shall conform to the current edition of NFPA 70A utilized by third party inspection agencies approved by the State of Delaware.

PART VII ENERGY CONSERVATION

Delete entire Part.

Appendix A

Maps showing seismic risk, wind data, weathering probability, snow loads, termite infestation, weathering decay, and winter temperature isolines.

adopt without changes or additions

Appendix B

Span tables for joists and rafters as well as tables containing design values for joists and rafters.

Refer to Kent County Building Code Supplement Appendix A for span information for SPF #2. Utilize all other Design Criteria and Span information for other species.

Appendix C

Code application for Manufactured Homes

Delete in entirety.

Appendix D

Engineered Procedure for Sizing Plumbing Vents

Delete in entirety - refer to BOCA Plumbing Code currently enforced by State of Delaware Department of Health.

Appendix E

Detailed Procedure for Sizing the Building Water Supply System.

Delete in entirety - refer to BOCA Plumbing Code currently enforced by State of Delaware Department of Health.

Appendix F

Barriers for Swimming Pools, Spas and Hot Tubs

adopt without changes or additions

KENT COUNTY RESIDENTIAL BUILDING CODE SUPPLEMENT
TO THE
CABO ONE and TWO FAMILY DWELLING CODE

APPENDIX A

SPAN TABLES AND LUMBER DESIGN VALUES

Based on the 1991 National Design Specification
for Wood Construction

and the

Canadian Dimension Lumber Data Book

TABLE 6-A FLOOR JOISTS (SPRUCE - PINE - FIR #2)
 (All rooms except sleeping rooms and attics)
 (40 lb per sq. ft. live load)

Maximum Allowable Spans (ft.-in.)

Spacing (in.)	2 x 6	2 x 8	2 x 10	2 x 12
12 o.c.	10-3	13-6	17-3	20-7
16 o.c.	9-4	12-3	15-5	17-10
24 o.c.	8-1	10-3	12-7	14-7

TABLE 6-B FLOOR JOISTS (SPRUCE - PINE - FIR #2)
 (Sleeping rooms and attics)
 (30 lb per sq. ft. live load)

Maximum Allowable Spans (ft.-in.)

Spacing (in.)	2 x 6	2 x 8	2 x 10	2 x 12
12 o.c.	11-3	14-11	19-0	23-0
16 o.c.	10-3	13-6	17-2	19-11
24 o.c.	8-11	11-6	14-1	16-3

TABLE 6E - SINGLE FLOOR HOMES (without roof trusses)

40 Pound Live Load - 10lb Dead Load (floor)
 20 Pound Live Load - 10lb Dead Load (ceiling)

	24 ft House 12' Trib Ld 960 lb ft	28 ft 14' 1120 lb	32 ft 16' 1280 lb	36ft 18' 1440lb
3 - 2 x 8's	5'-6"	5'-4"	4'-11"	-----
4 - 2 x 8's	6'-8"	6'-2"	5'-8"	5'-5"
3 - 2 x 10's	7'-0"	6'-6"	5'-0"	-----
4 - 2 x 10's	8'-0"	7'-6"	7'-0"	6'-7"
3 - 2 x 12's	8'-2"	7'-6"	7'-0"	6'-4"
4 - 2 x 12's	9'-4"	8'-8"	8'-2"	7'-8"

TABLE 6F - TWO FLOOR HOMES (without roof trusses)

40 Pound Live Load - 10lb Dead Load (1st fl)
 30 Pound Live Load - 10lb Dead Load (2nd fl)
 20 Pound Live Load - 10lb Dead Load (ceiling)

	24 ft House 12' Trib Ld 1440 lb ft	28 ft 14' 1680 lb	32 ft 16' 1920 lb	36ft 18' 2160lb
3 - 2 x 8's	-----	-----	-----	-----
4 - 2 x 8's	6'-1"	-----	-----	-----
3 - 2 x 10's	-----	-----	-----	-----
4 - 2 x 10's	6'-6"	6'-2"	-----	-----
3 - 2 x 12's	-----	-----	-----	-----
4 - 2 x 12's	7'-8"	7'-2"	6'-8"	-----

