



**PROPOSED ORDINANCE #2025-14**

1 **BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN**  
2 **COUNCIL MET:**

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4 That Chapter 22 - Buildings and Building Regulations, Article XII – Vacant Buildings, be  
5 amended by inserting the text as follows:

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7 **Secs. 22-407-499. – Reserved.**

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9 **BE IT FURTHER ORDAINED:**

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11 That Chapter 22 - Buildings and Building Regulations, Article XIII – **Lemon Housing Protection**  
12 **(there is already an In General in Chapter 22)**, be amended by inserting the text as follows:

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15 **ARTICLE XIII. IN GENERAL**

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17 **Sec. 22-500 Lemon Housing Protection**

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19 **Section 1. Purpose**

20 **The purpose of this ordinance is to promote the safety, health, and welfare of the residents**  
21 **of Dover. This ordinance establishes the requirements for home inspections prior to the**  
22 **transfer of residential properties.**

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24 **Section 2. Definitions**

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26 **The following words, terms, and phrases, when used in this chapter, shall have the meanings**  
27 **ascribed to them in this section, except where the context clearly indicates a different**  
28 **meaning:**

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30 **Transfer of Property means the sale, exchange, or any legal conveyance of residential**  
31 **property from one party to another.**

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33 **Home Inspection means a comprehensive, whole-house evaluation of the property’s**  
34 **structure, systems, and components conducted by a licensed home inspector.**

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36 **Defect means any condition identified during the inspection that does not meet safety,**  
37 **operational, or structural standards.**

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**Section 3. Inspection Requirement**

- (a) **Timeline - A home inspection shall be conducted within one (1) year prior to the date of property transfer.**
- (b) **Inspector Qualifications - The inspection must be carried out by a licensed home inspector recognized by the State of Delaware.**

**Section 4. Owner Occupancy Requirement**

- (a) **Any additional professional practices that are standard at the time of the sale, which shall be deemed incorporated into this ordinance by reference and automatically enforceable as local law.**
- (b) **The seller must disclose in writing if he or she has never lived in the house or has lived for less than one year in the house.**
- (c) **The seller must disclose if he or she is in the business of buying and selling homes.**

**Section 5. Acknowledgement of Defects**

- (a) **A report detailing all identified defects shall be provided to the buyer.**
- (b) **The buyer must initial each noted defect in acknowledgment of receipt and awareness.**

**Section 6. Enforcement and Penalties**

- (a) **Non-compliance shall be reported in writing by email or written hard copy to the city manager. Based on confirmation, the city manager may levy a penalty.**
- (b) **Failure to comply with this ordinance may result in the seller and or the seller's agent, real estate representative (realtor) losing their license to practice in the City of Dover.**
- (c) **A fine shall be paid unto the city as provided for in Appendix F—Fees and Fines.**
- (d) **A penalty may be appealed to the Construction and Property Maintenance Code Board of Appeals.**

**Section 7. Appeals**

- (a) **Appeals – Whenever any person is aggrieved by a decision of the city manager with respect to the provision of this chapter, it is the right of that person to appeal to the construction property maintenance code board of appeals. Such an appeal must**

84 be filed, in writing, within 30 days after the penalty is levied by the city manager.

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 86 (b) Notice of Hearing – Upon receipt of such an appeal, the construction and property  
 87 maintenance code board of appeals shall set a time and place in not less than 10 nor  
 88 more than 30 days for the purpose of hearing the appeal. Notice of the time and place  
 89 of the hearing of the appeal shall be given to all parties, at which time they may appear  
 90 and be heard. The determination by the construction and property maintenance code  
 91 board of appeals shall be final in all cases.

92 **Section 8. Effective Date**

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 94 **This ordinance shall take effect on XX, following its adoption and publication as required**  
 95 **by law.**

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 97 **BE IT FURTHER ORDAINED:**

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 99 That Appendix F – Fees and Fines, be amended by inserting the text indicated in bold, blue font  
 100 as follows:

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 102 **Chapter 22. Buildings and Building Regulations**

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<b>Chapter 22. Buildings and Building Regulations</b>	<b>Fees and Fines</b>
<i>Article XIII. Lemon Housing Protection</i>	
<b>Sec. 22-500</b>	
<b>Sec. 6 – Enforcement and Penalties (c)</b>	<b>\$</b>

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 107 ADOPTED:

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 109 **SYNOPSIS**

110 The ordinance establishes requirements for licensed home inspections prior to the transfer of  
 111 residential property in Dover. It defines key terms, outlines inspection timelines and disclosure  
 112 obligations, and requires sellers to acknowledge whether they have lived in the home or are  
 113 engaged in the business of selling homes. Buyers must be provided with inspection reports and  
 114 confirm acknowledgment of any identified defects. The ordinance provides for enforcement by the  
 115 City Manager, including fines and potential loss of licensure for non-compliance. It also  
 116 establishes a formal appeals process through the Construction and Property Maintenance Code  
 117 Board of Appeals.

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 120 (SPONSORS: NEIL, ROCHA)

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 122 Actions History

123 01/26/2026 – Scheduled for First Reading – City Council

124 01/13/2026 - Introduction - Council Committee of the Whole/Legislative, Finance, and Administration  
 125 committee