

The background of the slide features a light brown, semi-transparent image of architectural blueprints. A drafting compass is positioned diagonally across the lower right portion of the image. The overall aesthetic is professional and technical.

2022

NH Municipal Association Conference

**Codes, Permits and Inspections process
Questions for a Code Official**

November 16, 2022

About the Presenters

William McKinney

- Code Official for the City of Nashua, NH
- President of the NH Building Officials Association (NHBOA)
- Chair of the NHBOA- Legislative Affairs
- Chairman of ICC – Region VI, Northeast Region Coalition (NERC)

About the Presenters

Philip R. Sherman, P.E.

- Consulting fire protection engineer and building code consultant
- Chair, NH Building Code Review Board

WHAT PEOPLE THINK WE DO



"OK, LET'S SEE YOUR BUILDING PERMIT"

What We Really Do

The Department of Building Safety is responsible for:

- Keeping official records pertaining to permit applications, permits, fees collected, inspections, notices and orders issued.
- Maintaining valuable documentation as a resource if questions arise during and after the construction.
- Provide assistance to designers and builders by interpreting the code's application to a particular construction situation.

What We Really Do

- **Continuous education with evolving construction products and processes**
- **Keep up to date with laws and regulations**
- **Verify projects will comply with code before and during construction**
- **Issue permits for all aspects of construction**
- **Conduct Inspections**
- **Help to prevent or limit affects from events and disasters (Man made and Natural)**

Question 1

- What information is required for a permit?
Every community seems to require different information. Is there a standard list of what is required on plans?

DEPARTMENT STRUCTURE

- **BUILDING OFFICIAL** – Manages Department, sets policy
- **PLANS EXAMINER** – Plan, document review and code verification
- **PERMIT TECHNICIANS** – Primary contact for department. Responsible for intake of applications, submittal documents, permit issuance payment processing
- **INSPECTORS** – Responsible for compliance, investigations and issuance of corrective orders

Building Laws

- The regulation of building construction is not a recent phenomenon. It can be traced through recorded history for over 4000 years.
- Babylonian King Hammurabi, in 2000 BC instituted a performance-type code which was based on the simple principle of "an eye for an eye",

Building Laws

- **Code 229:** If a builder builds a house for a man and does not make its construction sound and the house which he has built collapses and causes the death of the owner of the house the builder shall be put to death.
- **Code 230:** If it kills the son of the owner the son of that builder shall be put to death.

NH Laws, Codes & Ordinances

New Hampshire long ago adopted statutory means to address building safety.

- RSA 156 dates back to 1893 (repealed 1984)
- RSA 674:51 adopted in 1983
- RSA 155-A adopted in 2002

NH State Statutes; RSA 155-A: NEW HAMPSHIRE BUILDING CODE

- Section: 155-A:1 Definitions.
- Section: 155-A:2 State Building Code.
- Section: 155-A:3 Local Amendments; Application.
- Section: 155-A:3-a Code Requirements; Biomass Burning Boilers.
- Section: 155-A:3-b Code Requirements; Log Structures.
- Section: 155-A:3-c Installation of Arc-Fault Circuit Interrupters (AFCI); Exception.
- Section: 155-A:4 Permit Required.
- Section: 155-A:5 Accessibility Standards for Public Buildings; Purpose and Intent.
- Section: 155-A:5-a Accessibility Standards for Public Buildings.
- Section: 155-A:5-b Accessibility Certifiers and Inspectors; Penalty.
- Section: 155-A:6 Repealed by 2012, 242:22, eff. June 18, 2012.
- Section: 155-A:7 Enforcement Authority.
- Section: 155-A:8 Penalty.
- Section: 155-A:9 Fees.
- Section: 155-A:10 State Building Code Review Board.
- Section: 155-A:10-a Energy Code Compliance Form.
- Section: 155-A:11 Appeals of Decisions of the State Fire Marshal.
- Section: 155-A:11-a Appeal of Decisions of the Electricians' Board and the Board of Home Inspectors.
- Section: 155-A:11-b Appeal of Decisions of Local Building Code Board of Appeals.
- Section: 155-A:12 Appeal From Board's Decision.
- Section: 155-A:13 Building Requirements for State Funded Buildings.

