Building Division

Frequently Asked Questions

Q. Why do I need a permit?

A. There are many important reasons to obtain the required building permit(s) and to obtain the required inspections for your construction project.

Helps protect property value

Your home or business is an investment. If your construction project does not comply with the codes adopted by your community, the value of your investment could be reduced.

Saves Money

Property insurers may not cover work or damages caused by work done without permits and inspections.

Makes Selling Property Easier

When property is sold through a multiple listing association, the owner is required to disclose any improvements or repairs made and if permits and inspections were obtained. Many financial institutions will not finance a purchase without proof of a final inspection. If you decide to sell a home or building that has had modifications without a permit, you may be required to tear down the addition, leave it unoccupied or do costly repairs.

Improves Safety

Your permit allows the code official to reduce potential hazards of unsafe construction to provide for public health, safety and welfare. By following code guidelines, your completed project will meet minimum standards of safety and will be less likely to cause injury to you, your family, and your friends or future owners. Mandatory inspections complement the contractor’s experience and act as a system of
checks and balances resulting in a safer project.

It’s the Law
Work requiring permits are made such by State Law and City Ordinance. Work without a permit may be subject to removal or other costly remedies.

Q. When is a permit required?

A. The Florida Building Code requires a permit any time there is construction, erection, alteration, modification, repairs, changes of equipment, changes of use and/or occupancy of a building of structure, a change in location, performance of certain maintenance, removal and/or demolition of any public and private building, structure or facility, or anything connected or attached to such buildings, structures or facilities, including all fences and above ground pools in the City.

Q. How much will my permit cost?

A. The cost of a permit varies depending on the permit type and the cost of the improvements.

Q. What happens if I choose not to obtain the required permits?

A. If the Building Official finds you working without a permit, your work will be stopped immediately, regardless of where in the construction project you are. If the work you have done appears to affect the safety of the structure, you will be required to remove all new work, or completely remove the structure!

At the option of the Building Official, you may be required to seek out the services of an Architect of Engineer and hire a contractor. (NOTE: If you have hired a contractor to do your work without a permit, your contractor will be reported to the County AND State licensing authority and a complaint will be
filed against their license.

ALSO;
A Code Compliance officer will issue you a notice for working without permits and you will have to pay the cost of the permit fee PLUS a penalty of two times the permit fee.

If you choose to ignore the notice of the Code Enforcement Officer, you will receive a citation and be brought before the Code Enforcement Board, where you may be fined, made to remove the unpermitted work.

Q. Do I need a contractor?

A. Most of the time, But not always… If you own and occupy the building or structure, Florida Statute (489.103(7) allows the owner of real property to act as their own contractor. (This exemption does not apply to properties owned by corporations, trusts or businesses.) This exemption may only be used if you own and occupy the structure. However, as an “owner-builder”, you must perform and complete all of the work yourself, or, you must personally supervise any work not done by you. When you hire a contractor to perform specific trade work they must be properly licensed in those trades. (Electrician, plumbing, air conditioning contractors and roofers in accordance with state law).

Important! If you hire any person to help you perform the work, you must act as an employer! As an employer you are required to provide insurance and withhold taxes (or issue a 1099 form to the IRS).

Owners, acting as their own contractor, or listed as a subcontractor, (yes, you can be a subcontractor under a general contractor’s license, AND still be an “owner-builder”), you are required to personally appear and sign the permit application per F.S. 489.103(7).

Q. If I use a contractor, what guidelines should I use to
choose one?

A. Ask for and check references, ask to see their state license. Check the number on the state web site (www.myfloridalicense.com) for any state complaints. If they ask you to secure the permit, beware. They may not be licensed, which puts the homeowner totally at risk. In addition, they must be registered with Volusia County.

Q. How long does it take to get a permit?

A. Depending on the number of permits that have been submitted before you, and if all required documents are provided, a simple Building Permit (A/C change-out, water heater replacement, or other minor work) can be obtained within a day or two. More complex work will take a few days and a permit to build an addition, or new home will take considerably longer. A permit application expires 180 days after the date of issuance and permit fees are non-refundable.

Q. What happens after the permit is issued?

A. The list of required inspections is located on the permit placard. Instructions on scheduling these inspections will be provided when your permit is issued. The permit placard must be attached to the front of the building where the work is being done.

During the construction, it is the applicant’s (Owner Builder/Contractor) responsibility to ensure that all required inspections are made, prior to proceeding with the next phase of the work on the project.

For new dwellings, once all fees are paid and all required inspections are completed, the applicant will be issued a CO (Certificate of Occupancy). Upon request, a CC (Certificate of Completion) for minor projects can be obtained.

To schedule inspection call 1-855-445-7630 before 4:00 pm and inspections are done the next working day.
Q. How much time do I have once the permit is issued?

A. Once a permit has been issued, a permit will expire and become null and void if work is not started and an inspection is requested and has passed within 180 days from the issuance date. After the work has commenced the permit will expire when work is suspended or abandoned for a period of 180 days. A permit will become non-renewable after an additional 60 days has passed from the expiration date.

Lack of a passed inspection within this time will serve as validation that the job has been suspended or abandoned.

Q. What do I need to submit?

A. Along with a recent and accurate survey of your property each application is required to submit building plans. Residential permits will need three complete sets and commercial buildings need to submit.

Q. When is a Notice of Commencement Required?

A. A Notice of Commencement or “NOC” is required when the value of work exceeds $2,500, or in the case of mechanical work $7,500. An NOC can be filed at the recording section at the Clerk of the Circuit Court’s Office, 101 N Alabama Ave., DeLand, room 1212, Phone (386) 736-5912. In Daytona Beach, the office is in the Island Courthouse, 125 E. Orange Avenue, Room 100, Phone (386) 257-6006. In New Smyrna Beach, the office is at 124 N. Riverside Drive, Room 2, Phone (386) 423-3304.

Q. Where is the permitting office?

A. The Building Department is located at City Hall, located at 205 East Graves Avenue, Orange City, FL 32763 – Please call us at; (386) 775-5423

Q: I would like to file a construction-related complaint. Who do I contact?
Please contact the Volusia County Contractor Licensing Activity, which was established to provide a centralized and uniform system for the local regulation and discipline of registered contractors, the listing and discipline of state certified contractors pursuant to Chapter 489, Florida Statutes Parts I and II, and the regulation and discipline of local specialty contractors pursuant to Chapter 22 of the Volusia County Code of Ordinances within Volusia County and the municipalities within Volusia County except for the city of Pierson.

Volusia County will process construction-related complaints, investigate and/or discipline unlicensed activity, and issue disciplinary actions against licensed registered or local specialty contractors.

Contact them at:

Contractorlicensing@volusia.org

(386)736-5957, option 2

Complete a complaint form and mail to Contractor Licensing

123 W. Indiana Avenue, Room 203

DeLand, FL 32720