

**ORDINANCE NO. 2335**

**AN ORDINANCE TO AMEND CHAPTER 52, SECTION 52-18C. AND E. OF THE CODE OF SUSSEX COUNTY IN REGARD TO THE SEALING OF DRAWINGS, SPECIFICATIONS, ETC. BY AN ARCHITECT AND/OR ENGINEER**

**WHEREAS, Sussex County Code, Chapter 52, Section 52-18C. currently does not require that building plans be sealed by a registered or licensed architect or engineer unless the building or structure is 5,000 square feet or greater in size; and**

**WHEREAS, Sussex County Code, Chapter 52, Section 52-18E. provides that plans and specifications for buildings and structures less than 5,000 square feet in area shall not be required to be developed by an architect or engineer; and**

**WHEREAS, in order to be in compliance with the Delaware Code, this ordinance shall delete the current language of Section 52-18C. in its entirety and insert new language therein that all building plans and accompanying documents shall meet the requirements of the Delaware Code and shall be sealed by an architect or engineer who is in compliance with the registration and/or licensing provisions of the Delaware Code pertaining to the respective profession; and**

**WHEREAS, Section 52-18E. shall be deleted in its entirety.**

**NOW THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:**

**Section 1. Amend Sussex County Code, Chapter 52, Section 52-18C., Drawing and specifications, by deleting the current language in its entirety and as shown in brackets below:**

**[C. All drawings, specifications and accompanying data shall bear the name and address of the designer. In the case of buildings or structures of Group E – Educational, Group I – Institutional, and Group A – Assembly Occupancy, as defined by and regulated by the IBC, and in the case of all buildings and structures of 5,000 square feet or more in area, such designer shall be an architect or engineer legally registered under the laws of any state in the United States regulating the practice of architecture and/or engineering and shall affix his official seal to said drawings, specifications and accompanying data.]**

Section 2. Amend Sussex County Code, Chapter 52, Section 52-18C., Drawing and specifications, by inserting the new underlined language as follows:

C. All drawings, specifications and accompanying data shall bear the name and address of the registered architect and/or licensed engineer. All drawings, specifications and accompanying data submitted for review by the building official and any documents submitted to the building official with a permit application shall meet the requirements of the Delaware Code. Said drawings, specifications and accompanying data shall have affixed upon them the official seal of an architect and/or engineer legally registered or licensed under the applicable laws of the State of Delaware. The building official is authorized to waive the submission of drawings, specifications and accompanying data not required to be prepared by a registered design professional if it is found the nature of the work applied for is such that review of data is not necessary to obtain compliance with this code and the provisions of 24 Delaware Code, Chapters 3 and 28.

Section 3. Amend Sussex County Code, Chapter 52, Section 52-18E., Drawing and specifications, by deleting the current language in its entirety and as shown in brackets below:

[E. Nothing in this section is to be construed as a requirement that an architect or engineer is required to develop drawings and/or specifications of less than five thousand (5,000) square feet in area.]

Section 4. Amend Sussex County Code, Chapter 52, Section 52-18E., Drawing and specifications, by inserting the new underlined language as follows:

E. Nothing in this section is to be construed as a requirement that an architect is required to develop drawings and/or specifications and affix an official seal for any activities that would constitute the practice of architecture, if performed in connection with any of the following:

(1) Single and 2-family dwellings, and any sheds, storage buildings and garages incidental to such dwellings;

(2) Farm buildings, including barns, silos, sheds or housing for farm equipment and livestock, provided such structures are designed to be occupied by no more than 10 persons; or

(3) Any alteration, renovation or remodeling of a structure when such alteration, renovation or remodeling does not affect structural or other safety features of the structure and when the work contemplated by the design does not require the issuance of a permit under applicable building codes.

**Nothing in this section is to be construed as a requirement that an engineer is required to develop drawings and/or specifications and affix an official seal for any activities that do not constitute the practice of engineering as defined by the Delaware Code.**

**Section 5. Effective Date. This Ordinance shall become effective on May 1, 2014.**

### **Synopsis**

**In order to be in compliance with the Delaware Code, this Ordinance amends Chapter 52, Sections 52-18C. and E. to require that, among other things, prior to the issuance of a building permit, all drawings, specifications and accompanying data shall be sealed by an architect and/or engineer who is in compliance with the registration provisions of 24 Del. C., Chapter 3 or licensing requirement of 24 Del. C., Chapter 28, as the case may be.**

**Deleted text is shown in brackets. Additional text is underlined.**

**I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2335 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 28TH DAY OF JANUARY 2014.**



---

**ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL**