



CITY OF DOVER, DELAWARE
PLANNING & INSPECTIONS | FIRE MARSHAL'S OFFICE



2024 BUILDING & FIRE CODE UPDATE

Plain-language answers for residents, property owners, businesses, builders and designers

2009 TO 2024 Coordinated modern codes	NO BLANKET UPGRADE Existing buildings remain usable	DOVER RULES PRESERVED Zoning, floodplain and local permits
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WHAT THIS HANDOUT COVERS Ordinance #2025-19 replaces Dover's locally adopted 2009 construction, fire and property-maintenance codes with the 2024 I-Codes and Dover-specific amendments. Council Amendment CA-1 is included in the residential answers below.

The six codes in the update

IBC International Building Code Most commercial, multifamily and other non-IRC buildings	IRC International Residential Code One- and two-family dwellings and qualifying townhouses	IEBC International Existing Building Code Work in existing buildings outside the IRC scope
ISPSC International Swimming Pool and Spa Code Pools, spas, barriers and aquatic facilities	IPMC International Property Maintenance Code Ongoing maintenance of buildings and premises	IFC International Fire Code Fire prevention, operations and fire-protection systems

State-controlled codes: Energy, HVACR/mechanical, plumbing, fuel gas and electrical work continue under the applicable Delaware codes; Dover does not create competing local editions.

General questions

1. Why update from the 2009 codes?	The 2009 editions are approximately 17 years old. The coordinated 2024 codes address modern construction, updated accessibility, energy-storage and lithium-ion battery hazards, current engineering practice, and clearer standards for applicants and inspectors.
2. Does the ordinance change zoning?	No. Zoning still controls permitted uses, dwelling units, density, setbacks, parking, signs, site plans and lot standards. A building-code appendix does not authorize a use that zoning prohibits.
3. Must every existing building be upgraded?	No. There is no blanket conversion of existing buildings to every new-construction requirement. The code applied depends on the work performed, such as a repair, alteration, addition or change of occupancy. Unsafe conditions still must be corrected.
4. Can a project already underway use the prior codes?	A valid pre-adoption permit remains under the prior code while valid. With the owner or applicant's written election, a documented project may also use the prior codes when a Delaware-registered design professional was retained by written engagement before adoption and performed active design work during the preceding six months.



Residential questions

CA-1 IN ONE SENTENCE New one- and two-family dwellings and townhouses are sprinklered; a pre-existing portion is not, and only an addition that independently reaches an otherwise applicable threshold is sprinklered.

5. Are sprinklers required in every home?	No. The 2024 IRC Section R309 requirement applies to newly constructed one- and two-family dwellings and townhouses. Merely adopting the code does not require an existing home to be retrofitted.
6. How does CA-1 treat an addition?	The existing portion cannot be required to receive or extend residential sprinklers because work reaches a floor-area, percentage, value or other current-code threshold. The addition is evaluated independently; if an otherwise applicable threshold is met, only the addition is sprinklered. CA-1 creates no new numeric threshold.
7. What code applies when an existing home is renovated?	IRC Appendix BO provides the pathway for repairs, alterations, additions and relocation of homes within the IRC scope. New work must be safe and the home cannot become less compliant, but the project does not automatically become new construction. CA-1 separately protects the existing portion from residential-sprinkler extension.
8. Do tiny-house and ADU appendices make those uses legal everywhere?	No. Appendices BB and BC supply construction standards only. Dover zoning still determines whether a tiny house or accessory dwelling unit is permitted on a particular property. Appendix BD covers qualifying home day care, and Appendix BO covers existing residential buildings.
9. What changes for a home day-care facility?	A qualifying facility in an occupied one-family dwelling may serve up to 12 children under the R-3/IRC pathway, subject to State licensing, zoning, City and electrical inspections, required alarms, extinguisher and infant-room egress. More than 12 uses the applicable Group E or I-4 rules. New homes comply with R309; existing portions follow CA-1.
10. What should owners know about small-project permits?	The detached accessory-structure exemption uses 120 square feet, not the published 200 square feet. A building permit is still required for fences, and the pool exemption is limited to qualifying shallow, entirely above-ground prefabricated pools. Even permit-exempt work can still require zoning, floodplain or other approval.
11. What foundation, deck and design values change?	Dover uses regional Kent County foundation language: continuous footings are at least 8 by 16 inches and frost depth remains 24 inches. Special anchoring is available for certain accessory structures under 300 square feet, but not garages or pole buildings. Deck footings and current snow, wind and other design criteria are updated.
12. How are energy, generators and flood design handled?	The Statewide Energy Conservation Code and State-controlled fuel-gas, electrical, mechanical and plumbing codes apply. Generator references are coordinated with those State codes. Dover keeps its current FEMA references and 18-inch freeboard; Chapter 50 controls when more restrictive.



