



**CITY OF DOVER, DELAWARE
COUNCIL COMMITTEE OF THE WHOLE MEETING
Tuesday, March 24, 2026 at 6:00 PM**

City Hall Council Chambers, 15 Lookerman Plaza, Dover, Delaware

AGENDA

THIS AGENDA AND PACKET HAVE BEEN REVISED BY REMOVING SAFETY, ADVISORY, AND TRANSPORTATION COMMITTEE MEETING ITEM #3 – DISCUSSION ON THE ANNEXATION/REZONING REQUEST OF PROPERTY LANDS OF UNITED WORLDWIDE EXPRESS, LLC AT 1624 N. LITTLE CREEK ROAD AND THE REZONING REQUEST OF PROPERTY LANDS OF UNITED WORLDWIDE EXPRESS, LLC AT 1600 N. LITTLE CREEK ROAD AND AN ADJACENT PARCEL AT 0.509 AC N. LITTLE CREEK ROAD AND BY REMOVING LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE ITEM #2 – PROPOSED ORDINANCE #2025-19 – AMENDING CHAPTER 22 – ICC CODES AND ITEM #5 – CONSIDERATION OF AN ALDERMAN’S COURT

Public comments are welcomed on any item and will be permitted at the appropriate time. When possible, please notify the City Clerk (302-736-7008 or email at cityclerk@dover.de.us) should you wish to be recognized.

VIRTUAL MEETING NOTICE

This meeting will be held in City Hall Council Chambers with electronic access via WebEx. Public participation information is as follows:

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CALL COUNCIL COMMITTEE OF THE WHOLE MEETING TO ORDER

ADOPTION OF AGENDA

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

ADOPTION OF THE AGENDA

1. East Loockerman Street Update (Jason Lyon, Director of Water & Wastewater)

(Committee Action Not Required)

2. Speeding Concerns Update - Lincoln Park (Jason Lyon, Director of Water & Wastewater)

(Committee Action Not Required)

ADJOURNMENT OF THE SAFETY ADVISORY AND TRANSPORTATION COMMITTEE MEETING

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

ADOPTION OF THE AGENDA

1. Evaluation of Bids - Water Street Flooding Improvements (Jason Lyon, Water and Wastewater Director)

(Staff Recommendation: Award the contract to A-Del Construction for the Water Street Flooding Improvements project, Bid #26-0013WW, for the amount of \$531,916.

2. Proposed Ordinance #2026-03 - Amending Chapter 22 - Building and Building Regulations, Article XI - Dangerous Buildings (Eddie Kopp, Chief Code Enforcement Officer)

(Staff Recommendation: Forward Proposed Ordinance #2026-03 to Council for approval)

3. Proposed Ordinance #2026-04 - Amending Chapter 22 - Buildings and Building Regulations, Article XII - Vacant Buildings (Eddie Kopp, Chief Code Enforcement Officer)

(Staff Recommendation: Forward Proposed Ordinance #2026-04 to Council for approval)

ADJOURNMENT OF THE LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE MEETING

ADJOURNMENT OF THE COUNCIL COMMITTEE OF THE WHOLE

THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. PURSUANT TO 29 DEL. C. §10004(e)(2), THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS, WHICH ARISE AT THE TIME OF THE MEETING

Update of Safety Concerns on East Loockerman Street

City of Dover

Safety Advisory and Transportation Committee

January 27, 2026

Summary of December 9, 2025 Discussion

- Staff should reach out to DelDOT to perform a traffic calming study
- Provide the impact of emergency access with the road closed
- Provide the Committee with a recommendation to achieve a temporary closure
- While the road has temporary closure, perform studies for potential traffic calming implementation

