



Town of Milton

115 Federal Street, Milton, Delaware 19968

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ORDINANCE NO. 2024-008

**AN ORDINANCE TO AMEND CHAPTER 85 OF THE TOWN CODE, ENTITLED
"BUILDING CONSTRUCTION," RELATED TO BUILDING CONSTRUCTION
PERMITS.**

WHEREAS, the Charter of the Town of Milton vests power in the Mayor and Town Council to provide for and preserve the health, peace, safety, cleanliness, ornament, good order and public welfare of the Town and its inhabitants; and

WHEREAS, the Mayor and Town Council of the Town of Milton have previously enacted an ordinance governing building construction, codified as Chapter 85 of the Town Code; and

WHEREAS, the Mayor and Town Council held an open meeting on the 9th day of September, 2024, to consider amendments to Chapter 85;

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Town Council of the Town of Milton:

Section 1. Amend § 85-4 of the Town Code, with additions shown by underline and deletions shown by strikethrough as follows:

§ 85-4 Permits.

~~Except for any of the following having a fair market value totaling less than \$300 for any work, cost, and materials for completion of the project as a whole,~~ With the exception of interior and exterior painting, laying of carpet and linoleum, and landscaping, softscapes and pergolas a building permit shall be required within the Town of Milton under the following conditions:

- A. Construction of a new building or structure or portion thereof, including but not limited to foundations, driveway paving, sidewalks, fences, piers, docks, sheds, gazebos, decks, swimming pools, and permanent standby electrical generation systems.
- B. The alteration of an existing building or structure, ~~excluding interior and exterior painting,~~

~~laying of carpet and linoleum, and landscaping, softscapes and pergolas.~~

- C. When an existing building or structure or portion thereof is to be demolished or removed.
- D. When it is proposed to move a structure from one site to another site or when the streets of the Town of Milton are to be used.

Section 2. Amend § 85-26 of the Town Code, with additions shown by underline and deletions shown by strikethrough as follows:

§ 85-26 Adoption of standards.

The Town of Milton hereby adopts by reference as the Town of Milton codes the ~~2015~~ 2021 edition of the International Residential Code, ~~2012~~ 2021 edition of the International Property Maintenance Code, ~~2015~~ 2021 edition of the International Building Code, and ~~2015~~ 2021 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.

Section 3. This Ordinance shall become effective on January 1, 2025.

I, **JOHN R. COLLIER**, Mayor of the Town of Milton, hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Town Council of the Town of Milton at its meeting held on the 7th day of **October, 2024**, at which a quorum was present and voting throughout and that the same is still in full force and effect.


MAYOR

SYNOPSIS

This Ordinance revises the requirement for a building permit to align with various sections of Town Code and adopts the International Code Council codes to be aligned with the County. The changes between the current codes and the proposed codes reflect minor changes that include use of newer material, more precise testing, adds minimum requirements for ventilation, energy conservation, life safety, and property protection from fire and explosions.