



Tax Ditches and Fences Considerations when Installing a Fence

Did you Know?

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

Fences 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 fence 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 fence you must ensure the fence 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 fences, 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 fence, please complete and submit the form found [here](#).

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

Office Location & Contact

DNREC Tax Ditch Program

21309 Berlin Road, Unit 6 Georgetown, DE 19947

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