NH Laws, Codes & Ordinances

Chapter 155-A

155-A:2 State Building Code - I. All buildings, building components, and structures constructed in New Hampshire shall comply with the state building code and state fire code. The construction, design, structure, maintenance, and use of all buildings or structures to be erected and the alteration, renovation, rehabilitation, repair, removal, or demolition of all buildings and structures previously erected shall be governed by the provisions of the state building code.

Family of Codes

- International Building Code
- International Mechanical Code
- International Fuel Gas Code
- International Property Maintenance Code
- International Fire Code
- International Zoning Code
- International Plumbing Code
- International Existing Building Code
- International Private Sewage Disposal Code
- International Performance Code
- International Residential Code
- International Energy Conservation Code
- International Wildlife-Urban Interface Code
- International Swimming Pool and Spa Code



Building Code

101.2 Scope.

The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Building Code

101.3 Intent.

The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

Authority

104.1 General.

The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. *Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.*

PERMITS

- **BUILDING**
 - NEW BUILDINGS
 - ADDITIONS
 - ALTERATIONS / RENOVATIONS
 - TENT/CANOPY \geq 400 Sq. Ft.
- **ELECTRICAL**
 - GREEN ENERGY (SOLAR, WIND, ETC)
- **MECHANICAL**
 - HVAC EQUIPMENT
 - GAS PIPING
- **PLUMBING**
- **DEMOLITION**

PROCESS

- Application and document submittal
- Site compliance review by Planning and Zoning
- Review of building plans by Building Safety, Fire Dept./Marshal and Health, Public Works as applicable
- Response to customer (approved, additional information, denied)
- Review of additional information
- Permit approval or denial

Document Submittals

BUILDING PERMIT

THIS CARD MUST BE DISPLAYED AT ALL TIMES

No.

CA1258-9765-987

ISSUED

NO. LOCATION

DATE

DRAWN

CHECKED

DATE

SCALE

JOB

CONCEPT SHEET

OF



Document Submittals

R106.1 Submittal Documents

- Submittal documents consisting of construction documents, and other data shall be submitted in two or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Document Submittals

R106.1 Submittal Documents

- **Exception:** The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

Document Submittals

R106.1.1 Information on Construction Documents

Construction documents shall be drawn upon suitable material. Electronic media documents are permitted to be submitted where approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.

Document Submittals

- Complete application – any required information withheld is reason for delay of approval or denial
- Plot plan with project location & setbacks identified
- Plans – Include foundation, structural frame and any building systems identified. MEP's often in separate submittal and permit applications.
- Any engineering or product specifications
- Any owner or association approvals



City of Nashua Building and Land Use Application

Department of Building Safety
229 Main Street, PO Box 2019
Nashua, New Hampshire 03061-2019
Tel: 603.589.3080 • Fax: 603.589.3119

OFFICE USE ONLY:

Date Received _____ Receive By _____
Project Number _____ Property Acct # _____
Zoning District _____ Sheet/Total _____

PLEASE PRINT

Project Address _____ Unit # _____ Store/Business Name _____

Name of Property Owner _____
Tel # _____ Cell # _____ Email address _____

Applicant _____
Street _____ City/State/Zip _____
Tel # _____ Cell # _____ Email address _____

Contractor _____
Street _____ City/State/Zip _____
Tel # _____ Cell # _____ Email address _____

General Description of work and use: Include dimensions of the building, room, shed, pool, deck, etc. and the number of bedrooms and bathrooms.

