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### TITLE 18 BUILDING STANDARDS CODE

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## CHAPTER 18.01 GENERAL PROVISIONS

### 18.01.010 – Title.

These regulations shall be known as the "Long Beach Building Standards Code," a portion of the "Long Beach Municipal Code," hereinafter referred to as "this title." This title adopts by reference portions of the California Building Standards Code as required by Section 17958 of the California Health and Safety Code.

### 18.01.020 – Purpose.

The purpose of this title is to:

1. Establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, accessibility, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.
2. Provide minimum provisions considered necessary for safety, efficiency, adequacy and the practical safeguarding of persons and of buildings, structures and their contents from hazards arising from the use of electricity for light, heat, power, radio signaling and for other purposes, as well as some provisions for future expansion of electrical use.
3. Provide minimum requirements and standards for the protection of the public health, safety and welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance of plumbing fixture and fixture fittings, water heaters, water supply and distribution system, sanitary drainage, indirect wastes, vents, traps and interceptors, storm drainage, fuel piping, and gray water systems.
4. Provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat producing appliances.
5. Improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact, or positive environmental impact and encouraging sustainable construction practices in planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality.
6. Ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises.
7. Establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises and to provide safety to fire fighters and emergency responders during emergency operations.

### 18.01.030 – Scope.

The provisions of this title shall apply to:

1. The site preparation and the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or appertunances connected or attached to such buildings and

structures within the City, except work located primarily in a public way other than pedestrian protection structures required by Chapter 32 of the California Building Code adopted in Chapter 18.40, public utility, towers and poles, mechanical equipment not specifically regulated in this title, and hydraulic flood control structures.

2. All electrical systems or equipment installed, used, maintained, rented, leased, or offered for sale or distributed for use in the City, except those electrical systems and equipment exempted from the provisions of this title.
3. The erection, installation, alteration, repair, relocation, replacement, addition to, use, or maintenance of plumbing within the City, except those plumbing and plumbing installations exempted from the provisions of this title.
4. The addition to or erection, installation, alteration, repair, relocation, replacement, use, or maintenance of any heating, ventilating, cooling, refrigeration systems; incinerators; or other miscellaneous heat-producing appliances within the City, except those mechanical systems and equipment exempted from the provisions of this title.

18.01.040 – Work not in scope.

The provisions of this title shall not apply to any of the following:

1. Swings and other playground equipment accessory to detached one- and two-family dwellings.
2. *(Reserved)*
3. Towers or poles supporting public utility communication lines, antennas, or power transmission lines.
4. Gantry cranes, drill presses, and other similar manufactured machinery or equipment.
5. Water tanks supported on a foundation at grade if the capacity does not exceed five thousand (5,000) gallons (18,927 L) and the ratio of the height to diameter or width does not exceed two to one (2:1).
6. Temporary motion picture, television and theater stage sets and scenery that are not supported by any building.
7. Work in a public way, dams and drainage structures constructed by or under contract with the Department of Public Works, the Department of Water and the County Flood Control District, unless the structure forms a portion of the support for a building or a structure coming within the jurisdiction of the Building Official.
8. Portable amusement devices and structures, including merry-go-rounds, ferris wheels, rotating conveyances, slides, similar devices, and portable accessory structures whose use is necessary for the operation of such amusement devices and structures; any portable accessory structure included in the provisions of this chapter shall be limited to a cover or roof over each device, but shall not include any storage building or detached structure which is not an integral part of the device; and provided, however, that any electrical installations shall require subtrade permits where applicable and be regulated by this title; and provided further that any special event activity shall required Fire Department's approval.
9. Nothing in this title shall apply to any excavation, removal, fill or deposit of any earth or other materials from individual interment sites, underground crypts or burial vaults within a property which is dedicated or used for cemetery purposes, provided that such work does not affect

the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property not owned by the cemetery authority.

10. Any portable metal hangar less than two thousand (2,000) square feet in size, located on the City-owned airport property, used for the parking of aircraft only, and bearing evidence of approval by the California Department of Motor Vehicles for movement on any highway. Such structure shall, as an integral part of its basic construction, be equipped with a hitch or coupling device for towing. It shall accommodate, without further major structural change, wheel and axle assemblies which will provide such structure with a safe means of portability. No water or sanitary facilities shall be permitted in such structure and it shall be equipped with permanent ventilation as required for group S-2 occupancy; and is not in violation of Title 21 Zoning Regulations.

#### 18.01.050 – Referenced codes.

The codes listed in Subsections A through I and referenced elsewhere in this title shall be considered part of the requirements of this title to the prescribed extent of each such reference.

- A. Building. The provisions of the California Building Code adopted in Chapter 18.40 shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.
- B. Residential. The provisions of the California Residential Code adopted in Chapter 18.41 shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three (3) stories above grade plane in height with a separate means of egress and their accessory structures.

#### EXCEPTIONS:

1. Live/work units complying with the requirements of Section 419 of the California Building Code adopted in Chapter 18.40 shall be permitted to be built as one- and two-family dwellings or townhouses. Fire suppression required by Section 419.5 of the California Building Code when constructed under the California Residential Code adopted in Chapter 18.41 shall conform to Section R313.
  2. Owner-occupied lodging houses with five or fewer guestrooms shall be permitted to be constructed in accordance with the California Residential Code when equipped with a fire sprinkler system in accordance with Section R313.
- C. Electrical. The provisions of the California Electrical Code adopted in Chapter 18.42 shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.
  - D. Plumbing. The provisions of the California Plumbing Code adopted in Chapter 18.43 shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

EXCEPTION: Chapter 18.43 shall not apply to any sewer constructed and maintained by a City department or agency within the public right of way.

- E. Mechanical. The provisions of the California Mechanical Code adopted in Chapter 18.44 shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

- F. Housing. The provisions of the Uniform Housing Code adopted in Chapter 18.45 shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing buildings or portions thereof used, or designed or intended to be used, for human habitation.
- G. Energy. The provisions of the California Energy Code adopted in Chapter 18.46 shall apply to all matters governing the design and construction of buildings for energy efficiency.
- H. Green building standards. The provisions of the California Green Building Standards Code adopted in Chapter 18.47 shall apply to the planning, design, operation, construction, use and occupancy of every newly constructed building or structure, unless otherwise indicated in this title, throughout the City.
- I. Fire. The provisions of the California Fire Code adopted in Chapter 18.48 shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

18.01.060 – Applicability.

- A. General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different chapters or sections of this title specify different materials, methods of construction or other requirements, the most restrictive shall govern. All the provisions of this title shall be limitations for safeguarding life, limb, health, property and public welfare. If two (2) or more pertinent limitations are not identical, those limitations shall prevail which provide the greater safety to life or limb, health, property or public welfare.
- B. Other laws. The provisions of this title shall not be deemed to nullify any provisions of local, State or Federal law.
- C. Referenced codes and standards. The codes and standards referenced in this title shall be considered part of the requirements of this title to the prescribed extent of each such reference. Where differences occur between provisions of this title and referenced codes and standards, the provisions of this title shall apply. Wherever in this title reference is made to the appendix of a referenced code or standard, the provisions in the appendix shall not apply unless specifically adopted by this title.
- D. Partial invalidity. In the event that any part or provision of this title is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.
- E. Addition, alterations or repairs. Additions, alterations or repairs in all buildings and structures shall comply with the provisions for new buildings and structures except as otherwise specifically provided in Chapter 34 of the California Building Code adopted in Chapter 18.40.
- F. Change in use or occupancy. No change shall be made in the use or occupancy of any building except as specified in Section 3408 of the California Building Code adopted in Chapter 18.40 and as amended by Section 18.40.380.
- G. Existing buildings or structures.
  - 1. Legal occupancy. The legal occupancy of any structure existing on the date of adoption of this title shall be permitted to continue without change, except as is specifically covered in

this title, the Uniform Housing Code adopted in Chapter 18.45 or the California Fire Code adopted in Chapter 18.48, or as is deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.

2. Responsibility for maintenance. All buildings and structures, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards that are required by this title shall be maintained in conformance with the code requirements under which it was installed. To determine compliance with this section, the Building Official may cause any building or structure to be reinspected.

Every owner remains liable for violations of duties imposed upon him or her by this title even though an obligation is also imposed on the occupants of his or her building, and even though the owner has, by agreement, imposed on the occupant the duty of furnishing required equipment or of complying with this title.

Every owner, or his or her agent, in addition to being responsible for maintaining his or her building in a sound structural condition, shall be responsible for keeping that part of the building or premises which he or she occupies or controls in a clean, sanitary and safe condition including the shared or public areas in a building containing two (2) or more dwellings.

H. Existing subtrade installation.

1. Existing electrical installation. Nothing contained in this title shall be construed to restrict the use, nor to require any person to reinstall, reconstruct, alter, change or remove any electrical wiring or equipment which complied with the laws and regulations of the City in effect before the effective date of this title unless the same is dangerous, unsafe or a hazard to life or property in the judgment of the Building Official. Additions or alterations to, and alterations and renewals of existing installations shall be made in compliance with the provisions of this title.

EXCEPTION: In locations where the existing electrical system was of some other type of approved wiring, an existing circuit may be increased to its maximum safe carrying capacity or with the addition of not to exceed five (5) lights, plugs or switch outlets. Not more than ten (10) such outlets may be added to an existing electrical system unless all new wiring is in conformity with the provisions of this title.

2. Existing plumbing installation. Nothing contained in this title, with the exception of the change of building occupancy or use, shall be construed to require any plumbing construction or work, regulated by this title to be altered, changed, reconstructed, removed or demolished if such plumbing work was installed which complied with the laws and regulations of the City in effect before the effective date of this title, unless the same is dangerous, unsafe, unsanitary or a menace to life, health or property, in the judgment of the Building Official.

Plumbing systems that are a part of any building or structure undergoing a change in use or occupancy shall comply with all requirements of this title that may be applicable to the new use or occupancy.

3. Existing mechanical installation. Additions, alterations or repairs may be made to any mechanical system without requiring the existing mechanical system to comply with all the requirements of this title, provided the addition, alteration or repair conforms to that required for a new mechanical system. Additions, alterations or repairs shall not cause an existing system to become unsafe, create unhealthy or overloaded conditions.

EXCEPTION: Minor additions, alterations and repairs to existing mechanical systems may be installed in accordance with the law in effect at the time the original installation was made if

such mechanical system may be used safety for such purposes, that there is an urgent necessity for such use, and if approved by the Building Official.

Heating, ventilating, cooling, or refrigeration systems, incinerators or other miscellaneous heat producing appliances lawfully installed prior to the effective date of this code may have their existing use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and location and is not a hazard to life, health or property.

Mechanical systems that are a part of any building or structure undergoing a change in use or occupancy shall comply with all requirements of this title that may be applicable to the new use or occupancy.

All heating, ventilating, cooling, or refrigeration systems, incinerators or other miscellaneous heat-producing appliances, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this title in heating, ventilating, cooling, or refrigeration systems, incinerators or other miscellaneous heat-producing appliances when installed, altered or repaired, shall be maintained in good working order. The owner, or his designated agent, shall be responsible for the maintenance of heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances.

- I. Unsafe buildings or structures. The regulations for the abatement of unsafe buildings and structures are enumerated in Chapter 18.20.
- J. Long-term boarded or vacated buildings. The regulations for the maintenance of long-term boarded or vacated buildings are enumerated in Chapter 18.21.
- K. Temporary structures and uses. The regulations for temporary structures and uses are enumerated in Subsection 18.04.010.F.
- L. Moved buildings or structures. Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this title for new buildings or structures. The regulations for moving buildings are enumerated in Chapter 18.60.

EXCEPTION: Apartment houses and dwellings shall be allowed the retention of existing materials and methods of construction so long as the apartment house or dwelling complies with the rules and regulations of the California Housing and Community Development Commission, complies with the standards for foundations applicable to new construction, and does not become or continue to be a substandard building.

## CHAPTER 18.02 DEFINITIONS

- 18.02.010 – General.
- 18.02.020 – A definitions. (Reserved)
- 18.02.030 – B definitions.
- 18.02.040 – C definitions.
- 18.02.050 – D definitions.
- 18.02.060 – E definitions.
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- 18.02.140 – M definitions.
- 18.02.150 – N definitions.
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- 18.02.170 – P definitions.
- 18.02.180 – Q definitions. (Reserved)
- 18.02.190 – R definitions.
- 18.02.200 – S definitions.
- 18.02.210 – T definitions. (Reserved)
- 18.02.220 – U definitions.
- 18.02.230 – V definitions.
- 18.02.240 – W definitions. (Reserved)
- 18.02.250 – X definitions. (Reserved)
- 18.02.260 – Y definitions. (Reserved)
- 18.02.270 – Z definitions. (Reserved)

## CHAPTER 18.02 DEFINITIONS

### 18.02.010 – General.

- A. Scope. Unless otherwise expressly stated, the following words and terms shall, for the purpose of this title, have meanings shown in this chapter.
- B. Interchangeability. Words used in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.
- C. Terms defined in other titles, chapters or codes. Where terms are not defined in this title and are defined in other titles, chapters or codes, such terms shall have the meanings ascribed to them as in those titles, chapters or codes.
- D. Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged shall be considered as providing ordinarily accepted meanings.

### 18.02.020 – A definitions. (Reserved)

### 18.02.030 – B definitions.

"Building Code" means the code adopted in Chapter 18.40 of this title.

"Building Official" means the Superintendent of Building and Safety for the City of Long Beach Department of Development Services, Building and Safety Bureau, or a duly authorized representative designated by the Director.

### 18.02.040 – C definitions.

"California Building Code" or "CBC" means the code adopted in Chapter 18.40 of this title.

"California Electrical Code" or "CEC" means the code adopted in Chapter 18.42 of this title.

"California Energy Code" means the code adopted in Chapter 18.46 of this title.

"California Fire Code" or "CBC" means the code adopted in Chapter 18.48 of this title.

"California Green Building Standards Code" or "CGBSC" or "CalGreen Code" means the code adopted in Chapter 18.47 of this title.

"California Mechanical Code" or "CMC" means the code adopted in Chapter 18.44 of this title.

"California Plumbing Code" or "CBC" means the code adopted in Chapter 18.43 of this title.

"California Residential Code" or "CRC" means the code adopted in Chapter 18.41 of this title.

"Certificate of Occupancy" or "Occupancy Certificate" means the certificate issued by the Building Official pursuant to Chapter 18.08 when, after final inspection, it is found that a building or structure complies with all requirements of this title. When used with reference to a building or structure which was constructed and occupied prior to the effective date of any provisions requiring such a certificate, it shall mean the right to occupy such building or structure.

"City" means the City of Long Beach, California.

18.02.050 – D definitions.

"Dangerous building" means any building or structure which has any or all of the conditions or defects hereinafter described, provided that such conditions or defects exist to the extent that life, health, property, or safety of the public or its occupants are endangered or persons in the vicinity thereof:

1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size, or is not so arranged as to provide safe and adequate means of exit in case of fire or panic;
2. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one-half (1-1/2) times the working stress or stresses allowed in this title for new buildings of similar structure, purpose or location;
3. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of this title for new buildings of similar structure, purpose or location;
4. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property;
5. Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half (1/2) of that specified in this title for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in this title for such buildings;
6. Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction;
7. Whenever the building or structure, or any portion thereof, because of: (a) dilapidation, deterioration, or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause, is likely to partially or completely collapse;
8. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used;
9. Whenever the exterior walls or other vertical members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third (1/3) of the base;
10. Whenever the building or structure, exclusive of the foundation, shows thirty-three percent (33%) or more damage or deterioration of its supporting member or members, or fifty percent (50%) damage or deterioration of its nonsupporting members, enclosing or outside walls, or coverings;
11. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become: (a) an attractive nuisance to children; (b) a harbor for vagrants, criminals or immoral persons; or (c) as to enable persons to resort thereto for the purpose of committing unlawful or immoral acts;

12. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by this title;
13. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any nonsupporting part, member or portion less than fifty percent (50%), or in any supporting part, member or portion less than sixty-six percent (66%) of the: (a) strength; (b) fire-resisting qualities or characteristics; or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location;
14. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidations, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the City Health Officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease;
15. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the Chief of the Fire Department to be a fire hazard;
16. Whenever any building or structure is in such a condition as to constitute a public nuisance under common law or equity jurisprudence;
17. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six (6) months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

"Department" means the City of Long Beach Department of Development Services.