BUILT-UP BEAM OR GIRDER SPANS (SPRUCE - PINE - FIR #2)

TABLE 6-C - SINGLE FLOOR HOMES (with roof trusses)

40 Pound Live Load - 10lb Dead Load (floor)

	24 ft House 12' Trib Ld 600 lb ft	28 ft 14' 700 lb	32 ft 16' 800 lb	36ft 18' 900 lb
3 - 2 x 8's	7'-3"	6'-8"	6'-3"	5'-5"
4 - 2 x 8's	8'-4"	7'-9"	7'-3"	6'-3"
3 - 2 x 10's	8'-10"	8'-2"	7'-8"	7'-3"
4 - 2 x 10's	10'-2"	9'-6"	8'-10"	8'-4"
3 - 2 x 12's	10'-2"	9'-6"	8'-11"	8'-4"
4 - 2 x 12's	11'-9"	11'-0"	10'-2"	9'-8"

TABLE 6D - TWO FLOOR HOMES (with roof trusses)

40 Pound Live Load - 10lb Dead Load (1st fl)

30 Pound Live Load - 10lb Dead Load (2nd fl)

	24 ft House 12' Trib Ld 1080 lb ft	28 ft 14' 1260 lb	32 ft 16' 1440 lb	36ft 18' 1620lb
3 - 2 x 8's	5'-4"	5'-0"	-----	-----
4 - 2 x 8's	6'-3"	5'-9"	5'-4"	5'-1"
3 - 2 x 10's	6'-7"	6'-1"	-----	-----
4 - 2 x 10's	7'-7"	7'-0"	6'-7"	6'-2"
3 - 2 x 12's	7'-8"	7'-1"	-----	-----
4 - 2 x 12's	8'-10"	8'-2"	8'-0"	7'-2"

TABLE 7-A CEILING JOISTS (SPRUCE - PINE - FIR #2)
 (Drywall finish, no future sleeping rooms and no attic storage)
 (10 lb per sq. ft. live load)

Maximum Allowable Spans (ft.-in.)

Spacing (in.)	2 x 4	2 x 6	2 x 8	2 x 10
12 o.c.	11-10	18-8	24-7	31-4
16 o.c.	10-9	16-11	22-4	28-1
24 o.c.	9-5	14-9	18-9	22-11

TABLE 7-B CEILING JOISTS (SPRUCE - PINE - FIR #2)
 (Drywall finish, no future sleeping rooms and limited attic
 storage available)
 (20 lb per sq. ft. live load)

Maximum Allowable Spans (ft.-in.)

Spacing (in.)	2 x 4	2 x 6	2 x 8	2 x 10
12 o.c.	9-5	14-9	18-9	22-11
16 o.c.	8-7	12-10	16-3	19-10
24 o.c.	7-2	10-6	13-3	16-3

TABLE 7-C CEILING JOISTS (SPRUCE - PINE - FIR #2)
 (Drywall finish, attic storage above)
 (30 lb per sq. ft. live load)

Maximum Allowable Spans (ft.-in.)

Spacing (in.)	2 x 6	2 x 8	2 x 10	2 x 12
12 o.c.	11-3	14-11	19-0	23-0
16 o.c.	10-3	13-6	17-2	19-11
24 o.c.	8-11	11-6	14-1	16-3

TABLE 7-D RAFTERS (SPRUCE - PINE - FIR #2)
 (Any slope, drywall finish, no attic space, live load - 20 psf)

Maximum Allowable Spans (ft.-in.)