Square foot area of construction or renovation _____
\$ _____ **Approximate Cost of construction** including plumbing, electrical, mechanical, and fire suppression

Current Use: _____

Proposed Use:

- | | | |
|---|--|---|
| <input type="checkbox"/> Single family/Townhouse | <input type="checkbox"/> Two family | <input type="checkbox"/> Manufactured housing |
| <input type="checkbox"/> 3+ Family (# of units _____) | <input type="checkbox"/> Restaurant/Night Club | <input type="checkbox"/> Industrial/Warehouse |
| <input type="checkbox"/> Lodging/Boarding/Assisted Living | <input type="checkbox"/> Store/Retail | <input type="checkbox"/> Hospital/Medical |
| <input type="checkbox"/> Office/Bank/Professional | <input type="checkbox"/> School/Daycare | |
| <input type="checkbox"/> Shed/Garage | <input type="checkbox"/> Tent/Event | |
| <input type="checkbox"/> Deck | <input type="checkbox"/> Other | |

Fire Protection Systems: Does this building have Sprinkler system Fire alarm

Site services: Public water On-site well City sewer Septic State Permit # _____

Continued on the next page

Lead Hazard:

Was the building built prior to 1978? Yes No

Does the area of construction contain materials painted prior to 1978? Yes No

If you answered yes to either of the prior two questions, lead safe work practices must be followed. Additional information may be obtained at Nashua Building Safety Department or by visiting www.epa.gov/lead

Additional aspects of the project:

	Yes	No		Yes	No
Electrical	<input type="checkbox"/>	<input type="checkbox"/>	Fire Suppression/Detection	<input type="checkbox"/>	<input type="checkbox"/>
Plumbing	<input type="checkbox"/>	<input type="checkbox"/>	Increase in Sewer Usage	<input type="checkbox"/>	<input type="checkbox"/>
Gas Piping	<input type="checkbox"/>	<input type="checkbox"/>	New Sewer Connection	<input type="checkbox"/>	<input type="checkbox"/>
Mechanical (HVAC)	<input type="checkbox"/>	<input type="checkbox"/>	Sign(s)	<input type="checkbox"/>	<input type="checkbox"/>
Oil or Gas Storage	<input type="checkbox"/>	<input type="checkbox"/>			

For each yes box above a separate permit may be required.

If your project involves **any** of the following contact the Environmental Health Department at 603-589-4530.

- Asbestos
- Food Service
- Sale of pre-packaged food

Special site conditions:

Is the property located within a Special Flood Hazard Zone? Yes No

If the structure is located within that flood hazard zone, an Elevation Certificate must be completed prior to the issuance of a building permit. **Office use: Panel #** _____ **Zone** _____

Is the proposed construction or landscaping located within 125 feet of a wetland area? Yes No

If yes, denote wetland location on the plot plan.

Is the development within an area covered under the NH Comprehensive Shoreland Protection Act (RSA 483-B) Yes No

Does the property contain hazardous waste Yes No

A PLOT PLAN DRAWN TO SCALE OR SITE PLAN IS REQUIRED FOR ALL APPLICATIONS EXCEPT INTERIOR RENOVATIONS.

The plan shall denote property boundaries, location of **all** existing buildings, structures, paved areas, wetlands, and proposed buildings, structures, and paving.

I hereby certify that I am the owner of record or I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of the City of Nashua in the State of New Hampshire. I hereby attest all statements made on this application and any attached documents are true to the best of my knowledge.

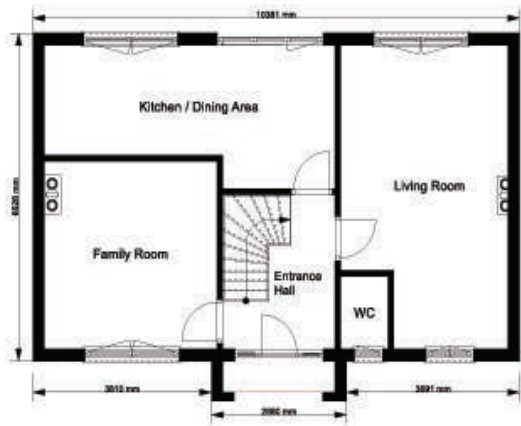
Omission of any required information may delay permit issuance or constitute reason for denial.

Applicants are advised that the making of a false statement on this form is a criminal offense.

