

CHAPTER 175  
FORMERLY  
HOUSE BILL NO. 205  
AS AMENDED BY  
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING  
TO REGIONAL PLANNING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF  
DELAWARE:

Section 1. Amend §4810, Title 9 of the Delaware Code by deleting subsection (a) in its entirety and substituting in lieu thereof a new subsection (a) to read as follows:

“(a) Plans depicting the location, proposed grades, and drainage of all roads intended to be dedicated by the owner thereof to the public use or for the use of owners of property abutting thereon or adjacent thereto, and plats of all subdivisions and land developments, within the limits of the District, shall be submitted to the Commission for its approval. No person shall record any plan showing any new or proposed road or any plat showing any new or proposed subdivision or land development, in any public office in Kent County, unless such plan or plat shall show thereon by endorsement its approval by the Commission; expressly provided, however, said endorsement of approval for minor subdivision shall be by administrative Commission staff pursuant to minor subdivision regulations which the county government is hereby authorized and directed to adopt. The Commission's approval of any road plan shall, when recorded, be deemed and taken as an acceptance of the intended dedication of the road appearing thereon, but shall not impose any duty upon the county government or upon the Department of Transportation respecting the maintenance or improvement thereof. Such road plan shall, when recorded, become a part of the official map. The county government may adopt such regulations as are deemed advisable for the removal of snow from the streets appearing on the plan from the time the plan is recorded until the obligation to maintain such improvements is assumed either by a maintenance corporation or by an appropriate public agency.”

Section 2. Amend §4810, Title 9 of the Delaware Code by deleting subsection (b) in its entirety and substituting in lieu thereof a new subsection (b) to read as follows:

“(b) No plat of land showing any new or proposed subdivision or land development within the District shall be received, filed, or recorded by the Recorder of Deeds in and for Kent County until the plat shall have been submitted to and approved by the Commission and such approvals endorsed in writing on the plat by the Director of Planning Services and the County Administrator. The filing or recording of a subdivision or land development plat without the approval of the Commission and/or without the endorsements of the Director of Planning Services and the County Administrator shall, upon application of the Commission or the county government to the Superior Court in and for Kent County, be expunged from the records maintained by the Recorder of Deeds.”

Section 3. This Act shall take effect immediately upon enactment into law.

Approved July 22, 2009