Spacing (in.)	2 x 6	2 x 8	2 x 10	2 x 12
12 o.c.	14-9	18-8	22-9	26-5
16 o.c.	12-9	16-2	19-9	22-10
24 o.c.	10-5	13-2	16-1	18-8

TABLE 7-E RAFTERS (SPRUCE - PINE - FIR #2)
 (Flat or low slope, no ceiling load, live load - 20 psf)

Maximum Allowable Spans (ft.-in.)

Spacing (in.)	2 x 6	2 x 8	2 x 10	2 x 12
12 o.c.	14-9	19-6	24-7	28-6
16 o.c.	13-5	17-5	21-4	24-8
24 o.c.	11-3	14-3	17-5	20-2

TABLE 7-F RAFTERS (SPRUCE - PINE - FIR #2)
 (Medium or high slope, no ceiling load, light roofing,
 live load - 20 psf)

Maximum Allowable Spans (ft.-in.)

Spacing (in.)	2 x 4	2 x 6	2 x 8	2 x 10
12 o.c.	10-4	16-3	21-3	25-11
16 o.c.	9-5	14-6	18-5	22-5
24 o.c.	8-1	11-10	15-0	18-4

TABLE 7-G RAFTERS (SPRUCE - PINE - FIR #2)
 (Medium or high slope, no ceiling load, heavy roofing,
 live load - 20 psf)

Maximum Allowable Spans (ft.-in.)

Spacing (in.)	2 x 4	2 x 6	2 x 8	2 x 10
12 o.c.	10-1	14-9	18-8	22-9
16 o.c.	8-9	12-9	16-2	19-9
24 o.c.	7-1	10-5	13-2	12-2

Kent County

1990 BOCA Building Code Supp.

June 7, 1994

KENT COUNTY BUILDING CODE SUPPLEMENT
TO THE BOCA NATIONAL BUILDING CODE/1990

SECTION 100.0 SCOPE

100.1 Title:

"Kent County" inserted as name of municipality.

100.5 Terms

-Add New Section

Whenever in the Building Code a municipality is mentioned and no name given therefore, the municipality shall be construed to mean Kent County; and when a state is mentioned, the same shall be the State of Delaware. Whenever in the Building Code, the Code Official is mentioned, it shall be construed to mean Code Enforcement Constable.

100.6 Conflict

-Add New Section

Where there is any conflict between the Kent County Building Code and any other code or regulation in and for Kent County or the State of Delaware, the most restrictive shall apply. All buildings and structures shall comply with the requirements of the fire prevention rules and regulations of the State of Delaware.

SECTION 103.0 EXISTING STRUCTURES

103.4 Rehabilitation

Line 1 - insert January 1, 1975.

SECTION 104.0 REPAIRS AND MAINTENANCE

104.1.1 Roof Repairs

-Add New Section

Application to the Code Official or Building Department is required for replacement of any roof sheathing or rafters in excess of 25% of roof area.

SECTION 105.0 DEMOLITION OF STRUCTURES

105.4 Demolition of Historic Structures

-Add New Section

Demolition of any structure and reconstruction of historic structures shall comply with the requirements of this subsection.

105.4.1 Historic Structures

-Add New Section

The Building Official shall delay for ten (10) days the issuance of any demolition permit for any building or structure over seventy-five (75) years of age and refer the application for such a permit to the Kent County Historic Preservation Commission within two (2) working days of its receipt. If the Historic

Preservation Commission determines that the building or structure is of historic significance for reasons it shall state in a written opinion to the Building Official, the Historic Preservation Commission may order an additional delay in the issuance of the permit up to sixty (60) days from the date of application for the permit. The issuance of the permit for any building or structure appearing on or eligible for the Kent County Register of Landmarks and Historical Districts may be delayed by the Historic Preservation Commission for up to six (6) months from the date of application for the permit during which time it shall seek alternatives to demolition.

105.4.2 Penalties -Add New Section
Upon verification by the Historic Preservation Commission that a building or structure of historic significance has been demolished prior to the issuance of a demolition permit, the Building Official shall take immediate action for prosecution of said violation(s) with the intent of invoking the maximum penalties, as established in Section 117.4, against the person, firm or corporation responsible for the demolition.

