

Step by Step Guide to Building Permits

**with Certificate
of Occupancy
Procedure**



City of Cambridge

A Word from Robert W. Healy

Cambridge City Manager

The City of Cambridge is dedicated to maintaining its competitiveness and desirability as *the* place to live, work, and do business. Cambridge's continual growth and development depend, in part, upon the quality and timeliness of the information and services delivered by the City. This pamphlet has been prepared to assist residents, businesses, and developers in moving through the City's regulatory processes as easily as possible, by removing unnecessary confusion, delays, and costs. This pamphlet is one in a series, and is part of the City's ongoing effort to sustain livable neighborhoods and a positive business climate.

A handwritten signature in blue ink, reading "Robert W. Healy". The signature is fluid and cursive, with a large, sweeping initial "R".

**Robert W. Healy,
City Manager**

This brochure explains who needs a building permit and how to apply for one. Please read this entire brochure before applying for a building permit.

Who needs a Building Permit?

A building permit is required by Section 110.0 of the Massachusetts State Building Code (780 CMR). Anyone seeking to construct, alter, repair, or demolish a structure must first obtain a building permit. The building permit must be obtained **before** the start of any work and prominently posted at the job site. Sign permits, asbestos removal permits, and demolition permits are categories of building permits which are required by the Building Code. As the demolition permit is somewhat unique, a brief description of this permit is included at the end of this brochure. Ordinary repairs, as defined in the Building Code, do not require a building permit.

Who can request a Building Permit?

- A building permit is issued to construction supervisors licensed by the City of Cambridge. The licensed construction supervisor is responsible for being onsite to supervise critical aspects of the construction. If the licensed construction supervisor designated on the permit application leaves the project before completion, the construction work must cease and the Inspectional Services Department (ISD) be notified immediately. A new licensed construction supervisor needs to be designated before construction work can recommence.
- Construction supervisors licensed by the State Board of Building Regulations and Standards are also issued building permits, but work is limited to structures under 35,000 cubic feet in volume.
- As an exception, building permits are issued to homeowners doing work on one or two unit dwellings where they reside or intend to reside. When a homeowner receives a building permit, he or she may be liable for contractors working on the project and will not be eligible for protection under the provisions of the Homeowners Improvement Contractor Law. For this reason, it is generally a good idea for building permits to be issued to licensed construction supervisors.

What requirements must be met prior to applying for a building permit?

Zoning Compliance - Contact ISD or the Community Development Department (CDD) staff to ensure that the proposed project is in compliance with the provisions of the Zoning Ordinance. The owner or the owner's representative may be required to secure special permits from the Board of Zoning Appeals (BZA) or Planning Board, variances from BZA, or project reviews from CDD. In general, projects of over 50,000 sq. ft. require the applicant to first obtain a special permit from the Planning Board.

Protected Structures - Structures which are located in historic districts or neighborhood conservation districts, designated as landmarks, or subject to preservation restrictions are protected by the Cambridge Historical Commission. Building permits cannot be issued for these structures until the

Commission has issued a Certificate of Appropriateness, Hardship or Non-applicability for the proposed work. When applying for a building permit, the applicant will be advised by the building inspector if approval from the Historical Commission is necessary.

The Traffic, Parking and Transportation (TP&T) Department reviews the safety and design of driveways, parking lots and structures, and pedestrian or bicycle accommodations on and around the site. TP&T also reviews compliance with special permit transportation conditions.

In order to facilitate the process, these reviews and approvals should be done prior to filing the permit application with the Inspectional Services department. Contact information concerning these Departments can be found at the end of this brochure.

Are there other permits that should be applied for before or while applying for a building permit?

If a new curb cut is necessary for required off-street parking or loading, an Application for Driveway Cuts and Openings must be filed at ISD. The City Council must approve this application before a building permit can be issued. An application form is available at ISD and PWD. Their contact information is at the end of this brochure.

If the project involves wiring, plumbing, or gas, separate permits must be applied for by licensed electricians or plumbers. Wiring, plumbing, and gas permits are issued by ISD upon payment of the appropriate fee.

