Office of the Registrar of Regulations,
Legislative Council,
State of Delaware

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

DIVISION OF CLIMATE, COASTAL AND ENERGY

Statutory Authority: 16 Delaware Code, Section 7602 (16 **Del.C.** §7602)
7 **DE Admin. Code** 2101

FINAL

ORDER

2101 Regulations for State Energy Conservation Code

Secretary's Order No.: 2026-CCE-0002
RE: Approving Final Regulations to Amend 7 DE Admin. Code 2101: *Regulations for State Energy Conservation Code*

Date of Issuance: March 10, 2026
Effective Date of the Amendment: April 11, 2026

Under the authority vested in the Secretary of the Department of Natural Resources and Environmental Control ("Department" or "DNREC"), pursuant to 7 *Del.C.* §§6006 and 6010, and all other relevant statutory authority, the following findings of fact based on the record, reasons and conclusions are entered as an Order of the Secretary in the above-referenced promulgation.

Background, Procedural History and Findings of Fact

This Order relates to the proposed amendments ("Amendments") to 7 DE Admin. Code 2101: *Regulations for State Energy Conservation Code* ("Regulation"). Pursuant to 16 *Del. C.* §7602, Delaware's *Energy Conservation Code Act*, the Department proposes to adopt the most recent or highest available version of the International Energy Conservation Code ("IECC"), and the latest American Society of Heating, Refrigerating and Air-Conditioning Engineers/Illuminating Engineering Society of North America ("ASHRAE") energy standard, as determined by the Department on a triennial basis. The Department is also required to implement measures under 16 *Del. C.* § 7605 and 16 *Del. C.* Ch.80.

In June of 2020, pursuant to 16 *Del.C.* § 7602, the Department adopted by reference the 2018 IECC and ASHRAE 90.1-2016 in their entirety. The Department began its next triennial review in the Fall of 2022 to review the two available adoption options (2021 and 2024 IECC) by holding two stakeholder meetings and reviewing technical analyses. In addition, the Department reviewed appendices of the 2024 IECC pursuant to 16 *Del. C.* § 7605, which requires the Department to implement measures mandating that all new commercial and high-rise residential building construction include a solar-ready zone and to also establish requirements for electric vehicle ("EV") charging infrastructure for new residential construction, pursuant to 16 *Del. C.* Ch.80.

Codified in 16 *Del. C.* § 7602(c), all new residential building construction in Delaware must be Zero Net Energy ("ZNE")-capable by December 31, 2025, and all new commercial and high-rise residential building construction must be ZNE-capable by December 31, 2030. A ZNE-capable building is constructed to a level of energy efficiency such that, with the addition of on-site renewable energy generation, it could achieve zero net energy consumption from the utility provider. Pursuant to 7 *Del. C.* § 6010, and in consideration of Delaware's ongoing housing affordability challenges, the Department determined that implementation of these ZNE-capable provisions is not appropriate at this time. The Department defers to the General Assembly and the Governor to consider whether and how to address the statutory ZNE-capable mandate during the 2026 legislative session.

Having determined that the ZNE-capable mandate will not be implemented at this time, the Department considered the remaining statutory requirements and the appropriate method of compliance.

Based on the triennial review and with the consideration of Delaware's ongoing housing affordability challenges, the Department proposes to adopt by reference the 2024 IECC for new residential construction buildings. The Department has included all compliance paths of the 2024 IECC for new residential buildings: (1) the Prescriptive Path, (2) the Simulated Building Performance Path (3) the Energy Rating Index (ERI) Path and (4) the Tropical Climate Region Path.

In addition, the Department proposes to adopt three compliance options for new commercial and high-rise residential building construction: (1) the 2024 IECC Prescriptive compliance option, (2) the 2024 IECC Simulated Building Performance option, and (3) ASHRAE 90.1-2022.

Finally, to align with requirements established in 16 *Del. C*. Ch. 80 and 16 *Del. C.* §7605, the Department also proposes to adopt, with amendments, Appendix RE: *EV Charging Infrastructure* and Appendix CB: *Solar-Ready Zone*.

