



Town of Cape Charles

Homeowner's Guide to Code Enforcement, Zoning & Historic Review Processes



Introduction

This brochure has been compiled to provide guidance to homeowners regarding various rules and regulations. Tips are also included to assist homeowners in choosing a contractor for the work.

A Permit is required when?

1. Construction or demolition of a building or structure.
2. Installations or alterations involving:
 - Removal or addition of any wall, partition thereof.
 - Any structural component.
 - The repair or replacement of any required means of egress system.
 - Water supply and distribution system, sanitary drainage system or vent system.
 - Electric wiring.
 - Fire protection system, mechanical system or fuel supply system.
 - Any equipment regulated by the Virginia Construction Code.

Items of note that do not require a permit *

- Detached accessory structure that does not exceed 200 square feet.
- Fences and privacy walls that do not exceed 6' in height.
- Replacement of windows and doors.
- Application of paint or wallpaper.

If in question as to whether a permit is required, please contact Code Enforcement prior to starting any work.

* A permit may not be required; however, if a contractor is hired, they are still required to be properly licensed.

Hiring a Contractor?

Once you decide to have some work done on your property and are ready to select a contractor, below are some things to consider prior to hiring a contractor.

By hiring a licensed contractor, you will have peace of mind in knowing that the project will be completed by an individual who has taken the time to acquire the appropriate education and the proper workers' compensation and/or liability insurance and who possesses the necessary experience to properly perform the work. A few other items of note:

- Before you hire a contractor, ask to see a state-issued license and, if required, tradesman card.
- Ask for references. A legitimate contractor will be happy to provide you with the names and contact information of recent customers.
- Get a written estimate from several licensed contractors. Make sure the estimate includes the work the contractors will do, the materials involved, the completion date and the total cost.
- Beware of contractors who claim to be the fastest or cheapest. Hiring them could result in poor workmanship, inferior materials or unfinished jobs.
- Be wary of a contractor who asks you to obtain the permit. If the contractor is properly licensed in the State, they should have nothing to hide from.

Continued

Specialty tradesmen (i.e. Plumber, Electrician, Gas Fitter and Mechanical) are required to obtain both an applicable contractor's license and a Master Tradesman Card(s) in their particular field of expertise. Simply hiring someone by the hour that is proficient in a certain trade is illegal and dangerous. If a person is performing work for the public for monetary gain, that person must possess the applicable license(s).

Often homeowners may feel like performing the work themselves, however, before you make that decision, you should know that obtaining a permit as the homeowner to do work means that you are accepting the responsibility for the work performed and any deficiencies discovered during inspections would be your responsibility. Per Virginia Code Section 54.1-1101 - Exemptions from Licensure, you, as the homeowner, are only permitted to obtain permits on your home only if one of the following applies:

- **The work consists of the repair and/or improvement to an existing dwelling which is your PRIMARY residence.**
- **You are the owner of the property and the structure will be used as your PRIMARY residence when completed.**
- **You are the owner of the property and the structure will be a gift to a member of your immediate family who will live in it upon completion.**

For more information regarding Contractor Regulations please visit the Virginia Department of Professional and Occupational Regulations at www.dpor.virginia.gov/dporweb/con_main.cfm.

Permit/Historic Review/Zoning

Below is a chart of items and their requirements that need to be considered prior to starting work.

- Permit Requirements have already been discussed.
- Historic District Review Board requires the approval of anything that can be seen from the exterior.
- Zoning approval would be required for any work that could potentially affect lot lines, setbacks, or distances between buildings.

Project	Permit	Historic*	Zoning
New Home	Yes	Yes	Yes
Addition	Yes	Yes	Yes
Accessory Building	Yes**	Yes	Yes
Fence	No	Yes	Yes
New Roof	Yes	Yes	No
Tree Removal	No	No	Yes
Deck/Porch	Yes	Yes	Yes
Replacement Exterior Windows & Doors	No	Yes	No
New Concrete Sidewalks or Driveways	No	No	Yes
Painting of Masonry Home (1 st time)	No	Yes	No
Painting	No	No	No
Signs	Yes	No	Yes

* Some areas of Town do not require Historic Review. Please contact staff for more information.

**Permit not required if 200 Sq. Ft. or less.

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
Phone: 757.331.3259 x22
Fax: 757.331.4820
codeofficial@capecharles.org