Impacts of Temporary Closure

Best 4 min 11 min 22 min 6 min

Robbin's Hose Co, 103 S Governors Ave, I

701 E Lookerman St, Dover, DE 19901

Add destination

Leave now Options

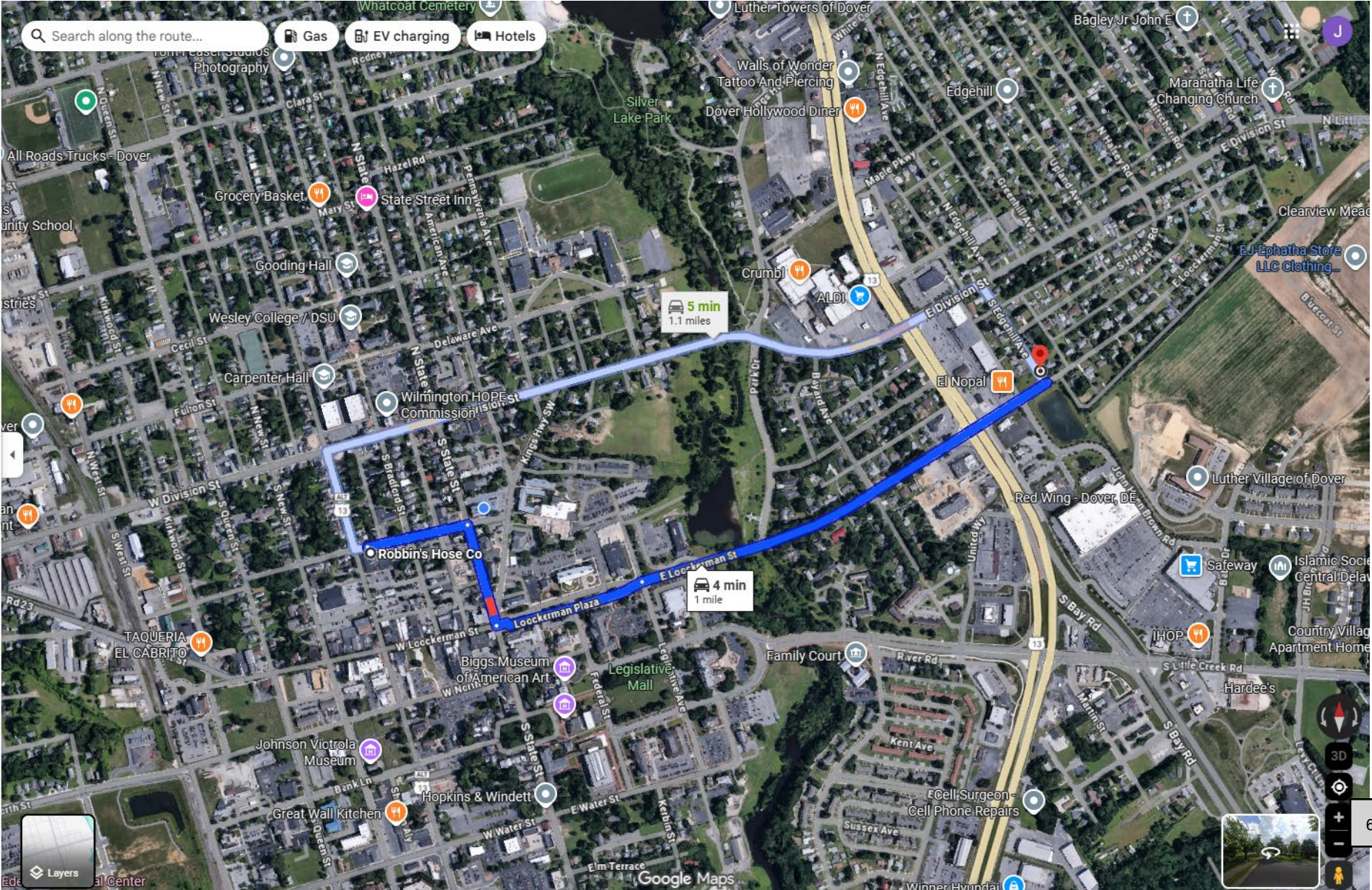
Send directions to your phone Copy link

- via E Lookerman St **4 min**
Fastest route, the usual traffic 1.0 mile
Details Preview
- via W Division St **5 min**
1.1 miles

Explore nearby 701 E Lookerman St

- Restaurants
- Hotels
- Gas stations
- Parking Lots
- More

New! Continue your trip, tap the notification on your phone to get directions



Impacts of Temporary Closure

Best 5 min 24 min 27 min 7 min

Robbin's Hose Co, 103 S Governors Ave, Dover, DE 19901

791 E Lockerman St, Dover, DE 19901

Options

Arrive by 5:15 PM Wed, Dec 10

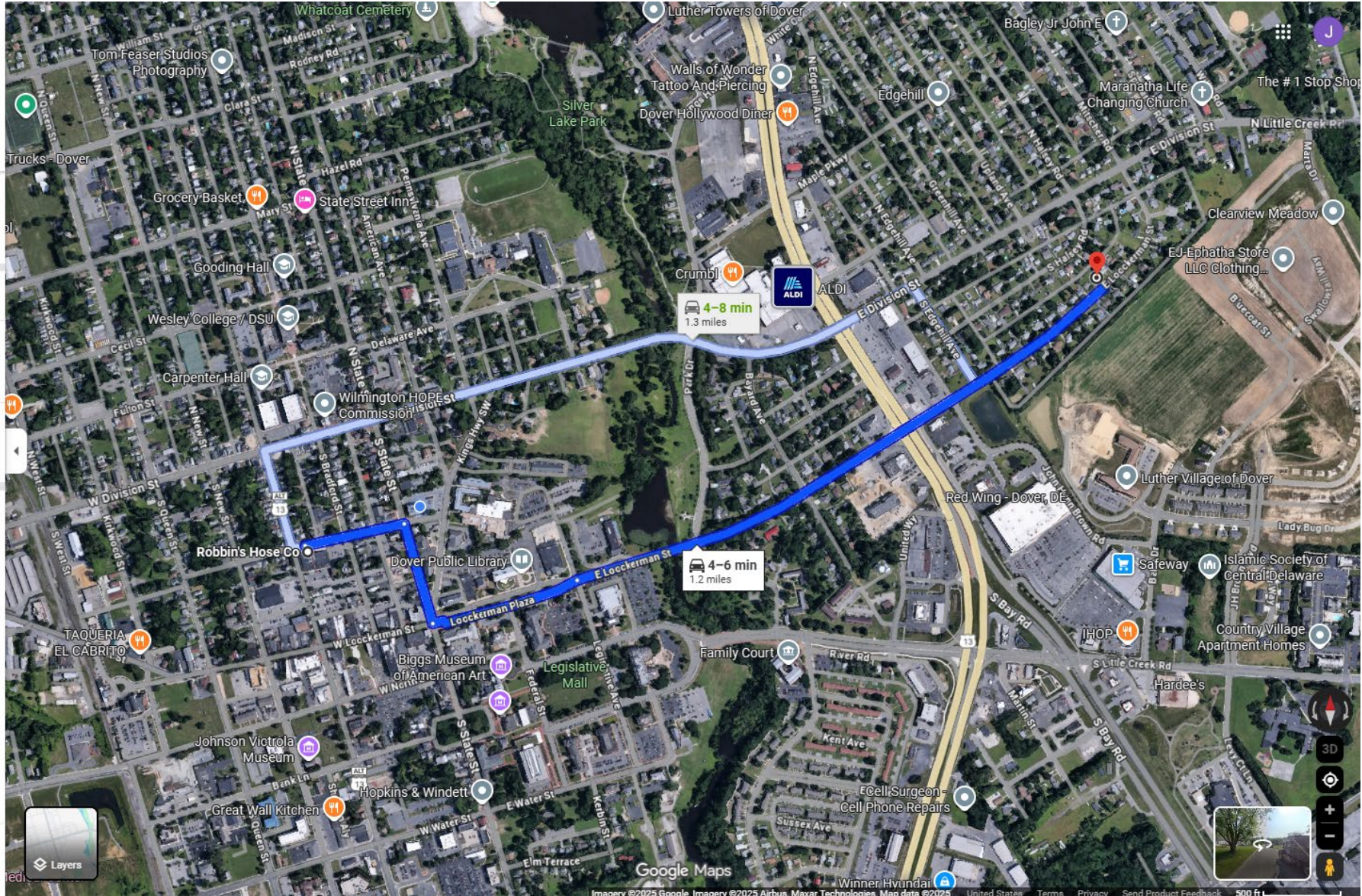
Send directions to your phone Copy link

via E Lockerman St	typically 4-6 min	1.2 miles
via W Division St	typically 4-8 min	1.3 miles

Explore nearby 791 E Lockerman St

- Restaurants
- Hotels
- Gas stations
- Parking Lots
- More

New! Continue your trip, tap the notification on your phone to get directions



Closure Recommendation

Item 1.



Next Steps

- Notify Residents
- Timing
- Secure Funding Sources



CITY OF DOVER, DELAWARE
ACTION FORM

PROCEEDING: Council Committee of the Whole (Leg & Fin)

DEPARTMENT OF ORIGIN: Water & Wastewater **SUBMITTED ON:** March 13, 2026

PREPARED BY: Jason A. Lyon, P.E., Director of Water & Wastewater / Engineering Services

REVIEWED BY: Sharon J. Duca, P.E., Assistant City Manager and Patricia M. Marney, Controller / Treasurer

SUBJECT: Evaluation of Bids – Water Street Flooding Improvements

TIMETABLE: Notice to Proceed to be issued within thirty (30) days of Council approval. Project anticipated to be completed within one hundred and twenty (120) calendar days from issuance of Notice to Proceed, weather permitting.