Pursuant to 16 *Del. C.* Ch.80, the Department proposes to adopt Appendix RE: *EV Charging Infrastructure* with amendments, to set requirements for Electric Vehicles ("EV") charging infrastructure in new residential buildings (single-family, townhouses, low-rise multifamily) in order to make future EV charging easier and less expensive. It provides that new 1 and 2 dwelling units and townhouses with a designated attached or detached garage, or other on-site private

parking adjacent to the dwelling unit, shall have one EV Ready or EV Space per dwelling unit available. Additionally, low-rise multifamily buildings (R-2 occupancies) in mixed-use development shall be provided with an EV Ready space or EV Supply Equipment space for 20 percent of the dwelling units or automobile parking spaces, whichever is less.

Pursuant to 16 *Del. C.* §7605, the Department proposes to adopt Appendix CB: *Solar-Ready Zone* with amendments to ensure that new commercial and high-rise residential building construction is designed and constructed to facilitate future installation of solar systems. It defines a "solar-ready zone" as 40% of the gross roof area with orientation between 110 and 270 degrees of true north. Construction documents must indicate the solar-ready zone area and pathways for routing conduit, and must also reserve space on the electric service panel. This requirement does not mandate installation of a solar system.

The Department anticipates that the benefits of adopting the 2024 IECC for residential buildings and the 2024 IECC/ASHRAE 90.1- 2022 for commercial and high-rise residential buildings, along with Appendix RE*: EV Charging Infrastructure* and Appendix CB: *Solar-Ready Zone,* with amendments, will increase energy efficiency, reduce emissions, reduce costs for residential and commercial building owners seeking to install energy efficiency measures, and provide improved health and comfort for occupants.

The Department published its initial proposed amendments in the July 1, 2025, *Delaware Register of Regulations*, and then subsequently revised the proposed amendments, that were thoroughly vetted at time of the virtual public hearing regarding this matter that was held on July 22, 2025. The revisions included a correction to the Register Notice published in the July 1st *Delaware Register of Regulations* to reflect Appendix RE and Appendix CB as the only adopted appendices; and adding R408.2.1.4 in Table R408.2 as written for Zone 4 in the 2024 IECC.

Pursuant to 29 *Del. C.* §10118(a), the Hearing Record ("Record") remained open for receipt of written comment for 15 days following the public hearing.The Record formally closed for comment in this matter on August 6, 2025, with a total of forty (40) comments received by the Department throughout the regulatory development process. At the request of Hearing Officer, Theresa Smith, the Department's Division of Climate Control and Energy ("DCCE"), provided a Technical Response Memorandum ("TRM"), dated September 2, 2025, that provided a detailed review of the *revised* proposed Amendments, identified all the concerns raised by the public, and responded to the concerns in a balanced manner, accurately reflecting the information contained in the Record of information. As a result of technical feedback from public comment, the Department has made additional revisions to the *revised* proposed amendments to improve clarity and consistency. These non-substantive revisions included ensuring consistent terminology (e.g., Phius verifiers versus raters) and clarifying window U-factor values in Table R408.2.1.2.

In accordance with 7 *Del. C.* § 6010, a review of the Record, the comments received, and with the consideration of Delaware's ongoing housing affordability crisis, the Department re-proposed modified amendments as published in the December 1, 2025, *Delaware Registrar of Regulations*. At that time, the Department re-opened the public comment period of an additional 30-days. Subsequently, the DCCE provided a Supplemental TRM, dated February 10, 2026, that also responded to comments received in a balanced manner, accurately reflecting the information contained in the Record of information. There were no additional changes made to the *modified* proposed amendments.

Thereafter, Hearing Officer Theresa Smith prepared her report dated March 2, 2026 ("Report"), which expressly incorporated into the Record the *modified* proposed Amendments the TRM, the Supplemental TRM, are attached thereto as Appendix "A", Appendix "B", and Appendix "C", respectively. Mrs. Smith's Report set forth the procedural history, summarized and established the Record relied on in the Report and provided findings of fact, reasons, and conclusions that recommend the approval of the proposed *modified* amendments pending before the Department.

The Department has the statutory basis and legal authority to act with regard to the formal promulgation of these proposed *modified* amendments, pursuant to 16 *Del. C.* §§ 7602 & 7605, and 16 *Del. C.* Ch.80. All notification and noticing requirements concerning this matter were met by the Department and proper notice of the hearing was provided as required by law.

