ORDINANCE
for the
ADOPTION of the 2018
INTERNATIONAL RESIDENTIAL CODE

DESCRIPTION: An Ordinance of the Town of Cheswold adopting the 2018 edition of the 
International Residential Code, providing for the issuance of permits and collection of fees therefor; related to residential construction and maintenance and repealing all other Ordinances 
and parts of Ordinances in conflict therewith, except for those of the State of Delaware and/or 
Kent County and/or the Land Use Ordinance and Comprehensive Plan of the Town of Cheswold, 
which shall have precedence in perpetuity.

Section 1. PURPOSE
This Ordinance and the 2018 edition of the International Residential Code provides for the 
standards for regulating and governing the construction, alteration, movement, enlargement, 
replacement, repair, equipment, location, removal and demolition of detached one and two 
family dwellings and multiple single family dwellings, (townhouses), not more than three stories 
in height with separate means of egress as herein provided; and provides for the issuance of 
permits and collection of fees therefor.

Section 2. AUTHORITY to ACT
The Town Council of the Town of Cheswold has been vested with all the power possible for a 
municipal corporation to have under the Constitution and laws of the State of Delaware, as 
specified by Section 4. Powers of the Town of the Town Charter and specifically with the ability 
to provide for and preserve the health, peace, safety, cleanliness, ornament, good order and 
public welfare of the Town and its inhabitants.
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Section 3. APPLICABILITY
This Ordinance, No 11-16-2020-061, shall apply except where it may conflict with the Building Ordinances, codes, statues, rules and regulations, set forth by the State of Delaware and/or Kent County and/or the Land Use Ordinance and/or Comprehensive Plan of the Town of Cheswold, in which case the Ordinances, codes, statues, rules and regulations of the State of Delaware and/or Kent County and/or the Land Use Ordinance and/or Comprehensive Plan of the Town of Cheswold shall apply, as applicable to the situation.

Section 4. DEFINITIONS
All applicable definitions may be found in the 2018 edition of the *International Residential Code*.

Section 5. The Town Council of the Town of Cheswold does ordain as follows:
That a certain document, a copy of which are on file in the office of the Code Enforcement Officer of the Town of Cheswold, being marked and designated as the *International Residential Code*, 2018 edition, as published by the International Code Council, be and is hereby adopted as the Residential Code of the Town of Cheswold, in the State of Delaware for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings, (townhouses), not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the office of the Town of Cheswold are hereby referred to, adopted and made a part thereof, as if fully set out in this Ordinance, with the additions, insertions, depletions and changes, if any, prescribed in Section 2 of this Ordinance.

Section 6. ADDITIONS; INSERTIONS; DELETIONS; MODIFICATIONS; CHANGES
The following sections are hereby modified as follows:

a. Section 301. (Climate and geographic design criteria) – Fill in chart as follows:

| Ground snow load | 25 |
| Wind Design      |    |
| Speed (mph) \(V_{and} + V_{ut}\) | 89/115 3-second gust |
| Topographic effects | No |
| Special Wind Region | No |
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a. **Section 301. “continued”**

<table>
<thead>
<tr>
<th>Weathering</th>
<th>Severe</th>
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<tr>
<td>Frost line depth</td>
<td>24&quot;</td>
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<tr>
<td>Termite</td>
<td>Moderate to heavy</td>
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</tbody>
</table>

| Winter Design Temp | 14 deg. F |
| Ice barrier underlayment required | No |
| Flood Hazards | June 1, 1977 |
| Air freezing index | 250 |
| Mean Annual Temp. | 55.7 |
| Assumed soil bearing | 2000 psf |

| Elevation | 30' |
| Latitude | N3854 |
| Winter Heating | 18°C |
| Summer Cooling | 90°F |
| Altitude Correction Factor | N/A |
| Indoor Design Temp. | 72°F |
| Design Temp. Cooling | 75°F |

| Heating Temp. Difference | 54°F |
| Cooling Temp. Difference | 15°F |
| Wind Velocity Heating | N/A |
| Wind Velocity Cooling | N/A |
| Daily Range | L |
| Winter Humidity | 50% |
| Summer Humidity | 50% |

b. **311.7.5 Stair treads and risers** – R311.7.5 Stair treads and risers. Stair treads and risers shall meet the requirements of this section. For the purposes of this section, all dimensions and dimensioned surfaces shall be exclusive of carpets, rugs or runners.

