

PERMITTING POLICY AND PROCEDURES
Town of Peterborough, NH

- I. Purpose:** The purpose of this policy is to provide guidance to property owners and contractors regarding the appropriate process for applying for and obtaining building, electric, plumbing, and mechanical permits.

II. Obtaining Permits – Generally:

- A. Permit applications are accepted during our regular business hours.
- B. In reviewing and administering a permit application the Building Inspector is authorized to exercise all powers and authorities set forth in the New Hampshire State Building Code.
- C. Missing or incomplete information may cause a delay in the processing of permit applications.
- D. If a proposed structure requires other permits or approvals from any Town land use board or from any state or Federal agency, those permits and approvals shall be obtained and provided with the permit application. Building permits will not be issued for any structure or use that would not be compliant with the Town's Zoning Ordinance, Subdivision Regulations, Site Plan Review Regulations, and/or the State Building or Fire Codes.
- E. Applicants are encouraged to consult the Department of Planning and Building prior to submitting a permit to ascertain what information is expected to be submitted with the building permit application.
- F. Depending on the nature of the structure, the Building Inspector may require plans, reports, or other documentation to be prepared by qualified professionals as part of permit application or may seek information beyond what is identified in the building permit application form.
- G. When submitting a permit application, property owners are required to sign the building permit application form.
- H. Building permit fees are due at the time of submission of the permit application. An application is not deemed complete until all information required by the Building Inspector is provided, the permit application is signed by the property owner, and the full permit fee is submitted.
- I. Building permit fees are based on the Fee Schedule adopted by the Town of Peterborough. For the purpose of identifying the "cost" of construction applicants are required to identify the cost that would be anticipated to be incurred for the project utilizing a qualified contractor, inclusive of all labor, equipment, tools, materials, etc. This term is regardless of the source of any labor, tools, materials, or equipment. The term "cost" is synonymous with "value," as that word is used under the New Hampshire State Building Code.

III. Building Permits:

- A. The Department of Planning and Building is responsible for processing all completed building permit applications in a timely manner. The deadline for the processing of an application is based on the submission of a completed application, inclusive of all information required by the Building Inspector.
- B. Subject to those projects utilizing third-party review of building permits, as set forth in Section X herein, RSA 676:13 allows for up to thirty (30) days for the processing (approval or denial) of any residential building permit and up to sixty (60) days for commercial or residential applications involving 10 or more dwelling units.
- C. If a permit is approved, the applicant will be contacted to pick up the Building Permit, which will note the list of required inspections. Permits are not routinely mailed.
- D. If an application is denied, the applicant will receive a letter stating the reason for denial, via First Class USPS Mail. This will also include if an application is not processed because it is incomplete, and the applicant has refused to supply such information or materials to make the application complete.
- E. In the case of commercial building or multifamily dwelling units, there may need to be review from other departments or a third party, which could increase the time before the building permit is issued and result in additional fees. The Department of Planning and Building will make reasonable efforts to alert applicants to these instances at the time of an application. The Department of Planning and Building is authorized to require and seek additional information throughout the permitting or administration of a project, as the Department of Planning and Building deems necessary to ensure that the work is done in compliance with all applicable laws, rules, and regulations.
- F. For new construction, building permits are issued in two phases. First, applicants will be issued a permit authorizing the construction of the foundation. After the foundation is constructed, applicants are required to provide a foundational certification prepared by a New Hampshire land surveyor prior to the issuance of a building permit for the remainder of the structure. The Building Inspector may waive the need for a foundation certification when, in the opinion of the Building Inspector, the applicant provides other information confirming that the structure's dimensions and locations are compliant with all applicable laws, rules, and regulations or where such compliance is readily apparent. After the confirmation of a foundation's dimensions and location, the Building Inspector will issue a building permit authorizing the remainder of the structure's construction.
- G. Work shall not be started prior to the issuance of a Building Permit.
- H. The Building Permit must be conspicuously displayed and available for the Building Inspector's signature for the duration of the project.

IV. Electric, Plumbing, Gas Permits:

- A. State of New Hampshire licensed persons may obtain a permit upon presentation of a **valid master's license** (or gas technician's license).
- B. Additional photo identification may be required.
- C. Applicants must have a valid ID.

V. Mechanical (non-gas), Oil Burner, and Other Miscellaneous Permits:

- A. Permits may be obtained in the and Planning and Building Department office during our regular business hours.
- B. Additional photo identification may be required.