"Director" means the Director of Development Services for the City of Long Beach Department of Development Services or a duly authorized representative.

#### 18.02.060 – E definitions.

"Electrical Code" means the code adopted in Chapter 18.42 of this title.

"Energy Code" means the code adopted in Chapter 18.46 of this title.

#### 18.02.070 – F definitions.

"Fire Chief" means the Fire Chief of the City of Long Beach Fire Department or a duly authorized representative.

"Fire Code" means the code adopted in Chapter 18.48 of this title.

"Fire Code Official" means the Fire Marshal for the City of Long Beach Fire Department or a duly authorized representative designated by the Fire Chief.

"Foundation-only permit" is a building permit issued for that portion of a building which constitutes the footings for the building and which may, subject to the approval of the Building Official, include those portions of the building below the grade level.

#### 18.02.080 – G definitions.

"Green Code" means the code adopted in Chapter 18.47 of this title.

18.02.090 – H definitions.

"Housing Code" means the code adopted in Chapter 18.45 of this title.

18.02.100 – I definitions. (Reserved)

18.02.110 – J definitions. (Reserved)

18.02.120 – K definitions. (Reserved)

18.02.130 – L definitions. (Reserved)

18.02.140 – M definitions.

"Mechanical Code" means the code adopted in Chapter 18.44 of this title.

18.02.150 – N definitions.

"Nuisance" means:

1. Any public nuisance known at common law or in equity jurisprudence or as declared by ordinance;
2. Any attractive nuisance which may prove detrimental to children whether in a building, on the premises of a building, or upon an unoccupied lot; this includes any abandoned structure, basement or excavation; any structurally unsound fence or structure; any lumber, trash, fence, debris or vegetation which may prove a hazard for inquisitive minors;
3. Whatever is dangerous to human life or is detrimental to health;
4. Overcrowding a room with occupants;
5. Insufficient ventilation or illumination;
6. Inadequate or unsanitary sewage or plumbing facilities;
7. Uncleanliness, when so determined by the Health Officer;
8. Whatever renders air, food or drink unwholesome or detrimental to the health of human beings when so determined by the Health Officer;
9. Dangerous or substandard buildings or conditions as defined in this title.

18.02.160 – O definitions.

"Occupancy Certificate" or "Certificate of Occupancy" means the certificate issued by the Building Official pursuant to Chapter 18.08 when, after final inspection, it is found that a building or structure complies with all requirements of this title. When used with reference to a building or structure which was constructed and occupied prior to the effective date of any provisions requiring such a certificate, it shall mean the right to occupy such building or structure.

"Occupancy" means the purpose for which a building, or part of a building, is used or intended to be used. The term "occupancy" as used in this title shall include the room housing that occupancy and

the space immediately above a roof or structure if used or intended to be used for other than a shelter.

18.02.170 – P definitions.

“Permittee” means the person, firm or corporation authorized to obtain a permit pursuant to Subsection 18.04.070.A of this title.

"Plumbing Code" means the code adopted in Chapter 18.43 of this title.

18.02.180 – Q definitions. (Reserved)

18.02.190 – R definitions.

"Residential Code" means the code adopted in Chapter 18.41 of this title.

18.02.200 – S definitions.

"Substandard building" means any building or other structure, or the premises on which the same is located, where any of the following conditions exist to an extent which, in the opinion of the Building Official, endangers the life, limb, health, property, safety or welfare of the occupants thereof, or of the public:

1. Inadequate sanitation. "Inadequate sanitation" shall include, but not be limited to, the following:
  - a. Lack of or improper water closet, lavatory, bathtub or shower in a dwelling unit;
  - b. Lack of or improper water closets, lavatories and bathtubs or showers per number of guests in a hotel;
  - c. Lack of or improper kitchen sink;
  - d. Lack of hot and cold running water to plumbing fixtures in a hotel;
  - e. Lack of hot and cold running water to plumbing fixtures in a dwelling unit;
  - f. Lack of adequate heating;
  - g. Lack of, or improper operation of, required ventilating equipment;
  - h. Lack of minimum amounts of natural light and ventilation required by this code;
  - i. Room and space dimensions less than required by this code;
  - j. Lack of required electrical lighting;
  - k. Dampness of habitable rooms;
  - l. Infestation of insects, vermin or rodents as determined by the Health Officer;
  - m. General dilapidation or improper maintenance;
  - n. Lack of connection to required sewage disposal system;
  - o. Lack of adequate garbage and rubbish storage and removal facilities as determined by the Health Officer.

2. Structural hazards. "Structural hazards" shall include, but not be limited to, the following:
  - a. Deteriorated or inadequate foundations;
  - b. Defective or deteriorated flooring or floor supports;
  - c. Flooring or floor supports of insufficient size to carry imposed loads with safety;
  - d. Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration;
  - e. Members of walls, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety;
  - f. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members which sag, split or buckle due to defective material or deterioration;
  - g. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety;
  - h. Fireplaces or chimneys which list, bulge or settle due to defective material or deterioration;
  - i. Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.
3. Nuisance. Any "nuisance" as defined in this title.
4. Hazardous wiring. All wiring except that which conformed with all applicable laws in effect at the time of installation if it is currently in good and safe condition and working properly.
5. Hazardous plumbing. All plumbing except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition or which may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly and which is free of cross connections and siphonage between fixtures.
6. Hazardous mechanical equipment. All mechanical equipment, including vents, except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good and safe condition, or which may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly.
7. Faulty weather protection, which shall include, but not be limited to, the following:
  - a. Deteriorated, crumbling or loose plaster;
  - b. Deteriorated or ineffective water proofing of exterior walls, roof, foundations or floors, including broken windows or doors;
  - c. Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering;
  - d. Broken, rotted, split or buckled exterior wall coverings or roof coverings.

8. Fire hazard. Any building or portion thereof, device, apparatus, equipment, combustible waste or vegetation which, in the opinion of the Chief of the Fire Department or his or her deputy, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.
9. Faulty materials of construction. All materials of construction except those which are specifically allowed or approved by this title, and which have been adequately maintained in good and safe condition.
10. Hazardous or unsanitary premises. Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborages, stagnant water, combustible materials and similar materials or conditions constitute fire, health or safety hazards.
11. Inadequate maintenance. Any building or portion thereof which is determined to be dangerous as defined in Section 18.02.050.
12. Inadequate exits. All buildings or portions thereof not provided with adequate exit facilities as required by this title except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and which have been adequately maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy.  
  
When an unsafe condition exists through lack of or improper location of exits, additional exits may be required to be installed.
13. Inadequate fire protection or firefighting equipment. All buildings or portions thereof which are not provided with the fire-resistive construction or fire extinguishing systems, or equipment required by this title, except those buildings or portions thereof which conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.
14. Improper occupancy. All buildings or portions thereof occupied for living, sleeping, cooking or dining purposes which are not designed or intended to be used for such occupancies.
15. Inadequate structural resistance to horizontal forces.

18.02.210 – T definitions. (Reserved)

18.02.220 – U definitions.

"Uniform Housing Code" or "UHC" means the code adopted in Chapter 18.45 of this title.

18.02.230 – V definitions.

"Value" or "valuation" means the total value of all construction work, including materials and labor, for which the permit is being issued, including all painting, roofing, electrical, plumbing, gas, mechanical, permanent or fixed heating equipment, elevator equipment, fire sprinkler equipment and any other permanent portions or permanent equipment except as provided in Section 18.04.020; or the estimated cost to replace the building or structure in kind, based on current replacement costs as determined herein.

18.02.240 – W definitions. (Reserved)

18.02.250 – X definitions. (Reserved)

18.02.260 – Y definitions. (Reserved)

18.02.270 – Z definitions. (Reserved)

## **CHAPTER 18.03 ADMINISTRATION AND ENFORCEMENT**

18.03.010 – Department of Development Services.

18.03.020 – Duties and powers of the Building Official.

18.03.030 – Reports, records and fees.

18.03.040 – Liability.

18.03.050 – Modifications.

18.03.060 – Alternate materials, design and methods of construction and equipment.

## CHAPTER 18.03 ADMINISTRATION AND ENFORCEMENT

### 18.03.010 – Department of Development Services.

- A. General. There is established in the City a Department known and designated as the Department of Development Services. In addition to the duties imposed upon said Department by the City Charter and other ordinances of the City, the Building and Safety Bureau of said Department is designated to enforce all of the provisions of State law applicable to the erection or construction of buildings or structures, except such provisions relating to maintenance, sanitation, occupancy and use which affect the health and welfare of occupants and which shall be designated by the City Manager as the responsibility of the City Health Officer or a duly authorized representative.
- B. Appointment. The City Manager shall, upon recommendation of the Director, appoint the Building Official as shall be required and shall be authorized from time to time by ordinance.
- C. Deputies. The City Manager shall, upon recommendation of the Director, appoint such officers, inspectors, plans examiners and other employees as shall be required and shall be authorized from time to time by ordinance.
- D. Certification. All construction inspectors, plans examiners and Building Official shall obtain certification when required by Section 18949.28 of the California Health and Safety Code from a recognized state, national, or international association, as determined by the City. The area of certification shall be closely related to the primary job function, as determined by the City.

### 18.03.020 – Duties and powers of the Building Official.

- A. General. The Building Official is hereby authorized and directed to enforce the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State and to make all plan examinations and inspections pursuant to the provisions of each such regulation. The Building Official shall also perform such other duties relating to the functions of the Department as may be required of him or her by general law, or by ordinance. For such purpose, the Building Official shall have the powers of a police officer. Any order of the City requiring alterations or repairs to any building shall be issued only by authorization of the Building Official. The Building Official shall have the authority to render interpretations of this title and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this title. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this title, municipal code or other ordinances of the City or laws and statutes of the State.
- B. Applications and permits. The Building Official shall receive applications, examine construction documents and issue permits for the erection, addition, alteration, demolition and moving of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State.
- C. Notices and orders. The Building Official shall issue all necessary notices or orders to ensure compliance with the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State. Every such notice or order shall be in writing, addressed to the owner, agent or person responsible for the structure or premises in which such violations or unsafe condition exists and shall specify the date or time when such notice or order shall be complied with, which time shall allow a reasonable period in which such notice or order can be complied with by the person, firm or corporation receiving such notice or order in the judgment of the Building Official. No person, firm or corporation shall refuse, fail or neglect to comply with any such notice or order issued by the Building Official.

- D. Inspections. The Building Official shall make all of the required inspections, or the Building Official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspection shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Building Official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise.
- E. Identification. The Building Official shall carry proper identification when inspecting structures or premises in the performance of duties under this title.
- F. Right of entry. Where it is necessary to make an inspection to enforce the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State, or where the Building Official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State which makes the structure or premises unsafe, dangerous or hazardous, the Building Official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this title, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the Building Official shall have recourse to the remedies provided by law to secure entry.

When the Building Official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other person having charge, care or control of any building or premises shall fail or neglect, after proper demand is made as provided in this section, to properly permit entry therein by the Building Official for the purpose of inspection and examination pursuant to this title.

- G. Authority to require exposure of work. Whenever any work on which called inspections are required as enumerated in Chapter 18.07 is covered or concealed by additional work without first having been inspected, the work shall be exposed for inspection upon written notice by the Building Official. The work of exposing and recovering shall not entail expense to the City.
- H. Authority to stop work. Whenever any construction work is being done contrary to the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State enforced by the Building Official, the Building Official shall have the authority to issue a written notice to the responsible party to stop work on that portion of the work on which the violation has occurred. The notice shall state the nature of the violation and no work shall be done on that portion until the violation has been rectified and approval obtained from the Building Official.
- I. Authority to stop use or occupancy. Whenever any portion of a building is loaded in excess for which it was constructed, or it houses a use or occupancy other than that for which it was constructed, or is determined to be an unsafe building or structure pursuant to Chapter 18.20, or there is an encroachment upon any required court, yard or easement, the Building Official shall have the authority to order by written notice that such violation be discontinued.

The written notice shall state the nature of the violations and shall fix a time for the abatement thereof. If the violations have not been abated by the expiration of the fixed time, the Certificate of Occupancy shall thereupon be canceled.

- J. Authority to disconnect electrical service. Whenever any electrical installation regulated by the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State is found to be defective, the Building Official shall have the authority to disconnect or to order the discontinuance of electrical service to such installation until the installation has been made safe, and any person, firm, corporation, political subdivision or governmental agency ordered to discontinue such electrical service shall do so within twenty four (24) hours or as

determined by the Building Official after the receipt of such notice and shall not reconnect such service or allow the same to be reconnected until notified to do so by the Building Official.

- K. Authority to disconnect utilities. Whenever any mechanical installation regulated by the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State is found to be defective that may pose an immediate hazard to life or property, the Building Official shall have the authority to disconnect or to order the discontinuance of fuel-gas utility service, or energy supplies, to the building, structure, premises or equipment in case of emergency. The Building Official shall, whenever possible, notify the serving utility, the owner and occupant of the building, structure or premises of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupant of the building, structure or premises in writing of such disconnection immediately thereafter and shall not reconnect such service or allow the same to be reconnected until such installation has been made safe and was notified to do so by the Building Official.
- L. Authority to condemn equipment. Whenever any equipment regulated by the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State has become hazardous to life, health, or property, the Building Official shall have the authority to condemn equipment when such equipment cannot be restored to a condition of safety or be dismantled or removed from its present location. The Building Official shall provide written notice to the owner or occupant of the building, structure, premises or equipment of such order and shall fix a time limit for compliance. No person shall use or maintain the defective equipment after receiving such notice.
- M. Authority to discontinue supply gas or water. Whenever any unsanitary conditions exist or that any construction or work regulated by the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State is dangerous, unsafe, unsanitary or a menace to life, health or property or is in violation of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State, the Building Official, upon determining such information to be fact, shall have the authority to order any person, firm or corporation using or maintaining any such condition, or responsible for the use or maintenance thereof, to discontinue the use or the maintenance thereof or to repair, alter, change, remove or demolish the same as the Building Official may consider necessary for the proper protection of life, health or property; and in the case of any gas piping, gas appliance or water piping and any water using fixture or device, may order any person, firm or corporation supplying gas or water to such piping, appliance, fixture or device to discontinue supplying gas or water thereto until such piping, appliance, fixture or device is made safe to life, health and property.
- N. Authority to modify grading operation. The Building Official is authorized to require that grading operations and project designs be modified if delays occur which incur weather-generated problems not considered at the time the permit was issued.

#### 18.03.030 – Reports, records and fees.

- A. Reports. The Building Official shall submit a report to the City Manager not less than once a year, covering the work of the Building and Safety Bureau during the preceding period. The Building Official shall incorporate in the report a summary of his or her recommendations as to desirable amendments to the law. The Building Official shall have charge of, and be responsible for, the drafting of recommendations regarding periodic revisions and amendments to the building, residential, electrical, plumbing, mechanical, housing, energy, green building standards and housing regulations of this title, municipal code or other ordinances of the City or laws and statutes of the State.
- B. Records. The Building Official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issues. Such records shall be retained in the official records for the period required for retention of public records.

- C. Fees. The Building Official shall keep a permanent, accurate account of all fees and other monies collected and received under this title, the names of the persons upon whose account the same were paid, the date and amount thereof, together with the location of building or premises to which they relate.

18.03.040 – Liability.

The Building Official, members of the Board of Appeals or employees charged with the enforcement of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State, while acting for the City in good faith and without malice in the discharge of the duties required by this title or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against the Building Official, officer, plans examiner, inspector or other employee because of an act performed by the Building Official, officer, plans examiner, inspector or other employee in the lawful discharge of duties and under the provisions of this title shall be defended by legal representative of the City until the final termination of the proceedings. The Building Official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provision of this title.

This title shall not be construed to relieve from or lessen the responsibility of any person, firm or corporation owning, operating or controlling any building or structure for any damages to persons or property caused by defects, nor shall the enforcing agency or the City be held as assuming any such liability by reason of the plans examinations or inspections authorized by this title or any permits or certificates issued under this title.

18.03.050 – Modifications.

- A. General. Whenever there are practical difficulties involved in carrying out the provisions of this title, the Building Official shall have the authority to grant modifications for individual cases, upon the application of the owner or owner's representative, provided the Building Official shall first find that special individual reason makes the strict letter of this title impractical and the modification is in compliance with the intent and purpose of this title and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the Building and Safety Bureau. A written application shall be submitted together with a fee set forth in Section 18.06.160.
- B. Expiration. The rights and privileges granted by the Building Official shall be voided if the permit is not secured within twelve (12) months of the date the approval was granted or if the permit or plans examination expires under any of the conditions specified in Sections 18.04.060 or 18.05.060.

