



**CODE ENFORCEMENT DIVISION
CITY OF NEWARK**

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**PLANNING AND DEVELOPMENT DEPARTMENT
CODE ENFORCEMENT DIVISION**

GUIDE TO PROPERTY MAINTENANCE

INTRODUCTION:

Welcome to the Newark, Delaware Planning and Development Department Code Enforcement Division Guide to Property Maintenance. Our goal is to keep our City a wonderful place to live, shop, work and play. The best way to always have an outstanding relationship is to maintain your property to the highest standards possible. We utilize the 2009 International Property Maintenance Code as our regulation for property maintenance. Our goal is to make compliance as easy as possible for you our citizen while at the same time ensuring we are in compliance with all federal, state and local regulations. Our task is to help keep our community safe, healthy and pristine.

Our Property Maintenance Inspectors are responsible for enforcing the Property Maintenance regulations. Our staff will always work with you to find a solution to possible violations. In order for us to ensure that your property is in compliance is to understand the regulations, ask questions or seek assistance to help maintain your property. We receive inquiries regarding violations from many sources, including referrals from other City departments, complaints submitted by members of the public, or observations by our Code Enforcement Inspectors. One of the best ways to have an outstanding experience with the City is to keep your property well maintained. Maintenance to your property should always be done in a timely manner, however, we will work with you and do whatever we can to assist you in making sure your property is kept in compliance with the applicable codes to be to make our community as healthy and as attractive a place as possible.

DEPARTMENTAL ORGANIZATION

The Planning and Development Department is organized on a divisional basis. The Code Enforcement Division and the Planning Division will be, by and large, your direct contact for property maintenance. The Planning Division primarily responsible for zoning and subdivision review. Either Division, however, stands ready to assist you on nay property maintenance issue.

CODE ENFORCEMENT DIVISION HOURS OF OPERATION

Code Enforcement Division personnel are available between the hours of 7:30 am – 5:00 pm, Monday through Friday except for holidays. Questions can be answered throughout the day during normal business hours in person, by phone by e-mail or regular mail. Our contacts are:

City of Newark
Code Enforcement Division
220 South Main Street
Newark, DE 19711

Our phone number is (302) 366-7000.
Our fax number is (302) 366-7098.
Our web address is www.cityofnewarkde.us

PROPERTY MAINTENANCE

PROPERTY MAINTENANCE CATERGORIES

In preparation for Property Maintenance inspection, the Code Enforcement Division will typically examine properties for the following:

EXTERIOR PROPERTY AREAS

- Sanitation – garbage, rubbish, junk, pet feces.
- Grading and Drainage - proper drainage away from foundation – no ponding water on lot.
- Sidewalks and Driveway Condition - All sidewalks, walkways, stairs, driveways, parking spaces, and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.
- Parking Lots and Striping Requirements – minimum 9’x18’ parking spaces are required.
- Service Roads - maintained in good repair and pot hole free.
- Weeds - not exceed 10” in height.
- Rodents and Harborage Areas
- Exhaust Vents
- Accessory Structures – sheds /garages painted & clean looking on exterior
- Motor Vehicles – Operable/Current registration parking area requirements/restrictions.
- Defacement of Property – remove or paint over graffiti.
- Prohibited Furniture – no interior type furniture on exterior of property.

SWIMMING POOLS, SPAS AND HOT TUBS

- Swimming Pool Condition – clean water, usable condition, cover intact, winterized properly.
- Safety Barrier Condition

EXTERIOR STRUCTURE

- General – The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.
- Protective Treatment – All surfaces that require paint or other protection measures must be maintained.

- Premises Identification – 4 inches tall, ½ inch stroke are required.
- Structural Members – Capable of supporting imposed of dead and live loads
- Foundation Walls – Plumbing penetrations sealed and free of open cracks or breaks, prevent rodents and other pests.
- Exterior Walls – Shall be free from holes, breaks, cracks, loose or rotting material weather proof and properly surfaced coated.
- Roofs and Drainage – Gutters/Downspouts – good working order
- Stairways, Decks, Porches and Balconies - Stairs, railings, handrails, structurally sound and in good repair.
- Chimneys – Structurally sound and in good repair.
- Handrails and Guards – Structurally sound and in good repair.
- Window, Skylight, and Door Frames – Weather tight and in good condition.
- Glazing – No broken or missing window glass.
- Open-able Windows – Window sashes must open and remain open by its own hardware.
- Insect Screens – Screens are required to be in between May 15th through October 15th.
- Doors – Structurally sound and weather tight. Proper door, locks are required on entry doors.
- Basement Hatchways – Structurally sound and weather tight.
- Guards for Basement Windows – Openable windows must have screens / storm windows and must prevent rodent entry.
- Building Security – Self closing/ latching proper locks shall not interfere with egress.
- Locks and Peephole Requirements – All exterior doors shall have proper locks
- Windows - Bars shall be removable without use of task of special knowledge, remain open by their own hardware.

INTERIOR STRUCTURE

- General Conditions – the interior of a structure and equipment shall be maintained in good repair, structurally sound and in sanitary condition.
- Structural Members - Structural members shall be maintained structurally sound and be capable of supportive the loads imposed.

- Interior Surfaces – All interior surfaces including windows and doors shall be in good, clean and sanitary conditions, chipping, peeling, flaking, paint shall be repaired. Cracked or loose plastic or drywall shall be repaired.
- Stairs and Walking Surfaces – Shall be maintained in sound condition and in good repair.
- Interior Doors – Shall fit its frame and be capable of opening and closing properly and securely attached to the jams.