105.4.3 Definition -Add New Section
"Demolish" - to alter a structure by rendering it unfit for the use to such an extent that repair is not feasible or is so costly as to be economically prohibitive. Alterations within the cope of an approved building permit shall not be regarded as demolitions as defined in this paragraph.

SECTION 110.0 DUTIES AND POWERS OF THE CODE OFFICIAL

110.6.1 Accepted Engineering Practice -Add New Section
in the absence of provisions not specifically contained in this code or approved rules, the regulation, specifications and standards listed in Appendix B, Accepted Engineering Practice, and Appendix C, Accredited Material Standards, shall be deemed to represent accepted engineering practice in respect to the material, equipment systems or method of construction therein specified.

110.6.2 Promulgation of Rules -Add New Section
A rule or regulation shall not become effective until four (4) weeks after the intention to adopt such rules shall have been published in accordance with local statutes in an official paper or public newspaper with general circulation in the jurisdiction, and only after a public hearing shall have been held on the rule.

110.6.3 Amendment of Rules -Add New Section
All rules adopted by the procedure herein established shall have the same effect as provisions of this code; but such rules may be amended or repealed at any time by the same procedure herein prescribed for their adoption.

SECTION 111.0 APPLICATION FOR PERMIT

111.3 Delete -Add New Section
By Whom Application is Made: Application for a permit shall be made by the owner or lessee of the building or structure, or agent of either, or by the licensed engineer, architect, or contractor employed in connection with the proposed work. The full names and addresses of the owner, lessee, applicant, and of the President, Vice President, Secretary, Treasurer, and C.E.O., if the owner or lessee is a corporate body, shall be stated in the application.

111.5.1 Plan Requirements -Add New Section
No permit shall be issued for the erection of a new building or alterations to an existing building unless the plans and specifications thereof have the seal of an architect currently registered with the State of Delaware, State Board of Examiners and Registrations of Architects, or by a Professional Engineer practicing in an appropriate discipline (i.e. structural design) and currently registered with the Delaware Professional Engineers, except any residential building, residential addition, or farm structures.

111.5.2 Division of Highways Approval -Add New Section
The Building Official shall require an entrance/exit permit from the State Division of Highways upon application for a building permit for all non-residential buildings and residential buildings on State maintained roads.

111.6.2 Public Sewage Disposal -Add New Section
The plot plan shall indicate the location of public sewer utilities and points at which connections are to be made accompanied by a sewer lateral permit, issued by the sewer utility, when public sewer is available.

SECTION 112.0 PERMITS

112.10 Permits for Historic Structures -Add New Section
Permits for historic structures shall comply with the regulations set forth in Article 6, Section 8 of the Kent County Zoning Ordinance (effective date August 1, 1991).

SECTION 113.0 CONDITIONS OF PERMIT

113.6 Completion of Construction -Add New Section
All construction for which a building permit is required must be completed and pass final inspection within two (2) years after issuance of a building permit, with one (1) renewal fee of twenty five dollars (\$25.00).

113.6.1 Mobile Home Placement -Add New Section
Placement of a mobile home must be completed and pass final inspection within six (6) months of issuance of the placement permit.

113.6.1.1 Mobile Home Placement (public sewer) -Add New Section
Permit requirements shall comply with the provisions set forth in Section 111.6.2.

113.6.2 Extension of Time -Add New Section
Application for extension must be made to the Building Official at least thirty (30) days prior to the construction completion deadline. Disposition of the application is based upon consideration of all pertinent surrounding circumstances including the reasons for the delay, plans for completion, and the appearance and safety of the structure. Approval of the application for extension shall not be unreasonably withheld; however, the failure to obtain financing to complete said construction shall not constitute sufficient reason for extension.

