

BUILDING DIVISION – POLICIES AND PROCEDURES

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EXPIRATION OF BUILDING PERMITS FOR FAILURE TO COMMENCE WORK

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ISSUE: When shall a legally issued Building Permit expire and become Null and Void due to failure to commence work?

ANALYSIS: A permit is issued assuming that the applicant is ready to commence and complete the project in a timely manner. The timely completion of a project helps prevent the City from having to maintain open permit files for indefinite periods of time. Projects that are completed in a timely fashion help insure that they are reviewed, permitted, and inspected under the currently adopted codes. This also reduces problems and questions that frequently arise during inspections of older projects as to what codes or code editions pertain and what potentially conflicting code requirements apply.

Sections 105.5 of the 2009 International Building Code (IBC) and Section 105.5 of the 2009 International Residential Code states:

"Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the work is commenced."

The City of Golden further amends this section with the addition of the following:

"For the purposes of this section, suspension or abandonment shall be considered to have occurred when a required building inspection has not been performed within one year of permit issuance or a period of one (1) year has passed following a required building inspection without obtaining a subsequent required inspection."

This section further allows the building official to extend the time for commencing work for up to and additional 180 days upon a written request for ". . .good and satisfactory reasons . . ." An unexpired permit may be extended only once.

POLICY & PROCEDURE: The following policy is adopted to clarify when a permit expires and becomes null and void due to abandonment.

When a required building inspection has not been performed within one year from either the permit issuance date or a previously required inspection, and an extension has not been applied for and granted, the permit shall be determined to be abandoned and rendered null and void.

When an extension has been issued the work must commence within 180 days (6 months) of the extension date.

A permit, for purposes of abandonment, may not be extended more than once.

After a permit has expired due to abandonment of work the following shall apply:

- In order to build, as indicated in the original permit, a new permit shall be required.
 - If a new permit is applied for within one year of expiration, a fee equal to one-half of the original building permit fee shall be collected.
 - If a new permit is applied for after one year of the expiration, a fee equal to the original building permit fee shall be charged.
- If a new permit is applied for which the City must perform a new or abbreviated plan review, additional plan review fees shall also be assessed as calculated and permitted by the code.