



DPS

Montgomery County
Department of Permitting Services

YOUR PROJECT PARTNER

Commercial Building Construction Division

Daycares / Child Care Centers

DPS Permitting Process – Q&A for
ECE Facilities Fund Team

August 12, 2025

When are Permits Needed?

1. What type of child care facility projects need permits? For example, outdoor play structures or fencing? Adding or upgrading bathrooms? kitchen facilities in child care settings?

For projects that fall under a commercial building permits, the International Building Code under Section 105.2 (as amended in ER 13-24) indicates **work exempt from permit**. Examples include nonfixed and movable fixtures, cases, racks, counters, and partitions over 5 feet 9 inches in heights; painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work. Please note that work exempt from permit must still be done in a code compliant manner.

Where there is a **use & occupancy** permit application, a commercial building permit application will be required with a full set of plans for review.



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Permitting Process Timeline

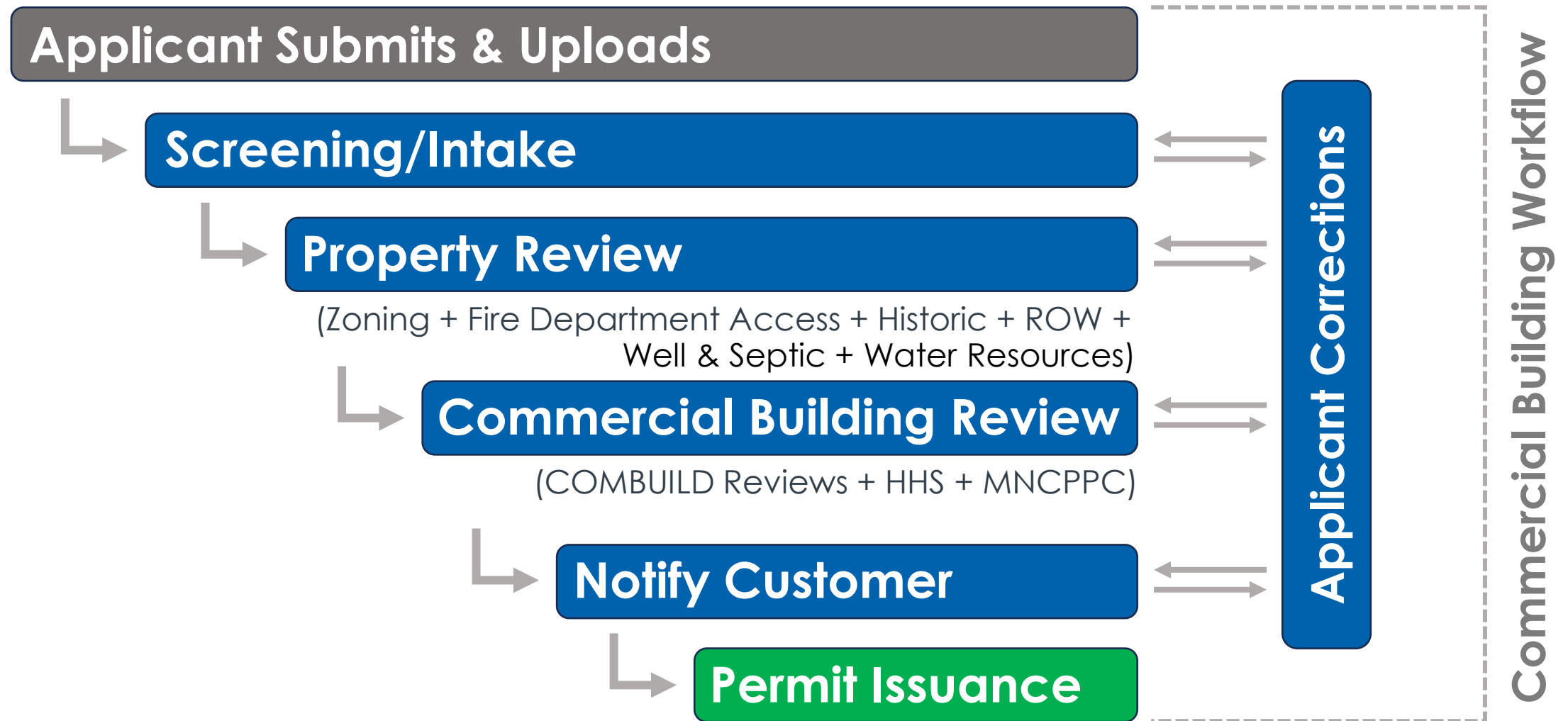
2. How long does the permitting process typically take?

Once a project has completed the intake process and property review approval(s) such as Zoning, the **commercial building reviews should be completed within 30 days** for the initial review cycle. If there are review comments that need to be addressed, subsequent review cycles should occur within 15 days.

Please note there are different timelines for commercial building permits and residential building permits.