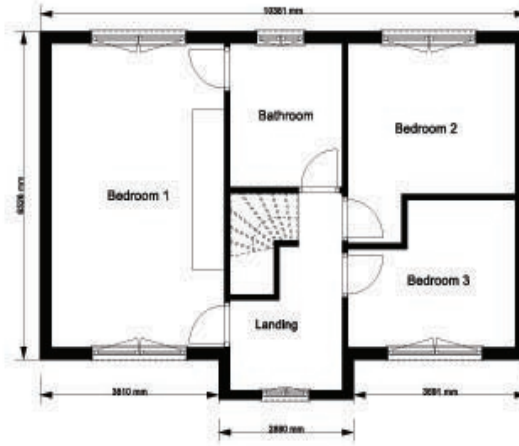
Applicant's Signature _____ Print Name _____ Date _____

Plan Cover page or on single page

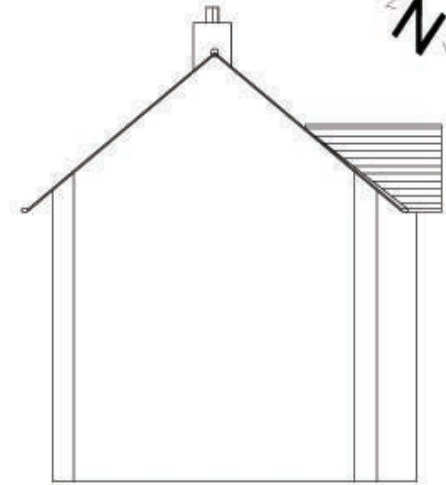
- Approved for Construction
- Name and address of project
- Property owner name & contact information
- Applicant name & contact
- Contractor & contact
- Design professional & contact
- Applicable codes
- Code summary



GROUND FLOOR PLAN



FIRST FLOOR PLAN



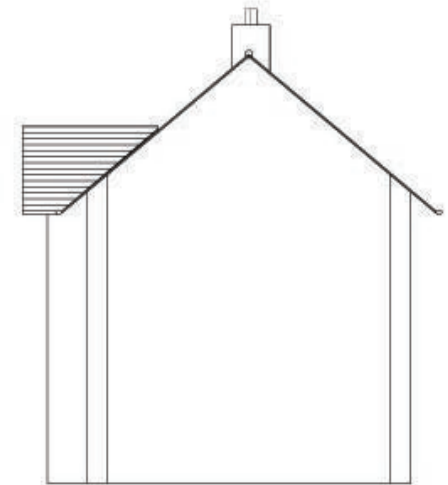
LEFT ELEVATION



FRONT ELEVATION



REAR ELEVATION



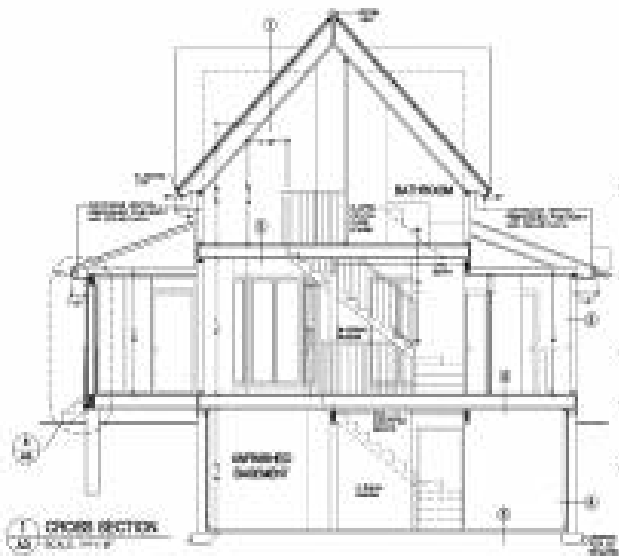
RIGHT ELEVATION

Client:
 Drw. no.
 Date:

