



# Building Permit Requirements

**CITY OF NEWARK, CALIFORNIA**

**BUILDING INSPECTION DIVISION**

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## Permits Required

With some exceptions (which are listed in this document) most all construction and demolition projects require a construction permit. Some of the more common construction activities that do require a construction permit are listed below.

- New building or structure construction
- Additions and alterations to existing buildings or structures (among other things, includes both bearing and non-bearing walls)
- Installation of new windows or the replacement of existing windows (not included is replacement of broken glass in existing windows)
- Installation of new, or the replacement of existing, non-portable industrial equipment (includes any equipment that must be secured to a structure, or is hard wired to the structures electrical system, or hard piped to the structures' piping system)
- Installation of new roof coverings on an existing roof system
- Swimming pools, spas and hot tubs
- Signs
- Replacement of existing piping systems
- Installation of new, or the replacement of existing, water heaters, furnaces, or air conditioners
- Installation of new, or the replacement of existing, shower enclosures
- Replacement of existing cabinets in kitchens or bathrooms (the replacement of only cabinet doors and/or drawer fronts does not require a permit)
- Reconstruction of parking lots (re-striping of existing parking lots does not require a permit, however, the new striping must meet local zoning standards, state accessibility standards and ADA standards)
- Demolition of any building or structure (or a portion of a building or structure) which a permit was required to construct such building or structure
- Process piping
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## Building Related Exemptions

- One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet.
- Wood or chain link fences not over seven feet above adjacent grade and masonry fences not over four feet above adjacent grade.
- Movable cases, counters, and partitions not over 5 feet 9 inches high.
- Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding certain hazardous and/or flammable liquids.
- Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.

- Platforms, walks, and driveways not more than 30 inches above grade and not over any basement or story below and not part of an accessible route.
- Painting, papering, and similar finish work.
- Temporary motion picture, television, and theater stage sets and scenery.
- Window awnings supported by an exterior wall of a single-family dwelling when projecting not more than 54 inches.
- Prefabricated swimming pools or spas accessory to detached single family dwelling that are less than twenty-four inches deep, do not exceed 5,000 gallons and are installed entirely above the adjacent grade.
- Swings and other playground equipment accessory to detached one- and two-family dwellings and not over twelve feet above adjacent grade.

### **Plumbing Related Exemptions**

- Repairing of leaks in drains, water, soil, waste, vent pipe, or valves provided, however, that if any concealed trap, drain pipe, water, soil, waste, vent pipe, or valve becomes defective and it becomes necessary to remove and replace the same with new materials, such work shall be considered as new work and a permit shall be obtained.
- Clearing of stoppages in waste or soil piping.
- Repair, removal, or reinstallation of a water closet (toilet).

### **Mechanical Related Exemptions**

- Portable heating, cooling, and ventilating equipment.
- Replacement of any component part of assembly of an appliance which does not alter its original approval.

### **Electrical Related Exemptions**

- Replacement of existing flush or snap switches, fuses, lamp sockets, surface mounted light fixtures, and other minor maintenance and repair work.
- Installation of power systems used solely for signaling or controlling devices for railroad rolling stock (train tracks).

### **Grading Related Exemptions**

- When approved by the Building Official, grading in an isolated, self-contained area, if there is no danger to private or public property and such grading will not occur in an area designated as wetlands.
- An excavation below finished grade for basements and footings of a building, retaining wall, or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation or exempt any excavation having an unsupported height greater than 5 feet after the completion of such structure.
- Cemetery graves.
- Exploratory excavations under the direction of soil engineers or engineering geologists.
- An excavation that: (a) is less than 2 feet in depth or (b) does not create a cut slope greater than 5 feet in height and steeper than 1 unit vertical in 1.5 units horizontal and does not occur in an area designated as wetlands.

- A fill less than 1 foot in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal, that does not exceed 50 cubic yards on any one lot, does not obstruct a drainage course, or occur in an area designated as wetlands.
- A fill less than 3 feet in depth, not intended to support structures, that does not exceed 50 cubic yards on any one lot, does not obstruct a drainage course, or occur in an area designated as wetlands.

### **Issuance of a Building Permit**

A construction permit can be issued to an appropriately licensed contractor, the owner of the property, or to a tenant provided the tenant has written authorization from the owner to act in the owner's behalf in obtaining such permit.

### **Time Period a Construction Permit Remains Valid**

Every construction permit issued by the Building Inspection Division shall expire by limitation and become null and void if one or more of the following conditions occur:

- The work authorized by such permit has not begun within 180 days from the date of issuance; or
- The work authorized by such permit is suspended or abandoned for a period of 180 days at any time after the work has begun; or
- A period of 180 days has elapsed since the most recent satisfactory inspection approval for the work authorized by such permit; or
- The work authorized by such permit has not been completed and has not received final inspection approval within two years from the date of permit issuance.

Before such work can begin again, either the permit shall be renewed or a new permit obtained. The permit may be renewed provided no changes have been made or will be made to the original plans and specifications for such work and that such suspension or abandonment or lapse of time since the most recent satisfactory inspection approval has not exceeded one year. A permittee may request renewal of a permit by submitting the request in writing: (a) stating the reasons for the delay, (b) describing the circumstances beyond the control of the permittee which prevented the completion of the work, and (c) describing the relief being sought. The fee to renew a permit shall be one-half the construction fee amount for the work based on the fee schedule in effect at the time of renewal of the permit or the minimum permit fee amount, whichever is greater. The permit may be renewed only one time and for a period not to exceed one year from the date of renewal of the permit and not to exceed two years from the date of original permit issuance.

If the suspension or abandonment or lapse of time since the most recent satisfactory inspection approval exceeds one year, then a new permit shall be obtained before commencing work. The permittee shall resubmit plans and supporting documents as for an original project submittal and shall pay new, full permit fees based on the fee schedule in effect at the time of issuance of the new permit.

A permittee holding an unexpired permit may request an extension of time to complete the work authorized by that permit by submitting the request in writing: (1) stating the reasons for the delay, (2) describing the circumstances beyond the control of the permittee which prevented the completion of the work, and (3) describing the relief being sought. The fee to extend the permit shall be 15 percent of the construction fee amount for the work, based on the fee schedule in effect at the time of extending the

permit. The permit may be extended only one time and for a period not exceeding 180 days and not to exceed two years from the date of original permit issuance.