EXCEPTION: The Building Official may grant extensions of time if a permit applicant submits in writing substantial evidence that unusual condition or circumstances precluded the securing of the permit within the allocated time or caused the permit to expire.

18.03.060 – Alternate materials, design and methods of construction and equipment.

- A. General. The provisions of this title are not intended to prevent the installation of any materials or to prohibit any design or method of construction not specifically prescribed by this title, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this title, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this title in quality, strength, effectiveness, fire resistance, durability and safety. The Building Official shall require that sufficient evidence or proof be submitted to substantiate any claims that

may be made regarding its use. A written application shall be submitted together with a fee set forth in Section 18.06.160.

- B. Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this title, shall consist of valid research reports from approved sources.
- C. Test. Whenever there is insufficient evidence of compliance with the provisions of this title, or evidence that a material or method does not conform to the requirements of this title, or in order to substantiate claims for alternative materials or methods, the Building Official shall have the authority to require tests as evidence of compliance to be made at no expense to the City. Test methods shall be as specified by this title or by other recognized test standards. In the absence of recognized and accepted test methods, the Building Official shall approve the test procedures. Tests shall be performed by an approved agency. Reports of such test shall be retained by the Building Official for the period required for retention of public records.
- D. Expiration. The rights and privileges granted by the Building Official shall be voided if the permit is not secured within twelve (12) months of the date the approval was granted or if the permit or plans examination expires under any of the conditions specified in Sections 18.04.060 or 18.05.060.

EXCEPTION: The Building Official may grant extensions of time if a permit applicant submits in writing substantial evidence that unusual conditions or circumstances precluded the securing of the permit within the allocated time or caused the permit to expire.

## **CHAPTER 18.04 PERMITS**

18.04.010 – Permits required.

18.04.020 – Exceptions from permit.

18.04.030 – Permit applications.

18.04.040 – Permit issuance.

18.04.050 – Validity of permit.

18.04.060 – Expiration, suspension, revocation and transfer of permit.

18.04.070 – Requirement and responsibility of permittee.

## CHAPTER 18.04 PERMITS

### 18.04.010 – Permits required.

- A. Building permits. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remodel, move, remove, improve, convert or demolish any building or part of a building or structure, or change the character or occupancy or use of any building or structure, or part of a building or structure, in the City without first obtaining a permit covering such work from the Building Official.

A single combined permit may be issued for the construction of any one- or two-family dwelling and related accessory building and structure, or additions or alterations thereto, which includes all building, electrical, plumbing, heating, ventilating and air conditioning work.

- B. Grading permits. No person, firm or corporation shall commence or perform any grading, and no person shall import or export any earth materials to or from any grading site, without first having obtained a permit therefore from the Building Official. Any grading project involving more than one hundred (100) cubic yards of excavation and involving an excavation in excess of five (5) feet in vertical depth at its deepest point measured from the original ground surface shall be done by a State of California licensed contractor who is licensed to perform the work described herein. A separate permit shall be required for each grading site. One (1) permit may include the entire grading operation at that site, however.
- C. Electrical permits. No new electrical installation shall be made nor any alteration or addition performed to any existing wiring, nor shall any wiring for the placing or installation of any electric light, power or heating device, or any apparatus which generates, transmits, transforms or utilizes electricity operating at a voltage exceeding twenty-five (25) volts between conductors or capable of supplying more than fifty (50) watts, be made without first obtaining an electrical permit. A separate permit shall be obtained for the electrical wiring or installation in each separate building or structure.

EXCEPTION: A separate electrical permit shall not be required for any electrical work involving a one- or two-family dwelling and related accessory building or structure for which a combined permit has been obtained pursuant to Subsection 18.04.010.A.

- D. Plumbing permits. No person, firm or corporation shall construct, install or alter any plumbing, water piping, gas piping, water heater, water heater vents, water treating equipment, or any appliance or device regulated by this title without obtaining a plumbing permit approving the proposed quality and character of workmanship and materials. Where a building is demolished or removed from its site, a permit and inspection is required to verify that the building sewer, water and gas service is properly capped to the satisfaction of the Building Official. A separate permit shall be obtained for the plumbing installation in each separate building or structure.

EXCEPTION: A separate plumbing permit shall not be required for any plumbing work involving a one- or two-family dwelling and related accessory building or structure for which a combined permit has been obtained pursuant to Subsection 18.04.010.A.

- E. Mechanical permits. No person, firm or corporation shall install, alter, reconstruct or repair any heating, ventilating, cooling, or refrigeration equipment unless a permit therefore has been obtained from the Building Official except as otherwise provided in this title. A permit shall be obtained for all heating, ventilating, cooling, or refrigeration equipment, moved with, or installed in, any relocated building. A separate permit shall be obtained for the equipment installed in each separate building or structure.

EXCEPTION: A separate mechanical permit shall not be required for any mechanical work involving a one- or two-family dwelling and related accessory building or structure for which a combined permit has been obtained pursuant to Subsection 18.04.010.A.

F. Temporary permits. Before commencing the construction of any work for temporary structures or uses including but not limited to, reviewing stands, bleachers, tents, sheds, canopies or fences used for the protection of the public around and in conjunction with construction work, and other miscellaneous structures, a temporary permit authorizing such work shall be obtained therefore from the Building Official. Temporary permit may be restricted in the following conditions:

1. Application for permit. Except for canopies or fences used for the protection of the public around and in conjunction with construction work, application for permit shall be filed with and approved by the Building Official prior to the construction, erection or operation of any device, structure, or any work regulated by this title for temporary structure or use.
2. Time limit. Such construction shall be occupied or used only for the period set forth in Subsection 18.04.060.A.
3. Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this title as necessary to ensure public health, safety and general welfare. Such temporary structures and temporary uses need not comply with the type of construction or fire-resistive time periods required by this title.
4. Temporary power. The Building Official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the California Electrical Code adopted in Chapter 18.42.
5. Inspection. Notwithstanding Chapter 18.07 to the contrary, request for inspection must be received at least five (5) days prior to public use or occupancy.
6. Removal after expiration. All temporary construction or installations shall be demolished or removed within five (5) days after the expiration of the permit.
7. Termination of approval. The Building Official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

G. Other permits.

1. Other permits must be obtained as required pursuant to any other provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State.
2. No person, firm or corporation shall construct any signs and billboards without first obtaining a permit covering such work from the Building Official.

No person, firm or corporation shall hang, suspend or otherwise affix any sign, street banner, pole banner, flag, pennant or street decoration on any street light pole, traffic signal pole or over and above any street unless a permit to do so is first obtained from the City Manager. Permits issued pursuant to this section shall be in accordance with the provisions of Chapter 16.55 of Title 16, the City's policy on City sponsorship, corporate recognition and advertising, as adopted on July 23, 1996, as amended from time to time, and any guidelines that may from time to time be approved by the City Council.

EXCEPTION: The above provisions shall not apply to any sign or advertising matter lettered upon the surface of any awning, provided the awning is securely attached to a building and is not less than seven (7) feet above the sidewalk level immediately below.

3. No person, firm or corporation shall commence house moving in the City without first obtaining a permit covering such work from the Building Official.

18.04.020 – Exceptions from permit.

Exemption from the permit requirements of this title shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State. Except for work undertaken to correct conditions determined to be substandard, nonconforming, dangerous or a nuisance under the provisions of Chapter 18.20, permits are not required for the following:

- A. Permits not required. Neither building, grading, subtrade or temporary permits of this title are required for the following:

1. Buildings or structures placed in public streets, alleys and sidewalks, except those regulated by Chapter 32 of the California Building Code adopted in Chapter 18.40.
2. Buildings or structures under the auspices of and owned or controlled by the federal government, the State of California, the County of Los Angeles, or by a public school district.
3. Work done by employees of the City on City-owned or leased buildings when approved by the Building Official and justifiable cause is demonstrated.
4. A temporary shed, office or storage building and other structure incidental to and for work authorized by a valid building, grading or subtrade permit. Such structures must be removed upon expiration of the permit or completion of work covered by the permit.

- B. Building permits not required. Building permits are not required for any of the following:

1. Where the work regulated by this title is valued at five hundred dollars (\$500.00) or less, unless it affects the fire life-safety, structural stability or required accessible route of a building or structure, or public safety, or is done to make a building conform to the requirements of this title for a change in occupancy or use; and is not in violation of Title 21 Zoning Regulations.
2. One story detached accessory structures used as tool and storage sheds, children's playhouses and similar uses, provided that the building or structure is accessory to a dwelling unit; it does not exceed one hundred twenty (120) square feet in area nor eight (8) feet in height from floor to roof; it contains no plumbing, electrical, or mechanical installations regulated by this title; and is not in violation of Title 21 Zoning Regulations.
3. Isolated buildings or structures not larger in area than sixteen (16) square feet in size, including roof projections, and not more than eight (8) feet in height, if separated by a distance of twenty (20) feet or more; and is not in violation of Title 21 Zoning Regulations.
4. Fences not over four (4) feet in height above grade; fences not over six (6) feet and six (6) inches in height above grade and not constructed of concrete, masonry, brick or other similar materials; and is not in violation of Title 21 Zoning Regulations.
5. Retaining walls or planter boxes that are not over four (4) feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or sloping earth, or impounding flammable liquids; and is not in violation of Title 21 Zoning Regulations. This

- exemption shall not apply to retaining walls of any height built on slopes steeper than one (1) unit vertical in five (5) units horizontal (20% slope).
6. Unroofed platforms, walks, driveways and decks not more than thirty (30) inches above adjacent grade, not over any basement or story below, and not part of a required accessible route; and is not in violation of Title 21 Zoning Regulations.
  7. Application of hot or cold paint on a roof of a building or structure; and is not in violation of Title 21 Zoning Regulations.
  8. Application of roofing not in excess of five hundred (500) square feet on an existing building or structure within any twelve (12) month period; and is not in violation of Title 21 Zoning Regulations.
  9. Painting, papering, carpeting and similar finish work and are not required to comply with accessibility regulations.
  10. Installation of ceramic tile on floor or countertops and on walls less than forty-eight (48) inches in height.
  11. Replacement of broken or damaged ceramic tile in an existing installation.
  12. Plaster patching not in excess of ten (10) square yards of interior or exterior plaster; and is not in violation of Title 21 Zoning Regulations.
  13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over five (5) feet nine (9) inches in height.
  14. Exhibits, booths, partitions and display counters for temporary use not exceeding thirty (30) days in conjunction with an exhibit or show and not exceeding twelve (12) feet in height above the floor.
  15. Window awnings in one- or two-family dwellings and related accessory building or structure supported by an exterior wall that do not project more than fifty-four (54) inches from the exterior wall and do not require additional support; and is not in violation of Title 21 Zoning Regulations.
  16. Swimming, bathing and wading pools not over two (2) feet in depth, provide a distance from the pool to the property lines and buildings or structures not less than the depth of the pool, and not having a surface area exceeding two hundred fifty (250) square feet; there is no electrical or plumbing installation; and is not in violation of Title 21 Zoning Regulations.
  17. Prefabricated swimming pools accessory to a one- or two-family dwelling that are less than twenty four (24) inches deep, do not exceed five thousand (5,000) gallons and are installed entirely above ground; it contains no plumbing, electrical, or mechanical installations regulated by this title; and is not in violation of Title 21 Zoning Regulations.
  18. Veneer less than four (4) feet in height.
  19. Waterproof pointing of joints in masonry or veneer, also cleaning with detergents which are not injurious to clothing or skin of persons and are not removed by liquid washing, provided work is done from safely enclosed scaffolding which will collect any dust, debris or dropped tools and materials in use.
  20. Prefabricated outdoor tents or canopy structures for temporary use not exceeding one hundred eighty (180) days, provided such tents or canopies are accessory to a one- or two-family dwelling on the site; and is not in violation of Title 9 Public Peace, Morals and Welfare,

Section 9.65.050 Prohibited Canopy Structure, Title 21 Zoning Regulations or the California Fire Code adopted in Chapter 18.48.

21. Shade cloth structures constructed for nursery or agricultural purposes, not including service system; and is not in violation of Title 21 Zoning Regulations.
22. Signs exempt under the provision of Section 21.44.500 of Title 21 Zoning Regulations.
23. Signs exempt under the provision of Section H101.2 of Appendix H of the California Building Code adopted in Chapter 18.40.

C. Grading permits not required. Grading permits are not required for any of the following:

1. An excavation which (a) is less than two (2) feet in depth, or (b) which does not create a cut slope greater than five (5) feet in height and steeper than one (1) unit vertical in two (2) units horizontal (50% slope). This exception shall not apply to cut which exceeds fifty (50) cubic yards or which changes the existing drainage pattern.
2. A fill less than one (1) foot in depth and placed on natural terrain with a slope flatter than one (1) unit vertical in ten (10) units horizontal (10% slope). This exception shall not apply when the fill exceeds fifty (50) cubic yards or when the fill changes the existing drainage pattern.
3. Excavations for caissons or piles under buildings or structures authorized by valid building permits.
4. Excavations for basements, footings, caissons, piles, swimming pools or underground structures that are authorized by valid building permits.
5. Excavations for wells or tunnels or utilities, which do not provide vertical or lateral support for buildings, or adversely impact the safety or stability of private or public properties.
6. Excavation in an isolated, self-contained area if the Building Official finds that by reason of such isolation and self-containment no danger to private or public property can now or thereafter result from grading operations.
7. Refuse disposal sites controlled by other regulations of local, State or federal departments or agencies.
8. Cemetery graves.
9. Exploratory excavation performed under the direction of a registered design professional.
10. Mining, quarrying, excavation, processing or stockpiling rock, sand, gravel, aggregate or clay controlled by other regulations of local, State or federal departments or agencies, provided such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties.

D. Electrical permits not required. Electrical permits are not required for any of the following:

1. Electric wiring expressly declared to be exempt from the provisions of this title by any other section thereof.
2. Wiring for temporary theater sets on the theater stages or temporary motion picture or television sets on any property belonging to or under the control of the City, privately owned studios, theaters, or similar locations designed for that usage.

3. Installation of any portable motor or other portable appliance energized by means of a cord or cable having an attachment plug end, when that cord or cable is permitted by this title.
4. Festive temporary decorative lighting in dwelling occupancies only, for a period not to exceed ninety (90) days.
5. Repair or replacement of electrodes or transformers of the same size and capacity for signs or marquees, except for the retrofitting of lighting and exit fixtures that are part of a required emergency lighting system.
6. Removal of electric wiring.
7. Temporary wiring for experimental purposes in suitable experimental laboratories.
8. The following installation and electrical wiring:
  - a. Non-required signaling circuits supplied by an approved Class 2 limited power source, capable of supplying not more than thirty (30) volts and one hundred (100) volt-amperes.
  - b. Non-required communication circuits which have the power limited in accordance with Article 725 of the California Electrical Code adopted in Chapter 18.42.
  - c. Non-required amplifier output circuits which are permitted by Article 640 of the California Electrical Code adopted in Chapter 18.42 to employ Class 2 or Class 3 wiring.
  - d. Any non-required circuit which operates at fifteen (15) volts or less and does not generate, transmit, transform, utilize or control more than twenty-five (25) watts or volt-amperes of electric power.
  - e. Repair or replacement of fixed motors or fixed appliances, supplied by branch circuits not exceeding twenty (20) amperes and not exceeding two hundred forty (240) volts nominal, of the same type and rating in the same location.
  - f. Reinstallation of attachment wall plug receptacles or wall switches but not the outlet therefore.
  - g. Repair or replacement of current carrying parts or any switch, contactor or control device.
  - h. Taping of joints.

Provided the wiring for any of the above items is not located in any of the following locations or conditions:

  - i. Area classified as “hazardous” under Article 500 of the California Electrical Code adopted in Chapter 18.42.
  - ii. Appurtenant to a required fire alarm system as classified under Article 760 of the California Electrical Code adopted in Chapter 18.42.
  - iii. Penetrating any fire-resistive wall or floor system.
  - iv. In a plenum, duct or other space used for environmental air including access floors.
9. Any similar minor repair or replacement determined by the Building Official not to involve any hazard to life or property.

