

CONSTRUCTION AND PROPERTY MAINTENANCE CODE BOARD OF APPEALS

The Construction and Property Maintenance Code Board of Appeals meeting was held on April 9, 2026, at 3:38 p.m., with Mr. Boggerty presiding. The members present were Mr. Martin and Mr. Neil. Mr. Campana and Mr. Rocha were absent. Staff members present were Mr. Kopp, Ms. Brown, Mr. England, and Ms. Wheeler.

ADOPTION OF AGENDA

Mr. Neil moved for approval of the agenda, seconded by Mr. Martin, and unanimously carried.

2009 Property Maintenance Code Violation (Chapter 3 - General Requirements, Section 302.8 - Motor Vehicles) - Appeal of Citation and Related Fines - 210 Northdown Drive

Mr. Thomas Miller, Code Enforcement Officer, reviewed the case history for 210 Northdown Drive Avenue.

Mr. Epiewane stated that when the first letter arrived in the mail, he did not open it because the envelope looked like a bill he normally paid online. However, when the second letter arrived, he became aware of it because it was sent by certified mail. He also noted that the vehicle had a flat tire and had been tagged until May 2026, and that he had taken it back for inspection, and the insurance was still valid.

Mr. Neil stated that the citation indicated that the car was operative, and if the tires were flat, it would have been inoperative. He noted that if the evidence he had was that the tires were ready to go, the plates were ready to go, he presumed there would be no problem.

Mr. Martin stated that all mail from the City of Dover should be opened, even though the correction has been made, as the correction was not made before the citation went out.

Mr. Miller stated that the mailings that were marked by Code Enforcement were on the front, so they are differentiated from other pieces of mail from the City of Dover.

Mr. Kopp stated that the fine was issued for non-compliance and that the initial citation carried a flat rate of \$100. He noted that the case began on January 21, 2026, and was not brought into compliance until April 8, 2026, when it was closed, which was why the citation was issued.

Responding to Mr. Martin, Mr. Kopp stated that the individual received the first 30 days without a citation. He also noted that all of the mail, as shown on the envelope, had a stamp and was labeled from the Code Enforcement or Inspections Department on the envelope.

Responding to Mr. Boggerty, Mr. Kopp stated that the second violation was issued on March 2, 2026. He further stated that an inspection was done on April 3, 2026, and that the vehicle was still not in compliance. He noted that the citation was not closed out until April 8, 2026.

Responding to Mr. Epiewane, Mr. Boggerty stated that the pay arrangements are that he could pay up front with Permits and Licensing.

Responding to Mr. Epiewane, Mr. Kopp stated that payment was usually due within 30 days of the last action, so 30 days from the current day would be the payment due date.

Mr. Martin moved to deny the appeal for 210 Northdown Drive. The \$100.00 citation fee remains in effect. The motion was seconded by Mr. Neil and unanimously carried.

2009 Property Maintenance Code Violation (Chapter 3 - General Requirements, Section 304.6 - Exterior Walls) - Appeal of Citation and Related Fines - 106 Red Oak Drive

Mr. Kopp recommended on behalf of the city to deny the appeal due to the no-show of the owner of the property, and that it was in reference to Item #2 for 106 Red Drive, Mr. James Brooks.

Responding to Mr. Boggerty, Mr. Kopp stated that the issue was the siding on the exterior wall that had not been fixed.

Mr. Neil moved to deny the appeal for 106 Red Oak Drive. The \$100.00 citation fee remains in effect. The motion was seconded by Mr. Martin and unanimously carried.

Property Maintenance Code Violation (Chapter 3 - General Requirements, Section 302.8 - Motor Vehicles) - Appeal of Citation and Related Fines - 132 West Sheldrake Circle

Mr. Thomas Miller, Code Enforcement Officer, reviewed the case history for 132 West Sheldrake Circle.

Responding to Mr. Boggerty, Ms. Sheppard stated that the vehicle was her husband's and that he had passed away on November 3, 2016.

Responding to Mr. Boggerty, Ms. Sheppard stated that when her husband had passed away, he had left a house, and the vehicle was left on the property. She noted that she was appointed as his administrator with assistance in 2020.

Responding to Mr. Boggerty, Ms. Sheppard stated that she had to follow guidelines and that the matter was still in probate.

Responding to Mr. Boggerty, Ms. Sheppard stated that she was appointed with minor children and separate adult children. She noted that she was limited to what she could do, and she was not supposed to touch the estate.

Responding to Mr. Boggerty, Ms. Sheppard stated that she had permission to drive the vehicle off the property and to take it to Delaware. She noted that the tags had expired, and she parked the vehicle in the driveway.

Responding to Mr. Boggerty, Ms. Sheppard stated that when the tags expired, she was only driving her vehicle. She noted that she was unaware of what to do and was still not sure what to do with the vehicle.

Eddie Kopp, Chief Code Enforcement Officer for the City of Dover, stated in reference to the vehicle registration number 3260, the last four (4) to the VIN #1548, the vehicle is registered to Christine Shepherd, and the address of record is 132 West Sheldrake Circle. He noted that it was shown the only owner of the vehicle, 2001 Mercedes-Benz, four (4) door Sedan, and black in color.

Responding to Mr. Boggerty, Ms. Sheppard stated that she had the vehicle removed from her husband's property in New York and brought the vehicle to New York since she was the

administrator of his estate. She noted that she has his belongings until his minor children become adults, then she could administer everything to them.