Reasons and Conclusions

Currently pending before the Department are the *modified* proposed regulatory amendments to 7 DE Admin. Code 2101: *Regulations for State Energy Conservation Code*. Based on the record developed by the Department's staff in the Division of Coastal, Climate, and Energy, and established by the Hearing Officer's Report, I find that the *modified* proposed regulatory amendments are well-supported and will enable the Department to adopt by reference the 2024 IECC for new residential building construction, the 2024 IECC/ASHRAE 90.1- 2022 for commercial and high-rise residential building construction, and Appendix RE: *EV Charging Infrastructure* and Appendix CB: *Solar-Ready Zone* with amendments, pursuant to 16 *Del. C.* §§ 7602 & 7605, and 16 *Del. C.* Ch.80. I also find that the *modified* proposed amendments comply with all applicable federal and state laws and regulations. Further, the proposed amendments as published in the July 1, 2025, *Delaware Register of Regulations*, and subsequently *revised*, are reflective of the Department's authority under 16 *Del. C.* §§ 7602 & 7605, and 16 *Del. C.* Ch.80, to ensure continued protection of public health and the environment.

The following reasons and conclusions are hereby entered:

1. The Department has the statutory basis and legal authority to adopt and enforce these *modified* proposed regulatory amendments pursuant to 16 *Del. C.* §§ 7602 & 7605, and 16 *Del. C.* Ch.80;

2. The Department has jurisdiction under its statutory authority, pursuant to 7 *Del. C.* Chapter 60, to issue an Order adopting these *modified* proposed amendments as final;
3. The Department provided adequate public notice of the initially proposed amendments and all proceedings in a manner required by the law and regulations, and provided the public with an adequate opportunity to comment on the *modified* proposed amendments, including at the time of the virtual public hearing held on July 22, 2025, during the 15 days subsequent to the hearing (through August 6, 2025), and the 30 days subsequent to the December 1, 2025 publication of the *modified* proposed amendments, before making any final decision;
4. Promulgation of the r*evised* proposed amendments to 7 DE Admin. Code 2101: *Regulations for State Energy Conservation Code* will enable the Department to adopt by reference the 2024 IECC for residential buildings, the 2024 IECC/ASHRAE 90.1- 2022 for commercial and high-rise residential buildings, and Appendix RE: *EV Charging Infrastructure* and Appendix CB: *Solar-Ready Zone*, with amendments;
5. The Department has reviewed the *modified* proposed amendments in light of the *Regulatory Flexibility Act,* consistent with 29 *Del.C.* §104, and believes the same to be lawful, feasible and desirable, and the recommendations as proposed should be applicable to all Delaware citizens equally;
6. The Department has reviewed the *modified* proposed regulatory promulgation in the light of 7 *Del. C.* §10003 and 29 *Del. C.* §10118(b)(3), and has determined a full assessment of all impacts are needed to further evaluate greenhouse gas emissions, based on the PNNL study, showing a 6.32% reduction of CO_2 by adopting the 2024 IECC, compared to the 2021 IECC;
7. The Department's Hearing Officer's Report, including its established record and the recommended *modified* proposed amendments as set forth in Appendix "A," are hereby adopted to provide additional reasons and findings for this Order;
8. The Department's proposed regulatory amendments, as published in the December 1, 2025, *Delaware Register of Regulations*, are set forth in Appendix "A" hereto, and are adequately supported, are not arbitrary or capricious, and are consistent with the applicable laws and regulations. Consequently, they are approved as final regulatory amendments, which shall go into effect ten days after their publication in the next available issue of the *Delaware Register of Regulations*;
9. The Department has an adequate Record of its decision, and no further public hearing is appropriate or necessary;
10. The Department shall submit this Order approving the proposed amendments as final regulations to the *Delaware Register of Regulations* for publication in its next available issue, and provide such other notice as the law and regulation require, and the Department determines is appropriate; and
11. The Department shall serve and publish its Order on its internet site.

Gregory Patterson
Secretary

2101 Regulations for State Energy Conservation Code

1.0 Purpose and Statutory Authority

1.1 The purpose of ~~these regulations~~this regulation is to provide the Department of Natural Resources and Environmental Control's determination of the most recent ~~and/or~~or highest available version of the International Energy Conservation Code and the latest ~~ASHRAE/IESNA~~ANSI/ASHRAE/IES standard. The goal of establishing ~~these regulations~~ this regulation is to provide a statewide building energy conservation code.

1.2 ~~These regulations provide~~ This regulation provides rules of practice and procedures for certification of compliance with these codes and standards to be utilized by the respective local governments.

1.3 16 **Del.C.** §7602 provides the authority for adopting the State Energy Conservation Code. ~~These regulations are~~ This regulation is promulgated under the authority of 16 **Del.C.** §7602.

