

Determining When a Permit is Required

This page is intended to be used as a guideline to assist residents and contractors on common questions for when a Uniform Construction Permit is and is not required. Permits from the Zoning and Engineering Departments may still be required for work that does not require a Uniform Construction Permit. The Document is divided into two parts. The first part lists the types of work that are ordinary maintenance, which is work that **does not** require a Construction Permit. The second part lists types of work that are minor work, which is work that does require a Construction Permit. This is not a full guideline for all work that requires a Construction Permit.

ORDINARY MAINTENANCE

The following items are types of work that may be performed without a permit pursuant to the Uniform Construction Code. The classification of work as ordinary maintenance is not a waiver from code compliance; all work is required to meet code requirements. However, no permit is required and there are no inspections of the work. The list has been arranged by the building type and discipline for ease of use.

For other than dwellings, the following has been designated as ordinary maintenance:

BUILDING

- ▣ Finishes – Painting (interior/exterior), wall papering, trim/molding (interior/exterior) and flooring material repair, replacement or installation.
- ▣ Siding – For other than polypropylene siding, existing siding may be repaired or replacement with like material not exceeding 25 percent of the total building exterior wall. **The installation of any amount of polypropylene siding requires a permit.**
- ▣ Windows/Doors
 - Glass may be replaced in any window or door. The replacement glass must be of a type and quality that complies with the code;
 - Windows and doors (including garage doors) may be replaced in the same rough opening without altering the dimensions or framing; this includes means of egress elements (such as emergency escape openings) when dimensions and framing are not altered, and the height, width or net clear opening is maintained.
 - Screens may be repaired, replaced or installed.
- ▣ Cabinets – Non-structural elements such as a cabinet may be repaired, replaced or installed.
- ▣ Decks – Any part of a deck, porch or stoop that does not provide structural support for any roof or portion of a building may be repaired or replaced.
- ▣ Insulation – The installation of insulation when installed adjacent to or not more than one and a half inches from an interior finish, except that the installation of foam plastic insulation requires a permit (*Note: ordinary maintenance used to be limited to roll or batt insulation, now any insulation other than foam plastic is allowed as ordinary maintenance*).
- ▣ Gutters – Exterior gutters and leaders may be repaired, replaced or installed.

PLUMBING

- ▢ Fixtures and fixture parts – Fixtures may be replaced with a similar fixture provided that there no change in the piping arrangement (*Note: the replacement of fixtures was previously limited to single family dwellings, now fixtures may be replaced in all uses as ordinary maintenance*); faucets and working parts of faucets may be replaced; existing fixtures may be refinished (relining fixtures is not ordinary maintenance).
- ▢ Valves – Hose bib valves may be replaced provided that an approved atmospheric vacuum breaker is provided (*Note: the replacement of hose bibs used to be limited to single family dwellings, now they may be replaced in all uses as ordinary maintenance*); valves and work parts of valves may be replaced including shower or combination bath/shower valves (*Note: the replacement of shower valves used to be limited to single family dwellings now they may be replaced in all uses as ordinary maintenance*).
- ▢ Ball Cocks – Ball cocks may be replaced provided that an approved anti-siphon type is used.
- ▢ Piping repair/replacement – Piping may be replaced to repair a leak (*Note: the repair of leaks used to be limited to replacement of piping between any two adjacent joints, that is no longer the case*).
- ▢ Appliance Replacements – Domestic clothes washers and domestic dishwashers may be replaced.
- ▢ Traps – Traps including traps on culinary sinks may be replaced.
- ▢ Drain cleaning – Stoppages may be removed.

ELECTRICAL

- ▢ Receptacles, switches and outlets – Receptacles, switches, or lighting fixtures that do not contain emergency battery packs, may be replaced with a similar item. However, receptacles in locations where ground-fault circuit interrupter protection, damp/wet, or tamper-resistant must comply with Section 406.4(D) of the electrical subcode (*Note: The limitation on 20 amps or less has been removed*).
- ▢ Equipment – Repairing any installed electrically operated equipment such as doorbells, communication systems, and any motor-operated device (In the event of a fire protection system being interrupted for repairs, the fire official is to be notified in accordance with the building subcode).
- ▢ Communications Wiring – Communications wiring may be installed (i.e. Ch. 8 and data circuits between computers/information technology equipment from Article 725 of the electrical subcode) in a Class 3 structure (see N.J.A.C. 5:23-4.3A), provided that the rearrangement does not involve penetration of a fire-rated assembly and is not in a hazardous location (see Ch. 5 of the electrical subcode).
- ▢ Appliances – Domestic dishwashers may be replaced.

FIRE

- ▢ The replacement of sprinkler or smoke detector, smoke alarm, or heat detector heads with a like device.
- ▢ The repair or replacement of any component of a fire alarm or smoke and heat detection equipment (other than the replacement of a fire alarm control panel) may be repaired or replaced.
- ▢ The installation of battery-powered smoke alarms and the installation of battery-powered or plug in carbon monoxide alarms.

MECHANICAL

- ▢ Motors, pumps and fans – Motors pumps and fans of the same capacity may be replaced.
- ▢ Heating, supply and return piping and radiation elements – The repair or replacement of heating supply and return piping and radiation elements where there is no rearrangement of the piping system.
- ▢ Duct work – Duct work may be repaired or replaced.
- ▢ Air Conditioning Equipment – Repair of air conditioning equipment and systems along with the repair or replacement of control devices for heating and air conditioning equipment.
- ▢ Liquid applied chimney lining – The application of liquid applied lining material inside an existing chimney.

