

**DPS**Montgomery County  
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[montgomerycountymd.gov/dps](http://montgomerycountymd.gov/dps)

## Plan Submittal Guidelines for Residential Decks

### Guidelines for Building Residential Decks

By reviewing plans prior to issuing permits and performing field inspections for construction, alterations and improvements, the Department of Permitting Services (DPS) assists applicants to comply with the provisions of the law.

### A. Regulations that Govern Deck Construction

The *Montgomery County Code* requires that one and two-family dwellings and their accessory structures – which include decks - comply with the *Montgomery County Building Code*, zoning, and well & septic requirements.

#### ***The Montgomery County Building Code***

Montgomery County Building Code incorporates by reference the International Residential Code (IRC) for One- and Two-Family Dwellings, 2021 edition, and the National Electric Code (NEC), 2017 edition, with local amendments.

#### ***Zoning Requirements***

Applicants should check with the Zoning Section, **Call 311 in Montgomery County or 240-777-0311 outside Montgomery County**, about the yard and other zoning-related requirements. Minimum yard (setback) requirements, as set forth in the County Zoning Ordinance, represent the minimum distance from the property's boundary lines that are required for the location of any deck.

#### ***Well & Septic Requirements***

Applicants should check with the Well & Septic Section, **Call 311 in Montgomery County or 240-777-0311 outside Montgomery County**, about the requirements pertaining to construction on lots served by a septic system or private well. Appropriate clearances from the septic system or well must be maintained.

#### ***Covenants and Deed Restrictions***

Many of the subdivisions and developments in Montgomery County have private deed restrictions and covenants regulating the construction of decks beyond the limitations contained in County Ordinances. These amount to contractual agreements and thus the County does not enforce covenants and deed restrictions. Should you have questions about your development's restrictions, you may obtain information from your homeowner's association, or civic association.

### B. Permits Required

A **building permit** is required for all decks regardless of the height above grade. For decks constructed with stairway illumination (see plan requirements), outlets or hot tubs, spas, etc., an **electrical permit** may also be required.

### C. Where to Apply for Permits

Application for a permit can be made online.

<https://www.montgomerycountymd.gov/DPS/Process/rci/residential-decks.html>

<https://permittingervices.montgomerycountymd.gov/account/Login.aspx>

### D. What to Submit

To apply for a building permit, the applicant must electronically submit a **site** and **construction plans** to the Department of Permitting Services for review. All drawings must be prepared on sheets no smaller than 11X17 inches. The minimum acceptable scale is ¼ inch = 1 foot.

#### **Site Plan**

Applicants should sketch, to scale, the area and location of the deck on the house location plat or “house location survey”, including distances from the deck to the lot lines and the height from grade to the top of the deck. Address and street, alley location must be shown on the plan. Please note that:

- For a townhouse, the pertinent section of the approved subdivision site plan is acceptable in lieu of a house location plat,
- If County easements are present on a lot, no construction shall encroach into the ground or air space of the easement,
- For some older homes, Zoning Section may not have the house location plat. If this is the case, a copy of the record plat will suffice. However, all structures, dimensions, distances, etc., will have to be drawn on the plat.
- If you do not have a copy of the house location plat, a copy may be obtained from the Zoning Section if there is one on file.
- For more zoning information, please visit: [Zoning webpage](#).

#### **Construction Plans**

All structural elements of the deck must be completely detailed and included on the construction plans such as Foundation Plan, Floor/Framing Plan, Cross-sections, Elevations, and details. The plans must include the following information:

- Length and width of the proposed foundation and footing locations shown on plan/layout.
- Footing details (minimum footing depth is 30", footings shall bear on solid soil, and the minimum soil bearing capacity is 1500 psf)
- Size and spacing of all posts, joists, and beams shown on the framing plan,
- Handrail and guardrail details. Pre-manufactured guardrail systems (plastic, fiberglass, etc.) must be listed by an approved code agency. A current code evaluation report must be submitted with the application.
- Stair details (if applicable) with a note relative to stairway illumination (all stairs shall be provided with an artificial light source which will illuminate the stair including all treads and landings),
- Elevations, front, side, and rear with attachment details (such as attachment to house, joist to beam connections, rail to post connections, etc.).
- The condition of the existing exterior wall and exterior wall construction detailed information (brick veneer, siding, or stucco) to which the deck is to be attached to.
- The installation of a hot tub will require plans that are certified, sealed and electronically signed by a registered design professional. Plans must include hot tub manufacturer's information showing structural loading requirements.

- If plans are prepared by a registered design professional (Professional Engineer or Architect), all drawings must bear the registered design professional seal, certification statement, and have a verifiable digital signature.

