

Town of Dewey Beach Minimum Standards for Property Condition and Exterior Compliance – Residential Property

Commented [DL1]: Document retitled to be ONLY Residential

The owner of any premises shall maintain all structures and exterior property in accordance with the standards set forth in this ordinance and the building code under which the structure was originally constructed. The owner or their designated agent is responsible for ensuring that all repairs, additions, or alterations are performed in full compliance with the Town of Dewey Beach Code. ~~No person shall occupy, or allow another to occupy, any premises that is not clean, sanitary, safe, and in compliance with the requirements of this chapter.~~

General – Exterior Structure

- The exterior of a structure (~~occupied or active~~) shall be maintained in clean, good repair, structurally sound and sanitary so as not to pose a threat to public health, safety or welfare. External Structures should be maintained so as not to cause a blighting problem.
- Property must be free from environmental hazards such as mold, asbestos, or lead paint exposure, especially in rental units or public-facing buildings.

Commented [DL2]: After discussion we eliminated abandoned from vacant structures as it would be covered here.

Vacant structures

- Vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or ~~safety~~.

Commented [DL3]: After discussion we eliminated abandoned from vacant structures as it would be covered here.

Sidewalks and driveways

- Sidewalks, walkways, stairs, driveways, parking spaces and similar areas maintained free from hazardous conditions and are safe for use.
- ~~No parking is permitted except within the designated driveway~~

Commented [DL4]: We agreed to remove this.

Landscaping

- All premises and exterior property shall be maintained free from uncontrolled vegetation, including weeds or plant growth exceeding ~~four six (6)(4)~~ inches in height.
- For the purposes of this ordinance, *weeds* shall be defined as any grasses, annual plants, or vegetation—excluding trees and shrubs—that are not intentionally cultivated or maintained. This definition does **not** include ornamental plants, cultivated flowers, garden crops, or landscaped shrubs that are actively managed as part of a designed planting area.
- Property owners are responsible for regular maintenance to prevent overgrowth, invasive species, or vegetation that may contribute to fire hazards, pest harborage, or visual blight.

Commented [DL5]: Existing code is 12 inches. We ultimately settled on 6

Commented [DL6R5]: Note: Sussex county (chapter 80) calls out for 12 inches, IMPC also calls for 12 inch standard

Rodent harborage

- Structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

Accessory structures.

- Any accessory structures, including swimming pools, hot tubs, detached garages, fences and walls, shall be maintained structurally sound and in good repair.

Accumulation of rubbish or **garbage**.

- ~~Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.~~
- ~~There will be no disposal of rubbish or garbage into neighbor's dumpsters or trash can(s) without permission~~
- ~~Suggested definition of garbage: Putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food. (food waste and other organic matter).~~
- ~~Suggested definition of rubbish: Dry, non-decomposable solid waste such as paper, wood, plastics, and yard debris.~~
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Lighting and Security

- ~~All exterior lighting fixtures shall be maintained in working conditions to ensure visibility and deter criminal activity.~~
- All exterior lighting shall be installed and maintained to prevent excessive brightness, glare, or light trespass onto adjacent properties. Lighting shall not be so intense or improperly directed as to interfere with the reasonable enjoyment of neighboring premises, nor shall it create a nuisance or hazard to public health, safety, or welfare. Fixtures shall be shielded and aimed downward to minimize light pollution and preserve the character of the surrounding area.
- ~~Vacant properties must have secure doors, windows, and locks to prevent unauthorized entry.~~

Drainage and Stormwater **Management**

- Property shall be graded to prevent the accumulation of stagnant water and to direct runoff away from structures.
- Gutters, downspouts, and storm drains must be kept clear and functional.
- All water generated on a property—including stormwater, irrigation runoff, and similar sources—shall be managed entirely within the boundaries of that property. Discharge of water onto public streets, sidewalks, or adjacent properties is strictly prohibited. Property

Commented [DL7]: 153 is devoted to solid waste' We should ensure that this does not conflict

Commented [DL8R7]: Chapter 153 included for discussion

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Commented [DL9]: Suggested wording for ordinance:
 **SXX-101. Residential Exterior Lighting Standards – Cutoff Compliance**

1.1. Purpose

To preserve neighborhood character, minimize light pollution, protect residential privacy, and promote energy-efficient lighting in residential zones.

2.2. Definitions

•**Cutoff Luminaire:** A lighting fixture that emits no more than **2.5% of total light output above the horizontal plane (90° from nadir)** and no more than **10% at a vertical angle of 80° from nadir**, per Illuminating Engineering Society (IES) standards.

•**Light Trespass:** Unwanted illumination spilling onto adjacent residential properties or public rights-of-way.