113.7 Errors -Add New Section
For every permit issued in error or in violation of the provisions of the Basic Code or other ordinance(s) of Kent County or without proper authority, the Building Official shall immediately issue a STOP WORK ORDER pursuant to 118.1, setting forth the nature of the error or violation, setting forth the conditions under which work will be permitted to resume and/or prescribing the appropriate acts, procedures or appeal by which the error of violation may be cured and a reasonable time of not less than thirty (30) days in which to comply. If after the expiration of the prescribed period the owner has failed to, in good faith, correct the error or violation, the permit shall become null and void and the permit shall be the same as though it had never been issued.

SECTION 114.0 FEES

114.3.1 Delete -Add New Section
Determination of Valuation: The fee charged for permits shall be based upon standard construction values for type of construction as provided by Marshall Swift, or modified by the Building Official for particular applicability to this jurisdictional area. Standard construction values shall be updated annually in January to reflect changes in construction price indexes. The Building Official shall acquire input and consultation with local industry representatives prior to determination of standard construction values.

114.3.2 Fees for Building Permits -Add New Section
 Before receiving a building permit, the owner or his
agent shall pay the following fee:

For a valuation \$0.00 to \$1,000.00.....\$25.00
For a valuation not exceeding \$1,000,000
for each \$1,000 valuation or fraction thereof.....\$5.50
Over \$1,000,000
for each additional \$1,000 or fraction thereof....\$1.75
The minimum fee for any permit shall be.....\$25.00

114.3.3 Permits Not Required -Add New Section
 No permit shall be required for non-structural repairs
(see Section 104) of like kind and quality.

114.3.4 Demolitions -Add New Section
 The fee for a permit for demolition of a building or
structure shall be \$25.00.

114.3.5 Signs -Add New Section
 The fee for signs, billboards, and other display
structures for which permits are required under the provision of
the Basic Code shall be as follows based on the area of the sign
as set forth in the Zoning Ordinance of Kent County: \$0.50 per
square foot, with a minimum fee of \$25.00.

114.3.6 Certificate of Occupancy -Add New Section
 The fee for a Certificate of Occupancy shall be \$25.00
except as other wise specifically set forth below in this
section.

 The fee for a Certificate of Occupancy for mobile homes
shall be \$25.00.

 The fee for a Certificate of Occupancy for buildings
(except motels or hotels) with more than one rental dwelling unit
shall be \$15.00 per dwelling unit.

 The fee for a Certificate of Occupancy for a
condominium shall be \$25.00 per dwelling unit.

 The fee for a Certificate of Occupancy for a motel or
hotel shall be \$5.00 per dwelling unit or a minimum of \$100.00.

 The fee for a temporary Certificate of Occupancy shall
be \$25.00.

 Reinspection for any reason, such as no show for ap-
pointment, footers not ready, no final electric, plumbing or fire
marshal approval, the reinspection fee to be \$25.00.

114.3.7 Mobile Home Parks -Add New Section
 The fee for inspection of lots within mobile home
parks for the placement of mobile homes shall be \$25.00 per lot.

114.3.8 Fences -Add New Section
 The fee for fence permits will be as set forth in
Section 114.3.2.

114.3.9 Moving Buildings -Add New Section
The fee for a permit to move a building or structure from one lot to another or to a new location on the same lot shall be \$25.00.

114.5 Delete -Add New Section
Refunds: There shall be no refund of fees paid once the permit has been issued excepting permits in error.

SECTION 117.0 VIOLATIONS

117.1 Insert the word "place" after the word "construct" in first sentence.

117.4 Delete -Add New Section
Violation penalties: Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not less than \$100.00 nor more than \$10,000.00, or by imprisonment not exceeding ten days, or both such fine and imprisonment. The \$100.00 minimum fine is mandatory and not subject to suspension. Each day that a violation continues shall be deemed a separate offense.

117.6 Clean Hands -Add New Section
Any appeal to the Kent County Community Board of Appeals shall not operate as a stay of an administrative action or enforcement action taken to effectuate the provisions of this section.