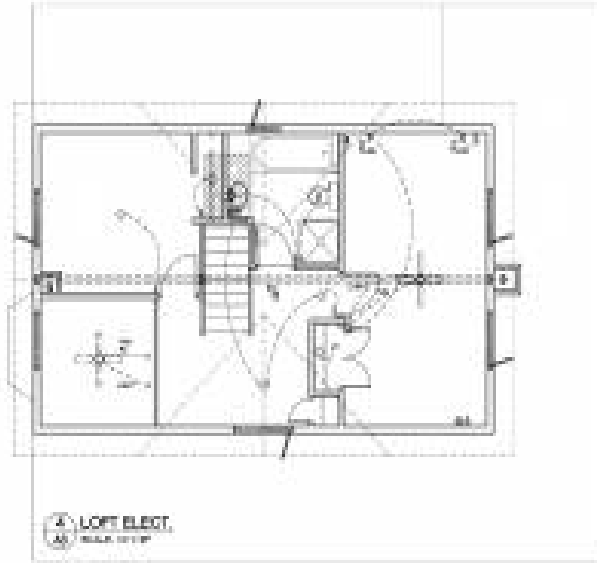
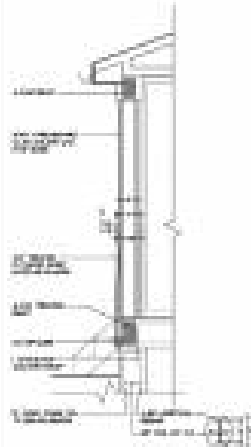
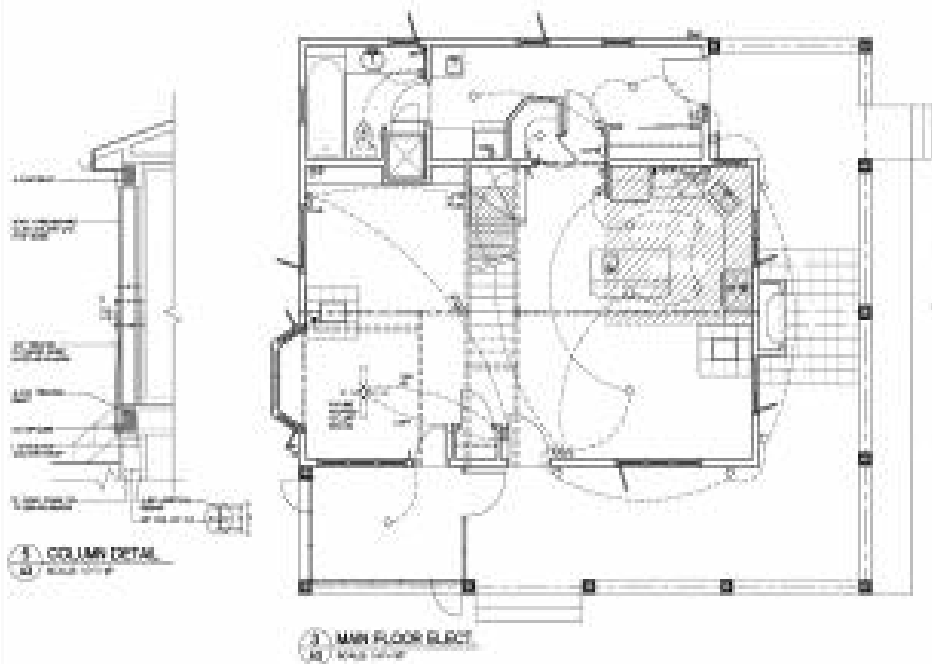
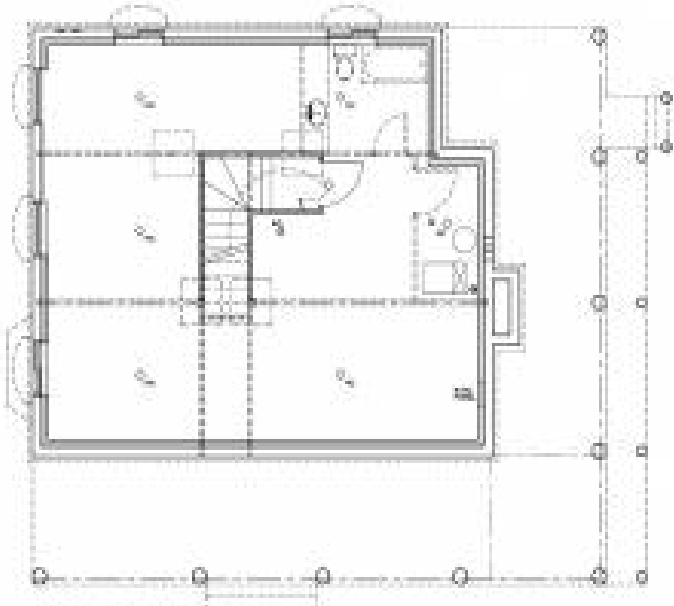
Address:
 Tel:
 Email:

