

## **Frequently Asked Questions**

### **Q. Why do I need a permit?**

**A.** There are many important reasons to obtain the required building permit(s) and to obtain the required inspections for your construction project.

#### **Helps protect property value**

Your home or business is an investment. If your construction project does not comply with the codes adopted by your community, the value of your investment could be reduced.

#### **Saves Money**

Property insurers may not cover work or damages caused by work done without permits and inspections.

#### **Makes Selling Property Easier**

When property is sold through a multiple listing association, the owner is required to disclose any improvements or repairs made and if permits and inspections were obtained. Many financial institutions will not finance a purchase without proof of a final inspection. If you decide to sell a home or building that has had modifications without a permit, you may be required to tear down the addition, leave it unoccupied or do costly repairs.

#### **Improves Safety**

Your permit allows the code official to reduce potential hazards of unsafe construction to provide for public health, safety and welfare. By following code guidelines, your completed project will meet minimum standards of safety and will be less likely to cause injury to you, your family, and your friends or future owners. Mandatory inspections complement the contractor's experience and act as a system of checks and balances resulting in a safer project.

#### **It's the Law**

Work requiring permits are made such by State Law and City Ordinance. Work without a permit may be subject to removal or other costly remedies.

### **Q. When is a permit required?**

**A.** The Florida Building Code requires a permit any time there is construction, erection, alteration, modification, repairs, changes of equipment, changes of use and/or occupancy of a building or structure, a change in location, performance of certain maintenance, removal and/ or demolition of any public and private building, structure or facility, or anything connected or attached to such buildings, structures or facilities, including all fences and above ground pools in the Town.

### **Q. How many layers of roofing can I install, before I have to tear off the old roofs in order to recover my roof?**

**A.** Two, provided that the roofing structure is designed to accommodate all loads imposed by the roofing.

### **Q. Am I required to obtain a permit to build a concrete or asphalt driveway?**

**A.** Yes, and a site plan is always required with a description of what is being done. Depending on the scope of work, additional structural detail may also be required.

**Q. Am I required to obtain a permit to build a fence?**

**A.** Yes, and a site plan, survey, and structural details must be provided.

**Q. How much will my permit cost?**

**A.** The cost of a permit is based on the value of the work including material, labor, and any owner supplied items.

**Q. What happens if I choose not to obtain the required permits?**

**A.** If the Building Official finds you working without a permit, **your work will be stopped immediately**, regardless of where in the construction project you are. If the work you have done appears to affect the safety of the structure, you will be required to remove all new work, or completely remove the structure!

At the option of the Building Official, you may be required to seek out the services of an Architect of Engineer and hire a contractor. (**NOTE:** If you have hired a contractor to do your work without a permit, your contractor will be reported to the County **AND** State licensing authority and a complaint will be filed against their license.

ALSO,

A Code Enforcement Officer will issue you a notice for working without permits and you will have to pay the cost of the permit fee PLUS a penalty of four times the permit fee.

If you choose to ignore the notice of the Code Enforcement Officer, you will receive a citation and be brought before the Special Magistrate where you may be fined, made to remove the unpermitted work.

**Q. Do I need a contractor?**

**A.** Most of the time, But not always... If you **own and occupy** the building or structure, Florida Statute (489.103(7)) allows the owner of real property to act as their own contractor. (This exemption does not apply to properties owned by corporations, trusts or businesses, or for multi-family units.) This exemption may only be used if you **own and occupy** the structure. However, as an "owner-builder", you must perform and complete all of the **work yourself**, or **you must personally supervise any work not done by you**. When you hire a contractor to perform specific trade work they must be properly licensed in those trades. (electrician, plumbing, air conditioning contractors and roofers in accordance with state law).

**Important! If you hire any person to help you perform the work, you must act as an employer!** As an employer you are required to **provide insurance and withhold taxes** (or issue a 1099 form to the IRS).

Owners, acting as their own contractor, or listed as a subcontractor, (yes, you can be a subcontractor under a general contractor's license, AND still be an "owner-builder"), you are required to **personally appear and sign** the permit application per F.S. 489.103(7).

**Q. If I use a contractor, what guidelines should I use to choose one?**

**A.** Ask for and check references, ask to see their state license. Check the number on the state web site ([www.myfloridalicense.com](http://www.myfloridalicense.com)) for any state complaints. If they ask you to secure the permit, beware. They may not be licensed, which puts the homeowner totally at risk. Verify that the Contractor is insured. State Law requires that they carry workers compensation insurance. Ask to see a certificate of insurance.

**Q. How long does it take to get a permit?**

**A.** Depending on the number of permits that have been submitted before you, and if all required documents are provided, a simple Building Permit (A/C change-out, water heater replacement, or other minor work) can be obtained within a day or two. More complex work will take a few days and a permit to build an addition, or new home will take considerably longer. A permit application expires 180 days after the date of issuance and permit fees are non-refundable.

**Q. What happens after the permit is issued?**

**A.** The list of required inspections is located on the permit placard. Instructions on scheduling these inspections will be provided when your permit is issued. The permit placard must be attached to the front of the building where the work is being done. During the construction, it is the applicant's (Owner Builder/Contractor) responsibility to ensure that all required inspections are made, prior to proceeding with the next phase of the work on the project.

For new dwellings, once all fees are paid and all required inspections are completed, the applicant will be issued a CO (Certificate of Occupancy). Upon request, a CC (Certificate of Completion) for minor projects can be obtained.

To schedule inspection, log in to [www.mygovernmentonline.org](http://www.mygovernmentonline.org) before 4:00 pm and inspections will be scheduled for the next available inspection date. Inspections are completed Monday through Friday, with exception of legal holidays.

**Q. How much time do I have once the permit is issued?**

**A.** Once a permit has been issued, a permit will expire and become null and void if work is not started and an inspection is requested and has passed within 180 days from the issuance date. After the work has commenced the permit will expire when work is suspended or abandoned for a period of 180 days. A permit will become non-renewable after an additional 60 days has passed from the expiration date.

Lack of a passed inspection within this time will serve as validation that the job has been suspended or abandoned.

**Q. What do I need to submit?**

**A.** Along with a signed and notarized (by both the owner/agent and the contractor) permit application, you will need to submit a copy of the contract for the work being performed, a recorded Notice of Commencement (see next question), and two (2) sets of plans/product approvals/specifications/notices of acceptance, whichever is applicable.

**Q. When is a Notice of Commencement Required?**

**A.** A Notice of Commencement or "NOC" is required when the value of work exceeds \$2,500, or in the case of mechanical work \$7,500. The NOC can be filed at the recording section at the Clerk of the Circuit Court's Office, 205 N. Dixie Hwy, West Palm Beach, FL 33401 (561) 355.2996

**Q. Where is the permitting office?**

**A.** The Building Department is at Town Hall, located at 247 Edwards Lane, Palm Beach Shores, FL, 33404. Our phone number is (561) 844-3457.