



NEW CASTLE COUNTY

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

Use Permit Requirements Certificate of Use

REV. 1/25/2019

Certificate of Use may be issued for:

- To verify the legal occupancy of a business for the purpose of obtaining further permits from the State of Delaware (Liquor License, Food License, Day Care, etc.).
- To open a business/assembly in an existing structure where no construction will be required, as determined by the NCC adopted building code.
- To change the use of a structure where no construction will be required, as determined by the NCC adopted building code. The placement of counters, displays, and shelving may not require a separate building permit.

Please Note: An analysis of the applicable building code shall be completed by a design professional to determine whether a use permit or a tenant fit-out permit is required for legal occupancy with a change of use.

Required Paperwork

All New Castle County forms are available via the County website or Land Use customer service.

- Building Permit Application**
- One (1) Copy of the most recently approved and executed Record Plan** (detailed Site Plan if Record Plan is not available)
 - Details must include, but not limited to:
 - List all businesses sharing or currently active on site.
 - Show all existing parking available at site.
- Fire Marshal Approval or Waiver** (302-323-5365; www.statefiremarshal.delaware.gov)
- Detailed Floor Plan** (Include proposed and existing details, including bathrooms with dimensions, interior walls, and mechanical room locations)
 - An analysis of the applicable building code shall be completed by a design professional to determine whether a use permit or a tenant fit-out permit is required for legal occupancy with a change of use.
- Board of Health Approval or Waiver** (If existing or proposed food service, call 302-744-4546)
 - Review and approval of food preparation areas in day cares is now performed by the Office of Child Care Licensing (302-892-5800)
- Sewer Agreement or Land Development Improvement Agreement (LDIA) from NCC Special Services Department** (If change of use or new business and on sewer, call the Department of Special Services at 302-395-5750 for sewer agreement)
- Street Entrance/Exit Permit or Authorized Correspondence from Department of Transportation** (Required for both new and existing entrances – Obtained from DelDot, DOT_CanalPublicWorks@state.de.us or call 302-326-4679. (Applicable only when there is a change of use.)

Verification of Paid Taxes Property taxes and sewer billing fees must be paid on the property for which you are requesting a building permit and on any tax parcel that such landowner owns in New Castle County prior to building permit submission (*New Castle County Code* 06.03.012.H). This will be verified as part of the application process.

Zoning Certification may be required to verify the use of the project property. This will be determined during the zoning review of the project. In the event that a zoning certification is required, please allow several additional days for processing, review, and certification issuance. *In addition, the applicable site plan review fee would apply.

Fees: \$50 per Certificate of Use*