RELATED PROJECT: X

REFERENCE: X

EXPENDITURE REQUIRED: \$531,916

AMOUNT BUDGETED: \$1,450,000

FUNDING SOURCE (Dept./Page in CIP & Budget): Department of Public Works, Stormwater Division, SW2605 Water Street Flooding Improvements. Account No.: 101-12-18-60-99-000-54031

STAFF RECOMMENDATION:

Award the contract to A-Del Construction for the Water Street Flooding Improvements project, Bid #26-0013WW, for the amount of \$531,916.

BACKGROUND AND ANALYSIS:

As part of the FY2026 CIP Budget, a project was proposed to upgrade the existing stormwater infrastructure that is within Water Street. This is an area that typically floods with significant rainfall.

The bid was advertised to the public as an Invitation to Bid in accordance with the City's purchasing policy by the City's Purchasing Agent under ITB #26-0013WW. Bids were opened on March 3, 2026. The City of Dover received eight (8) bids as shown in the table below:

CONTRACTOR	LOCATION	BID PRICE	EVALUATED PRICE
A-DEL CONSTRUCTION	NEWARK, DE	\$531,916	\$531,916.00
DIAMOND MATERIALS, LLC	NEWPORT, DE	\$766,442.00	\$743,448.74^

GATEWAY CONSTRUCTION, INC.	CLAYTON, DE	\$606,060.00	\$606,060.00
GEORGE & LYNCH, INC.	DOVER, DE	\$829,574.28	\$804,687.05*
LINDSTROM EXCAVATING CONTRACTORS, INC.	WORTON, MD	\$793,859.00	\$793,859.00
REYBOLD CONSTRUCTION GROUP, LLC	BEAR, DE	\$1,167,386.00	\$1,167,386.00
RICHARD E PIERSON CONSTRUCTION COMPANY, INC.	WOODSTOWN, NJ	\$738,465.00	\$738,465.00
TEAL CONSTRUCTION, INC.	DOVER, DE	\$596,996.00	\$579,086.12*

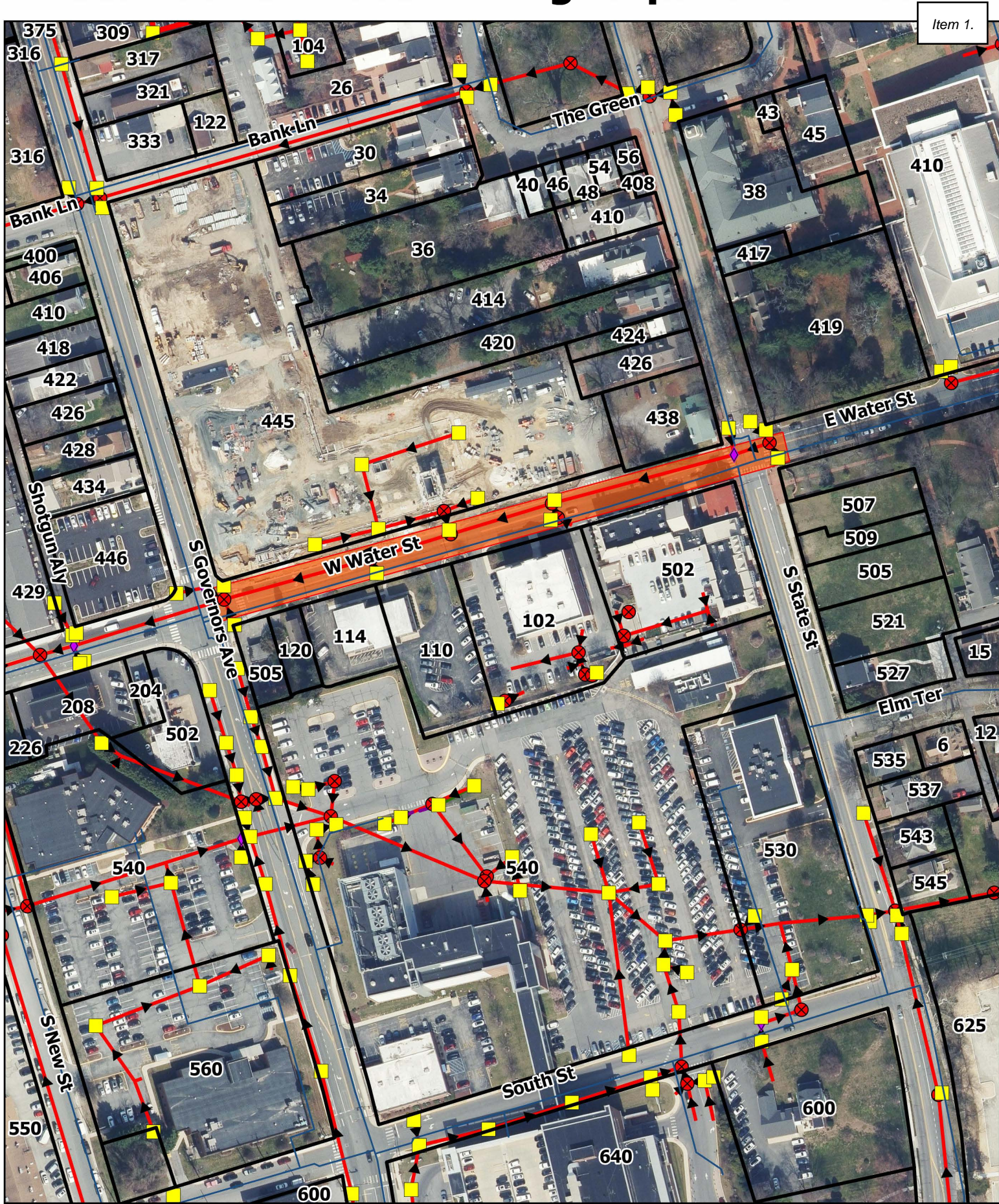
*Company awarded a three percent (3%) reduction due to local vendor preference.

^Company awarded a three percent (3%) reduction due to minority owned preference.

This construction contract will constitute a portion of the overall flooding improvement project. Due to construction coordination with the Family Court House, this phase of the project is moving forward immediately. The remaining areas of construction will be partially funded through a Federal Grant and will be bid out at a later date.

City staff reviewed the submission and found that A-Del Constructions' bid met all project qualifications. Staff recommends awarding the contract to A-Del Construction for \$531,916.00 for the Water Street Flooding Improvements.

Water Street Flooding Improvements



- Inlets
- Hydraulic Connector
- Parcels
- Manholes
- Pipe
- Construction Maintenance
- ◆ Junction Box
- Swale





CITY OF DOVER, DELAWARE
ACTION FORM

PROCEEDING: Council Committee of the Whole- Legislative, Finance, and Administration Committee
DEPARTMENT OF ORIGIN: Planning, Inspections, and Community Development- Code Enforcement
DATE SUBMITTED: March 12, 2026
PREPARED BY: Eddie Kopp, CCEO, Chief Code Enforcement Officer
SUBJECT: Amendments to the Dover Code of Ordinances
REFERENCE: Chapter 22 – Article XI.- Dangerous Buildings
RELATED PROJECT: N/A
REVIEWED BY: Sharon J. Duca P.E., ICMA-CM, Assistant City Manager/Interim Director of Planning, Inspections, and Community Development
EXHIBITS: Ordinance 2026-03
EXPENDITURE REQUIRED: N/A
AMOUNT BUDGETED: N/A
FUNDING SOURCE (Dept./Page in CIP & Budget): N/A
TIMETABLE: 3/24/2026 -Introduction to Council Committee of the Whole 4/13/2026 -First Reading at City Council 4/27/2026 -Final Reading at City Council
STAFF RECOMMENDATION: Approve the text amendments to the ordinance.

BACKGROUND AND ANALYSIS

- This proposed ordinance is to amend the text to clarify the responsibilities of dangerous buildings.
- The amendments include updates from the building inspector to the code official to be more aligned with the currently adopted code references.
- Amendments also include grammar corrections.

PROPOSED ORDINANCE #2026-03

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

3
4 That Chapter 22- Buildings and Building Regulations, Article XI.- Dangerous Buildings, is
5 amended by inserting the text indicated in bold, blue, italics, and deleting the text indicated in red
6 ~~strikeout~~ as follows:

7
8 ARTICLE XI. DANGEROUS BUILDINGS

9 Sec. 22-381. Definitions.

10 The following words, terms, and phrases, when used in this article, shall have the meanings
11 ascribed to them in this section, except where the context clearly indicates a different meaning:

12 Dangerous buildings mean all buildings or structures **that** have any ~~or all~~ of the following
13 defects or uses:

14 (1) Leaning interior walls. Those of which the interior walls or other vertical structural members
15 list, lean, or buckle to such an extent that a plumb line passing through the center of gravity
16 falls outside of the middle third of its base.

17 (2) Damaged walls, etc. Those ~~which that~~, exclusive of the foundation, show 33 percent or more
18 of damage or deterioration of the supporting member or members, or 50 percent of damage or
19 deterioration of the non-supporting enclosing or outside walls or covering.

20 (3) Loads on roofs. Those ~~which that~~ have improperly distributed loads upon the floors or roofs,
21 or ~~which that the same~~ are overloaded, or ~~which that~~ have insufficient strength to be
22 reasonably safe for the purpose used.

23 (4) Fire damage, etc. Those **that** have been damaged by fire, wind, or other causes ~~to~~ have
24 become dangerous to life, safety, morals, or the general health and welfare of the occupants or
25 the people of the city.

26 (5) Unfit for habitation. Those which have become or are so dilapidated, decayed, unsafe,
27 insanitary, or so utterly fail to provide the amenities to decent living that they are unfit for
28 human habitation, or are likely to cause sickness or disease, ~~so as to~~ **cause** ~~work~~ injury to the
29 health, morals, safety, or general welfare of those living therein.

- 30 (6) Light, air, sanitation. Those having light, air, and sanitation facilities ~~which~~ **that** are
31 inadequate to protect the health, morals, safety, or general welfare of human beings who live
32 or may live therein.
- 33 (7) Fire escapes, etc. Those having inadequate facilities in case of fire or panic, or those having
34 insufficient stairways, elevators, fire escapes, or other means of communication.
- 35 (8) Loose parts. Those ~~which~~ **that** have parts thereof which are so attached that they may fall
36 and injure members of the public or property.
- 37 (9) General welfare. Those which, because of their condition or use, are unsafe, insanitary, or
38 dangerous to the public health, morals, safety, or general welfare of the people of this city.
- 39 (10) Code violations. Those existing in violation of any provisions of the ~~building~~ adopted codes
40 of this city, or any provision of the fire prevention code, or **any** other ordinances of this city.
- 41 (11) Drug sales, use, etc. Those which are being used for the unlawful selling, serving, storing,
42 giving away or manufacturing (which includes the production, preparation, compounding,
43 conversion, processing, packaging or repackaging) of any drug, which includes **consists of** all
44 narcotic or psychoactive drugs, cannabis, cocaine and all controlled substances as defined in
45 the Uniform Controlled Substances Act (16 Del. C. § 4701 et seq.).
- 46 ~~(12-11)~~ Unoccupied buildings. Those ~~which~~ **that** are left unoccupied and unattended for periods
47 of three months or more, so that decay is being accelerated by natural or ~~manmade~~ **other**
48 causes, or which may be attracting trespassers and vagrants, increasing the probability of fire
49 and danger to human life.
- 50 ~~(13-12)~~ Incomplete buildings. Those under construction **are considered incomplete** if the
51 authorized work is substantially suspended or abandoned for ~~a period of~~ three months or more.
- 52
- 53 Sec. 22-382. Standards for repair, vacation, or demolition.
- 54 The following standards shall be followed in substance by the **code official, building inspector**
55 in ordering **the** repair, vacation, or demolition of dangerous buildings:
- 56 (1) Repair. If the dangerous building can reasonably be repaired so that it will no longer exist in
57 violation of the terms of this article, it shall be ordered repaired.
- 58 (2) Vacation. If the ~~dangerous~~ building is in such a condition or is being used ~~as~~ to make it
59 dangerous to the health, morals, safety, or general welfare of its occupants, it shall be ordered
60 to be vacated and closed. Buildings ordered closed shall not be reopened until a certificate of
61 occupancy is issued.

62 (3) Demolition.

63 **The following shall be cause for demolition:**

64 **(a) In all cases where a dangerous building is 50 percent damaged, decayed, or deteriorated**
65 **from its original value or structure, or**

66 **(b) In all cases where a building cannot be repaired so that it will no longer exist in violation**
67 **of the terms of this article, or**

68 **(c) In all cases where a dangerous building is a fire hazard, it poses a risk to public safety as**
69 **determined by the fire marshal or any code official, or**

70 **(d) Any existing or erected structure in violation of the terms of this article or any ordinance**
71 **of the city or statute of the state.**

72 ~~In any case where a dangerous building is 50 percent damaged, decayed, or deteriorated from~~
73 ~~its original value or structure, it shall be demolished, and in all cases where a building cannot be~~
74 ~~repaired so that it will no longer exist in violation of the terms of this article, it shall be~~
75 ~~demolished. In all cases where a dangerous building is a fire hazard, risk to public safety as~~
76 ~~determined by the fire marshal or any code official, or is existing or erected in violation of the~~
77 ~~terms of this article or any ordinance of the city or statute of the state, it may be demolished.~~

78

79 Sec. 22-383. Nuisance declared.

80 All dangerous buildings within the terms of section 22-381 are hereby declared to be public
81 nuisances, and shall be repaired, vacated, ~~and~~ closed, or demolished as hereinbefore and
82 hereafter provided.