Responding to Mr. Boggerty, Ms. Sheppard stated that when the vehicle got to Delaware and was placed on the property, she stopped registration and insurance.

Responding to Mr. Boggerty, Mr. Kopp stated that he did an inquiry on March 24, 2026, at 12:02 p.m. He noted that he could re-run the inquiry and see if anything has changed. He also noted that the issue date for the registration was November 11, 2017, and the registration expired on September 14, 2025. He mentioned that according to those records, the registration was active until September 14, 2025, and showed under Christine Shepherd's name.

Mr. Kopp stated that the code was specific regarding abandoned vehicles. He noted that he was sympathetic towards the situation; the vehicle had to either be registered or stored elsewhere. He further noted that nothing in the current code provided an exemption allowing the vehicle to remain unregistered on the property.

Responding to Mr. Martin, Mr. Kopp stated that storing the vehicle in the garage could rectify the violation.

Responding to Ms. Sheppard, Mr. Kopp stated that as long as the vehicle was not in the public view and properly stored. He noted that if the vehicle was in the garage, the violation would be cleared.

Responding to Mr. Boggerty, Ms. Sheppard stated that the vehicle was not drivable.

Responding to Mr. Martin, Mr. Kopp stated that what he saw in the system was Christine Shepherd as the primary owner and that he did not see any trust or care of information shown on the records.

Responding to Mr. Neil, Mr. Kopp stated that a vehicle would have to have a DMV title.

Responding to Mr. Neil, Mr. Kopp stated that there was a title. He noted that he was pulling up the DMV records, and the records were showing that Christine Sheppard was the primary and only owner of the vehicle.

Mr. Neil stated that if Ms. Sheppard could put the vehicle in the garage and out of the public way, he would not be inclined to fine her under the circumstances, but it has not been done yet. He noted that it was the first time that it had been specifically communicated that if she took action, the fine could be waived.

Responding to Mr. Martin, Ms. Sheppard stated that a reasonable time that she could clear and place the vehicle in the garage would be May 1, 2026.

Mr. Martin moved to hold the appeal in abeyance until May 1, 2026, on the conditions of the vehicle be moved from public view into the garage or elsewhere until the vehicle is properly registered and serviceable. Failure to comply by May 1, 2026, will result in the reinstatement of the citation, and additional citations may be issued if the vehicle remains on the property. The motion was seconded by Mr. Neil and unanimously carried.

Property Maintenance Code Violation (Chapter 3 - General Requirements, Section 302.8 - Motor Vehicles) - Appeal of Citation and Related Fines - 228 Falmouth Way (Denice Williams)

Mr. Thomas Miller, Code Enforcement Officer, reviewed the case history for 228 Falmouth Way.

Mr. Kopp questioned whether there was a power of attorney to act on behalf of the owner because that would go against the owner of the property, and although Mr. Moore was the vehicle owner, he could not represent the owner without a power of attorney.

Mr. Moore stated that Denice Williams was his grandmother, but was unaware that she had to be present at the appeal.

Responding to Mr. Moore, Mr. Kopp stated that Ms. Williams needed to be here since the violations were against her property, even though the vehicle was his.

Responding to Mr. Boggerty, Mr. Kopp stated that he would be inclined to reschedule, if need be, noting that there has been a good-faith effort. He also clarified that no further enforcement action would take place until the appeal was resolved.

Mr. Miller stated that he had talked with Mr. Moore about the citation on the vehicle, and the next day, he went out to reinspect the vehicle, which was registered and insured.

Responding to Mr. Martin, Mr. Miller stated that once Mr. Moore got the notice, he called. He explained that Mr. Moore did not call to discuss what the registration or what the vehicle was abandoned for until after he received the citation, but he had already taken the step to update the registration for the vehicle.

Mr. Kopp stated that he would be inclined to reschedule unless the Board wanted to move forward to favor the Code Enforcement side. He noted that this did not provide a defense for the homeowner.

Responding to Mr. Boggerty, Mr. Kopp clarified that recognizing the repair without the homeowner being present would be at their discretion. He also stated that even though the repair had been completed at the time the citation was issued, it was still considered a violation at that time.

Responding to Mr. Martin, Mr. Miller stated that he originally issued the write-up for two issues: an abandoned unregistered vehicle and the property, which included missing display address numbers on the house. He noted that the house was not numbered 228 on the street, and that was repaired at the second inspection. The plates were the same as the Pennsylvania tags, and the tires were flat.

Responding to Mr. Boggerty, Mr. Moore stated that the car was registered in his name.

Mr. Kopp recommended that they reschedule since they could not do a defense, and it would be impartial as well.

Mr. Boggerty moved to reschedule the appeal and instructed that Denice Williams be present for the appeal. The motion was seconded by Mr. Neil.

Responding to Mr. Moore, Mr. Kopp stated for clarification that Ms. Williams could call in to participate in the meeting.

Responding to Mr. Kopp, Mr. Moore stated that it was difficult for Ms. Williams to move.

Responding to Mr. Moore, Mr. Kopp stated that he was welcome to come on her behalf, and that Ms. Williams could authorize him to be present at the meeting, as long as she could call in to participate in the meeting.

Mr. Boggerty moved for an adjournment of the Construction and Property Maintenance Code Board of Appeals meeting, seconded by Mr. Martin, hearing no objection, the meeting adjourned at 4:09 p.m.

The meeting adjourned at 4:09 p.m.

Andre M. Boggerty
Chairman

AB/cw