Notes:
 See separate sheet for details

Elecosoft
 Scale 1:100



- 1 ROOF
2" x 8" RAFTERS (SPACED @ 16" O.C.)
1" x 12" CEILING JOISTS (SPACED @ 16" O.C.)
1" x 12" TRUSSES (SPACED @ 16" O.C.)
1" x 12" BRACES (SPACED @ 16" O.C.)
- 2 WALLS
8" CMU (CONCRETE MASONRY UNITS) WITH 1/2" GYPSUM BOARD ON BOTH SIDES & 1" x 4" STUDS (SPACED @ 16" O.C.)
- 3 INTERIOR WALLS
5/8" GYPSUM BOARD ON BOTH SIDES & 2" x 4" STUDS (SPACED @ 16" O.C.)
- 4 FLOOR
1" x 12" JOISTS (SPACED @ 16" O.C.) WITH 1/2" GYPSUM BOARD ON TOP & 1" x 4" STRIPS (SPACED @ 16" O.C.) ON BOTTOM
- 5 FOUNDATION
8" CMU (CONCRETE MASONRY UNITS) WITH 1/2" GYPSUM BOARD ON TOP & 1" x 4" STRIPS (SPACED @ 16" O.C.) ON BOTTOM
- 6 BASEMENT S.L.B.
12" THICK CONCRETE SLAB ON GRADE



- 1 0" AIR
- 2 1/2" 1/2" AIR
- 3 1/2" 1/2" AIR
- 4 1/2" 1/2" AIR
- 5 1/2" 1/2" AIR
- 6 1/2" 1/2" AIR
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- 98 1/2" 1/2" AIR
- 99 1/2" 1/2" AIR
- 100 1/2" 1/2" AIR

NO.	DESCRIPTION	REV.
1	ISSUE FOR PERMIT	01/15/20
2	REVISION	02/10/20

THIS DOCUMENT IS THE PROPERTY OF THE ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

DATE: 01/15/20
 PROJECT: PARADISE
 ARCHITECT: [FIRM NAME]

CROSS SECTION, BASEMENT, MAIN FLOOR, LOFT AND DETAIL

DATE	01/15/20
PROJECT	PARADISE
ARCHITECT	[FIRM NAME]
SCALE	1/8" = 1'-0"
DATE	01/15/20
PROJECT	PARADISE
ARCHITECT	[FIRM NAME]

Summary

- Length of time to obtain permits is dependent upon quantity and quality of information provided.
- The application is a legal document – Be truthful with info.
- Phone calls and emails to provide more information lengthen review time.
- Don't be afraid to ask questions if you are unsure.

Questions ?

Question 2

Is there a notification requirement for the code changes that come each January? Each trade (plumbing, gas, electrical) get's notified, but the builder/general contractor is not notified. This causes issues in the field when they are learning about these changes on the fly. What is the process?

Building Code Review Board

- 16 representative members and chair
- Administratively attached to State Fire Marshal
- Review and propose updates and changes to State Building Code
- Review, confirm and post municipal amendments
- Hear appeals from local boards of appeal, State Fire Marshal, Electrician's Board and Board of Home Inspectors

