



State of Vermont
PERMIT AND LICENSE INFORMATION

**SMALL BUSINESS FACT SHEET
RESTAURANTS**

State permits are required for restaurants in order to protect the public health and safety.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC)

A **Wastewater System and Potable Water Supply Permit** ([Sheet #1](#)*) is required by the Wastewater Management Division if any of the following occurs: (Note: restaurants constructed since June 1, 1970 should have DEC permits. Prior to 1970, the Department of Health issued construction permits.)

- Construction of a new building
- Changes in the water supply or wastewater disposal systems
- Increased seating capacity of an existing, or previously permitted building
- An increase in the number of mealtimes which you are serving (i.e.: breakfast, lunch, dinner)
- Change of use of an existing building into a restaurant

If there are on-site wastewater or water supply systems, an engineering evaluation prepared by a licensed designer ([Sheet #11](#)) may be required to determine whether the systems meet current regulations. Submission of the results of chemical and bacteriological testing of the water supply is usually required unless the building is served by a municipal water system. The application fee for the Wastewater Permit is based on total water/sewage design flows. For a restaurant serving one or two meals per day, allot 30 gallons per seat per day for wastewater; serving three meals per day, allot an additional 15 gallons per seat per day. It normally takes three to four weeks to obtain this permit, but can take longer, so it is a good idea to apply early in the process. Contact a Permit Specialist at a Regional Office for assistance.

If the water supply is private (as opposed to a municipal or public water supply), then a Public Drinking Water Operating Permit may be necessary ([Sheet #21](#)).

DEPARTMENT OF HEALTH

Will require that you obtain a Food Service Establishment License ([Sheet #53](#)). This license must be obtained before a person is allowed to operate a restaurant. Any renovations may also require an asbestos assessment ([Sheet #54](#)). Telephone (in Vermont) 1-800-439-8550.

<http://www.healthvermont.gov/environment/food-lodging>

DISTRICT ENVIRONMENTAL COMMISSION (ACT 250)

Construction or renovations for improvements for commercial purposes may require that you obtain an Act 250 permit. Contact the Act 250 Coordinator or Assistant Coordinator at the Regional Office for a jurisdictional ruling on your specific project. ([Sheet #47](#))

<http://nrb.vermont.gov/>

DEPARTMENT OF PUBLIC SAFETY, Division of Fire Safety

This department reviews projects for fire safety, building codes, accessibility, boiler inspections, and electrical and plumbing installations. (Sheets #[49](#), [49.1](#), [50](#), [50.1](#), [50.2](#), [50.3](#))

<http://firesafety.vermont.gov/>

DISTRICT FIRE SAFETY DIVISION OFFICES

Barre 802-479-4434

Rutland 802-786-5867

Springfield 802-885-8883

Williston 802-879-2300

OTHER GOVERNMENT OFFICES YOU SHOULD CONTACT:

- Local municipal offices regarding zoning/building permits
- Vermont Department of Taxes (Sheets #[91](#), [92](#), [93](#), [94](#), and [95](#))
- Vermont Secretary of State ([Sheet #90.1](#))
- Vermont Department of Liquor Control ([Sheet #90](#))

This is not an all-inclusive list, but identifies the permits and licenses that will most likely be required prior to operating a restaurant.

PERMIT SPECIALISTS

The Department of Environmental Conservation provides a unique service to anyone with questions about state permits. Permit Specialists are available to assist you in the Springfield, Essex Junction, Rutland and Montpelier Regional Environmental Offices, as well as part time in St. Johnsbury. Contact them at the numbers or email addresses listed below for assistance. They will guide you through the process by helping identify state permits or licenses for your project. It could save you time, money, and headaches.

Permit Specialist Locator: <http://dec.vermont.gov/environmental-assistance/permits/specialists>

Rick Oberkirch	Rutland	802-282-6488	rick.oberkirch@vermont.gov
John Fay	Springfield	802-279-4747	john.fay@vermont.gov
Jeff McMahon	Essex Junction	802-477-2241	jeff.mcmahon@vermont.gov
Pete Kopsco	Montpelier & St. Johnsbury	802-505-5367	pete.kopsco@vermont.gov

*Sheet #'s refer to summary sheets in the Permit Handbook which offer a brief description of the permit program. The Handbook is available at most Town Offices and State Libraries, and on the Internet at:

<http://dec.vermont.gov/environmental-assistance/permits/handbook>