

Chapter 85. BUILDING CONSTRUCTION

§ 85-5. Permit limitations.

A.

Building permits shall be valid for a period of one year from the date of issuance.

B.

A building permit may be extended for a period of one year, provided the property owner can show good cause for the extension.

C.

All construction authorized by a valid building permit shall comply with the Town of Milton ordinances, Sussex County ordinances (where applicable), state fire codes (where applicable), building codes adopted by Sussex County and flood insurance codes.

D.

Applications for a demolition permit shall be accompanied by a pre-demolition inspection report performed by an entity licensed by the State of Delaware as required by the State of Delaware

E.

Demolition permits shall be valid for a period of (45) forty-five days from the date of issuance.

F.

A demolition permit may be extended one time for a period of (45) forty-five days, provided the property owner can show good cause for the extension.

G.

All demolition authorized by a valid demolition permit shall comply with the Town of Milton ordinances, Sussex County ordinances (where applicable), and State of Delaware Code (where applicable).

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§ 85-11. Enforcement.

The issuing of permits and the enforcement of all the requirements of this chapter, including the inspection and testing of all materials entering into any structure in the Town of Milton, is hereby vested in the ~~Secretary of Town Council or their representatives~~ Town Administrator and/or his/her designees.

§ 85-19. Building nuisances.

A.

If any person, firm or corporation owning any building, shed, or structure within the Town limits of the Town of Milton shall permit such building, shed, or structure, either because of faulty construction or because of deterioration, or for any other reason, to be in such condition that it is a menace to the safety of persons or property, such condition is hereby declared to be a nuisance.

B.

If such a nuisance is in existence, the ~~Secretary of Town Council of the Town of Milton~~ Town Administrator and/or his/her designees shall, by written notice addressed to the said owner at his or her, or its, or their last known post office address, call upon such owner thereof to abate said nuisance. If said owner shall fail within a period of 30 days after receipt of such notice to abate such nuisance, the owner shall be guilty of a misdemeanor.

C.

If the court before which the case is tried shall determine that such building, shed, or structure, either because of faulty construction or because of deterioration, or for any other reason, is in such condition that it is a menace to the safety of persons or property, and that such menace has continued to exist for a period of 30 days after written notice by the ~~Secretary of Town Council of the Town of Milton~~ Town Administrator and/or his/her designees to abate the nuisance as above set forth, such owner shall be punished as set forth in § 85-14. Each day after the said period of 30 days following the above-described notice during which the nuisance is continued shall constitute a distinct and separate offense.

[Amended 12-7-2009 by Ord. No. 2009-001]

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§ 85-26. Adoption of standards.

[Amended 10-1-2007 by Ord. No. 2007-0005][Date of amendment and ord. no. TBD]

A. The Town of Milton hereby adopts by reference as the Town of Milton codes the ~~2006~~ 2012 edition of the International Residential Code; ~~2006~~ 2012 edition of the International Property Maintenance Code; ~~2006~~ 2012 edition of the International Building Code; ~~2006~~ 2012 edition of the International Existing Building Code as issued by the International Code Council and all future amendments, changes and modifications of said codes. These codes will remain in effect until the Town of Milton adopts new codes

B. Exemptions

I. Automatic fire sprinkler systems, IRC § R313. Automatic fire sprinkler systems shall be exempted from one and two story single family dwellings and townhouses.