10. Repair or replacement of incandescent lighting fixtures in one- or two-family dwelling and related accessory building and structure.
11. Any electric wiring, except wiring located in an area classified as “hazardous” under Article 500 of the California Electrical Code adopted in Chapter 18.42 after the branch circuit distribution panelboards used exclusively to supply or interconnect equipment installed, owned, operated or maintained by a communication public utility and used exclusively for communication purposes, in the exercise of its communication public utility functions within the communication public utility controlled areas.
12. The replacement of defective smoke detectors in a one- or two-family dwelling and related accessory building and structure when the work is performed by a contractor with a valid contractor license issued by the State and a valid business license issued by the City.
13. The installation by Southern California Edison Company of radio controlled relays on privately owned air conditioning equipment in the company's program of energy conservation through electrical load management, entitled "Air Conditioner Cycling Program", provided that:
  - a. The relays shall be tested and labeled by Underwriters' Laboratories, Inc.,
  - b. The Building Official shall approve of specifications for the installation of relays, and
  - c. The relays shall be installed and maintained by Southern California Edison Company or its contractors.
14. Repair or replacement of cords or cables or cord pendants allowed by other sections of this title.

The provisions of the foregoing exceptions shall not apply to any repairs or replacements of electrical devices, apparatus, or appliances which were originally installed without a permit when such permit is required for the original installation, or when energized by, or which is a part of any hazardous or illegal wiring system.

E. Plumbing permits. Plumbing permits are not required for any of the following:

1. The stopping of leaks or the repair of defects in any plumbing, provided no new materials are used.
2. The repair of a water heater other than its vents, provided the water heater is not disconnected.
3. The replacement of exposed traps serving fixtures, provided approved traps are used and are properly installed.
4. The replacement of defective or unapproved ball cocks in water tanks, provided antisiphon ball cocks are used and properly installed.
5. The replacement of defective or unapproved faucets serving sinks, lavatories and bathtubs, provided approved type faucets are used and are properly installed.
6. The replacement of an electric water heater, providing the rough plumbing is not altered.
7. Any gas piping not more than six (6) feet in length between an approved gas outlet and any gas fired appliance, provided that any such gas fired appliance is in the same room as the gas outlet.

8. Any sewer located entirely in the public right of way and under the authority of the Department of Public Works or Department of Water.
9. A plumbing system, or part thereof, set up for exhibition purposes and has no connection with a water or drainage system; and is not in violation of any rules and regulations promulgated by the Department of Health and Human Services or the Department of Water.

F. Mechanical permits. Mechanical permits are not required for any of the following:

1. Any portable heating appliance.
2. Any portable ventilating equipment.
3. Any portable cooling unit.
4. Any steam, hot, or chilled water piping within any heating or cooling equipment regulated by this title.
5. Replacement of any component part or assembly of an appliance which does not alter its original approval and complies with other applicable requirements of this title.
6. Any portable evaporative cooler.
7. Any refrigerating equipment that is a part of the equipment for which a permit has been issued pursuant to the requirements of this title.
8. Any unit refrigerating system.

18.04.030 – Permit applications.

- A. Application for permit. To obtain a permit, the permit applicant shall first file an application therefore in writing on a form furnished by the Building Official for that purpose applicant and, in addition to the fee prescribed therefore and at the time of making application for such permit, pay a permit fee as set forth in Section 18.06.010. One complete application for each permit shall be filed. A separate permit shall be obtained for each building or structure, except that a permit for any one- or two-family dwelling may include related accessory building and structure located on the same premises if such building or structure does not contain living quarters provided with cooking facilities. Every such application shall:
1. Identify and describe the work to be covered by the permit for which application is made.
  2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
  3. Indicate the use and occupancy for which the proposed work is intended.
  4. Be accompanied by construction documents and other information as required in Chapter 18.05.
  5. State the valuation of the proposed work.
  6. Be signed by the permit applicant, or the applicant's authorized agent, as required in Section 18.04.070.
  7. Give such other data and information as required by the Building Official.

8. State the estimated quantities of excavation and fill, when applicable.
- B. Action on application. The Building Official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State, the Building Official shall reject such application in writing, stating the reasons therefore. If the Building Official is satisfied that the proposed work conforms to the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State applicable thereto, the Building Official shall issue a permit pursuant to Section 18.04.040.
- C. Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned after the date of filing, unless such application has been pursued in good faith and plans examination have not expired pursuant to Section 18.05.060 or a permit has been issued and have not expired pursuant to Section 18.04.060.

18.04.040 – Permit issuance.

- A. Issuance. When the Building Official determines that the proposed work conforms to the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State applicable thereto, including receiving approval from other departments or agencies in the City that regulate such proposed work, and that the fees and charges as set forth Chapter 18.06 and other liens, costs, and/or fees due to the City have been paid, the Building Official shall issue a permit therefore to the permittee meeting the requirement of Section 18.04.070.

EXCEPTIONS: The Building Official shall have the authority to withhold the issuance of permits under the following circumstances:

1. Harbor District. No permit shall be issued for the construction, extension, alteration, improvement, erection, remodeling or repair of any pier, slip, basin, wharf, dock or other harbor structure of any building or structure within the Harbor District, unless the Board of Harbor Commissioners has first granted permission authorizing such work to be done as provided in the charter of the City.
2. Marinas. No permit shall be issued for the construction, extension, alteration, improvement, erection, remodeling or repair of any pier, slip, basin, wharf, dock or other marina structure or any building or structure within the Alamitos Bay Marina, Downtown Shoreline Marina or Shoreline Harbor Marina unless the Manager of the Marine Bureau has first granted permission authorizing such work to be done.
3. Fault studies zone. No permit shall be issued for projects located within a special (fault) studies zone established under Chapter 7.5, Division 2, of the California Public Resources Code unless it can be demonstrated through accepted geologic seismic studies that the proposed structure will be located in a safe manner and not over or astraddle the trace of an active fault. Acceptable geologic seismic studies shall meet the criteria as set forth in rules and regulations established by the Building Official to ensure that such studies are based on sufficient geologic data to determine the location or nonexistence of the active fault trace on a site. Prior to approval of a project, a geologic report defining and delineating any hazard of surface fault rupture shall be required. If the City finds that no undue hazard of this kind exists, the geologic report on such hazard may be waived, with approval of the State Geologist.
4. Fills containing decomposable material. No permit shall be issued for buildings or structures regulated by this title within one thousand (1,000) feet of fills containing rubbish or other decomposable material unless the fill is isolated by approved natural or manmade protective systems or unless designed according to the recommendations contained in a report prepared by a registered design professional licensed in the State of California to practice as

such. Such report shall contain a description of the investigation, study and recommendation to minimize the possible intrusion, and to prevent the accumulation of explosive concentrations of decomposition gases within or under enclosed portions of such building or structure. At the time of the final inspection, the registered design professional shall furnish a signed statement attesting that the building or structure has been constructed in accordance with his or her recommendations as to decomposition gases required herein. Buildings or structures regulated by this title shall not be constructed on fills containing rubbish or other decomposable material unless provision is made to prevent damage to structure, floor, underground piping and utilities due to uneven settlement of the fill. One-story light frame accessory structures not exceeding four hundred (400) square feet in area nor twelve (12) feet in height may be constructed without special provisions for foundation stability.

- B. Phased approval. The Building Official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been approved, provided that adequate information and detailed statements have been filed complying with all pertinent requirements of this title. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.
- C. Placement of permit. The permit or copy shall be kept on the site of the work until the completion of the project.

18.04.050 – Validity of permit.

A. Limit of authorization.

- 1. The issuance or granting of a permit is not an approval or an authorization of the work specified therein. A permit is merely an application for inspection, the issuance of which entitles the permittee to inspection of the work that is described therein.
- 2. The issuance of a permit based on construction documents and other data shall not prevent the Building Official from requiring the correction of errors in the construction documents and other data.
- 3. Permits issued under the requirements of this title shall not relieve the owner of responsibility for securing required permits for work to be done which is regulated by any other title, code or other ordinances of the City or laws and statutes of the State.
- 4. All work are subject to the following conditions: If the work described by a valid permit is prohibited by a change in the municipal code, then such work may be completed only if the Building Official determines that both substantial liabilities have been incurred, and substantial work has been performed on site, in accordance with the terms of that permit. Work performed and liabilities incurred pursuant to a demolition or moving permit shall not be considered in determining whether an owner may complete a building or structure for which a permit has been issued.

- B. Validity of other laws. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State. Permits presuming to give authority to violate or cancel the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State shall not be valid. The Building Official is authorized to prevent occupancy or use of a structure pursuant to Section 18.03.020 where in violation of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State.

- C. Official grades. The permittee shall decide the correctness of proposed structure elevations and locations with respect to the official grades of public streets and to the policy of the Department of Public Works relative to the location and length of curb depressions for driveways.
- D. Easements. Before the issuance or granting of a permit, the Building Official shall require a declaration, under penalty of perjury, from the owner or agent having the property owner's consent stating that: "The proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided."

18.04.060 – Expiration, suspension, revocation and transfer of permit.

- A. Expiration. Every permit issued shall be valid for a period of two (2) years from the date after its issuance; provided however that every permit issued shall expire on the ninetieth (90th) day after its issuance if the work on the site authorized by such permit has not commenced or has not been inspected as required by Chapter 18.07; or shall expire whenever the Building Official determines the work authorized by such permit has been suspended, discontinued or abandoned or has not been inspected as required by Chapter 18.07 for a continuous period of ninety (90) days after the time the work has commenced.

EXCEPTION: If the holder of any permit issued by the Building and Safety Bureau presents satisfactory evidence that unusual construction difficulties has prevented work from being started or continued without being suspended, discontinued or abandoned or the work has not been inspected within the ninetieth (90th) day time period or completed within the two-year period of validity, the Building Official may grant extensions of time reasonably necessary because of such difficulties. The extension shall be requested in writing on a form furnished by the Building Official for that purpose and justifiable cause is demonstrated pursuant to Section 18.03.050.

Notwithstanding the provisions of this subsection to the contrary, the time limit of a permit may be further restricted under the following conditions:

1. In the case of a building or structure that has been ordered repaired, rehabilitated, vacated or demolished in accordance with this title; ordered to correct a violation of this title in accordance with Chapters 18.03 and 18.20; or in the case of a responsible person that has been ordered to correct a violation or unsafe condition of a building or structure pursuant to Chapters 8.76, 9.37, or 9.65, such time limits as specified therein shall apply.
  2. The Building Official may, because of unusual circumstances or conditions such as, but not limited to, the repair, rehabilitation, vacation or demolition of an imminently hazardous, substandard, or dangerous building or structure, or a grading operation that may be subject to flooding during the rainy season between October 1st to April 15th, impose restrictions upon the time limits for expiration of any permit.
  3. Permit issued for temporary structures or uses shall be limited as to time of service, but shall not be permitted for more than one hundred eighty (180) days within the last twelve (12) months.
  4. Permit issued for moving buildings and structures pursuant to Chapter 18.60 shall be limited as specified in Section 18.60.190.
  5. Permit issued to complete the required work pursuant to Subsection 18.04.060.B shall be limited to thirty (30) days or such time limits as determined by the Building Official from the date of the permit issuance.
- B. Unfinished buildings or structures. Whenever the Building Official determines by inspection that work on any building or structure for which a permit has been issued and the work started thereon

has been suspended, discontinued or abandoned for a continuous period of ninety (90) days or more or the permit expired after the two-year period of validity, the owner of the property upon which such building or structure is located, or other person or agent in control of said property, upon receipt of notice in writing from the Building Official to do so, shall, within thirty (30) days or such time limits as specified therein from the date of such written notice, obtain a new permit to complete the required work, pay the fee of one-half (1/2) the amount required for a new permit for such work, provided no changes have been made or will be made in the original approved construction documents for such work, and diligently pursue the work to completion and provided, further, that such suspension, discontinuance or abandonment has not exceeded one hundred eighty (180) days; or shall remove or demolish the building or structure within ninety (90) days or such time limits as specified therein from the date of the written notice.

- C. Restore to original condition. Permits that have expired shall have the site, building or project restored to the condition that existed immediately prior to the commencement of work described by such permit.
- D. Suspension or revocation. The Building Official shall have the authority to, in writing, suspend or revoke a permit issued under provisions of this title whenever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information supplied, or in violation of any provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State.
- E. Transfer of permit. Active permits required by this title may be transferred to a qualified person meeting the requirement of Section 18.04.070 for a fee as set forth in Section 18.06.170.

18.04.070 – Requirement and responsibility of permittee.

- A. Permittee. Permits as required by this chapter shall be issued only to the following individuals:
  - 1. A duly licensed contractor acting in compliance with the provisions of Sections 7000 through 7199 of the California Business and Professions Code and the Business License Regulations set forth in Title 5 of the municipal code, provided a written and signed statement from the duly licensed contractor stating that he or she is licensed, the number of the license and that it is in full force and effect as required by Section 7031.5 of the California Business and Professions Code.
  - 2. An owner of a one- or two-family dwelling and related accessory building or structure acting in compliance with the provisions of Section 7044 of the California Business and Professions Code; provided however that the improvements of the property are not intended or offered for sale, the owner occupies or intends to occupy one (1) of the units where such permit is to be obtained for the twelve (12) months prior to the completion of the work, and the owner has not performed work on more than two (2) buildings or structures during any three-year period.
  - 3. An owner-builder acting in compliance with the provisions of Section 7044 of the California Business and Professions Code; provided however that the owner-builder does the work himself or herself or through his or her own employees, with wages as their sole compensation, and the structure(s) is/are not intended for sale; or the owner-builder contracts with properly licensed subcontractors for the construction of a single-family residential structure and limits the number of structures intended or offered for sale to four (4) or fewer in a calendar year.
  - 4. A responsible person not acting in violation of Chapter 9 (commencing with Section 7000) of Division 3 of the California Business and Professions Code and the Business License Regulations set forth in Title 5 of the municipal code; provided a written and signed statement by the responsible person giving the basis for the alleged exemption from licensure under the Contractors' State License Law.

- B. Workers' compensation insurance verification. The Building Official is required by Section 3800(a) of the California Labor Code to verify workers' compensation insurance prior to issuing a permit. The permittee shall sign a declaration under penalty of perjury verifying Workers' Compensation Coverage or exemption from coverage as required by Section 19825 of the California Health and Safety Code.
  
- C. Responsibility. Permits shall be presumed to incorporate the provision that the permittee, the permittee's agent, employees, contractors or subcontractors shall carry out the proposed work in accordance with the approved construction documents and with all provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State applicable thereto, whether specified or not. No approval shall relieve or exonerate any person from the responsibility of complying with the provisions and intent of this title, municipal code or other ordinances of the City or laws and statutes of the State applicable thereto.

## **CHAPTER 18.05 SUBMITTAL DOCUMENTS**

18.05.010 – General.

18.05.020 – Number of construction documents.

18.05.030 – Construction documents.

18.05.040 – Examination of construction documents.

18.05.050 – Design professional in responsible charge.

18.05.060 – Expiration of plan examination.

18.05.070 – Retention and maintenance of construction documents.

## CHAPTER 18.05 SUBMITTAL DOCUMENTS

### 18.05.010 – General.

Submittal documents consisting of construction documents, written record of computations, statement of special inspections, geotechnical report and other pertinent data shall be submitted with each permit application. The construction documents shall be prepared by a registered design professional licensed in the State of California to practice as such. Where special conditions exist, the Building Official is authorized to require additional construction documents to be prepared by a registered design professional.

EXCEPTION: The Building Official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if the Building Official finds that the nature of the work applied for is such that the review of construction documents is not necessary to obtain compliance with the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State.

### 18.05.020 – Number of construction documents.

Each application for a permit shall be accompanied by one (1) set of submittal documents for each type of plan examination or as determined by the Building Official.

