



DNREC

Tax Ditches and Driveways Considerations when Installing a Driveway

Did you Know?

ALL driveways are considered Tax Ditch Rights-of-Way (ROW) obstructions

Driveways located or installed within a Tax Ditch ROW are subject to [§ 4186 of the Tax Ditch Law](#). As such, upon request of a Tax Ditch officer the driveway must be removed at the landowners expense and the landowner is responsible for paying any fines issued for the violation.

If you are a landowner planning or contractor hired to install a driveway you must ensure the driveway is located outside of Tax Ditch Rights-of-Way (ROW).

Does my property have a Tax Ditch Rights-of-Way?

Visit de.gov/taxditchmap and search by street address or Parcel ID to find out!

A Closer Look: Navigating the Tax Ditch Map

If there is a Tax Ditch ROW on a property, it will be illustrated as an orange polygon on the map (see below). As you zoom in on a property the ROW width will also appear. **All** permanent features, including driveways, must be installed outside of the existing ROW.



Map and Cross-Section Abbreviations Defined:

TOB - Top of Bank

CL - Centerline

MT - Maintenance Turnaround

SAR - Special Access ROW

How to move forward if your property has a Tax Ditch Rights-of-Way

The [DNREC Tax Ditch Program](#) will review and evaluate the proposed request in consultation with the tax ditch officers to determine an acceptable path forward.

To initiate review of the proposed driveway, please complete and submit the form found [here](#).

To expedite our review be sure to include a site plan/sketch of the driveway location and include the proposed distance of the driveway from the top of the tax ditch bank.

Office Location & Contact

DNREC Tax Ditch Program

21309 Berlin Road, Unit 6 Georgetown, DE 19947

302-855-1930 • DNREC_Drainage@delaware.gov

Typical Tax Ditch Cross-Section/Rights-of-Way