Ordinary maintenance: For all dwellings, any work listed above is applicable to residential uses plus the following:

ELECTRICAL/MECHANICAL

- ▢ Kitchen range hoods – Kitchen range hoods may be replaced provided that the replacement hood exhaust rate does not exceed the exhaust rate of the existing hood or the exhaust rate of the replacement hood does not exceed 400 cfm.
- ▢ Replacement of domestic appliances –
 - Domestic clothes dryers may be replaced provided that no change in fuel type, pipe size, or location or electrical characteristics is required.
 - Domestic stoves and domestic ovens may be replaced provided no change in fuel type, pipe size, or location or electrical characteristics is required.
- ▢ Exhaust fans – Bathroom exhaust fans may be replaced.

Ordinary maintenance in one- and two-family dwellings: Any work listed in the two categories above applicable to residential uses plus the following:

BUILDING

- ▢ Finishes – Installation, repair or replacement of interior finishes of less than 25 percent of the wall area of the dwelling. This shall include plastering and drywall installation. (1) Vinyl wall covering of any amount is ordinary maintenance; (2) Paneling is not ordinary maintenance.
- ▢ Non-structural components – The repair or replacement of any non-structural component, such as a partition.
- ▢ Roofing – The repair or replacement (including total replacement) of any amount of existing roof covering on detached one- or two-family dwellings.
- ▢ Siding – The repair or replacement of any amount of existing siding. Exception: The repair or replacement of polypropylene siding is not ordinary maintenance.

ELECTRICAL

- ▢ Alarm systems – The installation of a burglar alarm, security system.
- ▢ Doorbells – Doorbells may be installed, repaired or replaced.
- ▢ Landscape irrigation systems – Plug-in landscape irrigation unit under 30 volts may be installed.

MINOR WORK

Like ordinary maintenance, minor work is a category of work that requires less oversight than do construction projects that require plan review, a full permit, and inspections. Minor work requires a construction permit, but allows work to begin before the permit has been issued once notice of the work has been given to the local code enforcement agency. The notice may be oral, written, or email.

For other than dwellings, the following has been designated as minor work:

BUILDING

- Porches – The construction or total replacement of any porch or stoop that does not provide structural support for any roof or portion of a building.
- Repair and/or renovation work – Repair and/or renovation work in a Group B, Group F, Group M, or Group S occupancy performed in accordance with N.J.A.C. 5:23-6, not including work categorized as ordinary maintenance pursuant to N.J.A.C. 5:23-2.7.
- Radon – The installation of a radon mitigation system provided no new electrical work is required. (*Note: this used to be limited to one- and two-family dwellings. Now the installation of radon mitigation systems is minor work in all buildings, provided no new electrical work is required*).
- Elevators – Minor work on elevator devices shall also mean and include work as outlined in N.J.A.C. 5:23-12.8(b) and not involving any structural modification to a building.
- Partitions – Repair or replacement with no reconfiguration of space or of any non-structural component such as a partition in structures other than one- and two-family dwellings (see ordinary maintenance one- and two-family dwellings).

PLUMBING

- Piping – Replacement of existing plumbing piping with new and approved material of like capacity.
- Drinking fountains – The installation of drinking fountains and condensate drains in existing structures.
- Water Heaters – The replacement of existing water heaters with new ones of like capacity.
- HVAC Equipment – The replacement of existing boilers, warm air furnaces, air conditioning units and air conditioning condensing units with new appliances of like capacity.

ELECTRICAL

- Communication wiring – The installation of communications wiring in any Class 1 or Class 2 structure or any Class 3 structure involving the penetration of a fire-resistance rated assembly. Note: Communications wiring is any wiring covered by Chapter 8 of the electrical subcode, “including data circuits between computers/information technology equipment, which may be classified as communications circuits in accordance with Article 725 of the electrical subcode.”
- Alarm systems – The installation of a burglar alarm, security system, or doorbell in structures other than one- and two-family dwellings (see ordinary maintenance for one- and two-family dwellings). Exception: controlled, delayed, or sensor released egress doors.

FIRE

- Alarm Systems – Any change of an existing transmission means from a digital alarm communicator transmitter to a fire alarm supervising station. (1) For the purposes of applying this provision, transmission means shall mean the existing phone line(s) that transmit fire alarm signals from a digital alarm communicator transmitter to the supervising station. A certified fire alarm service company, licensed fire alarm company or licensed electrical contractor shall submit Form F-391 signed by the contractor to provide a verification statement in writing to the fire subcode official within 24 hours that all required signals remain operational after the new transmission means is installed.

Minor work in all dwellings: Any of the work above applicable to residential uses plus the following:

PLUMBING

- Fixture installation – The new installation of fixtures in an existing space where the new installation of additional fixtures may be accommodated with no increase in the size of the water distribution system, water service, or house drain.

Minor work in one- and two-family dwellings: All the work in the two categories above applicable to residential uses plus the following:

BUILDING

- Renovations or Alterations – Renovation or alteration work provided that no primary structural members are altered in any way, and further provided that the work does not constitute reconstruction.

ELECTRICAL

- Appliances – Minor work shall also mean and include new electrical work incidental to the installation of air conditioning, equipment, clothes dryers, and ranges or oven.
- Outlets – The installation of five or fewer outlets where existing circuits and/or available space for circuits and service are adequate to support the load. Fishing is considered minor work regardless of the number of fixtures / receptacles. *(Note: the limitation that the devices/outlets are limited to 125 or 250 volt has been eliminated; fishing was previously limited to 5 receptacles).*
- Rewiring – The replacement of existing wiring with new wiring of the same capacity provided that the new wiring shall be of a type approved for the use by the code.

FIRE

- Detection/Suppression – The installation of a fire detection or suppression device.

A Uniform Construction Permit is not required for a garden type utility shed that is 200 square feet or under provided it does not have electric, water, gas, oil or sewer connections. However, a Zoning Department Permit is required for all garden type utility shed regardless of the size.