

**DEPARTMENT OF LAND USE**87 READS WAY, NEW CASTLE, DE 19720  
PHONE: 302-395-5400 • WWW.NCCDELU.ORG

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New Castle County Code, Chapter Six, Section 06.03.012 (Permits) defines permit requirements and work exempt from a permit. This document summarizes the referenced code section and is not all inclusive. Please refer to Chapter Six for a more comprehensive list. Additionally, even though a permit is not required for a project, the project must still comply with all applicable construction and zoning codes.

**RESIDENTIAL****Building Permits Required For:**

- New Homes
- Additions
- Porches (open or enclosed)
- Decks
- Patio and decorative hardscaping greater than 30 inches in height
- Garages
- Sheds (over 200 square feet)
- Swimming Pools (above ground and in-ground)
- Fireplaces (masonry or factory-built)
- Altering existing spaces or rooms (including basement area)
- Dormers
- Structural repairs or alterations
- Re-roofing that involves 25% or more replacement of sheathing
- PV Solar Panels (ground-mounted)
- Water-heating Solar Panels – requires a utility permit

**Building Permits Not Required For:**

- Tool sheds, storage sheds, playhouses and gazebos 200 square feet or less
- Decks 200 square feet or less **and** 30 inches in height or less, and that are not directly accessible to a dwelling
- Siding
- Re-roofing (without 25% or more replacement of sheathing)
- Replacement windows/doors without adding structural framing/using existing opening
- Replacement of kitchen cabinets
- Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work
- Fences
- Sidewalks and driveways (new/modified driveways may require a DeIDOT entrance permit; information is available at: <https://deldot.gov/Business/entrance-permit-system/faqs/> )
- Satellite antennas
- PV Solar Panels (roof mounted)
- Patios/Concrete Slabs (However, if the concrete installed will be used as a foundation for a porch, sunroom, etc. in the future, then an adequate size footing should be included in your concrete pour.)
- Swings and other playground equipment accessory to family dwelling

**NON-RESIDENTIAL****Building Permits Required For:**

- Construction of new buildings and/or additions
- Renovations of existing buildings
- Construction of demising or separation walls
- Tenant fit-outs
- Any structural alteration or repair to a building
- PV Solar Panels (ground-mounted)

Water-heating Solar Panels – requires a utility permit  
New cell tower / antenna(s)  
Sign(s)  
New utility cabinet or equipment shelter  
Replacement antenna(s) larger in size than existing antenna(s)

Please note that some permitted projects will also require Zoning Verification. Please contact us if you have questions.

### **Building Permits Not Required For:**

Replacement cell tower antenna(s) same or smaller in size than existing antenna(s)  
Installation or replacement of cell tower radio heads  
Replacement of cell tower utility cabinet or equipment shelter that is same or smaller in size than existing cabinet  
Installation of cell tower cable lines / fiber or wiring  
Poured pads for generators

## **PLUMBING AND MECHANICAL**

### **Permits Required For:**

All new installation of plumbing fixtures, waste or water piping  
Installation of water conditioning systems  
Installation or replacement of sewer laterals or water service lines  
Installation of new and replacement water heaters, heating and A/C equipment  
Conversion of fuel types for heating appliances (i.e. oil to natural gas, liquid petroleum to natural gas, etc)  
Installation of gas logs, gas fireplaces and space heaters and associated gas piping  
Installation of gas piping for dryers, stoves, pool heaters, etc.  
Water-heating Solar Panels

### **Permits Not Required For:**

Repair or replacement of existing plumbing fixtures (sinks, faucets, toilets, etc.)  
Servicing and cleaning of heating and air conditioning equipment  
Sewer or drain cleaning

## **OTHER TYPES OF PERMITS**

### **Permits Required For:**

**Demolition:** When removing any permanent structure on the property

**Going Out Of Business Sale:** If merchandise is being liquidated at prices below normal

**Temporary Special Event:** Issued for fairs, carnivals and circuses involving tents, rides, food and/or beverages

**Temporary Miscellaneous Sales:** Issued for sale of Easter flowers, Mother's Day flowers, Christmas trees, etc.