83

84 Sec. 22-384. Duties of **a code official** ~~building inspector~~.

85 The **code official** ~~building inspector~~ shall:

86 (1) Inspect public buildings. Inspect or cause to be inspected semiannually all public buildings,
87 schools, halls, churches, theaters, hotels, tenements, or commercial, manufacturing, or loft
88 buildings ~~for the purpose of determining~~ **to determine** whether any conditions exist which
89 render such places a dangerous building within the terms of section 22-381.

90 (2) Complaints. Inspect any building, wall, or structure about which complaints are filed by any
91 person to the effect that a building, wall, or structure is or may be existing in violation of this
92 article.

93 (3) Reported violations. Inspect any building, wall, or structure reported (as hereinafter
94 provided for) by the fire or police departments of this city as probably existing in violation of
95 this article.

96 (4) Dangerous buildings. Inspect such other buildings as shall from time to time come to his
97 attention as possibly dangerous buildings within the terms of section 22-381.

98 (5) Notice to owner. Notify, in writing, the owner, occupant, lessee, mortgagee, agent, and all
99 other persons having an interest in said building, as shown by the land records of the recorder
100 of deeds of the county, of any building found by him to be a dangerous building within the
101 standards set forth in section 22-381, that:

102 a. Duties of **the property** owner. The owner must vacate and close, or repair, or demolish said
103 building in accordance with the terms of the notice and this article.

104 b. Duties of occupant. The occupant or lessee must vacate and close said building, or may have
105 it repaired in accordance with the notice and remain in possession.

106 c. Persons with interest. The mortgagee, agent or other persons having an interest in said
107 building, as shown by the land records of the recorder of deeds of the county, may, at their own
108 risk, repair, vacate and close, or demolish said building or have such work or act done; provided
109 that any person notified under this subsection to repair, vacate and close, or demolish any
110 building shall be given such reasonable time, not exceeding 30 days, as may be necessary to do,
111 or have done, the work or act required by the notice provided for herein;

112 d. Appeal. The person or entity receiving notice by the **code official building-inspector** shall
113 have the right to appeal his decision directly to the council and have a hearing conducted in
114 accordance with the provisions of section 22-385 before **the city** council, provided that the
115 notice of appeal is filed with the city clerk no later than five days after receiving notice from the
116 **code official building-inspector**.

117 (6) Order to remedy conditions. Set forth in the notice provided for in subsection (5) hereof a
118 description of the building or structure deemed unsafe, a statement of the particulars which
119 make the building or structure a dangerous building and an order requiring the same to be put
120 in such condition as to comply with the terms of this article within such length of time, not
121 exceeding 30 days, as is reasonable.

122 (7) Noncompliance with notice. Report to the council any noncompliance with the notice
123 provided for in subsections (5) and (6) hereof.

124 (8) Testify at hearings. Appear at all hearings conducted by the council and testify as to the
125 condition of dangerous buildings.

126 (9) Notice on buildings. Place a notice on all dangerous buildings, reading as follows:
127 "This building has been found to be a dangerous building by the **code official building-inspector**.
128 This notice is to remain on this building unit until it is repaired, ~~vacated and closed~~, or
129 demolished in accordance with the notice which has been given the owner, occupant, lessee,
130 mortgagee, or agent of this building, and all other persons having an interest in said building, as
131 shown by the land records of the recorder of deeds of Kent County. It is unlawful to remove this
132 notice until such notice is complied with."

133 (10) Orders of council. Carry out all orders of the council to cause the repair, vacation,
134 closure, or demolition of dangerous buildings pursuant to section 22-385. In causing the
135 vacation of the dangerous building, the **code official building-inspector** may order the city
136 utilities to be disconnected. In causing the closure of dangerous buildings, the **code official**
137 ~~building-inspector~~ may direct the removal from the building of all furniture, equipment, and
138 other personal property left by ~~vacated~~ occupants.

139

140 Sec. 22-385. Hearing before the **City** Council.

141 The **city** council-~~of the city~~ shall:

142 (1) Notice of hearing. Upon receipt of a report of the **code official building-inspector** as
143 provided for in section 22-384(7), give written notice to the owner, occupant, mortgagee,
144 lessee, agent, and all other persons having an interest in said building, as shown by the records
145 of the recorder of deeds of the county, to appear before it on the date specified in the notice to
146 show cause why the building or structure reported to be a dangerous building should not be
147 repaired, ~~vacated and closed~~, or demolished in accordance with the statement of particulars set
148 forth in the **code official's building-inspector's** notice provided for herein in section 22-384(6).

149 (2) Conduct of hearing. Hold a hearing and hear such testimony as the **code official,**
150 ~~building-inspector~~ or the owner, occupant, mortgagee, lessee, or any other person having an
151 interest in said building, as shown by the land records of the recorder of deeds of the county,
152 shall offer relative to the dangerous building. Hearings relative to reported dangerous buildings
153 as defined in section 22-381(11) shall include the testimony of the city chief of police, who may
154 submit arrest records, complaint records, and affidavits relative to the property as evidence for
155 the hearing.

156 (3) Findings. Make written findings of fact from the testimony offered pursuant to
157 subsection (2) of this section as to whether ~~or not~~ the building in question is a dangerous
158 building within the terms of section 22-381.

159 (4) Order. Issue an order based upon findings of fact made pursuant to subsection (3) of this
 160 section, commanding the owner, occupant, mortgagee, lessee, agent and all other persons
 161 having an interest in said building, as shown on the land records of the recorder of deeds of the
 162 county, to repair, ~~vacate and close~~, or demolish any building found to be a dangerous building
 163 within the terms of this article, setting the time **not exceeding 30 days** ~~within~~ which said
 164 building shall be repaired, ~~vacated and closed~~, or demolished, and provided that any person so
 165 notified, except the owners, shall have the privilege of ~~either vacating or~~ repairing said
 166 dangerous building; or any person not the owner of said dangerous building but having an
 167 interest in said building as shown by the land records of the recorder of deeds of the county
 168 may demolish said dangerous building at his own risk to prevent the acquiring of a lien against
 169 the land upon which said dangerous building stands by the city as provided in subsection (5)
 170 hereof.

171 (5) Failure to comply. If the owner, occupant, mortgagee, or lessee fails to comply with the
 172 order provided for in subsection (4) hereof within ten days, cause such building or structure to
 173 be repaired, vacated and closed, or demolished, as the facts may warrant, under the standards
 174 hereinbefore provided for in section 22-384, and shall, with the assistance of the city solicitor,
 175 cause the costs of such repair, ~~vacation~~, or demolition to be charged against the land on which
 176 the building existed as a municipal lien or cause such costs to be added to the tax duplicate as
 177 an assessment, or to be levied as a special tax against the land upon which the building stands
 178 or did stand, or to be recovered in a suit at law against the owner, provided that in cases where
 179 such procedure is desirable and any delay thereby caused will not be dangerous to the health,
 180 morals, safety, or general welfare of the people of this city, the council shall notify the city
 181 solicitor to take legal action to force the owner to make all necessary repairs or demolish the
 182 building.

