

2021 Virginia Construction Code

CHAPTER 1 ADMINISTRATION

SECTION 110 PERMITS

110.1 Approval and issuance of permits.

The building official shall examine or cause to be examined all applications for permits or amendments to such applications within a reasonable time after filing. If the applications or amendments do not comply with the provisions of this code or all pertinent laws and ordinances, the permit shall not be issued and the permit applicant shall be notified in writing of the reasons for not issuing the permit. If the application complies with the applicable requirements of this code, a permit shall be issued as soon as practicable. The issuance of permits shall not be delayed in an effort to control the pace of *construction* of new detached one- or two-family dwellings.

110.1.1 Consultation and notification.

Prior to approval or removal of *emergency supplemental hardware*, the building code official shall consult with the local fire code official, or state fire code official if no local fire code official exists, and head of the local law-enforcement agency. The local fire code official; the state fire code official; and the local fire, EMS, and law-enforcement first responders shall be notified by the building code official of such approval or removal, after approval or removal of such *emergency supplemental hardware*.

110.2 Types of permits.

Separate or combined permits may be required for different areas of *construction* such as building *construction*, plumbing, electrical, and mechanical work, or for special *construction* as determined appropriate by the *locality*. In addition, permits for two or more *buildings* or *structures* on the same lot may be combined. Annual permits may also be issued for any *construction* regulated by this code. The annual *permit holder* shall maintain a detailed record of all alterations made under the annual permit. Such record shall be available to the building official and shall be submitted to the *local building department* if requested by the building official.

110.3 Asbestos inspection in buildings to be renovated or demolished; exceptions.

In accordance with § 36-99.7 of the Code of Virginia, the *local building department* shall not issue a *building* permit allowing a *building* for which an initial building permit was issued before January 1, 1985, to be renovated or demolished until the *local building department* receives certification from the *owner* or his agent that the affected portions of the *building* have been inspected for the presence of asbestos by an individual licensed to perform such inspections pursuant to § 54.1-503 of the Code of Virginia and that no asbestos-containing materials were found or that appropriate response actions will be undertaken in accordance with the requirements of the Clean Air Act National Emission Standard for the Hazardous Air Pollutant (NESHAP) (40 CFR Part 61, Subpart M), and the asbestos worker protection requirements established by the US Occupational Safety and Health Administration for construction workers (29 CFR 1926.1101). Local educational agencies that are subject to the requirements established by the Environmental Protection Agency under the Asbestos Hazard Emergency Response Act (AHERA) shall also certify compliance with 40 CFR Part 763 and subsequent amendments thereto.

To meet the inspection requirements above, except with respect to schools, asbestos inspection of renovation projects consisting only of repair or replacement of roofing, floor covering, or siding materials may be satisfied by a statement that the materials to be repaired or replaced are assumed to contain friable asbestos and that asbestos installation, removal, or encapsulation will be accomplished by a licensed asbestos contractor.

The provisions of this section shall not apply to single-family dwellings or residential housing with four or fewer units unless the renovation or demolition of such buildings is for commercial or public development purposes. The provisions of this section shall not apply if the combined amount of regulated asbestos-containing material involved in the renovation or demolition is less than 260 linear feet (79.25 lm) on pipes or less than 160 square feet (14.86 m²) on other facility components or less than 35 cubic feet (1 m³) off facility components where the length or area could not be measured previously.

An abatement area shall not be reoccupied until the building official receives certification from the *owner* that the response actions have been completed and final clearances have been measured. The final clearance levels for reoccupancy of the abatement area shall be 0.01 or fewer asbestos fibers per cubic centimeter if determined by Phase Contrast Microscopy analysis (PCM) or 70 or fewer structures per square millimeter if determined by Transmission Electron Microscopy analysis (TEM).

110.4 Fire apparatus access road requirements.

The permit applicant shall be informed of any requirements for providing or maintaining fire apparatus access roads prior to the issuance of a building permit.

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110.5 Posting of permits; limitation of approval.

A copy of the permit shall be posted on the construction site for public inspection until the work is completed. Such posting shall include the street or lot number if one has been assigned, to be readable from a public way. In addition, each *building* or *structure* to which a street number has been assigned shall, upon completion, have the number displayed so as to be readable from the public way.

A permit shall be considered authority to proceed with *construction* in accordance with this code, the approved *construction* documents, the permit application and any approved amendments or modifications. The permit shall not be construed to otherwise authorize the omission or amendment of any provision of this code.

110.6 Abandonment of work.

A building official shall be permitted to revoke a permit if work on the site authorized by the permit is not commenced within 6 months after issuance of the permit, or if the authorized work on the site is suspended or abandoned for a period of 6 months after the permit is issued; however, permits issued for plumbing, electrical and mechanical work shall not be revoked if the building permit is still in effect. It shall be the responsibility of the permit applicant to prove to the building official that authorized work includes substantive progress, characterized by approved inspections as specified in [Section 113.3](#) of at least one inspection within a period of 6 months or other evidence that would indicate substantial work has been performed. Upon written request, the building official may grant one or more extensions of time, not to exceed 1 year per extension.

110.7 Single-family dwelling permits.

The building official shall be permitted to require a 3-year time limit to complete *construction* of new detached single-family dwellings, additions to detached single-family dwellings and residential accessory *structures*. The time limit shall begin from the issuance date of the permit. The building official may grant extensions of time if the applicant can demonstrate substantive progress, characterized by approved inspections as specified in [Section 113.3](#) of at least one inspection within a period of 6 months or other evidence that would indicate substantial work has been performed.

110.8 Revocation of a permit.

The building official may revoke a permit or approval issued under this code in the case of any false statement, misrepresentation of fact, abandonment of work, failure to complete *construction* as required by [Section 110.7](#), noncompliance with provisions of this code and pertinent laws and ordinances, or incorrect information supplied by the applicant in the application or construction documents on which the permit or approval was based.

110.9 Cancellation of permit.

The building official shall cancel a permit at the request of the *permit holder* or the owner. An incomplete *building* or *structure* shall not be left as an unsafe *building* or *structure*.