Commercial and existing-building questions

13. What governs new commercial and multifamily construction?	The 2024 International Building Code governs most buildings outside the IRC's scope, including commercial buildings and many multifamily projects. It supplies current structural, accessibility, occupancy, egress, fire- and life-safety, and construction requirements, together with Dover's amendments.
14. What governs work in an existing commercial building?	The 2024 International Existing Building Code governs repairs, alterations, additions, changes of occupancy and relocation outside the IRC scope. It is designed to support safe continued use and reuse without treating every project as an entirely new building. Dover adopts no IEBC appendix, including Appendix E.
15. Do commercial sprinkler requirements change?	The published 2024 IBC Group A sprinkler requirements remain in effect. Dover Code Section 46-162 remains supplemental, and the more restrictive requirement controls. Other occupancy-specific sprinkler and fire-protection requirements are reviewed from the applicable codes and approved plans.
16. What changes at public entrances?	For a newly constructed place of public accommodation, each main public entrance must have an automatic door or a qualifying calling device as required by Delaware law. The published IBC accessibility provisions and table otherwise remain in place.
17. How are batteries and energy-storage systems addressed?	The 2024 IBC and IFC include modern provisions for lithium-ion batteries, energy-storage systems and related hazards that were not comprehensively addressed by Dover's 2009 editions. Exact protection depends on the equipment, quantity, location and use.
18. Does the new Fire Code create a broad new permit list?	No. Dover adopts the 2024 IFC's substantive fire- and life-safety rules but deletes the model operational and construction permit lists. Permits expressly required by Dover Code Chapter 46 remain. Delaware State Fire Marshal authority is unchanged.
19. What changes for pools, spas and aquatic facilities?	The 2024 ISPSA becomes the construction and safety code. Published barrier rules are retained. Public pools must have slip-resistant walkways at least 4 feet wide around the pool and arranged so surface water does not return to the pool.
20. How are commercial energy, trade-code and flood rules coordinated?	Dover enforces the Statewide Energy Conservation Code then in effect, including the State's 2024-based requirements effective April 11, 2026. State HVACR, plumbing, fuel-gas and electrical rules continue to control. Commercial flood design keeps the current FEMA information, 18-inch freeboard and IBC Appendix G.

EXISTING-BUILDING TAKEAWAY The 2024 code does not erase lawful existing conditions. It provides a structured way to review the actual work while preserving requirements for unsafe conditions, changes of occupancy and other independently triggered safety obligations.



Permits, property maintenance and implementation

FIRST EXTENSION 180 days - no charge	LATER EXTENSIONS \$25 per 180 days	PERMIT COMPLETION Final within 3 years	FINE DOUBLING 14-day automatic doubling removed
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Administrative questions

21. How are plans submitted and permit values calculated?	Plans may be submitted as two paper sets or in an approved digital format. Delaware-registered design professionals must sign and seal documents when State law requires it. New-construction valuation uses the most recent ICC Building Valuation Data unless the Building Official approves another value in writing.
22. How long does a permit remain active?	A permit is valid for 180 days. One 180-day extension may be granted at no charge; each later 180-day extension is \$25. Work must be completed and pass final inspection within three years, or a new permit and applicable fees are required unless a written fee credit is approved.
23. What happens to penalties and stop-work fines?	The automatic doubling of an unpaid fine after 14 days is removed. A code violation carries a \$100 minimum and \$10,000 maximum, with each day a separate offense. Continuing work after a stop-work order uses progressive fines of \$100, \$250, \$500, then \$1,000 to \$10,000 for later offenses.
24. What changes under the Property Maintenance Code?	The 2024 IPMC identifies Code Enforcement as the enforcing division, sets the grass and weed limit at 8 inches, keeps insect-screen season from March 1 through November 30, and keeps the heat-supply period from September 15 through May 1.
25. Can an owner appeal a code decision?	Yes. Dover retains its Construction and Property Maintenance Code Board of Appeals and adopts the IPMC appeal appendix. The Building Official may interpret and administer the code but cannot eliminate the right of appeal or waive zoning or State-law requirements.
26. When does the update take effect?	The ordinance is effective immediately upon adoption. The transition protection described in Question 4 applies only to the documented project and scope and does not waive zoning, floodplain, fire, utility, licensing or other required approvals.
27. Will this automatically change insurance premiums or Dover's fire rating?	No guaranteed premium change can be promised. The ISO/Verisk Building Code Effectiveness Grading Schedule is separate from the Fire Department's Public Protection Classification. Updated adoption can improve one part of the BCEGS review, but staffing, training, plan review, inspection and records also matter.

QUESTIONS? TALK WITH US BEFORE PLANS ARE FINAL. Planning & Inspections: (302) 736-7010 | permitsandlicenses@dover.de.us Fire Marshal's Office: (302) 736-4457 | cityofdoverfmo@dover.de.us City Hall, 15 Lookerman Plaza, Dover, DE 19901

Official references: [Planning & Inspections](#) | [Fire Marshal's Office](#) | [Delaware State Energy Code](#)

This handout summarizes Ordinance #2025-19 and Council Amendment CA-1 for general public information. If a summary conflicts with the adopted ordinance, Dover Code, State law or an applicable code provision, the controlling legal text governs. Project-specific requirements are determined during plan review and inspection.