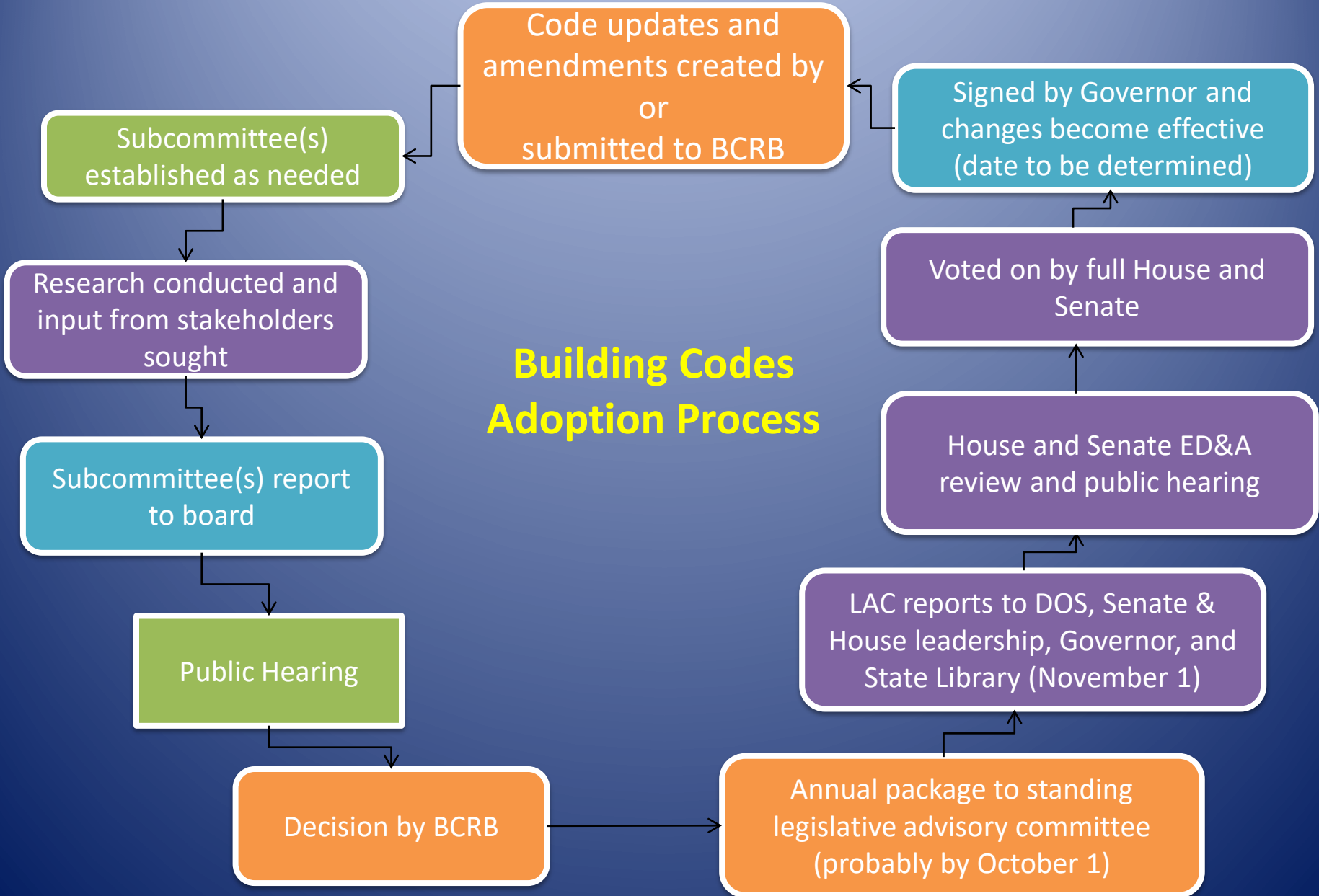
NH Laws, Codes & Ordinances

Multitude of State Laws, Codes and City Ordinances

- **RSA 155-A State Building Code:**
 - Building Code
 - Existing Building Code
 - Plumbing Code
 - Mechanical Code
 - Energy Conservation Code
 - Swimming Pool and Spa Code
 - Residential Code
 - Electrical Code
- **NH State Fire Code, includes:**
 - NFPA 1 – Fire Code
 - NFPA 101 - Life Safety Code



State of New Hampshire – Amended process SB 398



Road Conditions

- NHMA and NHBOA input
- Industry faction input
- Two year delay on model code adoption
- Duration of ratification process
- Grace period and notification process
- Energy codes
- Local amendments

Current Local Amendment Process

RSA 674:51 and 155-A:3

- Must adopt enforcement mechanism
- Must be “not less stringent” than the State Building Code
- Must not prohibit enforcement of State Building Code
- Must adopt by ordinance or appropriate regulatory adoption process

Upcoming Local Amendment Process

RSA 155-A:3 (SB 443)

Effective January 1, 2023

- Limits on amending have not changed.
- Submit proposed amendments to BCRB for review and confirmation prior to adoption.
- May submit for an advisory opinion at anytime.
- Cities submit final proposed amendment no later than 90 days before final adoption.
- Towns submit the final proposed amendment no later than 10 days after the conclusion of the final public hearing.