183 (6) Report to solicitor. Report to the city solicitor the names of all persons not complying with
 184 the order provided for in subsection (4) hereof.

185 (Ord. of 2-28-1955, § 5; Code 1981, § 5-90; Ord. of 10-28-1996)

186

187 Sec. 22-386. Violations: ~~-and~~ **penalty penalties** for disregarding notices or orders.

188 (a) Violations by **the property** owner. The **property** owner of any dangerous building who shall
 189 fail to comply with any notice or order to repair, vacate and close, or demolish said building
 190 given by the council shall be guilty of a misdemeanor and, upon conviction thereof, shall be
 191 fined as provided for in Appendix F—Fees and Fines.

192 (b) Violations by occupant or lessee. The occupant or lessee in possession who fails to comply
 193 with any notice to vacate and close or who fails to repair said building in accordance with any

194 notice given by the council as provided for in this article shall be guilty of a misdemeanor and,
195 upon conviction thereof, shall be fined as provided for in Appendix F—Fees and Fines.

196 (c) Removal of notice. Any person removing the notice provided for in section 22-384(9) shall
197 be guilty of a misdemeanor and, upon conviction, shall be fined as provided for in Appendix F—
198 Fees and Fines.

199 ~~(d) — [Late payment.] Fines not paid within 14 days of the day the fine was issued, including~~
200 ~~the day the fine was issued, shall be automatically doubled in amount.~~

201 Sec. 22-387. Duties of the city solicitor.

202 The city solicitor shall:

203 (1) Prosecutions. Prosecute all persons failing to comply with the terms of the order provided
204 for in section 22-385(4).

205 (2) Hearings. Appear at all hearings before the council **regarding** ~~in regard to~~ dangerous
206 buildings.

207 (3) Collections. Bring suit to collect all municipal liens, assessments, or **all** costs incurred ~~in~~
208 ~~repairing or causing to be vacated and closed, or demolished,~~ **with any abatements regarding**
209 dangerous buildings.

210 (4) Other legal action. Take such other legal action as is necessary to carry out the terms and
211 provisions of this article.

212

213 Sec. 22-388. Emergency cases.

214 In cases where it reasonably appears that there is an immediate danger to the life or safety of
215 any person, unless a dangerous building is immediately repaired, vacated and closed, or
216 demolished, the **code official** ~~building inspector~~ shall report such facts to the council, which
217 may cause the immediate repair, ~~vacation, or~~ demolition of such dangerous building. The costs
218 of such emergency repair, ~~vacation~~ or demolition of such dangerous building shall be collected
219 in the same manner as provided in section 22-385(5).

220

221 Sec. 22-389. Procedure when **the property** owner **is** absent from the city.

222 In cases, except emergency cases, where the owner, occupant, lessee, or mortgagee is absent
223 from the city, all notices or orders provided for herein shall be sent by registered or certified
224 mail to the owner, occupant, mortgagee, lessee and all other persons having an interest in said

225 building, as shown by the land records of the recorder of deeds of the county, to the last known
226 address of each, and a copy of such notice shall be posted in a conspicuous place on the
227 dangerous building to which it relates. Such mailing and posting shall be deemed adequate
228 service.

229

230 Sec. 22-390. Administrative liability.

231 No officer, agent, or employee of the city shall render himself personally liable for any damage
232 that may accrue to persons or property as a result of any act required or permitted in the
233 discharge of his duties under this article. Any suit against any officer, agent, or employee of the
234 city as a result of any act required or permitted in the discharge of his duties under this article
235 shall be defended by the city solicitor until the final determination of the proceedings therein.

236

237 Sec. 22-391. Duties of **the** fire marshal and city employees.

238 The fire marshal, all members of the fire department, all officers of the police department, and
239 all other employees of the city shall report, in writing, to the **Division of Code Enforcement**
240 ~~building inspector~~ all buildings or structures within the city which shall come to their knowledge
241 or attention as being dangerous buildings within the terms of this article.

242 Secs. 22-392—22-399. Reserved.

243

244

245 ADOPTED: *

246

247 **SYNOPSIS**

248

249 This ordinance amends the existing text to clarify responsibilities related to dangerous buildings,
250 improve readability through grammatical corrections, and update language to align with
251 currently adopted code standards. It also refines and strengthens the criteria and procedures
252 governing demolition to ensure consistency and effective enforcement.

253

254 (SPONSORS: DUCA & SUDLER)

255

256 Actions History

257 03/24/2026 - Introduction - Council Committee of the Whole/Legislative, Finance, and
258 Administration Committee



CITY OF DOVER, DELAWARE
ACTION FORM

PROCEEDING: Council Committee of the Whole- Legislative, Finance, and Administration Committee
DEPARTMENT OF ORIGIN: Planning, Inspections, and Community Development- Code Enforcement
DATE SUBMITTED: March 12, 2026
PREPARED BY: Eddie Kopp, CCEO, Chief Code Enforcement Officer
SUBJECT: Amendments to the Dover Code of Ordinances
REFERENCE: Chapter 22 – Article XII.-Vacant Buildings
RELATED PROJECT: N/A
REVIEWED BY: Sharon J. Duca P.E., ICMA-CM, Assistant City Manager/Interim Director of Planning, Inspections, and Community Development
EXHIBITS: Ordinance 2026-04
EXPENDITURE REQUIRED: N/A
AMOUNT BUDGETED: N/A
FUNDING SOURCE (Dept./Page in CIP & Budget): N/A
TIMETABLE: 3/24/2026 -Introduction to Council Committee of the Whole 4/13/2026 -First Reading at City Council 4/27/2026 -Final Reading at City Council
STAFF RECOMMENDATION: Approve the text amendments to the ordinance.

BACKGROUND AND ANALYSIS

- The proposed amendments to the Vacant Building Ordinance aim to establish a clear, detailed ordinance.
- Vacant buildings are detrimental to surrounding structures, and the neighborhoods in which they are located often hurt property values.
- The City of Dover has around 130 Vacant buildings on average.
- Vacant buildings require additional time from staff and resources from the city.
- This ordinance provides language changes, updates definitions, establishes timelines, clarifies exemptions, and provides transparency to the property owners.
- This ordinance is designed to remove and prevent vacant buildings within the city to ensure the best quality of life for all citizens and visitors.