SECTION 118.0 STOP WORK ORDER

118.2 Insert in the first blank space: "One Hundred Dollars";
Insert in the second blank space: "Ten Thousand Dollars".

SECTION 119.0 CERTIFICATE OF USE AND OCCUPANCY

119.1 Delete -Add New Section
New Buildings: No building hereafter erected shall be used or occupied in whole or in part until the Certificate of Occupancy thereof has been issued by the Building Official. Title to any new residential building or to the premises on which such new building is erected shall not be transferred for the purpose of the first residential occupancy thereof until the Certificate of Occupancy therefore has been issued by the Building Official.

SECTION 120.0 UNSAFE STRUCTURES

120.3 Delete -Add New Section
Notice of Unsafe Building and Hearing: If an unsafe condition is found in a building or structure, the Code Official shall serve on the owner, agent, or person in control of the building or structure a written notice, by certified mail with return receipt requested, describing the building or structure deemed unsafe and specifying the violations to be corrected to render the building or structure safe and secure or requiring the unsafe building or structure or portion thereof to be demolished within a stipulated time. Such notice shall require the persons thus notified to appear within ten (10) days at a specified time in the office of the Building Official, to show cause why the said building or structure should not be made safe and secure or be demolished, as may be deemed necessary to make said building or structure safe and secure or to remove same.

120.6 Delete -Add New Section
Disregard of Unsafe Notice: Upon refusal, failure or neglect of the person served with an unsafe notice to comply with requirements of the law to abate the unsafe condition, The Department of Law shall be advised of all the facts and shall institute the appropriate action in the courts to compel compliance to the Building Official, with the approval of Levy Court, shall have full power to remove the unsafe building or structure, or to repair or correct the unsafe condition, and whatever expense shall be incurred in relation thereto shall be paid out of monies appropriated; and the owner or owners shall be jointly or severally liable to Kent County for the full amount so expended. The County may maintain any action at law or equity against such owner or owners to recover the sums of money so expended by the County under this section. Upon certification of the lien to the Director of Finance by the Chief Administrative Officer, the amount of such lien may be collected in the same manner as County real estates taxes. This section shall not be construed to limit any other actions or remedies at law or equity.

SECTION 123.0 BOARD OF SURVEY

Delete in entirety

SECTION 124.0 MEANS OF APPEAL

124.2 Delete -Add New Section
Membership of Board: The Board shall be composed of seven voting members: one appointee from each Levy Court district and one appointee at-large. The term of each appointee shall be concurrent with that of the appointing Levy Court Commissioner. During the term of the appointment, a member must maintain residency within the Levy Court district from which appointed.

124.2.1 Qualifications

Delete in entirety

124.6 Board Decision

Line 2 - insert "four" where it states "three"

SECTION 125.0 CONTRACTOR LICENSE -Add New Section

125.1 Business License -Add New Section

All contractors shall possess a current business license with the State of Delaware.

SECTION 311.0 USE GROUP U. UTILITY AND MISCELLANEOUS USES

311.1 Delete -Add New Section

General: Buildings and structures of an accessory character and miscellaneous structures not classified in any specific use group shall be constructed, equipped and maintained to meet the requirements of this code commensurate with the fire and life hazard incidental to their use. Utility and miscellaneous uses shall include fences, tanks, cooling towers, retaining walls and buildings such as private garages, carports, sheds and agricultural buildings.

SECTION 512.0 PHYSICALLY HANDICAPPED AND AGED

Section 512.4.1 Delete -Add New Section

Scoping for Accessibility Provisions:

a. Accessible Parking Space

TABLE A

<u>Total Parking in Lot</u>	<u>Required # of Accessible Spaces</u>
up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of total
over 1000	20 plus 1 for each 100 over 1000

b. Assembly Seating Accommodations

Places of assembly with fixed seating arrangements shall provide accessible positions for persons in wheelchairs in accordance with Table B.

