

How to Extend or Refile a Building Permit

WHEN DO PERMITS EXPIRE?

If final inspection has not been secured, a building permit will expire either 12 months from the date it was issued or 180 days from the date of the last inspection approval.

WHY DO PERMITS EXPIRE?

State and local building codes evolve over time. The permit and building specifications for an uncompleted project can become outdated and no longer legally applicable. This is why permits have an expiration date.

FEES

Find fees for extending or refile a building permit the **Building and Structure Permits Fee Schedule** at www.sanjoseca.gov/buildingfees.

Development Services Permit Center

San José City Hall
200 E. Santa Clara St.
San José, CA 95113
408-535-3555

www.sanjoseca.gov/building

If your building permit is about to expire and no or only some inspections have taken place, you should make a request to extend your building permit.

If your permit has expired and final inspection was not secured, then you will need to refile to continue the project.

TO EXTEND A BUILDING PERMIT

Make a request for extension before the permit expires. A building permit will expire either 12 months from the date it was issued or 180 days from the date of the last inspection approval. If you foresee the permit expiring before the next inspection takes place, then request an extension before it expires. Call the Permit Center at 408-535-3555 and ask for assistance with a permit extension. If approved, another 180 days will be added to the original expiration date.

If a second extension is needed, submit a Letter of Request to the Chief Building Official. Approval of a second permit extension is at the sole discretion of the Chief Building Official, and the decision may not be appealed. The Building Official may approve a second extension for up to 360 days. A second extension requires a Letter of Request; see page 2 for an example letter. Mail the letter to:

Chief Building Official
City of San José - Building Division
200 E. Santa Clara Street - Floor 1
San José, CA 95113

Note: No more than two extensions (maximum total 540 days) are allowed.

TO REFILE AN EXPIRED BUILDING PERMIT

To refile, visit the Permit Center and bring project documents. To refile a permit, you must come to the Permit Center counter. No appointment is necessary. Staff will ask for the permit document, inspection records, and City-approved plans for the project. If you have lost any of this documentation, read Bulletin 210-How to Replace Permit Cards, Inspection Records or City-Approved Plans at www.sanjoseca.gov/buildingbulletins.

Refiled permit evaluation. City staff will evaluate your project status and determine your course of action. Depending on inspection progress, one of three options typically apply:

- *All rough inspections are completed.* If this is the case, staff may issue a “Permit To Final” allowing final required inspections to occur.
- *Partial rough or no rough inspections have been approved.* If this is the case, you will need to apply and pay for an Inspection Survey. A building inspector will assess the progress and whether the project can continue without further requirements. The inspector may issue a “Permit To Continue” allowing for continued inspections to occur.
- *No inspections completed.* If this is the case, you will need to reapply for a building permit and, if applicable, plan review. Project plans will need to be updated to comply with any changes to zoning or building codes since the time you previously submitted plans. In some cases an Inspection Survey may also be required.

Example Letter for Requesting a Second Permit Extension

[If a company, use company letterhead]

Date

Chief Building Official
City of San José - Building Division
200 E. Santa Clara St. - Floor 1
San José, CA 95113

ATTN: Permit Center Supervisor

Regarding:

Name of Project/Business:
Project Address:
Building Permit # or Plan Check #:

I would like to request a Permit Extension for the above project. Construction on this project was delayed due to _____.

Due to these circumstances that were beyond my control, I was unable to make progress on the project, and the expiration of my building permit is approaching.

Respectfully,

SIGNATURE

Your Name
Title *if applicable*
Business Name *if applicable*
Phone number
Email address