PROPOSED ORDINANCE #2026-04

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

3
4 That Chapter 22- Buildings and Building Regulations, Article XII.- Vacant Buildings, is amended
5 by inserting the text indicated in bold, blue, italics, and deleting the text stated in red strikeout as
6 follows:
7

8 ARTICLE XII. VACANT BUILDINGS

9 Sec. 22-400. ~~Purpose; , applicability, definitions.~~ **Generally.**

10 (a) ~~Purpose. The purpose and intent of this article are to establish a registration and~~
11 ~~identification program of vacant buildings within the city. Vacant buildings are~~
12 ~~detrimental to the surrounding buildings and neighborhoods in which they exist. The~~
13 ~~article is also to ensure the public health, safety and welfare insofar as they are affected~~
14 ~~by vacant buildings within the city. The health, safety and welfare of the neighborhoods~~
15 ~~in which vacant buildings are located are of the utmost importance to the city, as is the~~
16 ~~general community character in which these vacant buildings are located.~~

17 **Purpose. Vacant buildings are detrimental to the surrounding buildings,**
18 **neighborhoods, and the city. Vacant buildings are often subject to property**
19 **maintenance violations and illegal activity, including transient occupancy, illicit**
20 **activity, and additional burdens that require code enforcement, fire, life-safety,**
21 **and police resources. The purpose and intent of this article is to ensure the public**
22 **health, safety, and welfare of the citizens who are affected by vacant buildings**
23 **within the city. The article aims to establish a registration and identification**
24 **program for vacant buildings within the city.**

25
26 (b) *Applicability.* The provisions of this article shall apply to all matters affecting or relating to
27 vacant buildings. Where, in this article, different sections of this Code may specify ~~different~~
28 **other** requirements, the most restrictive shall govern.

29 (c) *Definitions.* The following words, terms, and phrases, when used in this article, shall have
30 the meanings ascribed to them in this subsection, except where the context ~~clearly~~
31 a different meaning.

32 (1) *Vacant building* means a building, structure, or dwelling that has been unoccupied for
33 more than three consecutive months, or a commercial tenant space **that fronts a**

34 **public street. A tenant space within an enclosed structure, such as a mall or office**
 35 **building, shall not be considered a vacant building unless it is** greater than ~~10~~5,000
 36 square feet in an otherwise occupied building that has been left unoccupied for more
 37 than three consecutive months. **A building is considered unoccupied, unattended, or**
 38 **vacant when it is no longer being used for the accustomed and ordinary purpose**
 39 **of the building and/or is no longer connected to utilities and/or is no longer**
 40 **maintained according to the property maintenance code.**

41 (2) *Actively for sale or lease* means the building is being actively marketed through a
 42 licensed real estate broker or **party acting on behalf of** the owner who is regularly
 43 advertising the property in newspapers circulated in and around Dover, it is being
 44 offered for sale or lease at a cost of no more than 25 percent over market rate as
 45 determined by the city assessor, and the building is in reasonable condition for sale or
 46 lease, including but not limited to: no trash has collected inside or outside of the
 47 building, the utilities are functional, and it is not being used as storage that is unrelated
 48 to the former use. **A properly executed and effective letter of agreement to list for**
 49 **sale or lease is required and must remain in effect for the duration of the**
 50 **exemption period. If the contract is terminated for any reason, the exemption**
 51 **shall be void, and applicable vacant building fees shall be charged.**

52 (3) *Occupied*: **A building or structure shall be deemed occupied under the provisions**
 53 **of this section if one or more people conduct a lawful business or reside in the**
 54 **building permanently as the owner or tenant. Evidence of occupancy may include,**
 55 **but is not limited to, continued billing to utility services at levels of consumption**
 56 **commensurate with the use(s) for which the property is intended, City of Dover**
 57 **Business License, or City of Dover Rental Dwelling Permit. A building or dwelling**
 58 **used as a “model” for sales and advertising purposes shall be considered occupied**
 59 **if it is actively being used for this purpose.**

60 Sec. 22-401. Monitoring, inspection, and condition standards.

- 61 (a) The ~~building inspector~~ **code official** shall inspect any premises in the city ~~for the purpose of~~
 62 ~~enforcing and assuring to enforce and ensure~~ compliance with the provisions of this
 63 article. Upon request of the **code official** ~~building inspector~~, an owner shall provide access
 64 to all interior portions of a vacant building to permit a complete inspection. Once a
 65 building/structure/unit, or residence (~~hereon~~ **hereinafter** referred to as **a vacant building**) is
 66 registered as a vacant building, the vacant building **interior** shall be inspected annually for
 67 as long as it is considered vacant.
- 68 (b) The vacant building shall be secured; the exterior ~~building~~ **structure** and premises shall
 69 be maintained in accordance with all City of Dover **Ordinances. Code requirements. The**
 70 **City will ensure that all buildings found unsecured by the code official are secured at**
 71 **the owner's expense.**

72 (c) The vacant building shall be in reasonable condition (all utilities shall be functional; there
 73 shall be no trash or debris inside or outside the building, and it shall not be used as storage
 74 that is unrelated to the former use). **Noncompliance shall void any previously granted**
 75 **exemption.**

76 Sec. 22-402. Agent—~~Responsible person required.~~ **Owner's designated responsible party.**

77 (a) *Property manager.* Any owner of a vacant building, residing outside of the county, shall be
 78 required to have a licensed property manager residing or having an office located in the
 79 county, or a family member or other designated individual who does not manage any other
 80 real estate for a fee and who resides in the county, acting as a property manager. The
 81 property manager, including family members and designated individuals, shall have charge,
 82 care, and control of the vacant building and shall provide access to the vacant building for
 83 inspection upon request by the **code official building inspector** within **thirty 30** days.

84 (b) *Corporate or partnership owners.* Any corporation or partnership owning a vacant building
 85 shall have a designated member, partner, or employee ~~having~~ charge, care, and control of
 86 the vacant building. The designated member, partner, or employee shall reside in or have an
 87 office located in the county or shall be required to have a licensed property manager
 88 residing or having an office located in the county, or another designated individual who
 89 does not manage any other real estate for a fee, and who resides in the county, acting as a
 90 property manager. The property manager, or other designated individuals, shall have charge,
 91 care, and control of the vacant building and shall provide access to the vacant building for
 92 inspection upon request by the **code official building inspector** within **thirty 30** days.

93 Sec. 22-403. Registration and registration fee.

94 (a) *Registration of vacant building.* There are two ways to register the building as vacant.

95 (1) The owner shall register with the city not later than **thirty 30** days after any building
 96 in the city becomes vacant, as defined.

97 The registration of the vacant building shall include the site address, the name of the
 98 current owner or owners, current address of the owner and of all applicable owners, tax
 99 parcel number, proof of insurance on the building, description of the condition of the
 100 building, plans for the building (to eliminate the vacancy), the responsible person or
 101 agent and their contact information and any other applicable information. If any
 102 information changes, the owner is responsible for informing the city of those changes
 103 **within thirty days. in a timely manner.**

104 (2) The **code official building inspector or his designee**, shall investigate any property
 105 that may be subject to registration. Based upon ~~his~~ **their** findings, the **code official**
 106 **building inspector** may register the property as a vacant building subject to this
 107 chapter.

