

Maximum Occupancy Form



Address of Property: _____

Room	Length of Room in Feet	Width of Room in Feet	Total Floor Area in Feet
Living Room			
Kitchen			
Master Bedroom			
Bedroom 2			
Bedroom 3			
Bedroom 4			

How To Figure

Length X Width = Area

Grand Total _____ / 120 = _____
(All Areas Added) (Max Occupancy)

Add All Areas Totals Together

Total Area Divided by 120 = Maximum Occupancy

Chapter 18 - BUILDINGS AND BUILDING REGULATIONS

Sec. 18-110. - Light, ventilation and space requirements.

(a) *Generally.* All spaces or rooms shall be provided sufficient light so as not to endanger health and safety. All spaces or rooms shall be provided sufficient natural or mechanical ventilation so as not to endanger health and safety. Where mechanical ventilation is provided in lieu of the natural ventilation, such mechanical ventilating system shall be maintained in operation during the occupancy of any structure or portion thereof.

(b) *Light in habitable rooms.* Every habitable room, except kitchens and toilet rooms, shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total window area, measured between stops, for every habitable room shall be eight percent of the floor area of such room, except in kitchens when artificial light may be provided. Whenever walls or other portions of a structure face a window of any room and such obstructions are located less than three feet from the window and extend to a level above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room. Every habitable room, except kitchens and toilet rooms, shall have at least one window which can be easily opened or such other device as will adequately ventilate the room.

(c) *Common halls and stairways.* Every common hall and stairway in every building, other than one-family dwellings, shall be adequately lighted at all times with an illumination of at least a 60-watt light bulb. Such illumination shall be provided throughout the normally traveled stairs and passageways.

(d) *Toilet rooms.* Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable rooms as required by subsection (b) of this section, except that a window shall not be required in bathrooms or water closet compartments equipped with an approved mechanical ventilation system.

(e) *Cooking.* Primary cooking shall not be permitted in any sleeping room or dormitory unit.

(f) *Privacy.* When permitted by the town's building and zoning codes, hotel units, lodging units and dormitory units shall be designed to provide privacy and shall be separate from other adjoining spaces.

(g) *Below-grade rooms.* Rooms partially or completely below grade shall not be used as habitable space unless:

(1) Floors and walls are watertight and so insulated as to prevent entry of moisture.

(2) Required minimum window area of every habitable room is entirely above the grade of the ground adjoining such window area.

(3) Means of egress and emergency escape are provided.

(h) *Separation of units.* Dwelling units shall be separate and apart from each other. With the exception of cribs or rooms accommodating handicapped individuals, sleeping rooms shall not be used as the only means of access to other sleeping rooms.

(i) *Common access.* A habitable room, bathroom or water closet compartment which is accessory to a dwelling unit shall not open directly into or be used in conjunction with a food store, barbershop or beauty shop, doctor's or dentist's examination or treatment room, or similar room used for public purposes.

(j) *Dwelling units.* Every dwelling unit shall contain a minimum gross floor area of not less than 200 square feet for the first occupant, and 120 square feet for each additional occupant. The floor area shall be calculated on the basis of the total area of all habitable rooms.

(k) *Area for sleeping purposes.* Every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet of floor area.

(l) *Overcrowding.* If any room used for residential purposes is overcrowded as defined in 31 Del. C. § 4106(27), the code official may order the number of persons sleeping or living in the room to be reduced.

(m) *Minimum ceiling heights.* Habitable rooms shall have a clear ceiling height over the minimum area required by this article at not less than seven feet, except that in attics, basements or top half-stories the ceiling height shall be not less than seven feet over less than one-third of the minimum area required by this division when used for sleeping, study or similar activity. In calculating the floor area of such rooms, only those portions of the floor area of the room having a clear ceiling height of five feet or more may be included.

(n) *Minimum ceiling heights in mobile homes.* Habitable space in a mobile home shall have a minimum ceiling height of seven feet over 50 percent of the floor area, and the floor area where the ceiling height is less than five feet shall not be considered in calculating floor area.

(Gen. Ords., Art. VII, Tit. 11, § 201.5; Ord. of 11-6-95(1), § 2; Ord. No. 016-05, §§ 10, 11, 8-15-05; Ord. No. 004-17, § 6, 5-15-17)