CODE BOARD OF APPEALS

The Code Board of Appeals meeting was held on August 20, 2026, at 3:42 p.m., with Dr. Sudler presiding. The members present were Mr. Neil, Dr. Pillsbury, Ms. Main, and Mr. LeBoon. Staff members present were Mr. Kopp, Ms. Brown, Mr. Miller, and Ms. Wheeler.

ADOPTION OF AGENDA

Mr. Neil moved for approval of the agenda, seconded by Dr. Pillsbury, and unanimously carried.

Dover Code Ordinance Violation (2009 Property Maintenance Code Chapter 114 - Vegetation, Article I - In General, Section 114-2 - Arboriculture Specifications and Standards of Practice (h) Pruning and Removal) - Appeal of Citation and Related Fees - 39 Periwinkle Court

Mr. Eddie Kopp, Chief Code Enforcement Officer, reviewed the applicable ordinance, which requires established trees to be pruned to allow free passage beneath them at a height of eight feet above sidewalks and 14 feet above streets. He stated that the property had been brought into compliance before the hearing; however, the issue before the Board was whether the citation was properly issued and the ordinance correctly interpreted at the time of the violation.

Ms. Reames stated that she had recently purchased the property, traveled for work, and was unaware of the first notice mailed by the City. She stated that she learned of the violation after receiving notice associated with the certified mailing and corrected the condition immediately upon returning home. She also spoke with Mr. Miller on July 15, 2026, and arranged for a neighbor to maintain the lawn and property and notify her of future mail while she was away.

Responding to Dr. Sudler, Ms. Reames stated that she corrected the violation the same day she became aware of it. She explained that she purchased the home in July 2025, had previously lived in Bear, Delaware, and was unfamiliar with the City of Dover's property maintenance requirements. Mr. Kopp stated that Kent County property records reflected a sale date of July 28, 2025.

Responding to Mr. Leboon, Ms. Reames stated that her neighbor now maintains the property.

Responding to Ms. Main, Ms. Reames stated that Mr. Miller had advised her that the property was complying after the branches over the sidewalk were trimmed.

Ms. Sierra Brown, Code Enforcement Officer, presented photographs taken with Mr. Miller on August 19, 2026, at approximately 2:16 p.m. She stated that the clearance measured approximately seven and one-half feet. Although the ordinance required eight feet, staff allowed reasonable leeway and considered the property compliant.

Ms. Reames asked how property owners could locate City requirements. Staff advised that the City Code was available online and that additional information concerning common violations could be provided.

Mr. Kopp summarized the City's inspection and notice process. He stated that Mr. Miller followed the ordinance, that the initial notice was sent by first-class mail, and that a subsequent inspection found the violation had not been corrected. Because the citation was properly issued and the City incurred the cost of multiple visits, he recommended that the appeal be denied.

Ms. Brown and Mr. Miller clarified the chronology. The initial inspection occurred on June 3, 2026, at approximately 2:48 p.m., and a violation notice was mailed. A reinspection on July 7, 2026, at approximately 1:38 p.m., found the condition remained, and a second notice and citation were issued. Mr. Miller spoke with Ms. Reames on July 15, 2026, and reinspected the property on July 20, 2026. When the property was found to be compliant, the case was closed. The follow-up date of August 6, 2026, was no longer necessary.

The Board and staff also discussed a separate grass case from April 2026. Ms. Brown and Mr. Kopp explained that the 48-hour door hanger related only to that grass violation and was not required for the tree case. Notices in the present case were sent by mail in accordance with the applicable procedure.

Mr. Neil stated that repeated inspections created costs for the City and that a property owner who traveled should arrange for another person to monitor the property. Although he regretted Ms. Reames's circumstances, he stated that he favored denying the appeal.

Ms. Main agreed that the grass and tree matters were separate cases with different notice requirements.

Responding to Mr. LeBoon, Ms. Reames stated that she could provide transaction records.

Mr. Kopp stated that meaningful documentation would need to account for the full notice period rather than only a few days.

Dr. Sudler stated that the notices had been properly mailed and that the property owner had reasonable means to monitor mail and activity at the property.

Mr. LeBoon moved to deny the appeal. The motion was seconded by Mr. Neil and unanimously carried.

Mr. Kopp advised that the City Code was available through the City of Dover website.

Ms. Brown offered to email informational brochures concerning common code violations.

Staff also advised Ms. Reames to update her mailing address with the City of Dover Tax Office or Customer Service.

Dr. Pillsbury suggested using mail forwarding when traveling.

The meeting adjourned at approximately 4:25 p.m.

