



GOVERNMENT OF BERMUDA
Ministry of Home Affairs
Department of Planning

A Guide to Building Permits & Permitted Development Permits Permit to Carry Out Work that is a Building Operation

1. What is a Building Permit?

- a. A Building Permit ensures that the statutory and regulatory requirements of Planning Permission ([Development & Planning Act 1974](#) & [General Development Order 1999](#)) and current Building Codes ([Building Act 1988](#), [Bermuda Building Code \(BBC\) 2014](#) & [Bermuda Residential Building Code \(BRBC\) 2014](#)) are met for the carrying out of work that is necessary to safely implement the minimum requirements for any construction work, make additions, renovations or changes to a building operation.
- b. There are four (4) types of Building Permit:
 - i. [Residential Building Permit](#) (BRBC Paragraph 1.1 – Scope p.21)
 - ii. [Commercial Building Permit](#) (All other construction)
 - iii. [Permitted Development Permit](#) (Residential) – Minor Works
 - iv. [Permitted Development Permit](#) (Commercial) – Minor Works

2. When is a Building Permit required?

- a. Work that is a building operation requires a Building Permit. A building operation includes (BBC Section 103/BRBC Paragraph 2.1).
 - i. The excavation or quarrying of any land, including that under an existing building;
 - ii. The demolition of any building or structure except:
 1. a building or structure built further than 25 feet from a road* or boundary or to which the public has access; and
 2. the building does not contain any asbestos (for example: vinyl tiles or pipe insulation more than 30 years old or corrugated roofing) which has been confirmed by the Department of Health following a preliminary inspection.

*Road (BRBC Paragraph 3.4): *any road, whether public or private that includes any street, square, court, alley, lane, bridge, footway, track, path, passage, railway trail or other highway whether a thoroughfare or not.*
 - iii. The erection of any building or structure, whether permanent or temporary;
 - iv. The carrying out of any structural alteration to any building, including the removal of any parts of load bearing walls or of fire partitions or walls;
 - v. The carrying out of works for the purpose of effecting a material change of use of the building or premises. A material change in use shall mean a

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- change from one use group to another in accordance with the building codes;
- vi. The installation or renewal of an electrical system;
 - vii. The installation or renewal of any plumbing or drainage or sewage disposal system;
 - viii. The installation or renewal of any gas fuel system;
 - ix. The reconstruction of a building
 - x. The conversion of a moveable object into a building;
 - xi. The removal of a building from one site and its re-erection elsewhere;
 - xii. The roofing over of an open space between walls or buildings.
 - xiii. The installation or renewal of any mechanical systems;
 - xiv. The installation, renewal, renovation or change to any mechanical system containing more than 6.6 pounds (3 kilograms) of refrigerant; and
 - xv. The installation of any fuel burning system other than a cook top or oven, even if the fuel burning system piping is not being altered.

3. Who grants Building Permits?

- a. The Building Official, who is the Director of Planning, grants building permits.
- b. Technical Officers in the Building Control section review applications for compliance with the Building Code and issue the permits on behalf of the Building Official.

4. Is Planning Permission required?

- a. **YES.** It is important to remember that, for a building permit to be valid, planning permission must be in force.
- b. Planning permission is assumed to be in force in cases where planning permission is not required under the Development and Planning Act 1974 or is granted as part of the Permitted Development permit process, for cases detailed in the General Development Order 1999.

5. What if work has already commenced on site?

- a. Be aware that significant penalty fees apply for **both** retroactive Planning and retroactive Building Permit applications. Also, substantial time delays and site costs are likely to occur as a result of the retroactive process. It is strongly recommended that work does not start without the necessary planning permission and Building Permit.
- b. If works have commenced at a site where planning permission is not in force or without the required Building Permit, including work which is materially different from the approved permit documentation, then the works are considered to be retroactive and may be refused planning permission solely by virtue of being retroactive.

- c. In such cases, all works must cease and a retroactive application must be sought. This may require retroactive planning permission to be granted prior to applying for the retroactive building permit.
- d. Work on site shall not recommence until a Building Permit which covers the work is in place.

6. What is required to apply for a Building Permit?

- a. In order to apply for a Building Permit, the following is required to be submitted to planningfrontdesk@gov.bm . Documents exceeding 10 MB in size may be uploaded on the [Accelion portal](#).
 - i. A scanned or electronic copy of the appropriate permit application form (see 1.b. above), fully completed, for the type of work that is being undertaken. This must be signed by the property owner or include a letter of agency from the property owner and signed by the agent.
 - ii. A scanned or electronic copy of all of the “For Construction” drawings, specifications and other permit documents (for example, but not limited to, Conservation/Environmental Management Plan, Construction Management Plan, Controlled Plant permit, Water Right permit). Detailed descriptions of minimal submission requirements may be found in [BRBC Appendix A \(p. 327\)](#).
 - iii. To avoid delays, it is recommended that the application is complete in every respect so that the Department is not required to request further information or clarifications.
 - iv. The Bermuda Fire and Rescue Service (BFRS) must approve **all** non-residential (see 1.b.ii & 1.b.iv above) applications prior to the Building permit being issued ([Fire Safety Act 2014](#)). This requires a separate form, payment and process [submitted to the BFRS](#). The BFRS can review permit applications electronically in parallel with the permit application process. This can introduce delays in the processing and issuance of Building Permits and is beyond the control of the Department of Planning.
 - v. Bermuda Registered Engineers’ stamps are required for commercial applications (see 1.b.ii & 1.b.iv above).
 - vi. Bermuda Registered Surveyors’ stamps are required for all requested site plans.
 - vii. Applications are typically vetted for completeness within three (3) business days of receipt.
 - viii. If an application fails vetting, then it will normally be rejected with a request to resubmit. Rejected applications will not be invoiced.
 - ix. Fees will be invoiced and emailed to the Agent and/or Owner once the submission is vetted and input. If the invoice has not been received in three (3) working days, please call 297-7755 or email the [Permits Processor](#) to enquire as to the permit status.
 - i. Once the invoice is fully paid, the application process is complete. Current methods for payment are detailed on the invoice.