23 DE Reg. 1036 (06/01/20)

2.0 Definitions

For purposes of ~~these regulations~~ this regulation, the following words and phrases shall have the meanings set forth below.

"**ASHRAE**" means the ANSI/ASHRAE/IES Standard 90.1-~~2016~~2022: Energy Standard for Buildings except Low-Rise Residential Buildings published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc.

"Department" means the Department of Natural Resources and Environmental Control, the Division of Climate, Coastal, & Energy or the Delaware Energy Office, as appropriate.

"**DET verifier**" means a certified Duct and Envelope Tightness verifier. A certified DET verifier shall be a certified Home Energy Rating Systems (HERS) rater, or be a certified Home Performance with ENERGY STAR

contractor, or be a Building Performance Institute (BPI) Heating Professional to perform duct tightness testing or a BPI Building Analyst or Envelope Professional to perform building tightness testing, or successfully complete a course that is approved by the Department of Natural Resources and Environmental Control.

"IECC" means the ~~2018~~2024 International Energy Conservation Code published by the International Code Council, Inc.

23 DE Reg. 1036 (06/01/20)

3.0 Incorporation by Reference with Provisions

3.1 ~~The 2018 International Energy Conservation Code (IECC), published by the International Code Council, Inc., is hereby adopted and incorporated by reference as the Delaware Residential Building Energy Conservation Code and is an enforceable part of the Delaware Building Codes.~~The Residential Provisions of the 2024 International Energy Conservation Code (IECC), published by the International Code Council, Inc., are hereby adopted with the following amendments as the Delaware Residential Building Energy Conservation Code, an enforceable part of the Delaware Building Codes.

R401.2 *Revise Section R401.2 as follows:*

R401.2 Application. Residential buildings shall comply with Section R401.2.1, R401.2.2, R401.2.3 or R401.2.4, and Appendix RE.

Exception: Additions, alterations, repairs and changes of occupancy to existing buildings complying with Chapter 5.

Appendix RE Electric Vehicle Charging Infrastructure: *Revise as follows:*

SECTION RE101—ELECTRIC VEHICLE POWER TRANSFER

RE101.1 Definitions.

AUTOMOBILE PARKING SPACE. A space within a *building* or private or public parking lot, exclusive of driveways, ramps, columns, office and work areas, for the parking of an automobile.

ELECTRIC VEHICLE (EV). An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles and electric motorcycles, primarily powered by an electric motor that draws current from an onboard battery charged through a building electrical service *electric vehicle supply equipment (EVSE),* a rechargeable storage battery, a fuel cell, a photovoltaic array or another source of electric current.

ELECTRIC VEHICLE READY SPACE (EV READY SPACE). An *automobile parking space* that is provided with a branch circuit and an outlet, junction box or receptacle that will support an installed EVSE.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE). Equipment for plug-in power transfer, including ungrounded, grounded and equipment grounding conductors; electric vehicle connectors; attached plugs; any personal protection system; and all other fittings, devices, power outlets or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the *electric vehicle*.

ELECTRIC VEHICLE SUPPLY EQUIPMENT INSTALLED SPACE (EVSE SPACE). An *automobile parking space* that is provided with a dedicated *EVSE* connection which can charge an electric vehicle within 5 feet of the parking space.

RE101.2 Electric vehicle power transfer infrastructure. New residential *automobile parking spaces* for residential *buildings* shall be provided with electric vehicle power transfer infrastructure in accordance with Sections RE101.2.1 through RE101.2.4

RE101.2.1 Quantity. New one- and two-family dwellings and townhouses with a designated attached or detached garage or other on-site private parking provided adjacent to the *dwelling unit* shall be provided with one *EV ready* or *EVSE space* per *dwelling unit*. R-2 occupancies or allocated parking for R-2 occupancies in mixed-use *buildings* shall be provided with an *EV ready space* or *EVSE space* for 20 percent of the *dwelling units* or *automobile parking spaces,* whichever is less.

1. At least 1 EVSE space must be in an area available for use by all residents and available for use by all residents of the R-2 occupancy. The EVSE space must be accessible by an individual with a disability.
2. Construction documents must indicate the location of proposed EVSE spaces and EV ready spaces. The construction documents, or other clear identification of the location of EVSE spaces and EV ready spaces, must be available to the residents of the multi-family residential dwelling on request.