Dr. Roy Sudler, Jr.
Chairman

RS/rm


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Adult Signature Required $
Adult Signature Restricted Delivery $
Postage
$ 10.44
INDEIRA REAMES
39 PERIWINKLE CT
DOVER DE 19904
JUL 09 2026
DOVER DE 19901
Postmark Here
9589 0710 5270 3911 0409 40
TM
26-2180
for Instructions

Division of
Code Enforcement
15 Loockerman Plaza
Dover, DE 19901

City of Dover

Phone: (302) 736-7011
Fax: (302) 736-4217

June 3, 2026

INDEIRA REAMES
39 PERIWINKLE CT
DOVER DE 19904

RE: Property address: 39 PERIWINKLE CT
Tax Parcel Number: ED-05-076.06-08-600.000-000
Case Number: 26-00002180

Dear SIR/MA'AM:

On June 03, 2026, a Code Enforcement Officer with the City of Dover, Department of Inspections, inspected 39 PERIWINKLE CT.

Attached are the Code violations found during the inspection.

A follow-up inspection must be conducted by July 03, 2026, to ensure compliance. Failure to comply will result in citation(s) being issued.

It is the responsibility of the property owner/agent to contact this office to schedule all inspections.

Please contact this office with a date and time convenient for you to conduct the re-inspection. You are not required to contact this office if the re-inspection is for an exterior violation. If you have any questions or would like to schedule your inspection or appeal this notice, please contact me at (302) 736-7011.

Sincerely,

Thomas Miller
Code Enforcement Officer

cc: File

CASE NUMBER 26-00002180
PROPERTY ADDRESS 39 PERIWINKLE CT

VIOLATION: 726 QUANTITY: 1
DESCRIPTION: 726 PRUNE TREES/SHRUBS DATE: 6/03/26
LOCATION: SIDEWALK

NARRATIVE :
Prune trees/shrubs from the sidewalk or roadway. Trees must be 8 above a sidewalk or 14 above the roadway.

ORDINANCE DESCRIPTION :
DCO SECTION 114-2(h)Pruning and removal.
(2)All large or established trees shall be pruned to the following sufficient heights to allow the free passage of pedestrians and vehicular traffic:
a.Eight feet over sidewalks; and
b.Fourteen feet over streets.

CORRECTIVE ACTION REQUIRED :
Prune trees and/or shrubs to allow free passage.


06/03/2026 14:48


06/03/2026 14:48

Division of
Code Enforcement
15 Loockerman Plaza
Dover, DE 19901

City of Dover

Phone: (302) 736-7011
Fax: (302) 736-4217

SECOND NOTICE

July 7, 2026

INDEIRA REAMES
39 PERIWINKLE CT
DOVER DE 19904

CM

RE: Property Address: 39 PERIWINKLE CT
Tax Parcel Number: ED-05-076.06-08-600.000-000
Case Number: 26-00002180

Dear SIR/MA'AM:

On June 03, 2026, a Code Enforcement Officer with the City of Dover, Department of Inspections, inspected 39 PERIWINKLE CT. The inspection revealed one or more City Code Violations on the property.

Attached are the violation(s) found.

A follow-up inspection was not scheduled for this case, or the re-inspection revealed that the violation(s) remain. Enclosed is a Citation for failure to correct the violation(s). An additional inspection must be scheduled by **August 06, 2026**. Failure to comply will result in an additional citation, and if the property is a rental unit, it may result in the suspension of the rental license. **It is the responsibility of the property owner/agent to contact this office to schedule all inspections.**

Please contact this office to arrange a date and time for your re-inspection. You are not required to contact this office if the re-inspection is for an exterior violation. If you have any questions or would like to schedule your inspection or appeal this notice, please contact me at (302) 736-7011.

Sincerely,

Thomas Miller
Code Enforcement Officer

cc: File

Division of
Code Enforcement
15 Loockerman Plaza
Dover, DE 19901

City of Dover

Phone: (302) 736-7011
Fax: (302) 736-4217

OFFICIAL CITATION

Citation # 26-00002180-01

INDEIRA REAMES
39 PERIWINKLE CT
DOVER DE 19904

Location of Offense: 39 PERIWINKLE CT
Tax Parcel Number: ED-05-076.06-08-600.000-000
Type of Offense: DOVER CODE OF ORDINANCES
Date of Offense: July 7, 2026
Date of Issue: July 7, 2026

You are hereby fined for violating the City of Dover Ordinance marked (X) below. Payment must be received by the City of Dover Inspections Department, 15 Loockerman Plaza, Dover, Delaware, before August 06, 2026.

Appeals for this citation may be submitted in writing to the City Clerk's Office at the above address. This appeal must be made within 30 days of the date of the offense.

If the violation is not corrected, the City reserves the right to use its resources or those of a contractor to abate the below violation(s) and to bill the property owner for such cost-plus administrative fees.

Every citation issued is a separate offense or fee. The amount listed below is intended solely for this issued citation and does not reflect the outstanding balance that may be owed. It is the property owner's responsibility to ensure that all outstanding balances are paid. *For the total balance owed for this case, please contact the Division of Code Enforcement. Correcting the violation(s) does not dismiss or resolve this citation. All citations issued will remain due until paid in full.*

Thomas Miller
Code Enforcement Officer

Violation: (X) FAILURE TO PRUNE TREES/SHRUBS

Sec No: DCO SECTION 114-2 (H) PRUNING AND REMOVAL.