### 18.05.030 – Construction documents.

#### A. Information on building or structure required.

1. Construction documents shall be dimensioned and drawn with ink or indelible pencil upon suitable material, or shall be made by a reproduction process approved by the Building Official. Electronic media documents are permitted to be submitted when approved by the Building Official. The first sheet of each set of construction documents shall give the street address of the work and the name and address of the owner of the building.
2. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this title and relevant laws, ordinances, rules and regulations, as determined by the Building Official.
3. Construction documents for buildings of other than one- or two-family dwelling and related accessory building and structure shall indicate how required structural and fire-resistive integrity will be maintained where a penetration will be made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems.
4. In lieu of detailed specifications, the Building Official may approve reference on the construction documents to a specific section, subsection or paragraph of this title, municipal code or other ordinances of the City or laws and statutes of the State.
5. Distances and dimensions on the construction documents, when required to show conformity with the provisions of this title, shall be done in figures.
6. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress, including the path of exit discharge to the public way, in compliance with the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State. In other than occupancies in Groups R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

7. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State. The construction documents shall provided details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.
8. The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system that was tested, where applicable, as well as the test procedure used.
9. When required by Section 1704.3 of the California Building Code adopted in Chapter 18.40, a statement of special inspection prepared by the registered design professional in responsible charge of the project shall be included with the construction documents.
10. The construction documents shall show all mitigation measures required under the National Pollutant Discharge Elimination System (NPDES) permit issued to the City of Long Beach and the requirements of the Standard Urban Storm Water Mitigation Plan (SUSMP) mandated by the California Regional Water Quality Control Board in accordance with Chapter 18.61 NPDES and SUSMP Regulations.
11. For buildings located in whole or in part in flood hazard areas as established in Section 1612 of the California Building Code adopted in Chapter 18.40, Table R301.2(1) of the California Residential Code adopted in Chapter 18.41, or Chapter 18.73 Flood Resistant Design and Construction, the construction documents shall include flood hazard documentations and design flood elevation information as required by provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State.
12. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grade and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the locations and size of existing structures and construction that are to remain on the site or plot.  
  
EXCEPTION: The Building Official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted. Furthermore, the Building Official is authorized to grant the omission of a site plan when the proposed work is of such a nature that no information is needed to determine compliance with all laws relating to the location of buildings or occupancies.
13. When a structural design is required for the purpose of obtaining a permit, it shall be justified by a written record of computations filed with the Building Official and each sheet of the construction documents and written record of computations shall be signed by or bear the approved stamp of a registered design professional licensed by the State of California to practice as such. On structures which do not require a registered design professional's signatures according to Article 3, Chapter 7, Division 3, of the California Business and Professions Code but do require some structural design, the person responsible for such design shall sign the calculations and the sheets of the construction documents having engineering details thereon.
14. When reports are required by this subsection, recommendations included in the approved soils engineering report and engineering geology report shall be incorporated into the grading construction documents, including the dates of the soils engineering and engineering geology

reports together with the names, addresses and phone numbers of the firms or individuals who prepared the reports. A copy of the soils engineering report and engineering geology report shall be attached to the approved set of grading construction documents and kept at the job site. Reports shall be submitted to the Building Official for review and approval in, but not limited to, the following circumstances:

- a. When required by Section 1803 of the California Building Code adopted in Chapter 18.40.
- b. When required by Section 1806 of the California Building Code adopted in Chapter 18.40 to determine the classification, strength or compressibility of the soils for the purpose of assigning presumptive load-bearing values of soils and lateral sliding resistance.
- c. When projects are located on sites designated as Alquist-Priolo (Fault) Studies Zone.
- d. When previously unknown adverse soils or geologic conditions are revealed during construction.

The soils engineering report required by this section shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures, including buttress fills, when necessary, and opinion on adequacy for the intended use of sites to be developed by the proposed grading as affected by soils engineering factors, including the stability of slopes.

The engineering geology report required by this section shall include an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and opinion on the adequacy for the intended use of sites to be developed by the proposed grading, as affected by geologic factors.

EXCEPTIONS:

1. A soils and geological report is not required where the Building Official determines that the nature of the work applied for is such that a report is not necessary.
2. A liquefaction study is not required where the Building Official determines from established local data that the liquefaction potential is low.

All soils engineering and engineering geology reports shall comply with rules and standards established by the Building Official.

15. The increase in area permitted by Sections 506 and 507 of the California Building Code adopted in Chapter 18.40 shall not be allowed unless or until the owner of the required yard shall file with the Building Official an agreement binding such owner, heirs and assignees, to set aside the required yard as an unobstructed space having no improvements. Such agreement shall be recorded in the County Recorder's Office.

B. Information on grading required.

1. Application for a grading permit shall be accompanied by grading construction documents prepared and signed by a registered design professional licensed by the State of California to practice as such. The first sheet of each set of grading construction documents shall give location of the work, the name and address of the owner and the person by whom they were prepared. The grading construction documents shall include, but not be limited to, the following information:
  - a. General vicinity of the proposed site.

- b. Property limits and accurate contours of existing ground and details of terrain and area drainage.
  - c. Limiting dimensions, elevations or finish contours to be achieved by the grading, and proposed drainage channels and related construction.
  - d. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, the proposed work together with a map showing the drainage area and the estimated runoff of the area served by any drains.
  - e. Location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent owners that are within fifteen (15) feet of the property or which may be affected by the proposed grading operations.
  - f. The location of the top and toe of all cuts and fills, the location of all "daylight" lines, the amount of cut and fill, the location of disposal site for excess material, if known, and the estimated dates for starting and completing grading work.
2. Grading construction documents shall be prepared by a registered land surveyor or registered civil engineer licensed in the State of California to practice as such when the property location and its limits are not clear.

EXCEPTION: Portions of the aforementioned grading construction documents requirements may be waived by the Building Official if he or she finds that the information on the application and/or submitted plans is sufficient to show that the work will conform to the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State.

3. The Building Official is authorized to require professional inspection and testing by the soils engineer. When the Building Official has cause to believe that geologic factors may be involved, the grading will be required to conform to engineering grading.

C. Information on electrical required.

1. When required by the Building Official for the enforcement of any provision of this title, construction documents for the installation of electrical wiring or equipment shall be filed with the Building Official and approved prior to the issuance of any permit.
2. Construction documents shall include sufficient information to demonstrate compliance for installations required to comply with the rules and regulations adopted by the California Energy Commission.
3. The construction documents shall show the following:
  - a. Construction documents shall be of sufficient clarity to show that the proposed electrical installation will conform to the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State.
  - b. First sheet of each set of construction documents shall show the address of the proposed work and the name and address of the owner or lessee of the premises.
  - c. Layout of the proposed electric systems for each floor or area, including dimensions of all working spaces, a full scope of the project and a legend of all symbols used.
  - d. The type, location and capacity of all service equipment.

- e. The size and the length of all service raceways to the manhole, vault or pole of the serving agency or to the service head.
- f. The size of all raceways and the length of all feeder raceways.
- g. The dimensions of all pull or junction boxes larger than four inches trade size.
- h. The number, size, and type of all conductors to be installed in wiring enclosures.
- i. The location of every proposed outlet and switch in all parts of the building or structure including all fixed showcases, wall cases, and similar wiring.
- j. The wattage or ampere ratings of each outlet for noninductive loads and the volt-ampere rating of each unit or transformer for electric discharge lighting.
- k. The location, voltage, and H.P. rating of every motor and the K.W. rating of every generator. The type and code letter of every A.C. motor shall be given unless otherwise satisfactory to the Building Official.
- l. The location and K.V.A., or equivalent rating of each transformer, capacitor, ballast, converter, frequency changer, and similar equipment and the location and ampere or wattage rating of other appliances of the noninductive type.
- m. Details of panelboard, switchboard, and distribution centers, showing type and arrangement of switches, overcurrent devices, and general control equipment.
- n. Panelboard and switchboard schedules showing wattage and amperage, the number of active branch circuits to be installed, and the number of spare branch circuits for future use. This shall include identifying the circuits to which the outlets are connected.
- o. The existing load, as calculated in accordance with Articles 210 and 220 of the California Electrical Code adopted in Chapter 18.42 or by other methods satisfactory to the Building Official, shall be indicated for existing installations having alterations or additions made to them.
- p. Other additional information as the Building Official may consider necessary for proper enforcement of this title.
- q. On all occupancies indicating location, rating and method being served for all new and existing power distribution equipment.
- r. Any or all engineering calculations as applicable for the installation.
- s. Interconnected wiring between all devices in each branch circuit from any panelboard or switch-board to the last device or load.
- t. Location of grounding and bonding, including but not limited to grounding electrode conductor sizes and length, grounding electrode(s) to be utilized, termination locations of all grounding electrode conductors, main and system bonding jumpers.
- u. Available fault current and documentation of preliminary design approval from Southern California Edison where the service is new or upgraded.
- v. Construction documents for buildings more than two (2) stories in height of other than one- or two-family dwelling and related accessory building or structure shall indicate how

required structural and fire resistive integrity will be maintained where a penetration will be made for electrical conduits, pipes and similar systems.

4. All electrical materials, devices, appliances and equipment installed or used in the City shall be in conformity with the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State. Conformity with the standards of the Underwriters' Laboratories, Inc., as approved by the American Standards Association, or other approved testing laboratory, shall be prima facie evidence of conformity with approved standards for safety to life and property. Previously used material shall not be reused in any work without the written approval obtained in advance from the Building Official.

D. Information on plumbing required.

1. When required by the Building Official for the enforcement of any provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State, construction documents for the installation of any plumbing, water piping, gas piping, waste and vent piping, water heater, water heater vents, water treating equipment, or any appliance or device shall be filed with the Building Official and approved prior to the issuance of any permit.
2. The construction documents shall show the following:
  - a. Construction documents shall be of sufficient clarity to show that the proposed plumbing installation will conform to the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State.
  - b. First sheet of each set of construction documents shall show the address of the proposed work and the name and address of the owner or lessee of the premises.
  - c. Layout of the proposed plumbing systems for each floor or area, including dimensions of all working spaces, a full scope of the project and a legend of all symbols used.
  - d. Location, size and material of all plumbing pipes and fixtures.
  - e. System riser or isometric diagrams shall be provided for all drainage, waste and vent, fuel gas, potable water, storm drain, rain water, sump pump, combination waste and vent and standpipe systems.
  - f. Construction documents for buildings more than two (2) stories in height of other than one- or two-family dwelling and related accessory building or structure shall indicate how required structural and fire resistive integrity will be maintained where a penetration will be made for plumbing pipes and similar systems.

E. Information on mechanical required.

1. When required by the Building Official for the enforcement of any provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State, construction documents for the installation of environmental heating or cooling systems, refrigeration systems, absorption systems, ventilation systems and hoods shall be filed with the Building Official and approved prior to the issuance of any permit.
2. Construction documents shall include sufficient information to demonstrate compliance for installations required to comply with the rules and regulations adopted by the California Energy Commission.
3. The construction documents shall show the following:

- a. Construction documents shall be of sufficient clarity to show that the proposed mechanical installation will conform to the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State.
- b. First sheet of each set of construction documents shall show the address of the proposed work and the name and address of the owner or lessee of the premises.
- c. Layout for each floor with dimensions of all working spaces and a legend of all symbols used.
- d. Location, size and materials of all air ducts, air inlets and air outlets.
- e. Location of all fans, warm-air furnaces, boilers, absorption units, refrigerant compressors and condensers and the weight of all pieces of such equipment weighing two hundred (200) pounds or more.
- f. Rated capacity or horsepower of all boilers, warm-air furnaces, heat exchangers, blower fans, refrigerant compressors and absorption units.
- g. Location, size and material of all combustion products, vents and chimneys.
- h. Location and area of all ventilation and combustion air openings and ducts.
- i. Location of all air dampers, fire dampers, smoke- control dampers and combustion-products-type smoke detectors.
- j. The information necessary to show compliance of the mechanical equipment with the California Energy Code adopted in Chapter 18.46.
- k. The occupancy of each area served by any heating, air-conditioning or ventilation system.
- l. The location of all required fire-resistive separations that are penetrated by ducts or openings of any heating, air-conditioning or ventilation system.
- m. The complete drawings of all commercial hoods and ventilation systems, including the cooking appliances served by the hoods, and verify:
  - i. The interconnection of the fire-extinguishing system and fuel shutoff devices.
  - ii. Compliance with Department of Health and Human Services requirements.
  - iii. Compliance with South Coast Air Quality Management District requirements.
- n. The weight of any equipment weighing more than that specified in Chapter 13 of ASCE 7.
- o. Construction documents for buildings more than two (2) stories in height of other than one- or two-family dwelling and related accessory building or structure shall indicate how required structural and fire resistive integrity will be maintained where a penetration will be made for mechanical conduits, pipes and similar systems.

18.05.040 – Examination of construction documents.

- A. General. When the permit applicant, in addition to the fee prescribed therefore and at the time of making application for such permit, pay a plan examination fee as set forth in Section 18.06.020, the Building Official shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and

described is in accordance with the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State.

- B. Approval of construction documents. When the Building Official issues a permit pursuant to Section 18.04.040, the construction documents shall be approved, in writing or by stamp, as "APPROVED." One set of approved construction documents shall be retained and maintained pursuant to Section 18.05.070.
- C. Previous approvals. This title shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith and has not been expired, suspended, discontinued or abandoned pursuant to Subsection 18.04.060.A or expired pursuant to Section 18.05.060.
- D. Amended construction documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.
- E. Approved construction documents on job. One (1) set of approved construction documents issued to the permit applicant shall be kept at the site of the construction or work at all times during which the work authorized thereby is in progress and shall be available and open to inspection by the Building Official. Any deviation from the stamped or approved construction documents shall be in accordance with Subsection 18.05.040.D.
- F. Re-examining construction documents.
  - 1. Re-examining construction documents prior to approval. When construction documents have been examined and are subsequently so revised by the permit applicant for reasons other than plan examination correction as to necessitate re-examination, the Building Official shall require the permit applicant to pay a re-examination fee as set forth in Section 18.06.030 which would be required for the cost of that portion of the construction or work which has been revised. No additional permit fee will be required unless the revision increases the total cost of the entire project. In that event, the Building Official shall require the permit applicant to pay an additional permit fee based on the additional cost.

EXCEPTION: No additional plan examination fee shall be charged for verification of the corrections required by the Building Official.

- 2. Re-examining construction documents after approval. When construction documents are resubmitted for examination of changes made to previously approved construction documents, the permit applicant shall pay a re-examination fee as set forth in Section 18.06.030.

18.05.050 – Design professional in responsible charge.

- A. General. When it is required that documents be prepared by a registered design professional licensed in the State of California, the Building Official shall be authorized to require the owner to engage and designate on the permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner may designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The Building Official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

B. Deferred submittals.

1. For the purposes of this section, deferred submittals are defined as those portions of the design which are not submitted at the time of the application and which are to be submitted to the Building Official within a specified period.
2. Deferral of any submittal items shall have prior approval of the Building Official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the Building Official.
3. Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the Building Official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until the Building Official has approved the deferred submittal documents.

C. Structural observation. Where structural observation is required by Section 1710 of the California Building Code adopted in Chapter 18.40, the statement of special inspections shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

18.05.060 – Expiration of plan examination.

If after a period of one (1) year from date of application for permit, any permit applicant has failed to pay for and obtain a permit pursuant to Subsection 18.04.040.A, such application and examination fee shall become invalid and no permit shall be issued unless a new application is submitted and a new examination fee paid pursuant to Section 18.06.020. Construction documents submitted at the time of application may be destroyed if after a period of one (1) year from date of application no permit has been paid for or issued.

EXCEPTION: The Building Official is authorized to grant one (1) or more extensions of time for additional periods not exceeding one hundred eighty (180) days each. The extension shall be requested in writing on a form furnished by the Building Official for that purpose and justifiable cause is demonstrated pursuant to Section 18.03.050.

18.05.070 – Retention and maintenance of construction documents.

- A. Retention of construction documents. The duplicate approved construction documents of every building or structure shall be stamped and retained by the Building Official for a period of not less than one (1) year from the date of completion of the work covered therein, after which time the Building Official may, at his or her discretion, either dispose of the copies or retain them as a part of the permanent files of the Building Official as required by Section 19850 of the California Health and Safety Code. Before issuing a permit, the Building Official shall collect a fee pursuant to Section 18.06.090 for maintaining construction documents that are required to be retained by this section.

EXCEPTIONS: Construction documents for the following need not be maintained, except where required by the Building Official:

1. Single or multiple dwellings in areas which are not part of a common interest development (as defined in Section 1351 of the California Civil Code), and not more than two (2) stories and basement in height;

2. Garages and other structures appurtenant to buildings described in Exception 1 of this subsection;
  3. Farm or ranch buildings; and
  4. Any one-story building where the span between bearing walls does not exceed twenty-five (25) feet. This exception does not, however, apply to a steel frame or concrete building.
- B. Inspection of construction documents. The copy of the approved construction documents maintained by the Building Official as provided by Subsection 18.05.070.A may be available for inspection only on the premises of the Building Official.