VI. Proxy Permitting for Corporate/Business Entity Licensing:

- A. The Town of Peterborough will allow proxy permitting under a Business Entity License (BEL) under the following conditions:
 - i. The "Responsible Managing Employee" as shown on the BEL must appear in person to the Department of Planning and Building with their NH State License(s); their BEL; and a list of personnel authorized to obtain permits for the business. This will set up the availability for permitting by proxy.
 - ii. The list of authorized personnel must be on business letterhead with an original signature of "Responsible Managing Employee" as shown on the BEL. No copies or emails will be accepted. That list will be kept on file until the expiration of the BEL.
 - iii. Listed authorized personnel will be required to show photo identification to obtain a permit.
 - iv. It is the responsibility of the business to update the authorized personnel list as well as provide the Department of Planning and Building with a new BEL when renewed. The Department of Planning and Building will not notify holders of a BEL if the BEL is expired. If the authorized personnel list and the BEL are not current, no permits will be issued to it.
- B. The Town of Peterborough will not be responsible for permits issued to personnel on the list who are no longer authorized if that information has not been provided to the Department of Planning and Building in writing.
- C. Electrical, Plumbing, or Mechanical/Gas permits shall not be issued through the mail.
- D. Permitting by proxy is only allowed for Business Entity Licenses. Personal licenses shall not be entitled to permitting by proxy.

VII. Homeowner Permitting: State RSAs allow homeowners to do their own work if: the owner physically doing the work themselves; if the work is for a single-family residence; is the owner's primary residence; and if a proper permit is obtained. Homeowner Permits shall not be issued for the following types of permits:

- A. Electrical Service/Meter and Panel Work;
- B. Electrical Wiring for Swimming Pools;
- C. Natural or Propane Gas;
- D. Oil Tanks and Oil Burners;
- E. The Town of Peterborough reserves the right not to issue a permit to a homeowner if the Building Inspector reasonably believes that the homeowner is qualified to do the work identified and the performance of the work would adversely impact the public health, safety, and welfare of the homeowner or any occupant of the structure.

VIII. Work Done Without a Permit:

- A. Filing an application is not considered the issuance of a permit.
- B. RSA chapter 155-A:7 and :8 authorizes the Town of Peterborough to impose a fine or penalty in the amount of \$275.00 for a first offence and \$550.00 for a subsequent offence, with each day of violation constituting a separate offence, for any work done prior to the issuance of a permit or work performed contrary to the New Hampshire Building Code, the New Hampshire Fire Code, the Town of Peterborough Zoning Ordinance, the Town of Peterborough Subdivision Regulations, or the Town of Peterborough Site Plan Review Regulations. Unpermitted or non-compliant work may be subject to a Stop Work Order, in addition to all other forms of rights and remedies as may be available to the Town of Peterborough under applicable laws.

IX. Inspections:

- A. It is the responsibility of the homeowner and, if different, the permit holder, to ensure that timely inspections are scheduled upon the completion of each stage of the building, in accordance with the State Building Code.
- B. Except for with regard to third-party inspections conducted in accordance with Section X of this Policy, all inspections are prepaid at the time of permitting and are subject to the following protocols:
 - i. Any unanticipated/additional inspections needed and not paid for at time of permitting will have to be prepaid prior to scheduling. No inspection will be scheduled that has not been prepaid.
 - ii. 24-hour notice is requested for all inspections.
 - iii. Failed inspections will be rescheduled upon payment of the re-inspection fee. Missed inspections, or scheduled inspections where the inspector cannot gain reasonable access, will be treated as a failed inspection.

- iv. Unless otherwise indicated on the permit and/or otherwise subject to a self-inspection pursuant to Section X, all inspections are scheduled by contacting the Department of Planning and Building during regular business hours.
 - v. When an inspection is scheduled, there must be access during the scheduled window of time. No pre-calls will be made to inform applicants when the Building Inspector is in route to an inspection.
 - vi. If the inspector is delayed for any reason, reasonable efforts will be made to contact the permit holder.
- C. Some permits require inspection by other departments, such as the Fire Department or the Department of Public works. The Department of Planning and Building will strive to inform applicants when a project requires inspections by other department personnel and whether or not there are any additional fees associated with that inspection.