Exceptions:

1. Where the local electric distribution entity certifies in writing that it is not able to provide 100 percent of the necessary distribution capacity within 2 years after the estimated certificate of occupancy date, the required *EV* charging infrastructure shall be reduced based on the available existing electric distribution capacity.
2. Where substantiation is *approved* that meeting the requirements of Section RE101.2.4 will alter the local utility infrastructure design requirements on the utility side of the meter so as to increase the utility side cost to the builder or developer by more than $450 per *dwelling unit*.

RE101.2.2 EV ready spaces. Each branch circuit serving *EV ready spaces* shall comply with all of the following:

1. Termination at an outlet or enclosure, located within 5 feet of each *EV ready space* it serves and marked "For electric vehicle supply equipment (EVSE)."
2. Service by an electrical distribution system and circuit capacity in accordance with Section RE101.2.4.
3. Designation on the panelboard or other electrical distribution equipment directory as "For electric vehicle supply equipment (EVSE)."

RE101.2.3 EVSE spaces. An installed *EVSE* with multiple output connections shall be permitted to serve multiple *EVSE spaces*. Each *EVSE* serving either a single *EVSE space* or multiple *EVSE spaces* shall comply with the following:

1. Be served by an electrical distribution system in accordance with Section RE101.2.4.
2. Have a nameplate charging capacity of not less than 6.2 kVA (or 30A at 208/240V) per *EVSE space* served. Where an *EVSE* serves three or more *EVSE spaces* and is controlled by an energy management system in accordance with Section RE101.2.4, the nameplate charging capacity shall be not less than 2.1 kVA per EVSE space served.
3. Be located within 5 feet of each *EVSE space* it serves.
4. Be installed in accordance with NFPA 70 and be listed and labeled in accordance with UL 2202 or UL 2594.

RE101.2.4 Electrical distribution system capacity. The branch circuits and electrical distribution system serving each *EV ready space* and *EVSE space* used to comply with Section RE101.2.1 shall comply with one of the following:

1. Sized for a calculated *EV* charging load of not less than 6.2 kVA per *EVSE* or *EV ready space*. Where a circuit is shared or managed, it shall be in accordance with NFPA 70.
2. The capacity of the electrical distribution system and each branch circuit serving multiple EVSE spaces or *EV ready spaces* designed to be controlled by an energy management system in accordance with NFPA 70 shall be sized for a calculated *EV* charging load of not less than 2.1 kVA per space. Where an energy management system is used to control *EV* charging loads for the purpose of this section, it shall not be configured to turn off electrical power to *EVSE* or *EV ready spaces* used to comply with Section RE101.2.1.

SECTION RE102-REFERENCED STANDARDS

RE102.1 General. See Table RE102.1 for standards that are referenced in various sections of this appendix. Standards are listed by the standard identification with the effective date, standard title, and the section or sections of this appendix that reference the standard.

TABLE RE102.1-REFERENCED STANDARDS

STANDARD ACRONYM	STANDARD NAME	SECTIONS HEREIN REFERENCED
UL 2202-2009	Electric Vehicle (EV) Charging System Equipment – with revisions through February 2018	RE101.2.3
UL 2594-2016	Standard for Electric Vehicle Supply Equipment	RE101.2.3

3.2 ~~The American Society of Heating, Refrigerating and Air-Conditioning Engineers Standards (ASHRAE) 90.1-2016: Energy Standard for Buildings except Low-Rise Residential Buildings and the commercial provisions of the 2018 International Energy Conservation Code are hereby adopted and incorporated by reference in their entirety as the Delaware Commercial Building Energy Conservation Code and is an enforceable part of the Delaware Building Codes.~~The Commercial Provisions of the 2024 International Energy Conservation Code (IECC), published by the International Code Council, Inc., are hereby adopted with the following amendments as the Delaware Commercial Building Energy Conservation Code, an enforceable part of the Delaware Building Codes:

C401.2 *Revise Section C401.2 as follows:*

C401.2 Application. Commercial buildings shall comply with Appendix CB and either Section C401.2.1 or C401.2.2.

C401.2.1 International Energy Conservation Code. Commercial buildings shall comply with one of the following:

1. Prescriptive Compliance. The Prescriptive Compliance option requires compliance with Sections C402 through C406 and Section C408. Dwelling units and sleeping units in Group R-2 buildings shall be deemed to be in compliance with this chapter, provided that they comply with Section R406.
2. Simulated Building Performance. The Simulated Building Performance option requires compliance with Section C407.