c. **R311.7.5.1 Risers.** Replace 7¾ inches (196 mm) with 8¾ inches (209.6 mm).

d. **R311.7.5.2 Treads.** Replace 10 inches (254 mm) with 9 inches (229 mm).
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Section 301. “continued”

e. 313 Automatic Fire Sprinkler systems – delete in its entirety

f. Add section 614 (Pole Buildings) - refer to current adopted Kent County
   Supplement to the 2012 International Building Code and 2012 International
   Residential Code

g. Add section 615 (Pole Buildings) - refer to current adopted Kent County
   Supplement to the 2012 International Building Code and 2012 International
   Residential Code

h. Add section 616 (Pole Buildings) - refer to current adopted Kent County
   Supplement to the 2012 International Building Code and 2012 International
   Residential Code

i. Add section 617 (Pole Buildings) - refer to current adopted Kent County
   Supplement to the 2012 International Building Code and 2012 International
   Residential Code

j. Chapter 11 Energy Efficiency – delete in its entirety; refer to current adopted State
   Energy Code

k. Part V – Mechanical (Chapters 12 through 23) – Deleted in their entirety by
   way of DE Title 24, Chapter 1806. (This reference adopts the 2015 IPC, IMC and
   IFGC for all installations in the State of Delaware.)

l. Part VI – Fuel Gas (Chapter 24) - Deleted in its entirety by way of DE Title 24, 
   Chapter 1806. (This reference adopts the 2015 IPC, IMC and IFGC for all
   installations in the State of Delaware.)

m. Part VII – Plumbing (Chapters 25 through 33) - Deleted in their entirety by way of
   DE Title 24, Chapter 1806. (This reference adopts the 2015 IPC, IMC and IFGC for all
   installations in the State of Delaware.)

n. Part VII - Chapters 34 through 43 (Electrical) - deleted in their entirety; refer to
   current adopted State Electrical Code by way of the Office of the State Fire Marshal,
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Section 7. VALIDITY
That if any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance, and each section, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 8. LEGAL RIGHTS
That nothing in this Ordinance or in the Residential Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 9. POSTING
That the Town Clerk and/or Secretary/Treasurer is hereby ordered and directed to cause this Ordinance to be published by posting on the Town bulletin board, Town website and local Post Office, for a period no less than 10 business days.

Section 10. EFFECTIVE DATE
That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect, from and after the date of its final passage and adoption. Subsequent revisions shall take effect and be in full force and effect upon the date of its final passage and adoption.

Ordinance No. 11-16-20-061, entitled, Adoption of the 2018 International Residential Code – was presented for public comment at a Public Hearing meeting, held at 6:00 p.m., on Monday, January 4, 2021, at 6:00 p.m., during a Virtual Zoom Meeting in Cheswold, Delaware, 19936.
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I, Laurence Kirby, Mayor, do hereby certify that the foregoing is a true and correct copy of the Ordinance duly adopted by a majority vote of all properly sworn quorum of members of the Cheswold Town Council, who were present and voting throughout, on January 4, 2021, at the monthly Cheswold Town Council meeting, held at 6:30 p.m., via virtual ZOOM meeting held in Cheswold, Delaware.

Certified:

Mayor Laurence Kirby
Date: January 4, 2021

ATTEST:
Secretary/Treasurer Theron E. Callender
Date: January 4, 2021

Agreed:
Vice-Mayor Santo Faronea
Date: January 4, 2021

Agreed: Absent
Councilperson Judith Johnson
Date: January 4, 2021

Agreed:
Councilperson Mark Moxley
Date: January 4, 2021

Agreed:
Councilperson Michael Wysong
Date: January 4, 2021

NOTARIZED:
Town Clerk Shadina Jones
Date: January 4, 2021
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Sponsored by: David Naples, MCP
Town of Cheswold Building Inspector

Date: November 16, 2020

REVISION LOG

<table>
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<tr>
<th>Revision Date</th>
<th>REVISION REASON</th>
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Date: 11-16-2020

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