If the project involves parking, the applicant will be required to have an approved "Interdepartmental Parking Facility Registration Form" or receive a "New Commercial Parking Permit" as required by Chapter 10.16 of the Cambridge Municipal Code. Application forms are available at the Department of Traffic, Parking and Transportation. An increase in non-residential parking may be subject to the Parking and Transportation Demand Management (PTDM) ordinance.

What are the steps in applying for a building permit?

1. ***The Application.*** Pick up an application for a building permit at ISD. The licensed builder must complete and sign the application. The property owner must also review and sign the application.
2. ***Complete the application,*** providing the following information:
 - a. Building location, setbacks, and related zoning information;
 - b. Detailed information and qualifications of the owner, applicant, contractor, architect, and engineer;
 - c. Information about design loads, testing laboratory, technical inspections, etc.;
 - d. Information about existing and proposed use, construction type, and building features;
 - e. Summarized cost estimate; and
 - f. Detailed project description.

3. *Prepare two sets of construction plans, specifications, and technical certifications* to submit with the building permit application. For projects involving structures greater than 35,000 cubic feet in volume, construction plans must be stamped by a registered architect and/or engineer. In addition, a site plan showing proposed and existing structures, lot lines, required setbacks, established street grades, and finished grades, sidewalks, etc. must be provided.

Normally, plans for one and two family dwellings, regardless of volume, need not be stamped by a registered architect and/or engineer. However, for complex designs or load bearing components, the building inspector may require specific aspects of the design and specification to be certified by a registered structural engineer.

NOTE: The building inspector may waive the requirement for submitting plans if the work is of a minor nature.

Technical Certifications. The building permit application must be supported with the following documents:

- For structures over 35,000 cubic feet in volume, affidavits from architects and engineers certifying that the project has been designed and will be inspected in accordance with the building code.
- Affidavit from the owner certifying that project cost is as stated on the application (for projects valued at less than \$50,000, this affidavit is not normally required.)
- Certification that the contractor is registered under the Homeowner Improvement Contractor Law which is applicable for improvements of residential structures of four (4) units or less that are owner occupied. NOTE: This certification is not required if permit is taken out by the homeowner.
- Evidence that the contractor's workers are covered by Workmen's Compensation Insurance. NOTE: This certification is not required if the permit is taken out by the homeowner.

4. *Submit the completed application* packet to ISD.

The licensed builder or homeowner (for one or two family owner occupied dwellings) must deliver the application to ISD. An ISD building inspector will conduct a quick review of the application to ensure that it is complete and contains sign-offs from other City departments (Fire Dept., Historical, Public Works, etc.) as appropriate. If the application is incomplete, the licensed builder or homeowner may have to provide additional information before the application can be accepted.

5. *Pay the required building permit fee.*

The building permit fee is based on one percent of the total cost of the project. This total cost includes all work allowed by the building permit, including demolition, plumbing, heating, electrical, air conditioning, painting, carpeting, landscaping, and site improvements. The fee is payable upon submission of the application and construction documents.

6. *ISD reviews the building permit packet.*

Summary information concerning location, project cost, proposed use, type of work, contractor's name, etc. are entered into ISD's data base for tracking and filing purposes.

Plan Review. The application and supporting documentation is then forwarded to the Plan Review Room for review. For major projects, the plans are reviewed by the following inspectors: plumbing, wiring, handicap access, zoning, and building.

After all sign offs are obtained, the building inspector notifies the builder and issues the permit card with a set of approved plans. The supporting documentation and the second set of plans are then filed in the ISD plan room.

Approval or Disapproval. The building code requires that action be taken on the permit application within 30 days of the filing date. If approved, a building permit will be issued. For minor projects, the building permit is oftentimes issued when the application is accepted. **This completes the Building Permit process.**

7. *Construction start up.* ISD inspects the project during construction.

Permit Discontinuance. If the work authorized by the permit has not commenced within six (6) months, the permit may be deemed abandoned.

Site Inspections. The building inspector determines the frequency of inspections to be made during the construction process. The results of the inspections are recorded on the back of the building permit card. Upon completion of the work, it is the owner's or his/her representative's responsibility to notify the ISD building inspector so that a final inspection can be conducted.

