

ORDINANCE NO. 20-038

**TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40
("UNIFIED DEVELOPMENT CODE"), SECTION 40.03.410.
("ACCESSORY USES, RESIDENTIAL") REGARDING
NEIGHBORHOOD BOOK EXCHANGE BOXES**

WHEREAS, New Castle County recognizes the importance and connection of education and strong communities in creating a high quality of life, and for building and maintaining flourishing neighborhoods; and

WHEREAS, when children grow up in book-rich environments, literacy rates tend to be higher; and

WHEREAS, access to books has been cited as the number one predictor of a child's ability to thrive in school; and

WHEREAS, access to books remains a problem in many parts of our County, especially for children living in low income areas – importantly, nearly two-thirds of children living in poverty have no books at home; and

WHEREAS, with the goal of fostering greater access to books, New Castle County hereby recognizes the mission of civic activists and non-profit organizations that help to inspire a love of reading, build a sense of community, and to spark a spirit of creativity by, for example, fostering neighborhood book exchanges around the world; and

WHEREAS, a neighborhood book exchange, sometimes referred to as a little free library, is an attractive physical structure often constructed to look like a miniature library or schoolhouse, contains various books of interest, functions in many ways like a free library, and is often situated prominently in a yard so that interested individuals can freely access the book exchange to borrow and/or lend books to one another; and

WHEREAS, a neighborhood book exchange is a free book-sharing box where, operating on the honor system, anyone may take a book or share a book, but it is not necessary that a book be shared in order to take one; and

WHEREAS, neighborhood book exchanges have a primary caretaker, called a steward, who is usually the person who put up the exchange and who takes care of basic maintenance like keeping the exchange clean and inviting, but it is up to everyone who uses the exchange to keep it stocked with good books; and

WHEREAS, book sharing exchanges have been responsible for allowing millions of books to be circulated each year, which has profoundly increased access to books for readers of all ages and backgrounds; and

WHEREAS, County Council believes that everyone deserves a book to read, and that book sharing exchanges will help promote access to books in areas where they otherwise are scarce or very difficult to find, and thereby will motivate children and others to read, and consequently will help to deepen community connections; and

WHEREAS, New Castle County, in seeking to foster a sense of community and a love of reading and, thereby, increase literacy rates, hereby seeks to clarify that neighborhood book exchanges are encouraged and, moreover, are permissible under *New Castle County Code*.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. *New Castle County Code* Chapter 40 (“Unified Development Code”), Section 40.03.410. (“Accessory uses, residential”) is hereby amended by adding the underlined language and deleting the language that is stricken, as set forth below.

Sec. 40.03.410. - Accessory uses, residential.

Residential uses may have accessory buildings and accessory uses provided they conform to the following standards:

A. *General standards.* Unless otherwise provided in Subsections B. through ~~EM~~....

D. *Neighborhood book exchange boxes.* Neighborhood book exchange boxes may be permitted in all yards and all yard setbacks, subject to the following parameters. Any such structure shall be no taller than six (6) feet in height above ground level, which shall be the maximum height for such structures, and shall be at least six (6) feet from the front, street, side or rear lot line. Neighborhood book exchange boxes are further subject to the following, and must:

1. Be no wider than 30 inches or deeper than 30 inches;
2. Be anchored to the ground;
3. Be marked in such a way to clearly indicate that the box is part of a book exchange;
4. Be no more than a single neighborhood book exchange box per parcel; and
5. Not be situated in a public right-of-way or public easement.

~~DE.~~ *Fences....* To account for installation on sloping ground and any necessary space between the ground and the bottom of the fence panels or materials, the top of the fence panels, materials, and posts may not exceed seven (7) feet in height when measured from the ground, except as permitted in Subsection ~~FG~~.

~~EF.~~ *Satellite dish or antenna...*

~~FG.~~ *Ball courts...*

~~GH.~~ *Private swimming pool...*

~~HI.~~ *Accessory dwelling unit (ADU)...*

IJ. *Temporary roadside stand...*

JK. *Garage/yard sales...*

KL. *Mulching and composting...*

LM. *Solar energy system, accessory...*

Section 2. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council
of New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: The goal of this Ordinance is to promote access to books for all ages, especially youth, to foster a love of reading and to thereby combat illiteracy in New Castle County. This Ordinance aims to accomplish this goal by amending the *New Castle County Code* to clarify that neighborhood book exchange boxes, which function as a miniature library, are permissible.

FISCAL NOTE: There is no discernible fiscal impact.