



A Certificate of Awareness establishes a standard whereby limited residential improvements constructed prior to January 1, 2002 are not required to obtain a permit. The procedure and requirements are established by Land Use Policy and defined within this document. Please note – a Certificate of Awareness cannot be issued to satisfy the Accessory Dwelling Unit provisions defined in *New Castle County Code* Chapter 40 (UDC) Section 03.410(H).

Limited residential improvements are not required to obtain a permit when the following criteria are met:

- The improvement was constructed prior to January 1, 2002. A design professional shall verify and document the basis for such conclusion.
- The design professional inspects the improvement and determines the improvement does not pose any health or life safety issues.
- The design professional documents his or her findings and basis for conclusions in a signed and sealed report.
- The Department of Land Use accepts and approves the submission and issues a Certificate of Awareness.

Limited Residential Improvements – attached and detached residential improvements to one and two family dwellings and townhouses not more than three stories in height above grade. The improvement is limited to one story in height above grade and 400 square feet for additions. It shall include, but is not limited to finished basements, decks, sheds, carports, living areas, sunroom and porches. It shall not include above grade or below grade swimming pools or other items deemed inappropriate by the Code Official.

Design Professional – an architect or engineer duly registered by the applicable State of Delaware professional association, and who, by reason of his or her special knowledge, experience, and education is qualified to practice in that particular area of expertise. A design professional shall only practice or engage in those areas in which he or she has adequate knowledge of the facts and competence in the subject matter. The Code Official shall have the authority to request that the design professional provide credentials indicating his or her knowledge, experience, and education. *New Castle County Code* Chapter Six Section 6.02.001.

When corrective action is required – When the Design Professional requires corrective action, all work shall be completed by a NCC licensed contractor and a building permit shall be obtained prior to performing the work.

To receive a Certificate of Awareness, the submission requirements shall be submitted for review to the Department of Land Use. The Department will have a twenty (20) day review period for approval and denial.

- Cover Sheet** containing the applicant's contact information, including telephone and email address.
- A copy of a current plot plan** with the improvement depicted to scale on the plan.
- Report prepared by a Design Professional** bearing his or her signature and seal. The Design Professional's report shall:
 - Verify the improvement was constructed prior to January 1, 2002. The design professional shall document the basis for such conclusion.
 - Document the design professional has inspected the improvement and determined the improvement does not pose any health or life safety issues.
 - Contain all findings and basis for conclusions in a signed and sealed report. The report shall include dimensions of the improvement and contain percentage of finished area for basement improvements.
- Certificate of Awareness review fee – \$250.00**