EXCEPTION: Construction documents for banks, other financial institutions or public utilities that are maintained by the Building Official may not be inspected without written permission from the owner of the building.

- C. Reproduction of construction documents. Construction documents maintained by the Building Official under Subsection 18.05.070.A may not be duplicated in whole or in part except with the written permission of the certified, licensed or registered professional or his or her successor, if any, who signed the original documents, and the written permission of the original or current owner of the building, or, if the building is part of a common interest development, with the written permission of the board of directors or governing body of the association established to manage the common interest development; upon request by any State agency; or by order of a proper court. In implementing this provision, the Building Official shall comply with the requirements of Section 19851 of the California Health and Safety Code.

The Building Official shall also furnish the form of an affidavit to be completed and signed by the person requesting to duplicate the official copy of the construction documents, which contains provisions stating the following:

1. That the copy of the construction documents shall only be used for the maintenance, operation and use of the building;
2. That drawings are instruments of professional service and are incomplete without the interpretation of the certified, licensed or registered professional of record; and
3. That Sections 5536.25(a) and 6735(b) of the California Business and Professions Code States that a registered design professional who signs construction documents shall not be responsible for damage caused by subsequent changes to, or use of, those construction documents where the subsequent changes or uses, including changes or uses made by State or local governmental agencies, are not authorized or approved by the registered design professional who originally signed the construction documents, provided that the service rendered by the registered design professional who signed the construction documents was not also a proximate cause of the damage.

The fees specified in the following item 1 or 2 shall be paid by the person requesting duplication of construction documents:

1. Construction documents that have not been microfilmed and are authorized for reproduction to be duplicated by other than City services will be released only to a Department authorized duplicating service. The person requesting duplication shall pay the cost of duplicating the construction documents directly to the duplicating service. That person shall pay a processing fee for each set of construction documents released to the Building Official as determined by Section 18.06.120.

2. Construction documents that have been microfilmed and are authorized for reproduction shall be duplicated by City services or vendors. The Building Official shall collect an initial service fee for each request for reproduction of construction documents plus an additional fee for each sheet requested to be photocopied as determined by Section 18.06.120.
- D. Withdrawal of construction documents. The Building Official shall not permit any original construction documents, or portions thereof upon which a permit has been issued, to be withdrawn from the office of the Building Official, except for official use by representatives of the City.

## CHAPTER 18.06 FEES

- 18.06.010 – Permit fees.
- 18.06.020 – Plans examination fees.
- 18.06.030 – Plans re-examination fees.
- 18.06.040 – Re-inspection fee.
- 18.06.050 – Special inspection fee.
- 18.06.060 – Fees for verification reports.
- 18.06.070 – Investigation fees—Work without a permit.
- 18.06.080 – Code enforcement fees.
- 18.06.090 – Construction document maintenance fee.
- 18.06.100 – Board of appeals fees.
- 18.06.110 – Fee for verifying and reproducing permit records.
- 18.06.120 – Processing fee for reproducing construction document records.
- 18.06.130 – Oil and gas well record search.
- 18.06.140 – Oil or gas well abandonment.
- 18.06.150 – Service connection fee.
- 18.06.160 – Code modification and alternate fees.
- 18.06.170 – Transfer of permit fee.
- 18.06.180 – Temporary Certificate of Occupancy fee.
- 18.06.190 – Waiver of fees.
- 18.06.200 – Refunds.

## CHAPTER 18.06 FEES

### 18.06.010 – Permit fees.

- A. Building permit fees. A building permit (exclusive of subtrade permits) shall be issued for each building or structure to be erected or upon which work is to be done thereunder when required pursuant to Section 18.04.010 and for each such permit the permit applicant shall pay a permit filing fee as set forth in the schedule of fees and charges established by City Council resolution plus a fee computed on the basis of the estimated total cost of the work proposed to be done, in accordance with the building permit fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Chapter 18.61 NPDES and SUSMP Regulations shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Chapter 18.73 Flood Resistant Design and Construction shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Chapter 18.74 Low Impact Development Standards shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Sections 1.8.2.1.2 and 1.9.1 of Title 24, Part 2, of the California Code of Regulations, the State's Disabled Access and Adaptability Requirements, shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Title 24, Part 6, of the California Code of Regulations, the State's Building Energy Efficiency Standards Code as developed by the California Energy Commission, shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Chapter 1 of Title 24, Part 11, of the California Code of Regulations, the State's Green Building Standards Code, shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Section 2700, Chapter 8, Division 2 of the California Public Resources Code, the State's Strong Motion Instrumentation Program, shall pay an additional fee as set forth in Section 2705, Chapter 8, Division 2 of the California Public Resources Code.

In addition to the above, projects regulated under Article 1-10 in Chapter 1 of Title 24, Part 1, of the California Code of Regulations, the State's Building Standards Administration Special Revolving Fund, shall pay an additional fee as set forth in Section 18931.6 of the California Health and Safety Code.

EXCEPTION: A single combined permit may be issued for the following:

1. The construction, addition or alteration of any building or structure of a one- or two-family dwelling and related accessory building and structure, which includes all building, electrical, plumbing, heating, ventilating, and air conditioning work; or
2. The construction, addition or alteration of any sign or sign support structure, which includes all building and electrical work.

The total permit fee for the combined building permit shall be as set forth in the schedule of fees and charges established by City Council resolution.

- B. Grading permit fees. A grading permit shall be issued to each property or site upon which grading work is to be done thereunder when required pursuant to Subsection 18.04.010.B, and for each such permit the permit applicant shall pay a filing fee as set forth in the schedule of fees and charges established by City Council resolution plus a grading permit fee computed on the basis of the estimated total cubic yard of work proposed to be done as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Chapter 18.61 NPDES and SUSMP Regulations shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Chapter 18.74 Low Impact Development Standards shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

- C. Electrical permit fees. An electrical permit shall be issued for each building or structure upon which work is to be done thereunder when required pursuant to Subsection 18.04.010.C, and for each such permit the permit applicant shall pay a permit filing fee as set forth in the schedule of fees and charges established by City Council resolution plus a fee computed on the basis of the proposed work to be done in accordance with the electrical permit fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Title 24, Part 6, of the California Code of Regulations, the State's Building Energy Efficiency Standards Code as developed by the California Energy Commission, shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Chapter 1 of Title 24, Part 11, of the California Code of Regulations, the State's Green Building Standards Code, shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

NOTE: For any electrical installation for which an electrical permit is required, but for which no fee is provided in this section, the electrical permit fee shall be based on the valuation of the electrical work and determined by Subsection 18.06.010.A.

Each point at which a lamp holding device, or group of lamp holding devices, is attached shall be considered to be an electrical outlet for which a fee is provided and required, and the lamp holding device shall be considered to be an electrical fixture for which a fee is provided and required.

- D. Plumbing permit fees. A plumbing permit shall be issued for each building or structure upon which work is to be done thereunder when required pursuant to Subsection 18.04.010.D, and for each such permit the permit applicant shall pay a permit filing fee as set forth in the schedule of fees and charges established by City Council resolution plus a fee computed on the basis of the proposed work to be done in accordance with the plumbing permit fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Chapter 1 of Title 24, Part 11, of the California Code of Regulations, the State's Green Building Standards Code, shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

NOTE: For the purpose of this subsection, a plumbing outlet to which a fixture may be attached shall be considered a plumbing fixture, and any appliance or device which connects directly or

indirectly with the soil, waste or water system, or requires a trap or vent, shall be considered a plumbing fixture, and shall include water heaters, boilers and any type of water treating device.

- E. Mechanical permit fees. A mechanical permit shall be issued for each building or structure upon which work is to be done thereunder when required pursuant to Subsection 18.04.010.E, and for each such permit the permit applicant shall pay a permit filing fee as set forth in the schedule of fees and charges established by City Council resolution plus a fee computed on the basis of the proposed work to be done in accordance with the mechanical permit fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Title 24, Part 6, of the California Code of Regulations, the State's Building Energy Efficiency Standards Code as developed by the California Energy Commission, shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Chapter 1 of Title 24, Part 11, of the California Code of Regulations, the State's Green Building Standards Code, shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

- F. Sign permit fees. A sign permit shall be issued for each sign or sign support structure to be erected or upon which work is to be done thereunder when required pursuant to Subsection 18.04.010.G, and for each such permit the permit applicant shall pay a filing fee as set forth in the schedule of fees and charges established by City Council resolution plus a sign permit fee computed on the basis of the estimated total cost of the work proposed to be done as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Title 24, Part 6, of the California Code of Regulations, the State's Building Energy Efficiency Standards Code as developed by the California Energy Commission, shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

- G. Determining valuation. The determination of value or valuation under any of the provisions of this title shall be made by the Building Official. The value to be used in computing the permit and plan examination fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and any other permanent equipment.

No person shall willfully or negligently withhold from or misrepresent to the Building Official any information he or she may request relative to the estimated cost of any proposed work for which an application for a permit has been filed, or misrepresent the cost of any such work. The determination or collection of fees based upon incorrect information and other data supplied by the permit applicant shall not prevent the Building Official from subsequently requiring the correction of the error in determining or collecting the appropriate fees.

#### 18.06.020 – Plans examination fees.

Except where the Building Official has determined that the submittal of construction documents and other data are not required if the Building Official finds that the nature of the work applied for is such that the examination of construction documents is not necessary to obtain compliance with this title, plans examination and the fees for such examination shall be required for the following:

- A. Buildings and structures plans examination fees. Except as provided in this section, the permit applicant for a building permit shall, in addition to the fee prescribed therefore and at the time of making application for such building permit, pay a plans examination fee as set forth in the schedule of fees and charges established by City Council resolution, including the filing fee. The plans examination fee for a combined permit shall be as set forth in the schedule of fees and charges established by City Council resolution for a building permit of the same valuation.

In addition to the above, projects regulated under Chapter 18.61 NPDES and SUSMP Regulations shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Chapter 18.73 Flood Resistant Design and Construction shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Chapter 18.74 Low Impact Development Standards shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Sections 1.8.2.1.2 and 1.9.1 of Title 24, Part 2, of the California Code of Regulations, the State's Disabled Access and Adaptability Requirements, shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Title 24, Part 6, of the California Code of Regulations, the State's Building Energy Efficiency Standards Code as developed by the California Energy Commission, shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Chapter 1 of Title 24, Part 11, of the California Code of Regulations, the State's Green Building Standards Code, shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

EXCEPTIONS: No plans examination fee shall be required when the Building Official has determined that the submittal of construction documents and other data are not required if it is found that the nature of the work applied for is such that the examination of construction documents is not necessary to obtain compliance with this title.

- B. Grading plans examination fees. The permit applicant for a grading permit shall, in addition to the fee prescribed therefore and at the time of making application for such grading permit, pay a plans examination fee to the City as set forth in the schedule of fees and charges established by City Council resolution, including the filing fee.

In addition to the above, projects regulated under Chapter 18.61 NPDES and SUSMP Regulations shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

- C. Electrical plans examination fees. The permit applicant for an electrical permit shall, in addition to the fee prescribed therefore and at the time of making application for such electrical permit, pay a plans examination fee to the City as set forth in the schedule of fees and charges established by City Council resolution, including the filing fee.

In addition to the above, projects regulated under Title 24, Part 6, of the California Code of Regulations, the State's Building Energy Efficiency Standards Code, developed by the California Energy Commission shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

- D. Plumbing plans examination fees. The permit applicant for a plumbing permit shall, in addition to the fee prescribed therefore and at the time of making application for such plumbing permit, pay a plans examination fee to the City as set forth in the schedule of fees and charges established by City Council resolution, including the filing fee.

In addition to the above, projects regulated under Sections 1.8.2.1.2 and 1.9.1 of Title 24, Part 2, of the California Code of Regulations, the State's Disabled Access and Adaptability Requirements, shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Chapter 1 of Title 24, Part 11, of the California Code of Regulations, the State's Green Building Standards Code, shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

- E. Mechanical plans examination fees. The permit applicant for a mechanical permit shall, in addition to the fee prescribed therefore and at the time of making application for such mechanical permit, pay a plans examination fee to the City as set forth in the schedule of fees and charges established by City Council resolution, including the filing fee.

In addition to the above, projects regulated under Title 24, Part 6, of the California Code of Regulations, the State's Building Energy Efficiency Standards Code, developed by the California Energy Commission shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

In addition to the above, projects regulated under Chapter 1 of Title 24, Part 11, of the California Code of Regulations, the State's Green Building Standards Code, shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

- F. Signs and sign support structures plans examination fees. The permit applicant for a sign permit shall, in addition to the fee prescribed therefore and at the time of making application for such sign permit, pay a plans examination fee to the City as set forth in the schedule of fees and charges established by City Council resolution, including the filing fee.

In addition to the above, projects regulated under Title 24, Part 6, of the California Code of Regulations, the State's Building Energy Efficiency Standards Code, developed by the California Energy Commission shall pay an additional fee as set forth in the schedule of fees and charges established by City Council resolution.

- G. Express plans examination fees. At the request of the permit applicant, the Building Official may, at his or her discretion, provide plans examination services at other than normal working hours. An express plans examination fee, in addition to the plans examination fees charged elsewhere in this title, as set forth in the schedule of fees and charges established by City Council resolution shall be collected at the time of the request.

- H. Geologic reports review fees. A fee as set forth in the schedule of fees and charges established by City Council resolution shall be charged for the review of geologic, soils engineering or geotechnical engineering reports submitted as required by State law for proposed development in seismic hazard zones, including but not limited to, fault rupture, liquefaction and landslide hazard zones or Section 18.05.030.A Item 14.

#### 18.06.030 – Plans re-examination fees.

When required by Section 18.05.040, the permit applicant shall pay a plan re-examination fee as set forth in the schedule of fees and charges established by City Council resolution. The plan re-examination fee in the case of a building, sign or subtrade permit shall be based on a rate as set forth in the schedule of fees and charges established by City Council resolution and the plan examination fee for a grading permit shall be as set forth in the schedule of fees and charges established by City Council resolution for the number of cubic yards replaced, removed or omitted that were not previously approved.

#### 18.06.040 – Re-inspection fee.

When required by Section 18.07.030, the permit applicant shall pay a re-inspection fee as set forth in the schedule of fees and charges established by City Council resolution.

18.06.050 – Special inspection fee.

- A. General. Upon request, the Building Official will make special inspections provided:
1. The permit applicant makes accessible and exposes elements or structures inspected;
  2. That the permit applicant pays a fee as set forth in the schedule of fees and charges established by City Council resolution for the following:
    - a. Building inspection,
    - b. Plumbing inspection,
    - c. Electrical inspection,
    - d. Mechanical inspection,
    - e. Housing inspection (dwellings),
    - f. Code inspection for business license,
    - g. Non-team inspection,
    - h. Team inspection,
    - i. Condominium conversion inspections,
    - j. Site inspection not otherwise covered.
- B. Additional inspection fee. A fee as set forth in the schedule of fees and charges established by City Council resolution per hour or fraction thereof shall be charged for inspections requiring in excess of one (1) hour.
- EXCEPTION: Within the scope of the special inspections, the Building Official may approve minor corrections or alterations involving work of a building, plumbing, mechanical or electrical nature with an aggregate total cost of two thousand dollars (\$2,000.00) or less.
- C. Off-hour inspection fee. For inspections performed on request at other than normal office hours, a fee as set forth in the schedule of fees and charges established by City Council resolution.

18.06.060 – Fees for verification of reports.

- A. Special inspection supervision fee. To supervise the performance of registered special inspectors required to be employed for certain types of work as provided by Section 18.07.080, a fee as set forth in the schedule of fees and charges established by City Council resolution for each type of work shall be paid at the time of permit issuance.
- B. Structural observation report fee. To verify that all structural observation reports required by Section 1704.5 of the California Building Code adopted in Chapter 18.40 have been received prior to the issuance of a Certificate of Occupancy, a fee as set forth in the schedule of fees and charges established by City Council resolution shall be paid at the time of permit issuance.

18.06.070 - Investigation fees—Work without a permit.

- A. Investigation. Whenever any work for which a permit is required by this title has been commenced without first obtaining such permit, a special investigation shall be made before a permit may be issued for such work.
- B. Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this title with a minimum fee as set forth in the schedule of fees and charges established by City Council resolution. The payment of such investigation fee shall not exempt any person, firm or corporation from compliance with all other provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State nor from any penalty prescribed by law.