HANDRAILS AND GUARDRAILS

- General – Every interior and exterior handrails/guardrails shall be structurally sound and in good condition.

RUBBISH AND GARBAGE

- Accumulation of Rubbish or Garbage – All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish and garbage.
- Disposal of Rubbish – Every occupant of a structure shall dispose of all rubbish in a clean and a sanitary manner by placing such rubbish in approved containers.
- Rubbish Storage Facilities – The owner of every occupied premise shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.
- Refrigerators – Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.
- Disposal of Garbage – Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved containers.
- Garbage Facilities – The owner of every dwelling shall supply leak proof containers with fitting cover.
- Containers – For storage of such materials until removal from premises.

PEST ELIMINATION

- Infestation- All structures shall be kept free from insect and rodent infestation. If infestation is detected it must be promptly exterminated by an approved process that will not be injurious to human health.
- Owner – Is responsible for extermination prior to renting or leasing the structure.
- Single Occupant – The occupant of a one-family dwelling or a single-tenant nonresidential structure shall be responsible for extermination on the premises.

- Multiple Occupancy – The owner of a building with 2 or more units shall be responsible for extermination of public areas. If infestation is caused by the occupant to extermination shall be by both occupant and owner.

LIGHT

- Habitable Spaces – Every habitable space shall have at least one window of an approved size facing directly to the outdoors or to a court.
- Other Spaces – All other spaces shall be proved with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

VENTILATION

- Habitable Spaces – Every habitable space shall have at least one window of approved size facing directly outdoors or to a court.
- Bathrooms and Toilet Rooms – Shall have an openable window or mechanical exhaust fan vent to the outside.
- Cooking Facilities – Cooking facilities are not permitted in any rooming units or dormitory exception microwaves oven shall be permitted.
- Clothes Dryer Exhaust – Dryers must be hard piped to the outside.

OCCUPANCY LIMITATIONS

- Privacy – Dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.
- Minimum Room Widths – Shall not be less than 7 feet in any direction.
- Minimum Ceiling Heights – Ceiling heights shall be not less than 7 feet.
- Bedroom and Living Room Requirements – Every bedroom shall contain at least seventy square feet for the first occupant and at least fifty square feet for each additional occupant.
- Room Area – Every living room shall contain at least 120 square feet (11.2m²) and every bedroom shall contain at least 70 square feet (6.5m²).
- Access from Bedrooms – Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.
- Water Closet Accessibility - Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom.

- Prohibited Occupancy - Kitchens and nonhabitable spaces shall not be used for sleeping purposes.
- Overcrowding – Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of table 404.5 or by the requirements of Chapter 32, Zoning.
- Efficiency Unit – A unit occupied by not more than two occupants.
- Posting Maximum Occupancies in Rental Dwelling – Must be posted by main entry door at all times.

PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

- Privacy – A door and interior locking device shall be provided for all common or shared bathroom and toilet rooms.
- Responsibility – The owner is responsible for maintaining all plumbing fixtures and facilities in good working order and free from leaks and blockages.

PLUMBING SYSTEMS AND FIXTURES

- General - All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.
- Fixture Clearances – Plumbing fixtures shall have adequate clearances for usage and cleaning.
- Plumbing System Hazards - Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, improper installation, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

WATER SYSTEM

- General – Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code.
- Contamination - The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture.
- Water Heating Facilities – Shall be properly installed and capable of supplying water at a temperature of 110 degrees minimum.

SANITARY DRAINAGE SYSTEM

- General – All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.
- Maintenance – Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.
- Grease Interceptor Maintenance and Record Keeping – An approved interceptor monitoring system shall be provided or a maintenance program shall be established with documentation kept on the premises.

STORM DRAINAGE

- General – Gutters and sump pumps may not discharge into public sewer system.
- Accumulation of Water – Yards shall be graded so that as standing water shall remain more than 24hrs after accumulation.
- Location of Discharge – No sump pump may discharge onto a public street and may not create a nuisance to adjoining properties.

HEATING FACILITIES AND REQUIREMENTS

- Residential Occupancies - Required at 68° from September 15 – May 15
- Occupied work spaces at 65° from September 15 – May 15

MECHANICAL EQUIPMENT

- Removal of Combustion Products – All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.
- Safety Controls – All safety controls for fuel-burning equipment shall be maintained in effective operation.
- Fuel Piping.
- Combustion Air – A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.
- Carbon Monoxide Detections – A carbon monoxide alarm shall be installed in the immediate vicinity of all sleeping rooms of each dwelling unit with fuel burning appliances or equipment or with attached garages or with attached storage/utility rooms which store fuel burning equipment.

ELECTRICAL FACILITIES

- Service – Entrance cable in good repair, no cracks, fraying of wires, water tight.

- Electrical System Hazards – Improper fusing, improper wiring, deterioration or damage must be corrected.

ELECTRICAL EQUIPMENT

- Installation – All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.
- Receptacles – Every habitable space shall have a minimum of 2 receptacles. Bathrooms to have minimum of 1 Ground Fault Receptacle (GFI).
- Luminaries – Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric luminaire.

FIRE SAFETY REQUIREMENTS

- Means of Egress – A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way.
- Locked Doors – All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the International Building Code.

FIRE PROTECTION SYSTEMS

- Smoke Alarms – Single – or multiple station smoke alarms shall be installed and maintained. Smoke detectors must be installed on the ceiling or wall of all sleeping areas, including bedrooms, and uninhabitable spaces including basements, cellars, and in hallways on each floor.