(Continued)

Upcoming Local Amendment Process

RSA 155-A:3 (SB 443)

- Municipal submissions to include the final text for each amendment.
- BCRB to review and confirm within 90 days of submission for cities, and 45 days for towns.
- Failure of the board to act within these timeframes shall constitute a confirmation of the municipal amendment.
- The board's review shall be limited to a confirmation that the local amendment does not establish requirements conflicting with, or less stringent than, the requirements of the state building code, and to verify with the state fire marshal that there is no conflict with the fire code.
- Once an amendment is approved by the legislative body, the municipality shall submit documentation to the building code review board within 30 days that the public hearing was properly noticed and held, and that the provision was adopted by the local legislative body
- BCRB posts amendment on BCRB website

Road conditions

- Definition of an amendment
 - Local control by statute
 - Zoning regulations
- Offline regulations
- Out of date amendments
- BCRB staff support
- January 1st effective, no grace period

Training

Affordable code update training is provided throughout NH and the New England region.

Monthly:

- New Hampshire Building Officials Association (NHBOA) www.nhboa.net
- NH Seacoast Building Officials Association
- NH Fire Prevention Society

Annually:

- Eastern States Building Officials Federation (April)
- New England Building Officials Education Association (October)

Questions ?

Question 3

- What is the protocol for inspections? Is there a state standard for what and when inspections are to be completed? Contractors face a lot of trouble with each town having a different protocol and “rules” for inspection. In some towns there are so many different inspections for each phase it holds up production.

INSPECTIONS

110.1 General. Construction or work for which a *permit* is required shall be subject to inspection by the *building official* and such construction or work shall remain visible and able to be accessed for inspection purposes until *approved*. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the *owner* or the owner's authorized agent to cause the work to remain visible and able to be accessed for inspection purposes. Neither the *building official* nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

INSPECTIONS

110.3 Required inspections.

The *building official*, upon notification, shall make the inspections set forth in [Sections 110.3.1](#) through [110.3.11](#).

R109.1 Types of inspections.

For on-site construction, from time to time the *building official*, upon notification from the *permit* holder or his agent, shall make or cause to be made any necessary inspections and shall either approve that portion of the construction as completed or shall notify the *permit* holder or his or her agent wherein the same fails to comply with this code.

INSPECTIONS

- **FOOTING & FOUNDATION**

- **ROUGH INSPECTIONS**

- ELECTRICAL
- MECHANICAL
- PLUMBING

- **FRAME**

- FIRE/DRAFT STOPPING

- **INSULATION/ENERGY**

- **FINAL INSPECTIONS**

- BUILDING
- ELECTRICAL
- MECHANICAL
- PLUMBING
- SITE

- **OTHER – Fire rated, Special Inspections**



INSPECTIONS

110.6 and R109.4 Approval required.

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *building official*. The *building official*, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the *permit* holder or an agent of the *permit* holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *building official*.

LIMITATIONS FOR CODE OFFICIALS

- Permit must be applied for
- New Buildings, Additions, Alterations or Renovations
- New or replacement of mechanical equipment
- New or alterations of plumbing systems or electrical systems
- Violations of any building construction code adopted by NH or community ordinance

Final Questions ?

Contact Information

William McKinney, President

New Hampshire Building Officials Association

(603) 589-3084

nhboa.president@gmail.com

NHBOA@nhmunicipal.org

Philip Sherman, Chair

New Hampshire Building Code Review Board

(603) 223-4315

bldgcodebrd@dos.nh.gov