

Kent County has adopted The 2018 International Codes

On August 18, 2020, the Kent County Levy Court adopted the 2018 Building Code. It will go into effect on October 5, 2020. Below are some items of note associated with the new code. Please contact Mr. Scott Tanner, Kent County Levy Court's Inspections Administrator, with specific questions regarding the code change.

****New Permit Exemptions – Effective Immediately (Residential Only)**

PLEASE NOTE: Even though permit requirements for two (2) items listed below have been lifted, please be aware that properties may be impacted by private Deed Restrictions or Covenants that **are not under the jurisdiction of Kent County Government. Kent County is not authorized to enforce private Deed Restrictions. This does not relieve the property owner from the requirements to maintain compliance with recorded Deed Restrictions. Deed Restrictions are enforceable through Civil Court System.

Fences

A permit is no longer required for residential fences, up to and including 7 feet in height, within the County's jurisdiction, except when the fence encloses a daycare/childcare area or any swimming pool area. At properties within an identified flood zone, regulations are required; fence installations will continue to require a permit, but that permit will be a no-charge permit for the sake of satisfying FEMA.

Please note that even though the requirement for a permit has been lifted, the existing setback requirements remain in effect. Fences may not exceed 4 feet in height within the front yard.

Setback questions shall be answered by the Zoning division of Planning Services at 302/744-2471.

Small Sheds (one story detached structures used as tool and storage sheds, playhouses and similar uses ONLY)

Site-built and roll-off (delivered) shed installations of 300 square feet or less, within the County's jurisdiction, will no longer require a permit. However, at properties within an identified flood zone, regulations are required; all 300 square feet or smaller shed installations still require a permit, but that permit will be a no-charge permit for the sake of satisfying FEMA.

All sheds must be anchored at each of the 4 corners, and sheds with sides of 20 feet or longer shall also be anchored at the midpoint of each of the long sides, for a minimum of 6 anchors.

Existing setback requirements remain in effect. Typical minimum setbacks for accessory structures located behind the front wall of the home are 5 feet from property lines and 5 feet from the dwelling, as well as 10 feet from any septic system equipment (including, but not limited to, tank(s), piping, and drain field). Please contact the Zoning division of Planning Services at 302/744-2471 for more information on property-specific setbacks.

(over)

Large Sheds (and Accessory Structures)

The requirement for a permit remains in effect for all accessory structures greater than 300 square feet, including roll-off structures such as sheds. Construction drawings will be required, and these should be obtainable from the shed manufacturer for permitting purposes. Please reference the [Construction Plans Requirements](#) brochure on our Website for more information on what the Plans Reviewer will need to perform the review. If the documents are submitted physically, the application packet must include (2) copies of construction drawings — one for the inspector to retain and one for the Applicant's use. If the application is to be delivered electronically, please send all information to inspections@co.kent.de.us. Permit applications are not accepted at personal e-mail addresses.

Also, please provide (2) copies of a [Plot Plan](#) showing the property lines and the location of all structures on the property. This drawing will show dimensions to the property lines from the edges of the proposed structure(s), from all exposed faces to the property lines. Please refer to the typical minimum setback requirements as described for small sheds in the section above.

The Division of Inspections and Enforcement shall continue to establish new permit applications for large sheds and accessory structures as described in this section and the section below.

Proposed Structures & Renovations

As of August 19, 2020, the County is currently accepting structural designs compliant with both the 2012 and 2018 building codes until October 4, 2020, for all permit applications which require a structural review. However, beginning October 5, 2020, the County will require that **ALL** structures submitted for review shall comply with the 2018 residential and commercial building codes. These types of projects include — but are not limited to — commercial structures, residential dwellings (single- or multi-family), residential accessory structures greater than 300 square feet, alterations/renovations/additions to existing structures (regardless of the code to which the existing structure was built), retaining walls, decks, porches/gazebos/pergolas. Again, this list is descriptive, but not necessarily all-inclusive. Please contact the Division of Inspections and Enforcement at 302/744-2451 with questions about your proposed project before beginning the application process.

Residential Master Plans

All existing master plans for residential construction which were approved under the 2012 building code must be resubmitted for approval under the 2018 building code. Building permit applications received by October 4, 2020, will continue to be reviewed under the 2012 building code. After that date, existing master plans compliant with the 2012 building code will no longer receive approval for permit issuance.

All master plan applications received on or after October 5, 2020, must go through the master plan review process and be approved as a 2018-compliant master plan for permit issuance to occur. New stamped drawings and selection sheets will be provided upon approval by the County.