•**Non-Essential Lighting:** Decorative, landscape, or security lighting not required for safety or code compliance.

1.3. Residential Requirements

•All exterior lighting fixtures exceeding **1,800 lumens** shall be **cutoff luminaires**.

•Fixtures must be **fully shielded and downward-directed** to prevent glare and trespass.

•Measured illuminance shall not exceed **0.5 foot-candles** at any residential property line.

•**Timers, motion sensors, or dimmers** shall be installed on non-essential lighting to reduce nighttime disturbance.

•**Holiday lighting** is exempt from cutoff requirements but must be turned off between **11:00 PM and 6:00 AM** unless otherwise permitted.

1.4. Measurement and Enforcement

•Compliance shall be verified using a **calibrated light meter** at property boundaries and photometric data from fixture manufacturers.

•Violations may result in **written notice**, followed by fines or required fixture replacement if unresolved within **30 days**.

Commented [DL10R9]: Also - 185-38 € speaks to design standards for commercial properties

Commented [DL11]: 185-94 speaks to stormwater runoff, but I don't think it captures all of this.

owners must implement appropriate grading, drainage systems, or containment measures to prevent off-site flow and ensure compliance with this requirement.

Graffiti and Vandalism

- Property owners shall remove graffiti or vandalism within a specified timeframe (e.g., ~~72~~ 7 days ~~hours~~) after notification.

Signage and Address Numbers

- ~~Buildings must display address numbers that are clearly visible from the street for emergency services.~~
- ~~Signs must be maintained in good condition and comply with zoning regulations.~~

Outdoor Storage and Equipment

- Inoperable vehicles shall not be stored on exterior property unless fully enclosed
- The outdoor storage of boats, trailers, mobile homes, campers, and similar large vehicles or equipment is prohibited on residential property unless fully enclosed within a permitted structure or specifically authorized by zoning regulations.
- Smaller recreational items such as kayaks, canoes, paddleboards, and similar watercraft ~~must be stored in a manner that is orderly, secure, and not visible from public rights of way or neighboring properties. These items~~ shall not obstruct sidewalks, driveways, or ~~create visual clutter or~~ create safety hazards.
- ~~Outdoor storage of materials, appliances, or equipment must be screened from public view and not create safety hazards.~~

Energy and Utility Systems

- ~~Heating, cooling, plumbing, and electrical systems must be maintained in safe working order and comply with applicable codes.~~
- ~~Utility shutoffs due to neglect may trigger inspection and enforcement.~~

Enforcement:

Failure by a property owner or responsible agent to maintain the exterior condition of any property in accordance with applicable municipal standards—following issuance of a formal notice of violation—shall result in enforcement actions, including fines and penalties, as determined by the governing authority. If the violation is not remedied within the prescribed timeframe, the municipality or its authorized representatives may ~~enter the property to~~ perform necessary corrective measures. All costs incurred by the town in restoring the property to compliance shall be charged to the owner or responsible party to include:

- **Progressive Penalties:** Escalating fines for repeated violations or failure to comply after initial enforcement.

Commented [DL12]: Most Delaware municipalities Wilmington, Newark and New Castle County call for 10 - 15 days after notice

Commented [DL13R12]: Suggest we change this to 15 days

Commented [DL14]: 185-54 does address

[§ 185-54 Parking and storage of certain vehicles.](#)
[Amended 9-20-2024 by [Ord. No. 843](#)]
[A.](#) No motor vehicles shall be parked in the front yard of any lot except within an established driveway or within a marked parking space accessed from the driveway entrance of the lot, and parking is subject to applicable planting, green space, and open space requirements in Table 2, Bulk Zoning Requirements in All Districts.^[1]
[\[1\]](#)Editor's Note: Table 2 is [included as an attachment to this chapter.](#)

[B.](#) No more than a total of two automotive vehicles and/or trailers of any kind or type without current license plates shall be parked or stored on any residentially zoned property other than in completely enclosed buildings.

[C.](#) All paved surfaces in the front, side and rear yards are to be covered with permeable materials or otherwise paved in a manner designed to create a permeable surface.

Commented [DL15]: See 185-51 speaks to the storage of a boat trailer...in the front yard

Commented [DL16]: Review Table 3 from 185-25 (relates to RB and PRB districts; related to storage of a boat

- **Lien Authority:** Town may place a lien on the property for unpaid fines or remediation costs.
- **Emergency Abatement:** In cases of imminent danger, the town may act immediately to correct hazards without prior notice. All costs will be borne by the property owner
- Town may deny a rental license, building permit or a parking permit. If there is a violation or fine owed to the town.

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