X. Optional Third-Party Permit Review and Inspection Services:

- A. Third-party permit review or inspection services shall only be conducted by an approved agency.
- B. Approved agencies must be licensed professionals, qualified, competent, and capable to perform the permit review and/or provide the inspection services. Third-party agencies will be approved if they meet and adhere to all subsections of X.C. Approval shall be granted by the Building Inspector and the Public Works Director. If approval is denied, an explanation shall be provided in writing.
- C. Any party wishing to use the services of an approved agency for third-party permit review or inspection services must:
 - i. Provide the complete contact information for the individual performing the permit review and/or inspection services, including, but not limited to, affiliated company, physical address, mailing address, email address, and direct telephone number;
 - ii. Provide documentation reflecting that the third-party's qualification, including, to the extent that the work to be reviewed involves either electrical, mechanical, or plumbing work that requires any license issued by the Office of Professional Licensure and Certification, a current license in good standing to perform the work that is the subject of permit review or inspection;
 - iii. Satisfy all requirements set forth in Section 246:4 to 2025 SB188 (as that bill may be codified into New Hampshire Law);
 - iv. Provide proof of insurance in accordance with Section 246:4, V to 2025 SB 188 (as that bill may be codified into New Hampshire Law), which shall be maintained at all times

during the performance of permit review and/or inspection services a certificate of insurance before permit review or inspection services are commence; and

- v. Provide a statement signed and notarized by the proposed third party swearing, under the pains and penalties of perjury the following:

I, [INSERT NAME], hereby certify that I am capable of providing objective, competent and independent permit review and/or inspection services. I further certify that my fee is not contingent upon any review or inspection services to be provided, that I hold no interest either directly or indirectly in the real estate or improvements that are the subject of any permit to be reviewed or work to be inspected, and that I have no pecuniary interest in the improvements or real estate or any proceeds or profit to be derived therefrom that are the subject of the permit and/or inspection.

- D. Prior to the approved agency proceeding with permit-review or inspection services, the owner or the owner's authorized agent shall provide the following signed statement to the Building Inspector with the permit application:

I agree to indemnify the Town of Peterborough, its agents, officials, and employees from and against losses, damages, and judgments arising from claims by third parties arising from my use of these licensed or certified personnel to provide development document reviews and building inspections with respect to the building or structure that is the subject of the enclosed application. The indemnification shall include reasonable attorneys' fees and expenses recoverable under applicable law, but only to the extent they are found to be caused by a negligent act, error, or omission of an approved agency or approved agency officers, directors, members, partners, agents, employees, or subconsultants.

- E. Any approved agency shall immediately disclose any conflicts of interest that may exist related to the services to be performed or that may arise thereafter.
- F. Approved agencies performing permit review and/or inspection services shall be responsible for ensuring that the permit reviewed and/or the work inspected adheres to all applicable provisions of the New Hampshire State Building Code and New Hampshire State Fire Code.

G. Permit Review

- i. Applicants may use third-party permit review services from an approved agency that satisfies the requirements set forth in this Section X.
- ii. Any applicant that seeks to use a third-party permit review service shall supply an affidavit, signed and notarized, containing an original ("wet") signature containing the following statement:

The construction documents were reviewed pursuant Section 246 of 2025 SB 188 (as may be codified into New Hampshire) and to the best of the knowledge, information, and belief of the approved agency, the documents comply with the New Hampshire State Building Code and any applicable municipal amendments.

Said affidavit shall identify, with specificity, the documents reviewed in providing said certification.

- iii. No approved agency shall certify that any construction document, permit application, and/or any portion thereof, complies with any provision of the New Hampshire State Building Code when that statement is inaccurate.
- iv. The Building Inspector retains full authority to review permits and determine whether said permit complies with the Town's Zoning Ordinance, Site Plan Review Regulations, Subdivision Regulations or other municipal regulations which are not subject to permit review services pursuant to 2025 SB188.
- v. Notwithstanding any provision herein to the contrary, upon the submission of a completed application for a building permit, as determined by this Policy, that includes all required information necessary for a compliant third-party permit review, the Town shall have fourteen calendar days to either issue the permit or deny the permit, identifying the specific features that do not comply with the New Hampshire Building Code or the Town's Zoning Ordinance, Site Plan Review Regulations, Subdivision Regulations or other governmental regulations (including the lack of any required State, Federal, or Local permits, licenses, or approvals). If the applicant submits revisions, the Building Inspector shall have the remainder of the tolled business days plus one business day from the date of resubmittal to issue the building permit or provide a second written notice to the applicant stating which of the previously identified documents or permit features remain in noncompliance with the New Hampshire Building Code or the Town's Zoning Ordinance, Site Plan Review Regulations, Subdivision Regulations or other governmental regulations (including the lack of any required State, Federal, or Local permits, licenses, or approvals). Failure of the Building Inspector to provide timely decisions in accordance with this paragraph shall constitute approval of the permit and said permit shall issue on the next business day.

