

Frequently Asked Questions for a Residential Building Permit

What is the procedure to obtain a building permit?

The Building Division is responsible for administering building, electrical and plumbing permit applications. The permitting process for these types of applications requires a sequence of approvals from five government agencies:

1. The Planning Department determines whether a project or activity is compliant with applicable land use laws, such as the Zoning Code.
2. The Engineering Division approves permits for drainage, County rights-of-way, grading or grubbing, and verifies a property's flood zone designation.
3. The State Department of Health, Sanitation Branch reviews commercial and residential plans for individual septic and cesspool systems.
4. The Department of Environmental Agency Management Wastewater Division reviews plans to connect with the County sewer system.
5. The Building Division reviews construction plans to determine compliance with applicable building codes and ensures that required approvals have been obtained from the appropriate government agencies before issuing building permits.

The Building Division has four primary plan reviewers along with supporting clerical and administrative staff that handle the review of building, electrical and plumbing plans.

Do I need a grubbing or grading permit for clearing my lot?

Yes, under certain circumstances. A grubbing permit is required when the cleared area exceeds one (1) acre. A grading permit is required when more than 100-cubic yards of excavation will occur. A grading permit is also required digging to depths of more than five (5) feet or, adding fill to a height of more than five (5) feet and when the drainage pattern, general or localized, with respect to abutting property lines, is altered.

Are permits for electrical, grading, driveways, gas, and plumbing added to building permit fees? If so, how much does each of those permits cost?

Plumbing and electrical fees vary per project size and complexity. Often times electrical and plumbing contractors include the cost of a permit fee in their price quote so be sure to verify with your contractor if their price includes permit fees.

Do I need approval for a cesspool and septic systems from the Department of Health?

Yes, you need an approval for individual septic and cesspool systems from the Department of Health (DOH) Sanitation Branch or, from Department Environmental Management to hook up to the County sewer system. Refer to the DOH at hawaii.gov for these requirements. Once a septic and cesspool system is approved, DOH will send an "Approval for Use" letter to the structural engineer or architect. It is their responsibility to send a copy of the "Approval for Use" letter to the homeowner.

Do I need a permit if I am installing a fireplace in my existing house? Do I need a separate permit if I am installing a fire place and chimney in a new house?

Yes, you must get a building permit if you are installing a wood burning stove, fireplace, or gas heater in an existing home.

If you are installing a fireplace and chimney in a new house, it will be included in the building permit since they need to be drawn on the building plans. If you did not include the fireplace, wood burning stove, or gas heater on your original building permit application, then a separate permit would be required complete with drawings.

I'm hosting a private wedding in my backyard; do I need a building permit for the tents?

No, temporary tents or other coverings used for private family parties are exempt from permit. Hawai'i County Code Chapter 5, (Sec 301a)

How long is my building permit good valid?

A permit expires when the authorized work does not begin within 120 days from the date of issuance or, when work authorized is suspended or abandoned at any time for a period of 120 days after work has begun. Check with the building division at 327-3520 or, 961-8331 and check if your permit is still valid.

When is a building, plumbing or electrical permit not required?

If the repair involves only the replacement of component parts or existing work with similar materials for the purpose of maintenance, does not cost more than \$1,000 (labor and materials) in a 12-month period, and does not affect any electrical or mechanical installations it does not require a building permit.

Plumbing permits are not required for repairs or replacements done by a licensed plumber to disposals, faucets, water closets, sinks and fixtures.

No electrical permits are required to replace or repair light switches or receptacles. All electrical work is to be done by a licensed electrical contractor.

I didn't realize I needed a building permit to enclose my carport, or build a rock wall, and finished the project. Do I still need a permit even though I finished the project?

Yes, you still need to get a building permit even if you have already built a house or, renovated an existing structure or, constructed a retaining over six (6) feet in height.

What happens if I don't get a building permit?

You may experience more difficulty selling your home if it's unpermitted. If you're reported as having an unpermitted building or doing unpermitted work, you may be cited by the Building Division. The first citation is a Notice of Violation and a Stop Work Order. The second citation is a Notice of Order and usually there's an immediate fine ranging from \$50 - \$1,000. If you don't comply within the deadline set in the Notice of Order you will be assessed daily fines ranging from \$50 - \$1,000 a day. At each step there's an appeal process.

Questions often arise from appraisers and realtors as to whether a house is permitted or unpermitted during the home buying/selling process or during home evaluations for a home equity loan.

Also, insurance companies often require a structure to be permitted before issuing an insurance policy. An unpermitted house may affect your ability to get homeowners insurance.

What are the new laws in effect?

With increased energy efficiency, and amendments to the International Energy Conservation Code (IECC) for the State of Hawaii stricter building codes for new and renovated buildings, is in effect, which the County Building Department is enforcing.

Solar water heater systems are required for all new home construction as of January 1, 2010. If a home is in an area with insufficient sunlight to operate a solar water heater system, the architect or engineer may request alternative energy sources to the State of Hawaii Department of Business, Economic Development & Tourism Strategic Industries Division.

Plans for new construction or renovation starting May 11, 2010, will be required to comply with the International Energy Conservation Code (IECC), and buildings must be insulated, except non-habitable structures; garage, lanai, storage shed, pet houses, gazebos, etc. Indigenous architecture and historical buildings are exempt.

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