EXCEPTION: The investigation fee may be waived for emergency work when it is proved to the satisfaction of the Building Official that such work was urgently needed and it was impractical to obtain a permit prior to commencement of the work.

18.06.080 – Code enforcement fees.

- A. Purpose. The City incurs an extraordinary cost whenever it becomes necessary to undertake code enforcement proceedings to abate a substandard or dangerous property condition. The purpose of the code enforcement fee as required by this section is to recover a portion of these incurred costs.
- B. When required. Whenever a building permit is required to abate a substandard or dangerous condition as ordered by the Building Official, a code enforcement fee shall be paid in addition to the permit fee. The special code enforcement fee shall not be required if the abatement order of the Building Official is reversed on appeal to the Board of Examiners, Appeals and Condemnation, or by subsequent appeal to City Council, or by final subsequent appeal to City Council, or by final judgment of a court of competent jurisdiction.
- C. Fee. The code enforcement fee required by this title is as set forth in the schedule of fees and charges established by City Council resolution. The payment of the code enforcement fee shall not exempt any person, firm or corporation from compliance with all other provisions of this code nor from any penalty prescribed by law.

18.06.090 – Construction document maintenance fee.

Before issuing a permit, the Building Official shall collect a fee for maintaining construction documents that are required to be retained by Section 18.05.070. The amount of the construction document maintenance fee shall be as set forth in the schedule of fees and charges established by City Council resolution and shall be collected for each separate construction documents to be retained by the Building Official.

18.06.100 – Board of appeals fees.

- A. Board of Examiners, Appeals and Condemnation fee. A fee as set forth in the schedule of fees and charges established by City Council resolution shall be charged to a person appealing to the Board of Examiners, Appeals and Condemnation pursuant to Section 18.10.020 the action of the Building Official in enforcing or interpreting the provisions of this title, including determinations relative to correction of substandard conditions in buildings and to abate nuisances.

EXCEPTION: For appeal involving condemnations and from corrective notices as provided for in this title, there shall be no required fee.

- B. Disabled Access Appeals Board fee. A fee as set forth in the schedule of fees and charges established by City Council resolution shall be charged to a person appealing to the Disabled Access Appeals Board pursuant to Section 18.10.030 the action of the Building Official in

enforcing Title 24, Part 2, of the California Code of Regulations, the State's Disabled Access and Adaptability Requirements.

18.06.110 – Fee for verifying and reproducing permit records.

A fee will be charged to verify permit and inspection records, including age of building. Reproduction of permit records may be obtained for a fee. The fee is as set forth in the schedule of fees and charges established by City Council resolution.

18.06.120 – Processing fee for reproducing construction document records.

A processing fee as set forth in the schedule of fees and charges established by City Council resolution shall be charged to process a request for a copy of construction documents on record. A separate processing fee shall be paid for each construction document or set of construction documents involving a single site. The processing fee shall be in addition to fees charged to cover duplicating costs.

18.06.130 – Oil and gas well record search.

A fee as set forth in the schedule of fees and charges established by City Council resolution for each lot or parcel located in an oil zone shall be charged for a record search to determine the existence and location of subsurface gas or oil wells.

18.06.140 – Oil or gas well abandonment.

A fee as set forth in the schedule of fees and charges established by City Council resolution shall be charged for the inspections required during the abandonment of an oil or gas well.

18.06.150 – Service connection fee.

When electrical connection by the utility company is necessary to supply such temporary use, the owner of the building or a duly authorized representative shall make application and pay a fee as set forth in the schedule of fees and charges established by City Council resolution for each service connection.

Each meter and meter switch is considered a separate service. The Building Official may impose such reasonable requirements and regulations in connection therewith as he or she may deem necessary.

18.06.160 – Code modification and alternate fees.

A. Code modification fee. A written application for code modification pursuant to Section 18.03.050 shall be submitted together with a filing fee as set forth in the schedule of fees and charges established by City Council resolution. An additional fee as set forth in the schedule of fees and charges established by City Council resolution per hour or fraction thereof shall be charged when staff review time exceeds one (1) hour.

B. Code alternate fee. A written application for alternate materials, design and methods of construction or equipment pursuant to Section 18.03.060 shall be submitted together with a filing fee as set forth in the schedule of fees and charges established by City Council resolution. An additional fee as set forth in the schedule of fees and charges established by City Council resolution per hour or fraction thereof shall be charged when actual staff review time exceeds one (1) hour.

EXCEPTION: The requirement for application and fees and charges may be waived by the Building Official for materials, products or methods which have been evaluated and listed by the International Code Council, the national research board, or other recognized agency.

18.06.170 – Transfer of permit fee.

Active permits transferred pursuant to Subsection 18.04.060.E shall pay a permit transfer fee as set forth in the schedule of fees and charges established by City Council resolution.

18.06.180 – Temporary Certificate of Occupancy fee.

Permit applicants requesting a Temporary Certificate of Occupancy pursuant to Section 18.08.040 shall pay an investigation fee as set forth in the schedule of fees and charges established by City Council resolution for which approval of temporary occupancy is sought with the minimum fee as set forth in the schedule of fees and charges established by City Council resolution. An additional investigation fee shall be paid to extend a Temporary Certificate of Occupancy beyond thirty (30) days in an amount as set forth in the schedule of fees and charges established by City Council resolution of the initial investigation fee as set forth in the schedule of fees and charges established by City Council resolution for each additional thirty (30) day period or fraction thereof.

18.06.190 – Waiver of fees.

The Director may waive any application fee imposed on or after October 1, 1996 pursuant to the provisions of this title or municipal code if the Director first finds as follows:

1. A permit has been issued which does not fully conform to the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State; and
2. There is no evidence that the permit applicant, in seeking the permit intentionally sought to avoid conformance to the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State; and
3. Substantial construction commenced in good faith reliance on that permit; and
4. Stoppage has been ordered subsequent to such commencement as a result of the failure of the permit to conform to the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State; and
5. The application or applications for which a fee waiver is requested and granted are necessary in order to authorize the issuance of the permit in a manner fully conforming to the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State.

18.06.200 – Refunds.

- A. General. No portion of any permit as required in this title shall be refunded to the permit applicant unless, prior to commencement of actual work thereunder, the proposal to do such work is abandoned, or it is discovered that such permit is void under provisions of this title, municipal code or other ordinances of the City. No portion of a checking fee shall be refunded to the permit applicant if any checking of the construction documents has been done in the office of the Building Official.
- B. Condition. Refunds shall be made in the calculated amount so determined in this section and under the conditions set forth in Sections 3.48.040 and 3.48.060 of the municipal code.
- C. Administration fee. Before any refund is made under this chapter, the Building Official shall deduct a percent as set forth in the schedule of fees and charges established by City Council resolution of the fee paid to pay for expenses incurred by the City in connection with accepting the construction documents, passing upon the application for or issuance of the permit, and the sum shall be deducted from the fee so paid and the balance paid to such person. If the person

entitled to the refund is an individual and such person becomes deceased, the refund may be made to such person or persons entitled to receive the money.

- D. Expiration. Any application for refund must be filed by the person entitled to receive such refund within the prescribed expiration period in Subsection 18.06.200.B.

## **CHAPTER 18.07 INSPECTIONS**

- 18.07.010 – General.
- 18.07.020 – Inspection record card.
- 18.07.030 – Inspection requests.
- 18.07.040 – Approval required.
- 18.07.050 – Required inspections.
- 18.07.060 – Surveys.
- 18.07.070 – Non-inspected work.
- 18.07.080 – Special inspections.

## CHAPTER 18.07 INSPECTIONS

### 18.07.010 – General.

- A. Inspection. All construction or work for which a permit is required shall be subject to inspection by Section 18.07.050 and such construction or work shall remain accessible and exposed for inspection purposes until approved. Certain types of construction shall have special inspections by registered special inspectors as specified in Section 18.07.080 and Section 1704 of the California Building Code adopted in Chapter 18.40. Prior to the issuance of a Certificate of Occupancy as specified in Section 18.08.010, a final inspection in accordance with Section 18.07.050 shall be made by the Building Official of all construction or work for which a permit has been issued.
- B. Liability. Neither the Building Official, authorized employees of the Department, nor the City shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

### 18.07.020 – Inspection record card.

The Building Official shall furnish with each permit an inspection record card to be posted in a conspicuous place on the front premises (or electric meter box) and in such position as to allow the Building Official to conveniently make the required entries thereon regarding inspection of the work. The inspection record shall show the location, nature of work to be done, the number of the permit and list the required inspections.

When any of the required inspections pursuant to Section 18.07.050 have been made and that portion of the work is approved, the inspector shall so record on the permit card posted on the job.

### 18.07.030 – Inspection requests.

- A. General inspection request. It is the duty of the permit holder or their duly authorized agent to notify the Building Official when work is ready for inspection and to provide access to and means for inspections of such work that are required by this title. The Building Official may require that every request for inspection be filed at least one (1) working day before such inspection is desired. Such request may be in writing, by telephone or by other means at the option of the Building Official.
- B. Re-inspection request. To obtain a re-inspection, the permit applicant shall request such inspection pursuant to Subsection 18.07.030.A. A re-inspection fee in Section 18.06.040 may be charged for the following:
  - 1. For each inspection or re-inspection when the portion of work for which the inspection or re-inspection is called is not complete or when the correction called for is not made.

NOTE: This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this title, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

- 2. When the permit card is not properly posted on the work site, the approved construction documents are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from the approved construction documents requiring the approval of the Building Official.

In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

18.07.040 – Approvals required.

No work shall be done on any part of the building or structure beyond the point indicated in each successive inspection without first obtaining the written approval of the Building Official. The Building Official, upon notification pursuant to Section 18.07.030 by the person, firm or corporation performing the work, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or their duly authorized agent wherein the same fails to comply with the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the Building Official. Such written approval shall be given only after an inspection has been made of each successive step in the construction as indicated by each of the inspections required or conditions stipulated in Section 18.07.050. There shall be a final inspection and approval on all buildings or equipment installations when completed and ready for occupancy or use.

EXCEPTIONS:

1. For temporary connection, the Building Official may give written permission to furnish electric current to or the use of electric current through any electrical wiring if such electrical wiring may be used safely for such purposes, and that there exists an urgent necessity for such use.
2. The requirements of this section shall not be considered to prohibit the operation of any heating equipment installed to replace existing heating equipment serving an occupied portion of a building, in the event a request for inspection of such heating equipment has been filed with the Building Official not more than forty-eight (48) hours after such replacement work is completed, and before any portion of such equipment is concealed by any permanent portion of the building.

18.07.050 – Required inspections.

- A. Building. The Building Official, upon notification as specified in Section 18.07.030, shall make the inspections set forth in items 1 through 13, if applicable.
  1. Footing and foundation inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.
  2. Concrete slab and under-floor inspection. Concrete slab and under-floor inspections shall be made after all in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.
  3. Lowest floor elevation. In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Chapter 18.73 Flood Resistant Design and Construction or Section 1612.5 of the California Building Code adopted in Chapter 18.40 shall be submitted to the Building Official. A final elevation certification shall be submitted to the Building Official prior to making a request for final inspection.
  4. Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking and bracing are in place and all pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

5. Lath and gypsum board inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, are in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.
  6. Fire- and smoke-resistant penetrations. Protection of joints and penetrations in fire resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.
  7. Energy efficiency inspections. Inspections shall be made to determine compliance with the California Energy Code adopted in Chapter 18.46 and shall include, but not be limited to, inspection for: envelope insulation R- and U-values, fenestration U-value, duct system R-value, and HVAC and water-heating equipment efficiency.
  8. Reinforced concrete. When forms and reinforcing steel are in place ready for concrete.
  9. Reinforced masonry. In grouted masonry when vertical reinforcing steel is in place and other reinforcing steel distributed and ready for placing, but before any units are laid up.
  10. Structural steel. When structural steel members are in place and required connections are complete, but before concealing any members or connection.
  11. Other inspections. In addition to the inspections specified above, the Building Official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this title and other laws that are enforced by the Building Official.
  12. Special inspections. For special inspections, see Section 1704 of the California Building Code adopted in Chapter 18.40.
  13. Final inspection. Final inspection shall be made after all work required by the permit is completed and prior to occupancy.
- B. Electrical. The Building Official, upon notification as specified in Section 18.07.030, shall make the inspection and approval of electrical installation as set forth in items 1 through 9, if applicable.
1. Inspection required. All electric wiring or installation in or on any building or structure of any nature, or tent, or premises, except as otherwise exempted in this title, for which a permit is required must be inspected and approved by the Building Official before being energized or used.
  2. Prohibited use, operation or maintenance. No person shall use, operate or maintain, or cause or permit to be used, operated or maintained, any such electric wiring until such inspection and approval. No serving agency shall furnish or supply or cause or permit to be furnished or supplied, electric energy to any such electric wiring until such inspection and approval.
  3. Prohibited concealment or enclosure of electrical wiring. No person shall conceal, enclose or cover, or cause or permit to be concealed, enclosed or covered, any portion of any electric wiring in any manner that will interfere with or prevent the inspection and approval thereof.
  4. Prohibited obstruction to inspection. Any portion of any floor, ceiling, wall, partitions, roof, finish or other obstruction whatsoever which renders impracticable the making of a complete and thorough inspection of electric wiring shall be removed upon notice to do so, and shall be kept removed until such electric wiring has been inspected and approved.
  5. Removal of foreign material in box and wire enclosure. Before a final inspection of any electric wiring, all plaster, concrete or other foreign material shall be thoroughly removed from every box and wiring enclosure, and not less than six (6) inches of jointless conductors shall

- extend out of each lighting outlet box for future connection thereto, except when conductors are intended to loop through the lamp holder.
6. Fixture connection. Fixtures or appliances shall not be connected to electric wiring until the rough wiring has been inspected and approved by the Building Official.
  7. Free of defects. All such wiring shall be free from grounds, shorts, or other defects, before approval thereof.
  8. Exemption. The provisions of this subsection shall not apply to finished work or to conductors inserted in conduit or other wiring enclosures. Nothing contained in this subsection shall be construed to prohibit the temporary use of electric energy when and as specifically provided in this title. Nothing contained in this subsection shall be construed to prohibit the inspection of any electric wiring even though no permit is required therefore.
  9. Final inspection. Final inspection shall be made after all work required by the permit is completed and found to be in compliance with the provisions of this title, the Building Official shall leave a notice at the service switch or other suitable place so stating, and shall issue a certificate of inspection or approval tag when requested, or service permit, authorizing the connection to the electrical service and the energizing of the installation.
- C. Plumbing. The Building Official, upon notification as specified in Section 18.07.030, shall make the inspection and approval of plumbing installation as set forth in items 1 through 6, if applicable.
1. Inspection required. All plumbing installation in or on any building or structure of any nature, or tent, or premises, except as otherwise exempted in this title, for which a permit is required must be inspected and approved by the Building Official.
  2. Gas supply or meter. No person shall furnish or supply gas to any gas piping or install any meter therefore until all plumbing as regulated by this title has been installed and approved by the Building Official and a certificate of final inspection has been issued.

EXCEPTION: Notwithstanding anything in this chapter to the contrary, gas service may be supplied to gas piping for construction purposes only and a gas meter may be installed therefore under the following conditions:

- a. The owner of the building or a duly authorized representative shall apply to the Building Official for such gas service and shall pay a fee as set forth in the schedule of fees and charges established by City Council resolution in connection with such application to the Building Official. The application for such gas service shall not be granted until all gas piping in the structure affected has been tested and approved pursuant to the California Plumbing Code adopted in Chapter 18.43.
  - b. Such service shall not be permitted for an initial period in excess of thirty (30) days. The Building Official may impose such reasonable requirements and regulations in connection therewith as he or she may deem necessary. For good cause, the Building Official may extend such period of time in his or her reasonable discretion.
3. Prohibited concealment of installation. No person shall fail, neglect or refuse to leave and keep any plumbing, as regulated by this title, open, uncovered and convenient for inspection until such plumbing has been inspected and approved by the Building Official, and any obstruction whatsoever, which interfered with a complete and thorough inspection of any plumbing, shall be removed upon notice so to do, and shall be left and kept removed until such plumbing has been inspected and approved.
  4. Location of installation. Piping, fixtures or equipment shall not be located in such manner as to interfere with the normal operation of windows, doors or other required means of access.

