



# Do I Need a Building Permit?

Development Services Department  
777 B Street Hayward, CA 94541  
510.583.4140

**Building permits are required for almost all construction related work.** This includes plumbing, mechanical, electrical, structural work and even demolition. The only permit exceptions are listed below. Even though a project may not require a building permit, in some cases a Planning Division review is still required to verify zoning and setback requirements. The Building Division and Fire Prevention Office must also review certain projects to confirm if the exemption applies. These types of projects are noted on the list below.

## PERMIT EXEMPTIONS for ONE and TWO-FAMILY DWELLINGS

- One-story detached accessory structures used as tool / storage sheds, playhouses or similar uses that are less than or equal to 120 square feet.** Adding light fixtures or outlets to accessory structures will require a permit. *\*Planning Division review is required.*
- Play structures that are accessory to one and two family dwellings such as swing sets and jungle gyms.** *\*Planning Division review is required.*
- Pre-fabricated swimming pools not more than 24 inches deep:** Pools must not contain more than 5,000 gallons and must be installed directly on grade. *\*Planning Division approval is required.*
- Fences 7 feet tall or less:** *\*Planning Division approval is required.*
- Concrete Driveways and walkways on private property not more than 30" above grade and not above a basement or story below:** *Planning Division approval is required.* Any work that includes the public sidewalk or curb requires an Encroachment Permit.
- Kitchen Countertop Replacements:** If kitchen countertops are removed and replaced in the exact same format and location, a permit is not required. Please note that adding islands, peninsulas or changing the length of the countertop will require a permit for the kitchen remodel.
- Kitchen Cabinets:** If kitchen cabinets are removed and replaced in the same location and layout, a permit is not required. Please note that adding islands or peninsulas will require a permit for the kitchen remodel.
- Finishes:** Carpet, paint, flooring and tile. Tile work within tub/shower enclosures requires a permit.
- Retaining walls that are not over 4' tall (Measured from the bottom of the footing to the top of the wall):** In order to be exempt from a permit, the retaining wall must not be supporting a steeply sloped surface called a *surcharge*. *\*Planning Division approval is required.*
- Window Awnings:** Awnings that are supported by an exterior wall and that do not extend more than 54 inches from the wall do not require a permit. *\*Planning Division and Building Division review is required to confirm exemption.*

- Small Decks Not Attached to the Building:** Decks that are 200 square feet or less and have no portion that is 30 inches above grade may be exempt from a permit. Exempt decks must also be detached from the building and not serve as a landing for any door. *\*Planning Division and Building Division review is required to confirm exemption.*

### **PERMIT EXEMPTIONS for COMMERCIAL and MULTI-FAMILY BUILDINGS**

- Cabinets and Countertops in Commercial Buildings:** Only cabinets and countertops in private units or individual offices are exempt from permits. Cabinets in public use areas or common use areas will require a permit (reception lobbies, staff break rooms, service counters and similar spaces) since these are subject to accessibility requirements. *\*Building Division review is required to confirm exemption.*
- Fences 7'tall or less:** *\*Planning Division and Fire Prevention review is required.*
- Concrete Driveways and walkways on private property:** Concrete driveways and walkways may require a permit if they are part of a wheelchair accessible route. *\*Planning Division approval is required and Building Division review to confirm exemption.*
- Finishes:** Carpet, paint, tile and wood flooring. Tile in wet interior locations will require a permit.
- Retaining walls that are not over 4' tall:** *(measured from the bottom of the footing to the top of the wall)* To be exempt from a permit, the retaining wall must not be supporting a steeply sloped surface called a surcharge. *\*Planning Division approval is required. Building Division review is required to confirm exemption. See the Retaining Wall handout for more information.*
- Nonfixed Moveable Fixtures:** Moveable cases, racks, and partitions not over 5 feet 9 inches tall do not require a permit.
- Shade Cloth Structures:** Shade cloth structures constructed for nursery or agricultural purposes do not require a permit. *\*Planning Division approval is required. Building Division review is required to confirm exemption.*
- Water Tanks  $\leq$  5,000 gallons:** Water tanks supported directly on grade do not need a permit if the height to width ratio does not exceed 2:1. *\*Planning Division approval is required. Building Division review is required to confirm exemption.*

### **MINOR WORK and REPAIRS**

Fixing plumbing leaks, repairing equipment, removing and replacing small portions of non-structural dry-rot and the installation of data or low voltage wiring does not require a permit. If you are not sure if the work requires a permit or not, feel free to call the Permit Center at 510-583-4140.

### **EMERGENCY REPAIRS**

When equipment replacement, gas leaks or other similar work must happen on an emergency basis, a building permit shall be obtained from the City by the next working day.