H. Inspection Services

- i. Applicants may use third-party inspection services from an approved agency that satisfies the requirements set forth in this Section X.

- ii. Any applicant that seeks to use a third-party inspection service shall supply an affidavit, signed and notarized, containing an original (“wet”) signature, summarizing the inspections performed (including the date and time of said inspection) and that the work inspected comports with the construction documents and all applicable provisions of the New Hampshire State Building Code.
 - iii. No approved agency shall certify that any inspected work complies with any provision of the New Hampshire State Building Code when that statement is inaccurate.
 - ~~iv. The Building Inspector retains full authority to inspect any portion of work that is the subject to third-party inspections and determine whether said work complies with the Town’s Zoning Ordinance, Site Plan Review Regulations, Subdivision Regulations or other municipal regulations which are not subject to inspection services pursuant to 2025 SB188.~~
 - v. Notwithstanding any provision herein to the contrary, upon the submission of an inspection affidavit, as determined by this Policy, the Town shall have ten (10) calendar days to either issue a certificate of occupancy or deny the certificate of occupancy, identifying the specific deficiencies in the affidavit that do not comply with the New Hampshire Building Code or the Town’s Zoning Ordinance, Site Plan Review Regulations, Subdivision Regulations or other governmental regulations. Failure of the Building Inspector to provide timely decisions in accordance with this paragraph shall constitute approval of the certificate of occupancy, which shall issue on the next business day.
- I. Fees. When third-party permit review services are used in accordance with this Section X, the permit fee shall be reduced by forty percent (40%). When third-party inspection services are used in accordance with this Section X, the permit fee shall be reduced by forty (40%). When third party permit-review and inspection services are used in accordance with this Section X, the permit fee shall be reduced by 80%.
- J. Assumption of Risk. INDIVIDUALS USING THE SERVICES OF THIRD-PARTY PERMIT REVIEW SERVICES AND/OR INSPECTIONS ACKNOWLEDGE THAT, BY USING SUCH SERVICES, THE DEPARTMENT OF PLANNING AND BUILDING WILL HAVE LESS TIME TO INDEPENDENTLY REVIEW PERMITS AND/OR PERFORM INSPECTIONS AND WILL HAVE NO INDEPENDENT DUTY OR EXPECTATION TO PERFORM ANY SUCH INDEPENDENT REVIEW OR INSPECTION FOR COMPLIANCE WITH ANY PROVISION OF THE NEW HAMPSHIRE BUILDING CODE. THE TOWN OF PETERBOROUGH IN ISSUING ANY PERMIT OR CERTIFICATE OF OCCUPANCY AS A RESULT OF THE USE OF THIRD-PARTY REVIEW SERVICES MAKES NO REPRESENTATIONS AS THE SUITABILITY OF

ANY SUCH STRUCTURE FOR USE OR OCCUPATION OR ITS COMPLIANCE WITH THE NEW HAMPSHIRE BUILDING CODE, THE SAFETY OF SUCH STRUCTURE, OR THE RISKS OF HARM TO PERSONS OR PROPERTY ARISING THEREFROM. THE USE OR OCCUPANCY OF SUCH STRUCTURES, THEREFORE, IS AT THE INDIVIDUAL'S SOLE RISK.

- ~~K. Work performed by approved agencies are subject to audit by the Peterborough Building Inspector. In the event that violations of the State Building Code or Fire Code are observed, the Building Inspector may take all actions available to the Town, at law or equity, to address the violation. Repeated violations may result in the Building Inspector to determine that the approved agency is not competent or sufficiently independent to render permit review or inspection services in accordance with this policy.~~
- L. Audits. The Building Inspector is hereby authorized to develop a formal audit evaluation to review the performance of approved agencies. The Building Inspector may perform audits of the performance of approved agencies only after a formal audit evaluation has been prepared.
- i. All such audits shall be conducted in accordance with Section 246:8, V of 2025 SB 188(as that bill may be codified into New Hampshire law), , including, but not limited to, the following restrictions:
1. The Building Inspector may demand of the owner or owner's authorized agent to know the times of requested building inspections by the approved agency, although the fact of the audit shall not be given to the approved agency by the owner or owner's authorized agent.
 2. The same approved agency may be audited no more than four (4) times in a month, unless the Building Inspector determines that the condition of a building constitutes an immediate threat to public safety and welfare.
- ii. The Building Inspector may, upon clear and convincing evidence, decide that an independent provider has been negligent in providing permit-review or inspection services, suspend the approved agency from further work on that project and may suspend that independent provider from providing services in the Town of Peterborough for not more than one year. Notwithstanding any provision of this section, the Building Inspector may also file a complaint per RSA 310-A:22 for engineers, per RSA 310-A:47 for architects, or with the building code review board for ICC-certified building officials upon such determination.

