

**NC Department of Insurance  
Office of the State Fire Marshal - Engineering Division  
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**Guidance Paper: Permit Expiration Periods**

**Section:** N.C. General Statutes § 153A-358 and § 160A-418

**Date:** 05/30/2019

**Question #1:**

When does a permit holder need to start work after obtaining a permit?

**Opinion:**

Work must start within six months from when the permit was issued.

**Question #2:**

What is the definition of “commenced” or “commencement”?

**Opinion:**

The statute does not define “commenced” or “commencement;” however, when a word is not defined the Courts have stated that the word should be given its “plain and ordinary meaning.” According to the Merriam-Webster’s dictionary, “commenced” or “commencement” means to begin or start.

**Question #3:**

What if work did start but an inspection will not be ready before the six months ends?

**Opinion:**

An inspection would not be needed to verify that work has started if the permit holder can prove that work has started. To verify to the inspection department that work was started within the first six months of the issuance of the permit, the permit holder can submit paperwork. Any work must be within the scope of the permit to be acceptable. Some examples would include, but not limited to the following:

1. Subcontractors bill for work performed.
2. Material delivered to the jobsite.
3. Timecards of labor indicating the work performed.

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**Question #4:**

What is the definition of “discontinued”?

**Opinion:**

The statute does not define “discontinued;” however, when a word is not defined the Courts have stated that the word should be given its “plain and ordinary meaning.” According to the Merriam-Webster’s dictionary, “discontinue” or “discontinued” means no longer available or produced.

**Question #5:**

If I wait more than one year after my past inspection, could my permit expire?

**Opinion:**

Yes, if work has stopped for one year after the past inspection; however, a permit holder can prove that work has not stopped. To verify to the inspection department that work was not stopped within the past year, the permit holder can submit paperwork. Any work must be within the scope of the permit to be acceptable. Some examples would include, but not limited to the following:

1. Subcontractors bill for work performed.
2. Material delivered to the jobsite.
3. Timecards of labor indicating the work performed.

**References:** {160A-418 similar}

*§ 153A-358. "Time limitations on validity of permits. – A permit issued pursuant to G.S. 153A-357 expires six months, or any lesser time fixed by ordinance of the county, after the date of issuance if the work authorized by the permit has not commenced. If after commencement the work is discontinued for a period of 12 months, the permit therefor immediately expires. No work authorized by a permit that has expired may thereafter be performed until a new permit has been secured."*

**Keywords:**

Permit limitations, time expired

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