If specialized inspection is required from the architect and/or testing lab on the project, copies of the reports must be provided to the ISD building inspector for review and file.

8. Upon construction completion, the following information must be submitted and actions taken before the Certificate of Occupancy (CO) can be issued:

- A cost affidavit certifying the final cost of the project must be submitted by the owner. The building permit fee will be adjusted accordingly;
- Affidavits from the architect and/or engineer and the contractor certifying that the project was built in accordance with the approved plans and all applicable codes;
- A final inspection conducted by the following inspectors: fire, wiring, plumbing, zoning, and building;
- Written approval from the zoning inspector that any special permit requirements have been met.

When all inspectors' signatures are obtained, the applicant pays the \$50 CO fee and an ISD clerk types the CO document. The Commissioner will sign the CO and the original is provided to the applicant. A copy is retained on file at ISD. **This completes the CO process.**

What if the planned work changes after a building permit has been issued?

Changes to the planned work authorized by the building permit must be authorized by a modification to the original permit.

What about the Demolition Permit?

Although the demolition permit is a type of building permit required by the Building Code, it is unique in that the application process can be quite lengthy, particularly for large and complex demolitions, or for structures of potential historical significance.

Review by the Historical Commission is required prior to demolition of any structure. For many structures more than 50 years old and for any demolition on the premises of a protected structure, a Public Hearing will be required. This process can sometimes take several weeks and could result in a longer delay while preservation alternatives to the demolition are explored. Also, because of the public safety implications associated with demolitions, coordination with abutting property owners must be accomplished and the various public utilities must certify that the utility services are properly secured.

A concerted effort has been made to streamline the demolition permit application and several improvements have been made. However, for the above reasons, the process can be extended and it would be prudent for the applicant to factor this possibility into the development planning process.

Demolition permit applications are available from ISD. If any problems are experienced in completing the application, a building inspector or the Commissioner of Inspectional Services should be contacted for assistance.

Who does the applicant contact with a specific question for a department involved in the building permit process?

Inspectional Services Department (ISD) - Hours: 8:00AM - 5:00PM
Lombardi Building, 831 Massachusetts Avenue, 1st Floor

Area Building Inspector

Phone (617) 349-6100, Fax (617) 349-6132 , TTY (617) 349-6112

Community Development - Hours: 8:30AM - 5:00PM

344 Broadway - Lester Barber

Phone (617) 349-4657, Fax (617) 349-4669, TTY (617) 492-4621

Historical Commission - Hours: 8:30AM - 5:00PM

831 Massachusetts Avenue, 2nd Floor

Sarah Burks or Sally Zimmerman

Phone (617) 349-4683, Fax (617) 349-6165, TTY (617) 492-0235

Public Works - Hours: 8:30AM - 5:00PM

147 Hampshire Street - Owen Oriordan

Phone (617) 349-4845, Fax (617) 349-4868, TTY (617) 349-4805

Traffic, Parking & Transportation - Hours: 8:30AM - 5:00PM

344 Broadway - Wayne Amaral

Phone (617) 349-4712, Fax (617) 349-4747, TTY (617) 492-0235

Fire Department Headquarters - Hours: 8:00AM - 10:00AM

491 Broadway - Deputy Fire Chief Lester Bokuniewicz

Phone (617) 349-4918, Fax (617) 349-4912, TTY (617) 492-0235

Plan reviews are made by appointment.

What if the applicant wants more detailed information about the Massachusetts State Building Code or the Building Permit process?

For more information, call ISD.

City Manager

Robert W. Healy

Deputy City Manager

Richard C. Rossi

City Council

Mayor Michael A. Sullivan

Councillor Henrietta Davis, Vice Mayor

Councillor Marjorie C. Decker

Councillor Anthony D. Galluccio

Councillor David P. Maher

Councillor Brian Murphy

Councillor Kenneth E. Reeves

Councillor E. Denise Simmons

Councillor Timothy Toomey, Jr.

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The information contained in this document may not be complete or fully up to date and is subject to change. To confirm information regarding this permitting process, contact the appropriate City of Cambridge department. This document may be used strictly for informational purposes. All other uses require the written permission of the City of Cambridge.