- ii. Under certain circumstances, paper applications may be submitted. Please contact the Department for further details by calling 297-7755 or by [email](#).

7. What Codes are used in Bermuda?

- a. The overarching Building Code in Bermuda is the Bermuda Building Code 2014. This comprises a number of codes and standards as detailed below:
 - i. [Bermuda Building Code 2014](#) – General Building Code with Bermuda amendments to other referenced codes.
 - ii. [Bermuda Residential Building Code 2014](#) – Building code covering most typical residential construction
 - iii. Bermuda Commercial Building Code 2014 – Adopts the [International Building Code 2012](#) with Bermuda amendments (see 7.a.i. above).
 - iv. Bermuda Mechanical Code 2014 – Adopts the [International Mechanical Code 2012](#) with Bermuda amendments (see 7.a.i. above).
 - v. Bermuda Electrical Code 2014 – Adopts the [National Electrical Code 2011 \(NFPA 70: 2011\)](#) with Bermuda amendments (see 7.a.i. above).
 - vi. Bermuda Fuel Gas Code 2014 – Adopts the [International Fuel Gas Code 2012](#) with Bermuda amendments (see 7.a.i. above).
 - vii. Bermuda Plumbing Code 2014 – Adopts the [International Plumbing Code 2012](#) with Bermuda amendments (see 7.a.i. above). Note that the Department of Health may demand more stringent requirements under the [Public Health Act 1949](#).
 - viii. Bermuda Energy Conservation Code 2014 – Adopts the [International Energy Conservation Code 2012](#) with Bermuda amendments (see 7.a.i. above).
 - ix. Bermuda Fire Code 2014 – Adopts the current version of the [National Fire Prevention Association \(NFPA\) Standards](#) and the requirements of the Bermuda Fire & Rescue Service under the [Fire Safety Act 2014](#).

8. Is a Design Professional (Architect, Engineer etc.) required to submit applications?

- a. It is recommended that you retain the services of a design professional to produce construction drawings, details and specifications. All submissions must meet a minimum standard which may be found in [BRBC Appendix A \(p. 327\)](#).
- b. A [Bermuda Registered Professional Engineer](#) is required to stamp and seal all documents which are not of standard construction such as is detailed in the [Bermuda Residential Building Code \(BRBC\) 2014](#).
- iii. A [Bermuda Registered Surveyor](#) is required to stamp and seal all property surveys requested by the Department.

9. Can a Permit be phased?

- a. Yes, a Building Permit may be phased.

- b. This is typically reserved for large commercial projects greater than 20,000 square feet in total floor area.
- c. The Building Control Officer must be contacted and the phasing agreed prior to the submission of the application.

10. Does a Building Permit expire?

Planning permission usually expires two (2) years from the date of approval unless otherwise specified in the decision letter or if the planning permission has been renewed. If the planning permission has expired, so too does the Building Permit.

- d. Building Permits expire after five (5) years unless tangible work can be proven to have been done. In practice, this is usually considered to be a passed Commencement inspection and a passed follow-up inspection. Examples include, but are not limited to, placement of reinforcing and pouring of concrete, plumbing or electrical rough-in.
- e. Setting out, excavation, site clearing and other similar activities are not considered to be tangible work.
- f. Building permits can be reissued for a further 2 years (once only and from the date of expiry) based on the following requirements:
 - i. Renewal application must be submitted within six months after the permit has expired.
 - ii. Planning permission must be in force for the duration of the extension. If not, the Building Permit will expire on the same date as the planning permission.
 - iv. If there has been a Building Code change since the initial issuance of the permit, the permit documents must be upgraded to meet the requirements of the present code.

10. What happens after a Building Permit is issued?

- a. Once the permit is issued, it is time to build.
- b. Permit Documents, which include a minimum of the Approval letter, Stamped Approved drawings, Conditions of Issuance of the Permit and Inspection Card, may be downloaded from the [EnerGov Citizen Self-Service](#) portal. A paper copy of ALL of these documents must remain at the permit site at all times. You must have a personal account and be associated with the application to be able to access this information.
- c. [GN308 – Building Permit Inspections](#) provides details of the requirements for building.

11. Is more information available?

- a. Permit status information, permit review progress, downloading approved documents etc. is accessed through the [EnerGov Citizen Self-Service](#) portal. You must have a personal account and be associated with the application to be able to access this information.

- b. General Information such as Guidance Notes, Application Forms, Mapping etc. is available on the [Department of Planning](#) website.
- c. General enquiries may be made by calling 297-7755 or by [email](#).