


ANNUAL REPORT OF THE NEW CASTLE COUNTY
BOARD OF LICENSE, INSPECTION AND REVIEW
FOR 2012

To: The Hon. Thomas P. Gordon, County Executive, New Castle County
The Hon. Chris Bullock, Council President, New Castle County
Members, New Castle County Council

From: Monica A. Horton, Esquire, Attorney for the Board of License, Inspection and Review 

Dated: April 29, 2013

RELEVANT ORDINANCE from the *New Castle County Code*:

Sec. 2.04.001. Annual reports.

All New Castle County Boards, Committees, and Commissions shall be required to submit an annual report to the County Executive and County Council no later than April 1st of each year. The report shall outline the board, committee, or commission's mission, accomplishments of the year, any challenges to the performance of its functions and suggestions for changes for that specific board, commission, or committee.

Sec. 2.04.002. Annual by-law review

All New Castle County Boards, Committees, and Commissions shall annually review and if necessary update its by-laws.

MISSION OF THE BOARD OF LICENSE INSPECTION AND REVIEW:

The Board of License, Inspection and Review (the "Board" or "LIRB") is an independent board, created by State law, *to wit*, 9 *Del.C.* §1315. The Board is comprised of five [5] members, who serve terms of four [4] years, except for the Chairperson, who serves at the pleasure of the County Executive. The members are appointed by the County Executive, with advice and consent of the County Council. Preference shall be given to appointing members who are qualified as professionals and are members of recognized trade association in the fields of construction engineering, architecture, plumbing, sanitary engineering and the home building and construction industry. The Board holds public hearings whenever an applicant files an appeal of a decision made by a Building Code Official, or more often as need dictates.

ACCOMPLISHMENTS:

From January 2012 through December 2012, the Board held four (4) public hearings. The chart below provides an accounting of the types and numbers of applications heard by the Board:

Hearing Date	Subject Matter	Outcome
1/25/12	Whether a subdivision sales office may be permitted to continue operating after the last residential lot has been sold.	Decision of Hearing Officer affirmed
5/23/12	Whether the fines imposed by the Department were improper and the determination that the Applicant had filed a false document and worked without a permit were incorrect	Findings of Hearing Officer affirmed
9/5/12	Fines and remedial action	Department's administrative action revoked
9/5/12 & 11/14/12	Whether the LIRB had jurisdiction to hear an appeal regarding a zoning requirement	Board determined it had jurisdiction to hear the appeal

ADDITIONAL INFORMATION:

The Board's Rules of Procedure and a sample LIRB application can be located on the Department of Land Use website at the following address:

<http://www2.nccde.org/landuse/LicenseInspectionReviewBoard/default.aspx>

For any additional information, please contact the Board's counsel, Monica A. Horton, New Castle County Office of Law, at (302) 395-5130.