TABLE B
PLACES OF ASSEMBLY, ACCESSIBLE POSITIONS

<u>Capacity of Assembly Space</u>	<u>Number of Viewing Positions</u>
up to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of total
over 1000	20 plus 1 for each 1000

SECTION 515.0 FARM BUILDINGS

-Add New Section

515.1 Agricultural Exemption

-Add New Section

That all farm buildings except dwellings, used exclusively for farming or agriculture of any nature, as references in 9 Del. C. Chapter 32, Sections 8330, 8331 and 8332, are exempt from the Kent County Building Code, except that a plot plan be provided showing the location of the building to be constructed, and that an Agricultural Building Use Permit be obtained from the Kent County Department of Inspection and Enforcement at the cost of a \$25.00 administrative fee.

515.2 Demolition and Moving of Farm Buildings-Add New Section

Section 114.3.10 "Moving of Buildings" and Section 114.3.4 "Demolition of Buildings" of the Kent County Supplement to the BOCA Basic Building Code/1990 shall apply to all farm buildings.

SECTION 600.0 GENERAL

600.1 Delete in entirety

-Add New Section

Scope - All buildings and structures shall comply with the requirements of the Fire Prevention Rules and Regulations of the State of Delaware. Reference to these regulations is essential for additional requirements and more restrictive regulations for special permits, certificate of fitness, required inspections and for administrative authority and jurisdiction.

SECTION 602.0 HIGH-RISE BUILDINGS

Section 602.14 Seismic Consideration -Delete Section

SECTION 620.0 MOBILE/MANUFACTURED HOMES

620.3.1 Delete -Add New Section
Tie Down Anchors: All mobile/manufactured dwelling units shall be anchored in accordance with manufacturer's installation instructions. Manufacturer's installation instructions shall be submitted at time of placement permit application. In lieu of manufacturer's installation instructions, anchors to be spaced a minimum of 10 feet apart on center. Each tie down anchor will be a minimum of forty-eight inches (48") long with auger or thirty-six inches (36") long with double auger and each anchor will have an approved tightening device.

620.4 Foundation -Add New Section
Bottom foundation blocks shall be either 4"x8"x16" solid concrete blocks or 8"x8"x16" solid concrete blocks. Blocks above the foundation blocks can be single 8"x8"x16" concrete blocks. All pier or block foundations shall have a short wood shim not to exceed 4" in thickness. All piers or blocks shall have a footing at least 20"x20"x4" preferably concrete, but sand or solid earth could be considered. Concrete runners (optional) if used instead of piers shall be at least 4" thick by 16" wide and properly reinforced with tie down eyes embedded in the concrete every 10'. Single concrete 8"x8"x16" blocking may be used and shimming is required to level unit.

620.5 Height Limitations -Add New Section
All mobile/manufactured homes shall have an 18" minimum crawl space under the utility area. The maximum height of unit shall be 32" or four(4) blocks above ground level. The only exception from this would be extreme contours in lot area where piers would be permissible under these conditions, and 100-year Flood Plain.

620.6 Skirting -Add New Section
Mobile/manufactured home skirting shall be metal or acceptable fireproof or fire resistant material applied to wood or metal frame. Two access panels will be provided for servicing utilities and/or for storage. Suggested one (1) on each side or one (1) on one side and one (1) on end. Panel will be minimum of 30" wide. All skirting will be provided with four (4) louvered vents, a minimum of 8"x16", two (2) on each side of unit. This is to provide proper ventilation under mobile home and to eliminate condensation.

SECTION 623.0 SWIMMING POOLS

623.6.1 Delete -Add New Section
Water treatment: Public and semi-public swimming pools shall be designed, installed and maintained in accordance with the rules and regulations of the State Board of Health.

623.11 Electrical Wires -Add New Section
No public or private swimming pools shall be constructed where existing overhead utility wires are located in compliance with the latest edition of the National Electrical Code.

