



# STATE BUILDING PERMITS REQUIRED

## DO YOU HAVE A STATE CONSTRUCTION PERMIT?

If the building is a public building or intended to be in the future, State Permits are REQUIRED prior to any reconstruction, modification, renovation, and demolition.

Independent of the towns planning and zoning requirements, The owner, or a designated representative, of a building or premises shall obtain a state construction permit before beginning any new construction, addition, alteration, modification, renovation, demolition, or installation of fixed building equipment within a public building as defined by state statute 20 V.S.A. § 2730 and the Vermont Fire and Building Safety Code.

Public Building Definition — In its simplest terms, a public building can be defined as any building in the State of Vermont with the exception of single-family owner-occupied homes, registered home daycares, and some agricultural buildings. **IF YOU RENT IT (even for one night) - IT IS A PUBLIC BUILDING.** Some examples of structures that are considered public buildings are:

- |                     |                             |                          |                            |
|---------------------|-----------------------------|--------------------------|----------------------------|
| Apartment buildings | One- and Two-family Rentals | Hotels / Motels          | Businesses                 |
| Inns and B&B's      | Ski houses                  | Store / Retail buildings | Repair Garages             |
| Restaurants / Bars  | Schools                     | Storage buildings        | Town / Municipal Buildings |

## HOW DO YOU OBTAIN A STATE CONSTRUCTION PERMIT?

- 1) Develop a project scope and construction documents, such as plans and specifications relating to the proposed construction work or equipment installation under consideration.
- 2) Fill out a State DFS Construction Permit Application form in its entirety, and submit it to the DFS regional office with the required permit fee and above-mentioned plans and specifications.
- 3) The project will be reviewed by a State Fire Marshal and a permit will be issued or denied. **Work may only start after a construction permit has been approved and issued by the Vermont Division of Fire Safety.**
- 4) It is always important to consult with your local town office to ensure compliance with any required local permits.

### WHEN IT DOUBT CALL YOU LOCAL REGIONAL OFFICE

#### ADDITIONAL STATE PERMIT AND LICENSING REQUIREMENTS

Find State of Vermont Construction permits, work permits, and reference documents at: <a href="http://www.firesafety.vermont.gov">www.firesafety.vermont.gov</a>	State Construction Permit	State Electrical		State Plumbing	
		Permit	License	Permit	License
	<b>REQUIRED</b>				
Single Family Owner-Occupied - <b><u>NOT RENTED</u></b>	NO	NO	NO	YES*	YES*
All Public Buildings Excluding for One and Two Family Rentals	YES	YES	YES	YES	YES
One and Two Family Buildings and Rentals	YES	YES	NO	YES	YES

<b>Williston Regional Office</b> 3380 Hurricane Lane, Suite 101 Williston, VT 05495 Phone: (800) 366-8325, or 802-879-2300 Fax: (802) 879-2312	<b>Waterbury Regional Office</b> 45 State Drive, Waterbury, VT 05671-8200 Phone: (888) 870-7888, or 802-479-4434 Fax: 479-4446	<b>Rutland Regional Office</b> 56 Howe Street Bld. A, Suite 200 Rutland, VT 05701-3449 Phone: (888) 370-4834, or 802-786-5867 Fax: (802) 786-5872	<b>Springfield Regional Office</b> 100 Mineral Street, Suite 307 Springfield, VT 05155-3168 Phone: (866) 404-8883, or 802-216-0500 Fax: (802) 885-8885
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This sheet is designed to provide information to enhance the public safety of all Vermonters. This code information sheet is not an all-inclusive list of state laws or additional code requirements that may apply. This educational resource sheet does not carry the force of legal opinion and was developed by the Vermont Division of Fire Safety, with information provided by the U.S. Fire Administration, the National Fire Protection Association (NFPA) and other fire safety partners. For additional information please visit [firesafety.vermont.gov](http://firesafety.vermont.gov)

Title 20 : Internal Security and Public Safety  
Chapter 173 : Prevention and Investigation of Fires  
Subchapter 002 : Division of Fire Safety  
(Cite as: 20 V.S.A. § 2730)  
§ 2730. Definitions