DPS Commercial Building Permitting Process



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Documents Required

3. What documents or plans would a provider need to submit?

For when a building permit is required, **drawings and documents would need to be submitted electronically and would be required to be signed and sealed by the appropriate design professional**, such as a Maryland licensed architect and/or engineer. Depending on the scope of work, architectural, electrical, mechanical, structural, plumbing plans may be needed. Our Commercial Building Permit Submittal Requirements form may be helpful, <https://www.montgomerycountymd.gov/DPS/Resources/Files/COMBUILD/CommercialBuildingSubmittalReq.pdf>.

Please note, Washington Suburban Sanitary Commission (WSSC) handles plumbing and gas regulations and has a separate permitting process. <https://www.wsscwater.com/work-with-us/permit-services>



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Inspections

4. Who completes the inspections? How many different agencies might be involved?

The Department of Permitting Services (DPS) completes building, mechanical, electrical, structural, and fire protection systems inspections.

<https://www.montgomerycountymd.gov/DPS/Services/inspections.html>

Outside agencies such as HHS and WSSC may have their own inspections.

Please note that **Fire Code Compliance** will be involved with the licensing and the use & occupancy permit process and will also conduct inspections.

<https://www.montgomerycountymd.gov/DPS/Codes/FPCC-Codes-Index.html>



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Health & Human Services (HHS)

5. We noticed that your website includes the Department of Health and Human Services as inspectors, what type of projects are they involved in?

Health and Human Services (HHS) is involved in projects that have food service, commercial kitchens, sale of food, and swimming pools and spas.

HHS Website

<https://www.montgomerycountymd.gov/HHS/LandR/>

HHS Food Service Plan Review Guide

<https://www.montgomerycountymd.gov/HHS/Resources/Files/L%26R/Environmental%20Health/Food%20Service/FoodServicePlanReviewGuidelines2022.pdf>



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Permitting Fees

6. What are the permitting fees? What are expedited process fees?

The permitting fees for the Department of Permitting Services (DPS) are on our website,

<https://www.montgomerycountymd.gov/DPS/Resources/Files/Fees/AllFeesFY20.pdf>. The minimum filing fee for a commercial building permit is \$724.60.

Please note HHS and WSSC, or outside agencies, may have other fees.



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Licensed Contractor

7. Does a licensed contractor need to apply, or can the property owner apply for the permits?

The property owner or authorized agent can apply for a building permit, the contractor is not required to apply.



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Fire Protection & Basements

8. Any special consideration or things we should consider around fire sprinklers, alarms, or extinguishers for child care facilities in homes and centers? See below.

9. What are best practices for projects involving a basement?

From a fire and life safety standpoint, a door directly to the outside at grade may be required along with a second means of egress. Where there is not a door directly to the outside from each room providing care, a sprinkler system may be required. A fire alarm system and smoke detection may also be required. For a daycare considered to be commercial, a licensed design professional should be involved and would advise as to the applicable requirements for a particular facility given the design parameters, such as number of children and type of facility.

It is important to consult with the appropriate Maryland licensed design professional.



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Checklists & Guides

10. Do you have any checklist or guides we can share with facilities specific to child care facility projects?

We have various checklists and guidelines on our website but do not currently have a permitting guide specifically for daycare or childcare facilities. Please visit our website for more information, www.montgomerycountymd.gov/dps.

Commercial Alterations

<https://www.montgomerycountymd.gov/DPS/Process/combuild/commercial-int-alt.html>

Commercial Change of Use

<https://www.montgomerycountymd.gov/DPS/Process/combuild/commercial-change-of-use.html>



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Municipalities

11. Are there any permits that go through specific cities or townships rather than the county? Or any codes that vary?

DPS does not have jurisdiction for properties located within the city limits of **Rockville** (240-314-5000) and **Gaithersburg** (301-258-6330). Please contact the municipalities directly.



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Contacts

12. Who is the best contact to reach out to with questions about permits for a specific project or site?

Any of our permit technicians can assist with general permitting questions. For technical questions or concerns, the best contact would be within that discipline or group within the Commercial Building Division or the department, <https://www.montgomerycountymd.gov/DPS/contact.html>.

We also offer preliminary design consultations (free of charge) which allow for a customer to meet with us and discuss their project prior to permit submission, <https://www.montgomerycountymd.gov/DPS/Process/director/predesign-consult.html>.



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Commercial Preliminary Design Consultations

Schedule a [preliminary design consultation](https://www.montgomerycountymd.gov/DPS/Process/director/predesign-consult.html) with us online to discuss your project with staff *prior* to submission.

These are for one-hour time slots at 9AM Mondays through Thursdays and includes commercial building construction plan review, zoning and WSSC staff, as well as others depending on the agenda

<https://www.montgomerycountymd.gov/DPS/Process/director/predesign-consult.html>



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Please feel free to contact us.

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