

Building Codes and Red Tape

Like many contractors I know, my company wrestles with erratic zoning restrictions and inconsistent building code interpretations on nearly every project. Rules that should be black and white are usually grey, which makes submitting even the most basic set of deck plans for a building permit a nail-biting and time-consuming experience. More than once, I have had clients cancel their contracts with us because the town wouldn't permit them to build what they wanted to build on their own property. In a few cases, we've submitted plans to rebuild crumbling decks to the same exact size and in the same location, only to learn that the town's zoning requirements had changed and the deck couldn't be replaced.

Currently, I am dealing with a third-party borough engineer who wants us to add a \$4,000 rainwater collection system to a small 200-square-foot patio addition—though it's already on a huge lot. The permit was recently approved (after months of waiting), but now the homeowner has to pay over \$300 in "additional engineering fees" to the town for the design of a storage tank that isn't necessary in the first place.

We are also in the fourth redesign of another project under contract (but not yet permitted), to satisfy the town's ever-changing and completely illogical zoning requirements; meanwhile, just a few towns away, we are in the middle of building a virtually identical project, with nary a second look by building officials.

The inherent bureaucracy of the municipal departments we have to deal with and their complete lack of professional business skills (not returning phone calls, not having email, being completely unresponsive to questions, and being generally unaccountable for anything) makes it tough for a deck builder to make a living. I now warn clients up front that it could take anywhere from two weeks to six months to get a building permit. Or not.

My biggest fear—as building codes get beefed up to protect people from themselves, thanks to behind-the-scenes lobbying from manufacturers who stand to profit from stricter codes—is that customers will no longer be willing to pay more money for the "privilege" of building what they want on their own properties. And this will directly affect my livelihood.

Maybe "Chuck in a truck," who drives around in an unmarked van with no insurance and doesn't bother with permits, is the smart one after all. I've seen enough poorly built decks that have defied the laws of gravity for their entire lives to prove to me that more bolts and framing hardware are not necessarily doing anything but making the average deck more expensive.

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We want your two cents.

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How do your practices and preferences stack up against those of other deck builders?

Answer Our Quick Vote Online September Quick Vote

How do you make sure your trim cuts, such as end cuts on decking, are straight?

- Use a circular saw freehand, following a pencil or chalk line
- Cut with a circular saw guided by a shooting board
- Cut with a rail-guided track saw

August Quick Vote Results

When installing decking:

54% start at the rim joist and work toward the house

46% start at the house and work toward the rim joist

Total votes: **105**