108 a. *Notice of registration.* Within five business days of such registration, the
 109 ~~Licensing and Permitting Office~~ **code official** shall notify the owners of the
 110 registered property by certified mail at their last known address ~~according to the~~
 111 ~~records of the city and Kent County~~, **as recorded in the City of Dover and Kent**
 112 **County records.**

113 b. *Registration fee.*

114 (i) The annual registration fee shall be paid at the time of registration. If the
 115 ~~code official building inspector~~ registers the building as vacant, the fee shall
 116 be due not later than ~~thirty 30~~ days after the building is registered as vacant.
 117 The annual registration fee **will be due at the time of the initial**~~will then be~~
 118 ~~due on the~~ registration and the anniversary date every year, after ~~that~~ as long
 119 as ~~it~~ **the identified building** remains vacant. ~~The starting point for counting~~
 120 ~~a building as being vacant will begin on the date of the enactment of this~~
 121 ~~article [June 26, 2006].~~

122 (ii) The annual fee is as provided for in Appendix F—Fees and Fines.

123
 124 **(3) *Renewal.* The code official will send a notice of required registration by certified**
 125 **mail to the owner and the agent's last known address. The property owner shall**
 126 **have thirty calendar days to renew the registration or appeal the requirement**
 127 **and/or fee. All appeals shall be filed as indicated in Section 22-406 of this article.**
 128 **Failure to pay the required fee or submit an appeal within the designated time shall**
 129 **constitute a violation according to Section 22-404.**

130
 131
 132 Sec. 22-404. ~~Violation and penalties~~ **Registration Fees.**

133 (a) If the registration fee is not paid within ~~thirty 30~~ **calendar** days of being due, the owner
 134 shall be in violation of this article and **will be subjected to the following.**

135 (1) A debt lien ~~can~~ **shall** be assessed against the property. Such fees shall be entered ~~in~~
 136 **into** the municipal lien docket as a lien owing **to** the city, and the same may be turned
 137 over to the city solicitor for collection.

138 (2) The **unpaid fees** will be assessed to the parcel's tax bill.

139 (3) The **unpaid fees** shall be paid in full prior to the transfer of title.

140 (4) The fees shall be paid in full prior to the issuance of any ~~building~~ **building** permits, **licenses, or**
 141 **services** for the subject building ~~and or~~ **and or** for any other building that is owned by the
 142 owner within the city.

143 (5) Fees are assessed based on the total number of years the property is vacant. Fees
 144 are calculated by the date of the first Notice of Violation issued by the code
 145 official.

146 (6) Any exemption granted does not reassess or change the total number of years the
 147 property is vacant when assessing the yearly fee. The fees will continue to be
 148 evaluated from the date of the initial notice of violation.

149

150 Sec. 22-405. Exemptions—Types of buildings eligible for exemption status from the registration
 151 fee.

152 (a) The following are exempt from the registration: The building has fire damage.

153 (1) The **property** owner **or agent** has **ninety 90** days **from the first day of fire damage**
 154 to file for a permit to start construction or demolition, or it will be determined a
 155 vacant property.

156 (2) **Failure to file for the permit within ninety days of fire damage will void the**
 157 **exemption from registration.**

158

159

160 (b) The following properties shall be registered as vacant, but they are exempt from the
 161 registration fee:

162 (1) The building is being offered for sale or lease for a **combined** maximum period of
 163 **three five** years. After such time, this article will be in effect. Proof of activity shall
 164 ~~fall on~~ **be the responsibility** of the owner to provide. See definition.

165 (2) The owner has obtained a building permit and is progressing ~~in an expedient manner~~
 166 to prepare the premises for occupancy. **This exemption may be granted for not more**
 167 **than one year.**

168 (3) The property is in probate; however, **the exemption shall terminate thirty calendar**
 169 **days after the estate is closed.** ~~or where the owner has entered a long-term care~~
 170 ~~facility within six months of the building being vacant.~~ **This exemption may be**
 171 **granted for not more than two years.**

172 (4) **The owner of the property has entered a long-term care facility within six months**
 173 **of the building being vacant, provided that the exemption related to long-term**
 174 **care shall not exceed two years, after which registration fees apply.**

175 (5) The property is currently undergoing environmental cleanup or assessment. This
 176 exemption shall terminate **thirty 30** days after the completion of **the** cleanup. **This**
 177 **exemption may be granted for not more than one year.**

178 (6) A vacant first-floor storefront in an otherwise occupied building in the Downtown
179 Development District may be exempt, provided the owner demonstrates they are
180 actively trying to lease/sell the property during the vacancy period. The building
181 must provide adequate advertisement approved by the Design Committee of the
182 Downtown Dover Partnership. This exemption may be granted for a maximum of
183 two years.

184 (7) Active-duty military service with deployment orders.

185 (c) *Granted exemptions:*

186 (1) No more than one exemption may be granted for the duration of the case, starting
187 from the initial notice of violation sent to the property owner.

188 (2) Exemptions granted have consecutive timing and may not be extended beyond the
189 time specified in this chapter. When a previously issued exemption has exhausted
190 its total time, further exemptions shall not be granted.

191

192

193 ~~(e)~~(d) *Failure to register.* If the ~~owner of the~~ property **owner or agent** fails to register the
194 property with the City of Dover within ~~30~~ **thirty** days of notification to do so by the City of
195 Dover **code official staff**, then the property owner/agent may not be entitled to **the**
196 exemption from the fees.

197

198 Sec. 22-406. Appeals ~~of the 25 percent over market rate.~~

199

200 (a) An appeal of the 25 percent over market rate (from the actively for sale or lease
201 definition) can be considered through an appraisal using accepted appraisal standards to
202 determine **the** market rate. The **property owner or agent must have the appraisal** ~~has~~
203 ~~the option of asking the city tax assessor to perform the appraisal or having one~~
204 performed (using accepted appraisal standards) at their own expense.

205 **(b) Any appeal of the Code Official’s decision must be made in writing within thirty**
206 **days of notification and submitted to the City Clerk’s Office. All appeals are**
207 **pursuant to Section 1-18 of the Dover Code of Ordinances.**

208

209

210 ADOPTED: *

211

212

SYNOPSIS

213 This ordinance amends the City of Dover’s vacant building regulations to provide clearer, more
214 detailed, and enforceable standards. It recognizes that vacant buildings negatively impact
215 surrounding properties, neighborhood stability, and public safety. The amendments update and
216 refine key definitions, establish firm timelines for registration and compliance, clarify eligibility
217 for exemptions, and improve transparency for property owners. Overall, the ordinance is
218 intended to strengthen accountability, reduce the number and duration of vacant buildings, and
219 protect the quality of life for residents and visitors throughout the city.

220

(SPONSORS: DUCA & SUDLER)

221

222

223 Actions History

224 03/24/2026 - Introduction - Council Committee of the Whole/Legislative, Finance, and
225 Administration Committee

226