



NOTE: **PRIOR** to the Final Inspection this form **MUST** be submitted to New Castle County. Failure to submit this form when the Final Inspection is requested may result in a delay in the issuance of the Certificate of Occupancy. **Winter/Bad Weather Settlement Letters are only available for use on Residential Construction.**

Building Official:

RE: Certificate of Occupancy For:

Permit # _____ Address: _____

Parcel # _____ Subdivision: _____

The purpose of this letter is to request that New Castle County issue a Certificate of Occupancy (C of O) for the above referenced property, which, because of conditions beyond our control, the following items will not be complete prior to the Certificate of Occupancy inspection.

CHECK ALL THAT APPLY:

Section One: Finish Grading

The Builder will not have the finished grading completed prior to the Certificate of Occupancy inspection. The buyer/owner desires the issuance of the Certificate of Occupancy with full knowledge that only **positive drainage and temporary mulch stabilization have been provided**. It is understood by all signatories that the Builder has unconditionally guaranteed that the proper final grading and seeding will be completed **as soon as circumstances will allow**. In addition, if the temporary stabilization specified above cannot be installed at time of Certificate of Occupancy, the Builder will install as soon as feasible.

Positive drainage – NCC Drainage Code Section 12.03.003: Grading of pervious areas for a min. distance of 8’ away from any building shall slope perpendicularly away from the building toward areas designed to accept runoff.

Minimum protective slope – NCC Drainage Code Section 12.03.003(A)(1): The minimum slope in this area [pervious areas for a minimum distance of 8 feet away from the building] shall be 12:1.

Maximum protective slope – NCC Drainage Code Section 12.03.003 (A)(2): In grading of pervious areas for a minimum of 4 feet from the foundation of any building the slope shall NOT be steeper than 4:1.

A “Final Grading” inspection is required by New Castle County upon completion. This inspection shall be scheduled with the Department of Land Use by the Builder. The Buyer(s) understands that New Castle County WILL also assist in obtaining the Builder’s compliance in cases where the Builder has not responded within eight (8) months of the issuance of the Certificate of Occupancy.

Section Two: Additional Requirements

The Builder will not have the following items completed prior to the Certificate of Occupancy inspection. The buyer/owner desires the issuance of the Certificate of Occupancy with full knowledge that these items are not completed and inspected by New Castle County. The Builder agrees that these items will be installed and completed pursuant to the applicable New Castle County Codes and according to the contractual obligations between the Builder and Buyer. These items will be completed as soon as practical. The “item(s) checked below” are required to be inspected by New Castle County upon completion. The inspection(s) for pending items shall be scheduled with the Department of Land Use by the Builder. The Buyer(s) understands that New Castle County will also assist in obtaining the Builder’s compliance in cases where the Builder has not responded within eight (8) months of the issuance of the Certificate of Occupancy.

RESIDENTIAL Winter/Bad Weather Settlement Letter

- I On Lot Record Plan Landscaping *
- II On Lot Record Plan Sidewalks
- III Decks and/or Patios
- IV Air conditioner condenser unit
- V Exterior paint/caulk
- VI Stoop
- VII Other **

* For Item I, Buyer/owner is responsible for the maintenance of on lot landscaping. They shall maintain the required trees and shrubs in a live and healthy condition. They are responsible for weeding, watering, pruning, insect and disease treatments and replacing any dead plants with the same species as originally specified. Owners shall be responsible for the maintenance of the street trees planted on their property. Maintain and replace all as shown indefinitely. **On Lot Landscaping is required by the Record plan and its installation cannot be waived by either party.**

** For Item VII, Please list item(s) and have initialed by both parties: _____

BUYER / OWNER SECTION	<hr/> Buyer/owner (Printed Name)	<hr/> Buyer/owner (Signature)	<hr/> Date
	<hr/> Buyer/owner (Printed Name)	<hr/> Buyer/owner (Signature)	<hr/> Date
	<hr/> Buyer/owner e-mail address (Required) _____		
	NOTARY SECTION: By my signature below, I attest that this form was signed in my presence and attest to the authenticity of all signatures. (Please note: if using DocuSign in Lieu of a Notary, please submit the Certificate of Completion in addition to this document)		
<hr/> SWORN TO AND SUBSCRIBED before me this ____ day of _____, _____.			
	<hr/> Notary (Printed Name)	<hr/> Notary (Signature)	<hr/> Date
<hr/> My Commission Expires _____ (Notary Seal)			

BUILDER SECTION	<hr/> Builder (Printed Name)	<hr/> Builder (Signature)	<hr/> Date
	<hr/> Builder (Printed Name)	<hr/> Builder (Signature)	<hr/> Date
	NOTARY SECTION: By my signature below, I attest that this form was signed in my presence and attest to the authenticity of all signatures. (Please note: if using DocuSign in Lieu of a Notary, please submit the Certificate of Completion in addition to this document)		
	<hr/> SWORN TO AND SUBSCRIBED before me this ____ day of _____, _____.		
	<hr/> Notary (Printed Name)	<hr/> Notary (Signature)	<hr/> Date
<hr/> My Commission Expires _____ (Notary Seal)			