Fine as per code: $100.00

CASE NUMBER 26-00002180
PROPERTY ADDRESS 39 PERIWINKLE CT

VIOLATION: 726 QUANTITY: 1
DESCRIPTION: 726 PRUNE TREES/SHRUBS DATE: 6/03/26
LOCATION: SIDEWALK

NARRATIVE :
Prune trees/shrubs from the sidewalk or roadway. Trees must be 8 above a sidewalk or 14 above the roadway.

ORDINANCE DESCRIPTION :
DCO SECTION 114-2(h)Pruning and removal.
(2)All large or established trees shall be pruned to the following sufficient heights to allow the free passage of pedestrians and vehicular traffic:
a.Eight feet over sidewalks; and
b.Fourteen feet over streets.

CORRECTIVE ACTION REQUIRED :
Prune trees and/or shrubs to allow free passage.


07/07/2026 13:38


07/07/2026 13:38

Sec. 114-2. Arboriculture specifications and standards of practice.

(a) *Authority to promulgate rules and regulations.* The superintendent of grounds shall have the authority to promulgate the rules and regulations of the arboriculture specifications and standards of practice governing the planting, maintenance, removal, fertilization and pruning of trees on the streets or other public sites in the city.

(b) *Policy.*

(1) All work on public trees shall comply with this section.

(2) The arboriculture specifications and standards of practice shall be adhered to at all times, but may be amended at any time that experience, new research or laws indicate improved methods or whenever circumstances make it advisable with the approval of the superintendent of grounds.

(3) The policy of the grounds division shall be one of cooperating with the public, property owners and other city departments at all times.

(4) No trees shall be removed from public places unless they constitute a hazard to life or property, a public nuisance or because a revision of planting plans necessitates.

(c) *Street trees species to be planted.* An official street tree species list has been approved by the superintendent of grounds for tree plantings along streets and avenues of the city. (The official list will be kept on file in the office of the city clerk.) No species other than those included in this list may be planted as street trees without the written permission of the superintendent of grounds.

(d) *Planting.*

(1) *Size—Medium to large.* Unless otherwise specified, all medium to large deciduous tree species and their cultivars shall conform to American Association of Nurserymen Standards and be at least 1¼—1½ inches in diameter at six inches above ground level and at least eight—ten feet in height when planted. The crown shall be in good balance with the trunk.

(2) *Same—Small.* All small deciduous tree species and their cultivars shall be at least five—six feet or more in height and have six or more branches.

(e) *Location and spacing.* Spacing of trees shall be determined by the superintendent of grounds, but, generally, all large trees shall be planted no closer than 35 feet, medium trees no closer than 30 feet and small trees no closer than 25 feet, except in special plantings designed or approved by a landscape architect.

(f) *Distance from street corners and fireplugs.* No street tree shall be planted closer than 30 feet to any street corner and no closer than ten feet to any fireplug.

(g) *Utilities.* Only trees listed as small to medium shall be planted under power lines; and no trees shall be planted within five feet of any underground water line, sewer line, transmission line or other utility.

(h) *Pruning and removal.*

(1) It shall be unlawful as a normal practice for any person to top any street or public tree. For the purposes of this subsection, the term "topping" means the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes or certain trees under utility wires may be exempted from this subsection at the determination of the superintendent of grounds.

(2) All large or established trees shall be pruned to the following sufficient heights to allow the free passage of pedestrians and vehicular traffic:

a. Eight feet over sidewalks; and

b. Fourteen feet over streets.

(3) All cuts shall be made with a saw or pruner and only at the nodes or crotches. No stubs shall be left.

(4) All dead, crossed and rubbing branches shall be removed.

(5) All tools being used on a tree suspected to be infected with a contagious disease shall be disinfected before being used on another tree.

(6) Whenever streets are to be blocked off to public service, the police and fire departments shall be notified of the location and length of time the street will be blocked.

(7) The stumps of all removed trees shall be cut to at least three inches below ground level.

(i) *Spraying.*

(1) Suitable precautions shall be taken to protect the public when spraying is being done.

(2) Spraying shall be done only for the control of specific diseases or insects with the proper materials in the necessary strength and applied at the proper time to obtain the desired control. All spraying practices shall conform to federal and state regulations.

(j) *Fertilization.*

(1) Fertilization of public trees shall follow the Tree Care Industry Association standards or other accepted arboriculture standards.

(2) Formulations, rates and methods of application of fertilizers shall be specified by the superintendent of grounds.

(k) *Cabling and bracing.* All cabling and bracing practices with screw rods shall follow the Tree Care Industry Association standards or other accepted arboriculture standards.

(Code 1981, § 21-2; Ord. of 3-12-1990)