These Policies and Procedures were reviewed and adopted by the Select Board on July __, 2026.



TOWN OF
PETERBOROUGH
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Code Enforcement Escalation Policy

The Town shall maintain a defined escalation process to facilitate timely resolution of communication, coordination, administrative, and process-related concerns arising during permitting and code enforcement matters.

1. Purpose

The escalation process is intended to provide a clear and predictable means of resolving unresolved administrative or process concerns, improving communication, and identifying information or actions necessary to move a matter forward. An opportunity to escalate arises when a matter has been delayed for ten (10) working days without meaningful action, response, or communication; when the applicant has not received a response or requested information within an applicable timeframe; or when an administrative or process concern remains unresolved after the applicant has worked directly with the Code Officer. The applicant may request escalation in writing when any such circumstance occurs. Escalation is not a substitute for, or an alternative to, any appeal or other remedy provided by law.

2. Matters Subject to Escalation

Escalation may be requested for matters including:

- Unresolved communication or coordination issues;
- Delays or lack of response;
- Uncertainty regarding required information or the status of an application;
- Factual or administrative misunderstandings; and
- Other process-related concerns that are preventing a matter from moving forward.

Disagreement with a Code Officer's interpretation or enforcement decision shall not, by itself, constitute grounds for escalation. Such matters shall proceed through the applicable regulatory or statutory appeal process, including appeal to the Zoning Board of Adjustment where authorized.

3. Levels of Escalation

Level 1 - Code Office Resolution. The applicant, property owner, or authorized representative shall first work directly with the assigned Code Officer to identify the issue, clarify any outstanding information, and seek resolution. If the applicant or authorized representative formally requests escalation in writing, the Code Officer shall schedule an in-person, virtual, or telephone meeting, as designated by the applicant, within one business week of the request. The meeting shall occur within 10 working days of the request, unless otherwise agreed to by the applicant in writing.

Level 2 - Department Review. If the matter remains unresolved after a reasonable period, or if the parties agree that additional departmental involvement is warranted, the matter may be referred to the Public Works Director for review and a resolution meeting. The meeting shall occur within 5 working days of the request, unless otherwise agreed to by the applicant in writing.

Level 3 - Town Administration Review. If the matter remains unresolved following Level 2, or involves a significant administrative or coordination issue, it may be referred to the Town Administrator for review and resolution of the process-related concern. The meeting shall occur within 5 working days of the request, unless otherwise agreed to by the applicant in writing.

The Town Administrator and departmental supervisors shall not exercise authority reserved by law to the Code Officer, Zoning Board of Adjustment, Planning Board, Select Board, or other authorized body.

4. Mediation

Following Level 3 review, the Town Administrator may recommend voluntary mediation when a matter remains unresolved and mediation may reasonably assist the parties in reaching a mutually acceptable resolution. Mediation may be conducted by a qualified person who is independent of the parties.

Mediation shall be voluntary unless otherwise required by law or agreement of the parties. A mediator shall facilitate communication and assist the parties in identifying potential resolutions but shall not have authority to interpret or waive applicable regulations, approve or deny permits, modify enforcement decisions, or exercise authority vested by law in a Town official or board.

4. Escalation Request and Case Summary

An escalation request shall identify the unresolved issue, the actions taken to date, the information or decision believed to be outstanding, and the desired resolution. All parties involved at the preceding level shall, to the extent practicable, prepare a brief written case summary and supporting documentation for review at the next level. Participants at prior levels should remain involved in subsequent resolution meetings as appropriate.

5. Resolution Focus

Escalation meetings shall focus on establishing a common factual record, identifying missing information or unresolved process issues, clarifying responsibilities and next steps, and establishing a reasonable timeframe for resolution. Escalation shall not be used to circumvent established permitting, enforcement, hearing, or appeal procedures.

6. Timeliness and Accountability

The Town shall establish reasonable response and escalation timeframes appropriate to the nature and complexity of the matter. Nothing in this policy shall require a particular timeframe where applicable law establishes a different deadline or where the circumstances reasonably require additional time.

7. Monitoring and Continuous Improvement

The Town may periodically review escalation activity to identify recurring issues and opportunities to improve communication, consistency, efficiency, and service. Appropriate measures may include the number of escalations, time to resolution, matters reaching each escalation level, and common causes of escalation.