

# Projects That Don't Need a Building Permit

## Benefits of permits and inspections

- Ensures construction meets safety codes
- Helps protect your remodeling investment
- Are required by law

See the bulletin [How to Get A Building Permit](#) for more information on choosing the permit service that fits your project. Staff at the Permit Center will also help you understand what kinds of permits and inspections your project may require.

We'll answer your questions about permits.

Contestaremos sus preguntas referente a permisos en Español.

Chúng tôi sẽ trả lời thắc mắc về giấy phép của quý vị bằng tiếng Việt.

**San José Permit Center**  
San José City Hall  
200 E. Santa Clara St.  
San José, CA 95113  
408-535-3555  
[www.sanjoseca.gov/building](http://www.sanjoseca.gov/building)

Projects that change the configuration of walls, pipes, wiring, roofs, or major appliances typically DO require at least one type of building permit. Projects that DO NOT need a building permit are simple surface (cosmetic) projects; minor repairs and replacements; and minor site improvements or small structures.

In alignment with the 2016 California Building Code Section 105, here are the most common projects that do not require a building permit:

## SURFACE IMPROVEMENTS

1. Cabinet refacing or replacement without changing walls, plumbing, or electrical configurations
2. Countertop replacement
3. Decorative tile installations
4. Floor finishes such as carpet, linoleum, tile, etc.
5. Floor sheathing repairs up to 10 square feet
6. Painting
7. "Non Rated" sheetrock locations

## MINOR REPAIRS AND REPLACEMENTS

8. Appliance repairs that do not alter the appliance's original approval and listing
9. Electrical circuit breaker and fuse replacements (do get a permit to replace a main disconnect)
10. Electrical outlet replacements
11. Electrical switch replacements in existing boxes
12. Faucet or toilet repair or replacement
13. Roof repairs or replacements that are less than 25% of existing roof; do not involve the underlying framing; and occur no more than once in a 12-month period
14. Window replacements that do not alter the window frame, nailing flange, or existing weather protection

## SITE IMPROVEMENTS AND SMALL STRUCTURES

15. Awnings over doors or windows that do not project more than 54 inches in Group R-3 or U occupancies
16. Detached accessory structures of 120 square feet or less and that will not be electrically wired
17. Driveways and walkways not crossing over a basement and not exceeding 30 inches above grade<sup>1</sup>
18. Swimming pools that are prefabricated and above-ground, holding a maximum of 5,000 gallons and used only at a single-family property<sup>2</sup>
19. Fences not over 7 feet tall
20. Retaining walls not over 4 feet in height measured from the bottom of the footing to the top of the wall

<sup>1</sup> Repairs to driveway aprons and sidewalks may require a permit; contact the Public Works Department at 408-535-8300.

<sup>2</sup> The filling of swimming pools is subject to emergency drought restrictions. As of April 21, 2015, per Ordinance 15.10.330, no person shall cause, permit or allow initial filling of residential swimming pools or outdoor spas with potable water, or allow re-filling of more than one (1) foot.