Exception: Additions, alterations, repairs and changes of occupancy to existing buildings complying with Chapter 5.

C401.2.2 ASHRAE 90.1. Commercial buildings shall comply with the requirements of ANSI/ASHRAE/IES 90.1.

Appendix CB Solar-Ready Zone: *Revise as follows:*

SECTION CB101-SCOPE

CB101.1 General. These provisions shall be applicable for new construction where solar-ready provisions are required.

SECTION CB102-GENERAL DEFINITION

SOLAR-READY ZONE. A section or sections of the roof or building overhang designated and reserved for the future installation of a solar photovoltaic or solar thermal system.

SECTION CB103-SOLAR-READY ZONE

CB103.1 General. A solar-ready zone shall be located on the roof of buildings that are five stories or less in height above grade plane, and are oriented between 110 degrees and 270 degrees of true north or have low slope roofs. Solar-ready zones shall comply with Sections CB103.2 through CB103.8.

Exceptions:

1. A *building* with a permanently installed, on-site renewable energy system.
2. A *building* with a solar-ready zone that is shaded for more than 70 percent of daylight hours annually.
3. A *building* where the licensed design professional certifies that the incident solar radiation available to the *building* is not suitable for a solar-ready zone.
4. A *building* where the licensed design professional certifies that the solar zone area required by Section CB103.3 cannot be met because of extensive rooftop equipment, skylights, *vegetative roof* areas or other obstructions.

CB103.2 Construction document requirements for a solar-ready zone. *Construction documents* shall indicate the solar-ready zone.

CB103.3 Solar-ready zone area. The total solar-ready zone area shall be not less than 40 percent of the roof area calculated as the horizontally projected gross roof area less than the area covered by skylights, occupied roof decks, vegetative roof areas and mandatory access or set back areas as required by the *International Fire Code*. The solar-ready zone shall be a single area or smaller, separated sub-zone areas. Each sub-zone shall be not less than 5 feet (1524 mm) in width in the narrowest dimension.

CB103.4 Obstructions. Solar-ready zones shall be free from obstructions, including pipes, vents, *ducts*, HVAC equipment, skylights and roof-mounted equipment. Solar-ready zones may be relocated to allow future installation of roof equipment as long as the 40 percent minimum allocation is maintained.

CB103.5 Roof loads and documentation. A collateral dead load of not less than 5 pounds per square foot (5 psf) (24.41 kg/m^2) shall be included in the gravity and lateral design calculations for the solar-ready zone. The structural design loads for roof dead load and roof live load shall be indicated on the *construction documents.*

CB103.6 Interconnection pathway. *Construction documents* shall indicate pathways for routing of conduit or piping from the solar-ready zone to the electrical service panel or service hot water system.

CB103.7 Electrical service reserved space. The main electrical service panel shall have a reserved space to allow installation of a dual-pole circuit breaker for future solar electric and shall be labeled "For Future Solar Electric." The reserved space shall be positioned at the end of the panel that is opposite from the panel supply conductor connection.

CB103.8 Construction documentation certificate. A permanent certificate, indicating the solar-ready zone and other requirements of this section, shall be posted near the electrical distribution panel, *water heater* or other conspicuous location by the builder or *registered design professional*.

23 DE Reg. 1036 (06/01/20)

4.0 Implementation and Enforcement

4.1 ~~All buildings must meet all requirements of the applicable referenced code six months after date of promulgation.~~County and municipal building and plumbing codes shall meet all requirements of the applicable referenced code set forth in 7 **DE Admin. Code** 2101, Section 3.0 12 months after the date of promulgation, except as otherwise noted in 16 **Del.C.** §7602.

4.2 All projects may utilize the new applicable reference codes at any time after the date of promulgation, provided such choice is stated on the construction documents.

4.3 Procedures for certification of compliance and standards to be utilized by respective local governments are those specified in the IECC at Chapter 1 ("Scope and Administration") and in the ASHRAE at Chapter 4 ("Administration and Enforcement") as enforceable parts of the Delaware Building Codes pursuant to subsections 3.1 and 3.2 herein.

23 DE Reg. 1036 (06/01/20)

5.0 Certified duct and envelope tightness (DET) verifier.

Testing for duct and building envelope tightness shall be conducted by a certified DET verifier.

17 DE Reg. 1086 (05/01/14)

23 DE Reg. 1036 (06/01/20)

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