**Montgomery County Residential Deck Details** may be used in lieu of the construction plans for single span, single level decks constructed in accordance with the provisions of this document. In addition, these decks cannot be constructed with roofs, screened porches, hot tubs, or any other additional loads.

#### **E. What do the Permits Cost**

For information regarding the fee structure for a building permit, Phone 311. If other permits are required, separate fees will be charged based on actual equipment installed on the deck. Examples of equipment requiring additional permits include, but are not limited to, electrical outlets or fixtures, hot tubs, spas, etc.

#### **F. Who should Apply for Permits**

Applicants may secure the building permit in their own name; however, if a contractor is to perform the work, DPS strongly suggests that the contractor be listed on the permit as the party responsible for the work. In this way, the DPS will be in a better position to assist the applicant in gaining compliance with codes if the work is defective. A contractor must be properly licensed in order to obtain a building permit.

#### **G. What is the Permit Process**

Applications must be submitted online via DPS online services. Once the application is received it will be assigned a permit number to identify the project. The documents are then screened, and a Project Dox review cycle will be initiated to obtain approval from the applicable required sections:

- *Zoning Section*: will sign off after the plat has been reviewed and approved for zoning-related issues.
- *Well & Septic section*: will sign off after the plat has been reviewed and approved for clearances to existing wells and/or septic tanks if they exist on the property.
- *Building Plan Review Section*: will sign off only after all other signatures have been obtained and after the deck plans have been reviewed and approved.

Most decks are eligible for the Residential Fast Track Permit Process.

<https://www.montgomerycountymd.gov/DPS/Process/rci/Residential-Walk-Through.html>

#### **H. What are the Requirements for Public Utilities**

Call "Miss Utility" at **1-800-257-7777** before excavating to ensure that the construction does not interfere with underground utility lines. "Miss Utility" is a free service to anyone who is planning to excavate. Companies such as Pepco, BG&E, Washington Gas Light Company, Verizon, and Montgomery County Cable support "Miss Utility" to prevent damage to their buried lines. Call at least 48 hours prior to excavating. The various companies will mark the path of underground utilities on the property. It's the law!

#### **I. What, When and Why are Inspections Required**

Inspections help to establish that the deck has been built in accordance with the structural and safety provisions of the *Montgomery County Building Code*, standard construction practices and the approved plans or the [Montgomery County Residential Deck Details](#).

Failure to receive any and all inspections can result in the issuance of violations, which may lead to legal proceedings. In addition, many insurance companies require all residential construction to be permitted and inspected by the local jurisdiction in order to provide coverage of the new construction.

A copy of the approved plans or [Montgomery County Residential Deck Details](#) and the site plan must be on the job site and available to the inspector.

### ***Inspections Required***

Three inspections are required for a deck:

- Footing: footing holes are inspected prior to concrete placement to verify the soil bearing conditions.
- Framing: joists, beams, connections, and attachments are inspected prior to placement of decking. When the underside of floor framing is less than 48 in. above the surface below, a framing inspection must be requested prior to installation of any floor materials. **The connection to the house, if any, is inspected to ensure proper installation of the fasteners for the structural stability of the deck and this inspection requires access to the basement wall and ceiling.**
- Final: all remaining items are inspected.

The framing and final inspections may be combined if the underside of all portions of the deck framing and attachments are at least 36 in. above the surface below.

### ***Common Reasons for Inspection Disapproval***

The most common reasons are:

- Noncompliance with the approved plans or the [Montgomery County Residential Deck Details](#).
- Soil material is inadequate to provide minimum bearing capacity of the footing.
- The ledger board is not attached to approved material at the existing house wall.
- The ledger board attachment does not comply relative to bolt diameter, spacing and tightening and/or flashing.
- Pre-manufactured guardrail systems are improperly installed or are not listed or tested by an approved code agency
- Guardrail posts are notched at connection.
- The variation in stair risers is greater than the code allowance.
- Stair stringers are over spanned.
- Corrosion-resistant nails and fasteners are not used in pressure treated material.
- Failure to provide an artificial light source to illuminate the stairs.

## **J. When and Where to Call for Inspections**

Pursuant to *the Montgomery County Building Code*, it is the responsibility of the permit holder or the permit holder's representative to notify the county when the stages of construction that require an inspection are reached. All ladders, scaffolds and test equipment required to complete an inspection or test shall be provided by the property owner, permit holder or their representative. Inspectors will request access to the structural system of the existing house to verify compliance with approved plans.

An inspection can be requested by calling 311 in Montgomery County or 240-777-0311 outside Montgomery County. Please have your permit number available to give to the operator. You may also schedule your inspection [online](#). Requests made prior to 12 p.m. will be scheduled for the next workday.