

Decks & Patios

NOTE: This information bulletin describes the minimum requirements for obtaining residential deck permits attached or detached to a single family or duplex.

Many homeowners are surprised when they are told they need to get a permit in order to build a deck. It may seem like a hassle, but it is well worth the small investment of time and money to ensure your deck is built to code standards and is in compliance with local regulations. You will want to contact the Planning Division to determine if the location of the Deck will meet the Zoning Ordinance Requirements for your parcel.

Building a deck without a permit can get you into some serious trouble. Some people find out the hard way by having to pay a hefty fine, tearing down their brand-new deck or having someone get hurt because of faulty construction. Building a deck without a permit can also come back to haunt you when it is time to sell your house. Contractors can lose their licenses if they build without permits.

The best option is to work within the rules and get a permit.

Decks

Decks that are constructed more than 30-inches above adjacent grade require a permit. When decks are below 30-inches above grade, they may not. The 2016 California Residential Code exempts decks from permit when they are below the aforementioned height, not exceeding 200 square feet in area, not attached to the home and not serving the required exit door of the home. Considering those criteria...most decks will require permits.



Handrails & Guardrails

Decks that are constructed 30 inches or more above ground are required to have a guardrail surrounding the deck and a continuous handrail along the flight of stairs serving the deck.

The top of the guardrail shall be not less than 42 inches. Open guardrails shall have intermediate rails or ornamental pattern such that a sphere 4 inches in diameter cannot pass through.

Handrails are required on stairs that have four or more risers. The top of the handrails shall be placed not less than 34 inches nor more than 38 inches above the nosing of treads. They shall be continuous for the full length of the stairs and the ends shall be returned or terminate in newel posts. The handgrip portion of handrails shall not be less than 1 1/2 inches nor more than 2 inches in cross section with an adequate smooth gripping surface with no sharp corners and spaced 1 1/2 inches from an adjacent wall.

Patio or Deck Covers

Patio and deck covers are structures that cannot exceed 15 feet in height. They may be a simple structure consisting of a roof and supporting members only or they may be enclosed. Patio covers may be freestanding (detached) or attached to the house.

Enclosed Patios

Patio enclosure walls may have any configuration, provided the open area of the longer wall and one additional wall is equal to at least 65% of the area of the two walls below a minimum of 6 feet 8 inches of the two walls measured from the floor. Openings may be enclosed with insect screening or translucent or transparent plastic that is readily removable and not more than 0.125 (1/8) inch in thickness. Enclosed patios shall not cover the required egress window of a bedroom.

Patio and deck covers shall be used only for recreational outdoor living purposes and not as carports, garages, storage rooms or habitable rooms. A patio cover, regardless of size or of roof covering, requires a building permit. Community Development Department approval for placement on the lot is required for structures of 60 sq. ft. and larger.

Permit Application

When applying for a permit, certain information is required to complete the permit application:

- Description of the work
- Location of the project
- Legal owners' name, address and phone number
- Valuation of the proposed work



- Other information as may be required

The owner/contractor or an authorized agent is the only legal person who can sign the building permit application. Upon approval of the application and issuance of the permit, the permittee has 180 days to commence work on the project, otherwise the permit automatically expires.

Required Drawings

- **Plot Plan** - Showing the size and position of the patio or deck in relation to the existing buildings, property lines and public utility easements.
- **Framing Plan & Elevation** - Showing the size of rafters, beams or girders; the distance between supporting columns; the method of attachment to the house and foundation; the type of foundation used, and the materials used to construct the patio or deck.

Inspections

An Inspection Record Card is issued at the time the permit is obtained. The inspector signs this card as the construction is inspected and approved. The approved plans, the Inspection Record Card and the permit are important records and should be retained. A combination permit is active for 180 days. Each inspection scheduled and passed extends the permit 180 days. Permits approaching expiration can be extended under special circumstances. Inspections are required at the following times:

- A. When footings have been excavated, hardware in place, but before concrete is placed,
- B. When ledgers are attached to an existing structure, and
- C. When work is complete. Note that the project is not legally complete until there is an approved final inspection.

Due to the nature of the structure the frame and final inspections are completed at the same time unless the patio walls are enclosed. If the walls are to be covered on both sides, and the framework has electrical wiring, and inspection of the frame is required. A final inspection is made when the patio cover walls are enclosed and the cover is completed.