SECTION 809.0 NUMBER OF EXITS

809.3 Replace first sentence to read:
Buildings: Two (2) exits shall be required in buildings of Use Group R-3...

SECTION 1205.0 DEPTH OF FOOTINGS

1205.1 Delete -Add New Section
Shed, Utility Buildings, and Accessory Buildings: All structures 216 square feet and under shall be level and secured with tie down or equivalent of mobile home fastening devices, 48" long or twin 36" augured steel approved anchors, one per corner. All lumber and wood siding to be pressure treated from grade to 8" above finish grade.

1205.1.1 Accessory Building over 216 Square Feet-Add New Section
All structures over 216 square feet, except pole type construction, shall require a footing and foundation as in the provisions set for in the 1989 CABO One & Two Family Dwelling Code and the Kent County Supplement/1990.

SECTION 1209.0 CONCRETE FOOTINGS

1209.2.1 Grade Stakes -Add New Section
Wood or metal stakes no larger than 3/4" square may be used.

-Add New Section
1209.3.2.1 Reinforcement Bars in Concrete Footings
Wooden stakes are not permitted to support reinforce-

ment bars.

ARTICLE 25 MECHANICAL EQUIPMENT AND SYSTEMS

Delete entire article

-Add New Section

INSTALLATION OF GAS/OIL FIRED FURNACES FLOOR FURNACES OR WATER HEATERS IN RESIDENTIAL GARAGES

2501.0 Distance Above Floor

-Add New Section

Gas utilization equipment in residential garages shall be installed so that all burners and burner ignition devices are located not less than 18 inches above the floor.

2501.1 Floor Furnaces

-Add New Section

Listed floor furnaces shall be installed in accordance with their listing and the manufacturer's instructions.

2501.2 Partition

-Add New Section

The equipment is enclosed by a partition of a 1-hour fire resistive rating. Any opening shall be protected with a self-closing fire door and frame assembly.

2501.3 Combustion Air

-Add New Section

Combustion air shall be taken from the outside of the building. The openings shall communicate directly or by ducts, with the outdoors and spaces (crawl or attic) that freely communicates with the outdoors.

2501.4 Protection

-Add New Section

Such equipment shall be located or protected so it is not subject to physical damage by a vehicle.

2501.5 Door Sill

-Add New Section

The door sill shall be constructed of non-combustible materials and have a tight fit.

ARTICLE 26 ELEVATOR, DUMBWAITER AND CONVEYOR EQUIPMENT, INSTALLATION AND MAINTENANCE

Delete entire article

ARTICLE 27 ELECTRICAL WIRING, EQUIPMENT AND SYSTEMS

Delete entire article

ARTICLE 28 PLUMBING SYSTEMS

Delete entire article

SECTION 2906.0 BONDS AND LIABILITY INSURANCE

2906.1 Delete -Add New Section
Filing: No person shall erect, place or construct a sign until an approved certificate of liability insurance has been filed. Liability insurance shall be in the amount of \$300,000 to 1,000,000.

"County of Kent, State of Delaware" shall be inserted into this section.

SECTION 3100.0 ENERGY CONSERVATION

3100.3 Minimum Insulation -Add New Section
Installation of minimum insulation materials shall be required in all single and multi-family residential construction. Standard requirements for Thermal Resistance (R) shall be as follows:

Composite Exterior Walls.....R-11 (minimum)

Ceilings.....R-30

Floors

(a) Perimeter slab insulation, 24" depth from bottom of slab, plus 24" horizontal.....R-5

(b) Over outside vented crawlspace or raised construction.....R-19

Basements - Where the initial construction includes finished living area, walls shall be insulated as composite exterior walls.

Heat or A/C Ducts - Where ducts are located beyond insulated area.....R-7

Vapor Barriers - Vapor Barriers shall be provided on all insulated walls, ceilings, floors and earthen floored crawlspaces.