(a) As used in this subchapter, “public building” means:

(1)(A) a building owned or occupied by a public utility, hospital, school, house of worship, convalescent center or home for elders or persons who have an infirmity or a disability, nursery, kindergarten, or child care;

(B) a building in which two or more persons are employed, or occasionally enter as part of their employment, or are entertained, including private clubs and societies;

(C) a cooperative or condominium;

(D) a building in which people rent accommodations, whether overnight or for a longer term;

(E) a restaurant, retail outlet, office or office building, hotel, tent, or other structure for public assembly, including outdoor assembly, such as a grandstand;

(F) a building owned or occupied by the State of Vermont, a county, a municipality, a village, or any public entity, including a school or fire district; or

(G)(i) a building in which two or more persons are employed, or occasionally enter as part of their employment, and where the associated extraction of plant botanicals utilizing flammable, volatile, or otherwise unstable liquids, pressurized gases, or other substances capable of combusting or whose properties would readily support combustion or pose a deflagration hazard; and

(ii) notwithstanding subdivision (b)(3) of this section, a building on a working farm or farms that meets the criteria of subdivision (G)(i) of this subsection is a “public building.”

(2) Use of any portion of a building in a manner described in this subsection shall make the entire building a “public building” for purposes of this subsection. For purposes of this subsection, a “person” does not include an individual who is directly related to the employer and who resides in the employment-related building.

(b) The term “public building” does not include:

(1) An owner-occupied single-family residence, unless used for a purpose described in subsection (a) of this section.

(2) A family residence registered as a child care home under 33 V.S.A. chapter 35, or specifically exempted from registration by 33 V.S.A. § 3502(b)(1).

(3) Farm buildings on a working farm or farms. For purposes of this subchapter and subchapter 3 of this chapter, the term “working farm or farms” means farms with fewer than the equivalent of 10 full-time employees who are not family members and who do not work more than 26 weeks a year. In addition, the term means a farm or farms:

(A) Whose owner is actively engaged in farming.

(B) If the farm or farms are owned by a partnership or a corporation, one that includes at least one partner or principal of the corporation who is actively engaged in farming.

(C) Where the farm or farms are leased, the lessee is actively engaged in farming. The term “farming” means:

(i) The cultivation or other use of land for growing food, fiber, Christmas trees, maple sap, or horticultural and orchard crops.

(ii) The raising, feeding, or management of livestock, poultry, equines, fish, or bees.

(iii) The production of maple syrup.

(iv) The operation of greenhouses.

(v) The on-site storage, preparation, and sale of agricultural products principally produced on the farm. Notwithstanding this definition of farming, housing provided to farm employees other than family members shall be treated as rental housing and shall be subject to the provisions of this chapter. In addition, any farm building that is open for public tours and for which a fee is charged for those tours shall be considered a public building.

(4) An owner-occupied single-family residence with an accessory dwelling unit as permitted under 24 V.S.A. § 4412(1)(E), unless rented overnight or for a longer term as described in subdivision (1)(D) of subsection (a) of this section.

(c) For the purpose of this subchapter, subchapter 3 of this chapter, and chapter 174 of this title, the words “premises,” “building,” and “structure,” or any part thereof shall mean “public building” as defined in this section.

(d) “Historic building” or “historic structure” means any structure that has been listed in the National Register of Historic Places or the State Register of Historic Places or that has been determined to be historically significant by the Vermont Advisory Council on Historic Preservation or that meets the standards adopted by the Division for Historic Preservation pursuant to 22 V.S.A. § 723(a).

(e) The phrase “damage or destroy the historic architectural integrity of the historic building or structure” means to have an undue adverse impact on historically significant features of the historic architectural integrity of the building. (Added 2003, No. 141 (Adj. Sess.), § 3, eff. April 1, 2005; amended 2007, No. 172 (Adj. Sess.), § 5; 2013, No. 96 (Adj. Sess.), § 122; 2017, No. 113 (Adj. Sess.), § 142; 2019, No. 44, § 3, eff. May 30, 2019; 2023, No. 47, § 26, eff. July 1, 2023.)