



**ORDINANCE #2025-25**

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

That Appendix F – Fees and Fines, Chapter 46 -Fire Prevention and Protection, be amended to read as follows:

**Chapter 46. Fire Prevention and Protection**

| <b>Chapter 46. Fire Prevention and Protection</b>  | <b>Fees and Fines</b>  |
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| <i>Article I. In General</i>   |  |
| Sec. 46-1. Means of egress   |  |
| Subsec. (f) Penalties  |  |
| Any exit access, exit, or exit discharge, with the exception of a locked exit door, found to be in violation of this section | \$100.00 first offense<br>\$200.00 second or subsequent offense  |
| Any required exit door found to be locked against egress   | \$100.00 each locked exit first offense,<br>\$200.00 subsequent offense  |
| Sec. 46-3. Impairment of fire protection equipment   |  |
| Subsec. (f) Fines  | \$100.00 per device, first offense; \$200.00 per device, second and subsequent offenses  |
| Sec. 46-7. Preventable and malfunctioning alarms to the fire company   |  |
| Subsec. (a)(1) Responsibility for malfunctioning and preventable alarms, owner response, and corrective action; generally    | Should the person notified fail to appear at said premises within 30 minutes after being notified to do so, the city may charge the owner of the premises a fine of \$100.00 |

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| Subsec. (a)(2) Responsibility for malfunctioning and preventable alarms, owner response, and corrective action; malfunction  | Failure to return documentation of service/repair within the period of time stated on the notice of violation, which is satisfactory to the fire marshal, will result in assessment against the owner of a fine of \$100.00 for the fire alarm malfunction |
| Subsec. (b)(1) Fine charges; multiple fire alarm malfunctions or preventable alarms; amount of fine  |  |
| Number of preventable or malfunctioning fire alarms  | Fine per preventable or malfunctioning fire alarm  |
| Third alarm  | \$100.00   |
| Fourth alarm   | \$200.00   |
| Fifth alarm  | \$250.00   |
| All over fifth alarm, each alarm   | \$250.00   |
| Subsec. (b)(2) Fine charges; multiple fire alarm malfunctions or preventable alarms; panel reset   | A \$50.00 fine may be assessed to the owner of a premises where the fire alarm has been reset before the fire department or assisting fire department arrives. \$100.00 for second and subsequent offenses   |
| Sec. 46-8. Maintaining a known violation or hazard   |  |
| Subsec. (c)(1) Penalties; Any fines issued for violation of this section   |  |
| Minor deficiency   | \$500.00   |
| Major deficiency   | \$1,000.00   |
| <i>Article II. Fire Department</i>   |  |
| <i>Article III. Fire Codes</i>   |  |
| Fees established in subsection (b) of this section shall be doubled in the event that a permit is applied for after construction has commenced without the permission of the fire marshal. |  |

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| The fire marshal shall waive the doubling of fees in cases where the permit applicant is not a professional contractor and the work is not being done by a professional contractor. |   |
| Sec. 46-126. Fire prevention permit   |   |
| Subsec. (b) Fee; each applicant   | \$25.00 for each \$1,000.00 of costs or multiple thereof of the fire protection system; provided that a minimum fee for each permit shall be \$150.00 |
| Subsec. (c) Reinspection  |   |
| First reinspection  | No charge   |
| Second reinspection   | \$100.00  |
| Third reinspection  | \$200.00  |
| Any subsequent reinspection   | \$250.00  |
| Subsec. (d) Fire alarm system inspection fee  |   |
| Certificate of inspection   | \$25.00 per fire alarm system   |
| Subsec. (e) Fire suppression system inspection fee  |   |
| Certificate of inspection   | \$25.00 per fire suppression system   |
| Sec. 46-127 Smoke detection devices   |   |
| Subsec. (g) Violations; penalties   | Revocation of any existing license to do business in the city, or a fine of not more than \$150.00 per violation, or both such penalties              |
| <i>Article IV. Public Occupancies</i>   |   |
| Sec. 46-164. Fees   |   |
| Assembly  | No charge for an occupant load less than 75; \$100.00 for an occupant load of 75 or greater   |
| Assembly—Fixed Seating  | \$100.00 for first 200 seats and \$10.00 each additional 50 seats   |
| Educational   | \$100.00  |

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| Day Care                           | \$50.00 for Day Cares as defined by Appendix B—Zoning, Article 5, Sections 14.22, 14.23 and 22.1; \$100.00 for other day cares  |
| Health Care                        | \$100.00 first 25 rooms and \$5.00 for each additional room   |
| Ambulatory Health Care             | \$100.00  |
| Residential                        | \$100.00 per building   |
| Residential Board and Care         | \$100.00  |
| Mercantile over 10,000 sq. ft.     | \$100.00  |
| Business over 10,000 sq. ft.       | \$100.00  |
| Industrial                         | \$100.00  |
| Storage over 10,000 sq. ft.        | \$100.00  |
| Assembly special provisions 1      | \$25.00   |
| Assembly special provisions 2      | \$100.00  |
| Sec. 46-168. Reinspection fee      |   |
| Subsec. (a) Amount                 | \$25.00 for any repeated violation cited by the fire marshal, determined to be a violation and which requires a follow up inspection to confirm the correction of the violation |
| Subsec. (b) Fee attached           | A fee may be attached to any summons written for any violation found to be uncorrected upon reinspection  |
| <i>Article V. Fire Lanes</i>       |   |
| Sec. 46-202. Violations; penalties |   |
| Subsec. (c) Other obstructions     | Any property owner or tenant found to be in violation; \$50.00  |

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| Subsec. (d) Failure to mark                    | Any property owner found to be in violation; \$50.00 |
| Sec. 46-205. Responsibility of owner or tenant | Any property owner found to be in violation; \$50.00 |

ADOPTED: January 28, 2026

**SYNOPSIS**

The State Fire Marshal’s Office made notification of the following fee change effective January 1, 2026: Each fire protection system shall be inspected and a \$25 fee per system and shall be submitted to the Office of the State Fire Marshal along with the prescribed Certificate of Inspection form. The discount for apartment buildings and apartment complexes shall no longer apply as it is not permitted by 16 Del. C. §6612. Each fire protection system for every apartment building shall require a Certificate of Inspection and a corresponding \$25.00 fee. The text, fee, and fine amendment updates City Ordinance Appendix F-Fees and Fines, Chapter 46. Fire Prevention Article III to match the State of Delaware Fire Marshal’s Office. This allows continuity within the State and eliminates confusion with the fire suppression companies.

(SPONSORS: ANDERSON and HUGG)

Action History

01/28/2026 – Scheduled for Final Reading – City Council

01/12/2026 – First Reading – City Council

12/09/2025 - Introduction – Council Committee of the Whole/ Legislative, Finance, and Administration Committee