5. Services to be capped when building removed. Where a building is demolished or removed from its site, the building sewer, water and gas service shall be properly capped to the satisfaction of the Building Official.
  6. Final inspection. Final inspection shall be made after all work required by the permit is completed and found to be in compliance with the provisions of this title, the Building Official shall leave a notice at a suitable place so stating, and when requested shall authorize the furnishing or supplying of gas to any gas piping or the installation of any meter.
- D. Mechanical. The Building Official, upon notification as specified in Section 18.07.030, shall make the inspection and approval of mechanical installation as set forth in items 1 through 5, if applicable.
1. Inspection required. All mechanical installation in or on any building or structure of any nature, or tent, or premises, except as otherwise exempted in this title, for which a permit is required must be inspected and approved by the Building Official.
  2. Prohibited concealment of installation. That portion of any equipment intended to be concealed by any permanent portion of the building shall not be concealed until inspected and approved by the Building Official.
  3. Connection to fuel or power supply. Equipment regulated by this title shall not be connected to the fuel or power supply until authorized by the Building Official.
  4. Failure to comply. A final inspection approval may, upon notice, be revoked by the Building Official if he or she finds that the heating, ventilating, cooling, or refrigeration equipment fails in any respect to comply with the requirements of this title, or that the installation is unsafe, dangerous, or a hazard to life or property.
  5. Final inspection. Final inspection shall be made after all work required by the permit is completed and found to be in compliance with the provisions of this title, the Building Official shall leave a notice at a suitable place so stating, and shall authorize the connection to the fuel or power supply for the installation.
- E. Grading. The Building Official, upon notification as specified in Section 18.07.030, shall make the inspection and approval of grading, excavations or fills operation as set forth in items 1 through 7, if applicable:
1. Initial meeting/inspection. When the permit holder or their duly authorized agent is ready to begin work, but before any grading operation or brushing is started, a meeting shall be held at the project site with the contractor and the inspectors to discuss the approved construction documents, soil reports and the sequence of the grading operations.
  2. Toe inspection. After the natural ground is exposed and prepared to receive fill, but before any fill is placed.
  3. Excavation inspection. After the excavation is started, but before the vertical depth of the excavation exceeds ten (10) feet.
  4. Fill inspection. After the fill placement is started, but before the vertical height of the lifts exceeds ten (10) feet.
  5. Drainage device inspection. After forms and pipes are in place, but before any concrete is placed.

6. Rough grading. When all rough grading has been completed. This inspection may be called for at the completion of the rough grading without the necessity of the Building Official having previously reviewed and approved reports.
7. Final. When all work, including installation of all drainage structures or other protective devices, has been completed and the as-graded construction document and required reports have been submitted.

18.07.060 – Surveys.

In the absence of any designation of the proper location of the lot on which a building or structure is to be erected, for which building a permit has been issued, the Building Official may require the permit holder or their duly authorized agent to have the lot surveyed and staked by a registered land surveyor or registered civil engineer licensed in the State of California to practice as such so that the proper location of the building or structure on the lot may be determined and to verify compliance of the building or structure with the approved construction documents.

18.07.070 – Non-inspected work.

No person, firm or corporation shall own, use, occupy or maintain any building or structure on which non-inspected work has been performed. For the purpose of this title, "non-inspected work" shall be defined as and include but not limited to any erection, construction, enlargement, alteration, repair, remodel, movement, removal, improvement, conversion or demolition for which a permit was first obtained, but which has progressed beyond the point indicated in successive inspections, including, but not limited to, inspections as set forth in Section 18.07.050 and Chapter 17 of the California Building Code adopted in Chapter 18.40, without first obtaining inspection by and approval of the Building Official.

18.07.080 – Special inspections.

- A. When required. In addition to the inspections to be made by the Building Official as specified in this chapter, the owner or the registered design professional in responsible charge acting as the owner's agent shall employ one (1) or more special inspectors who shall provide inspections during construction on the types of work listed under Section 1704 of the California Building Code adopted in Chapter 18.40. The special inspector shall be qualified under Subsection 18.07.080.B. The special inspector may be employed either directly or through the architectural or engineering firm in charge of the design of the structure, or through the geologic or soils engineering firm providing technical design data for the project, or through an independent approved inspection/test firm. In any case, the special inspector shall be approved by and shall be responsible to the architectural or engineering firm in charge of the design of the structure, or the geologic or soils engineering firm providing technical design data for the project.
- B. Qualifications of special inspector. The registered special inspector shall be a qualified person who shall demonstrate his or her competence pursuant to Subsection 18.07.080.C, to the satisfaction of the Building Official, for inspection of the particular type of construction or operation requiring special inspection.
- C. Examination and certificate.
  1. Requirement. Any person desiring to be registered as a registered inspector shall first qualify by passing a written or oral examination or both, given by the Building Official. Upon application for such examination, such person shall pay to the City a nonrefundable registration fee as set forth in the schedule of fees and charges established by City Council resolution.

2. Certificate. Every applicant passing such examination shall be issued a certificate as a registered inspector upon payment of a fee as set forth in the schedule of fees and charges established by City Council resolution.
  3. Expiration. All certificates issued by the Building Official shall expire three (3) year from the date issued, and may be renewed from year to year upon the payment of an annual fee as set forth in the schedule of fees and charges established by City Council resolution. Application for renewal shall be made within thirty (30) days following the date of expiration. Expired certificates may be renewed within sixty (60) days following the date of expiration; provided, that the renewal fee shall be as set forth in the schedule of fees and charges established by City Council resolution. After a certificate has expired, it shall not be renewed, and an application, nonrefundable fee and a reexamination will be required.
- D. Revocation of registration. The Building Official may revoke the registration of any registered special inspector, or the assignment of such registered special inspector to any particular building or structure, for incompetency or failure to conscientiously carry out his or her duties as specified in Subsection 18.07.080.E, in which event the Building Official may stop all further work upon the building or structure involved until some other person has been qualified, registered and assigned thereto by the Building Official.
- E. Duties of special inspector.
1. Time at the jobsite. The registered special inspector shall be employed on the work, without expense or liability to the City, either on a full time or part time basis, depending upon the magnitude of the work as determined by the Building Official. The determination of the percentage of time necessary for the job shall be left to the discretion of the registered special inspector, subject to approval of the Building Official.
  2. Responsibility. The registered special inspector shall bear a joint responsibility to the owner, or his or her agent, and the Building Official. He or she shall, for no purpose, be deemed an employee of the City, the contractor, a subcontractor or a material vendor. The assignments of the registered special inspector to each job shall be reported to the Building Official before commencing work.
  3. Duties. In addition to required verification and inspection specified in Section 1704 of the California Building Code adopted in Chapter 18.40, the registered special inspector shall observe the work assigned to be certain it conforms to the approved construction documents. On such building or structure it shall be the duty of every registered special inspector to inspect carefully all materials proposed to be used in connection with any work covered by any permit issued by the Building Official, and the registered special inspector shall obtain full information regarding the strength and durability of new types of materials where their use involves structural safety. He or she shall make such reports in writing as may be required by the Building Official regarding the progress of the work, and any deviations, defects, delays, materials, working conditions and other matters which may in any manner affect the structural safety and strength of the building. He or she shall be directly responsible for enforcing all other ordinances and laws applicable to the work to which he or she is assigned.
  4. Inspection report. The registered special inspector shall furnish inspection reports to the Building Official, the registered design professional in responsible charge and other designated persons. All discrepancies shall be brought to the immediate attention of the contractor for correction; then, if uncorrected, to the proper design authority and to the Building Official. He or she shall notify the Building Official of any attempt to cover, conceal, patch or repair any defect in materials or workmanship, and he or she shall report every infraction of any ruling of the Building Official. In furtherance of his or her aforesaid duties, he or she shall have the authority to compel the removal of defective materials and the correction of defective workmanship, or to suspend or stop further work pending a ruling of the Building Official.

5. Final report. The registered special inspector shall submit a final signed report stating whether the work requiring special inspection was, to the best of his or her knowledge, in conformance with the approved construction documents and the applicable workmanship provisions of this title.
- F. Termination of duties.
1. Termination. Every registered inspector shall remain constantly upon the work to which he or she is assigned during the process of construction, and unless otherwise removed from the job, his or her duties shall terminate only when a certificate of compliance is issued by him or her and approved by the Building Official. Such certification of compliance shall bear a statement signed by the registered inspector stating that the work upon the building or structure to which he or she has been assigned has been completed in a satisfactory manner and that the regulations of this title affecting the structural features of such building or structure have been fully complied with. If there have been any infractions of this title, they shall be noted in this statement.
  2. Certificate of compliance. The Building Official shall approve such certificate of compliance filed by the registered inspector if after inspection the structural features of such building or structure are found to be in accordance with the provisions of this chapter. Each certificate of compliance shall bear the legal description of the property upon which such building or structure is located and an identifying description of the building.
- G. Waiver of special inspection. The requirement for employment of a registered special inspector may be waived if the Building Official finds that the construction is of minor nature.

## **CHAPTER 18.08 CERTIFICATE OF OCCUPANCY**

18.08.010 – Certificate required for use or occupancy.

18.08.020 – Issuance of certificates.

18.08.030 – Contents of certificate.

18.08.040 – Temporary certificate.

18.08.050 – Posting.

18.08.060 – Revocation.

## CHAPTER 18.08 CERTIFICATE OF OCCUPANCY

### 18.08.010 – Certificate required for use or occupancy.

In order to safeguard life and limb, health, property and public welfare, no building or structure shall be used or occupied, and no change in the existing use or occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a Certificate of Occupancy therefore as provided in this chapter.

#### EXCEPTIONS:

1. Unless it is specifically required by the Building Official or other provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State, no existing building or portion thereof shall require a Certificate of Occupancy, provided:
  - a. The occupancy and use housed therein is the same for which the original building permit was issued and a final inspection approved,
  - b. Alteration or repair are minor in nature and does not affect fire life-safety or structural stability of a building or portion thereof as determined by the Building Official, and
  - c. The occupancy or use of a building or portion thereof housing a Group A or E occupancy and has not been discontinued for a period of more than six (6) months.
2. No structure, the architecture of which inhibits occupancy, shall require a Certificate of Occupancy.
3. Certificate of Occupancy are not required for work not in scope of this title under Section 18.01.040 or work exempt from permits under Section 18.04.020.

Issuance of a Certificate of Occupancy shall not be construed as an approval of a violation of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State. Certificates presuming to give authority to violate or cancel the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State shall not be valid.

### 18.08.020 – Issuance of certificates.

When required by Section 18.08.010, after the Building Official inspects the building or structure and finds no violations of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State that are enforced by the Building Official or other departments or agencies within the City, and after other applicable City departments or agencies as determined by the Building Official have reported that all required public improvements have been completed, the Building Official shall issue a Certificate of Occupancy that contains the information specified in Section 18.08.030.

When a Certificate of Occupancy is issued, it shall supersede every certificate previously issued for that portion of the building or structure or portion thereof described thereon.

### 18.08.030 – Contents of certificate.

Each certificate shall contain the following:

1. The building permit number.
2. The address of the building.

3. The name and address of the owner.
4. A description of that portion of the building for which the certificate is issued.
5. A statement that the described portion of the building has been inspected for compliance with the requirements of this title for group and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the Building Official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3 of the California Building Code adopted in Chapter 18.40.
9. The type of construction as defined in Chapter 6 of the California Building Code adopted in Chapter 18.40.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building permit.
13. The signature of the Building Official.

18.08.040 - Temporary certificate.

Notwithstanding the provisions of Section 18.08.020, if the Building Official finds that no substantial hazard will result from the occupancy of any building, or portion thereof, before the same is completed, and satisfactory evidence is submitted that the work could not have been completed prior to the time such occupancy is desired because of its magnitude or because of unusual construction difficulties, and where other applicable City departments or agencies as determined by the Building Official have reported that all required public improvements have been completed, the Building Official may issue a Temporary Certificate of Occupancy for any building or portion thereof.

The Building Official may issue a Temporary Certificate of Occupancy notwithstanding the fact that all required public improvements have not been completed, if the Building Official finds that the failure to complete the public improvements was due to circumstances over which the person applying for the Certificate of Occupancy had no control.

In addition, the Building Official may issue a Temporary Certificate of Occupancy for an existing building, or portion thereof, provided no substantial hazard will result and satisfactory evidence is submitted justifying the need for such temporary occupancy.

Permit applicants for a Temporary Certificate of Occupancy shall pay an investigation fee as set forth in Section 18.06.180 for which approval of temporary occupancy is sought, including extending a Temporary Certificate of Occupancy beyond thirty (30) day or for each additional thirty (30) day period or fraction thereof.

18.08.050 - Posting.

The Certificate of Occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the Building Official.

EXCEPTION: One- or two-family dwelling and related accessory building and structure.

18.08.060 - Revocation.

The Building Official may, in writing, suspend or revoke a Certificate of Occupancy or Temporary Certificate of Occupancy issued under the provisions of this title whenever the certificate is issued in error, or on the basis of incorrect information supplied, or when it is determined that the occupancy or the maintenance of any building or structure, or any portion thereof, continues contrary to or in violation of any provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State, and such continued occupancy or maintenance will result in the exposure of occupants and/or people in the vicinity to hazardous, dangerous or unsafe conditions. Such suspension or revocation shall be immediate but shall be subject to appeal in accordance with the provisions of Chapter 18.10.

## **CHAPTER 18.09 VIOLATIONS**

18.09.010 – General.

18.09.020 – Notice of violation.

18.09.030 – Prosecution of violation.

18.09.040 – Violation penalties.

18.09.050 – Violation for obtaining permit without owner's consent.

18.09.060 – Making false statement.

18.09.070 – Unpermitted structures.

18.09.080 – Validity of approval.

## CHAPTER 18.09 VIOLATIONS

### 18.09.010 – General.

It shall be unlawful for any person, firm or corporation to:

1. Erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment in the City regulated by this title, or cause same to be done, in conflict with or in violation of any of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State. Maintenance of any building, structure or equipment that was unlawful at the time it was erected, constructed, altered, extended, repaired, moved, removed, demolished or occupied and which would be unlawful under this title if completed after the effective date of this title shall constitute a continuing violation of this title.
2. Grade, excavate or fill any land in the City regulated by this title, or cause same to be done, in conflict with or in violation of any of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State.
3. Install, alter, repair, replace, add to, relocate, use or maintain electrical systems, equipments, appliances, fixtures, fittings and appurtenances thereto in the City, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State. Maintenance of electrical installation that was unlawful at the time it was installed and which would be unlawful under this title if installed after the effective date of this title shall constitute a continuing violation of this title.
4. Use or maintain any plumbing, gas piping or water piping or to use, occupy or maintain any building, structure or premises containing any plumbing, gas piping or water piping in the City, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State. Maintenance of plumbing or plumbing installation that was unlawful at the time it was installed and which would be unlawful under this title if installed after the effective date of this title shall constitute a continuing violation of this title.
5. Erect, install, alter, repair, relocate, add to, replace, use, or maintain heating, ventilating, cooling, or refrigeration equipment in the City, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State. Maintenance of mechanical equipment that was unlawful at the time it was installed and which would be unlawful under this title if installed after the effective date of this title shall constitute a continuing violation of this title.

The permissive provisions of this title shall not be presumed to waive any limitations imposed by any of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State.

### 18.09.020 – Notice of violation.

Pursuant to Section 18.03.020, the Building Official is authorized to serve a notice of violation or order on the person, firm or corporation responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State; or in violation of a permit or certificate issued under the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State. Such notice or order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

### 18.09.030 – Prosecution of violation.

If the notice of violation or order is not complied with promptly or within the time limit specified therein, the Building Official is authorized to request the legal Council of the City to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State or of the order or direction made pursuant thereto.

18.09.040 – Violation penalties.

Any person, firm or corporation who violates the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this title, shall be subject to penalties as prescribed by law.

18.09.050 – Violation for obtaining permit without owner's consent.

Every person, firm or corporation who knowingly and willfully procures a permit without the consent of the owner of record of the property for which the permit is issued, or such person's, firm's or corporation's agent, may be guilty of a misdemeanor as determined by the legal council of the City.

EXCEPTION: This section shall not apply to permits obtained pursuant to and in compliance with an order of a court of law or a governmental agency.

18.09.060 – Making false statement.

Any person, firm or corporation who willfully or knowingly, with the intent to deceive, makes a false statement or representation, or knowingly fails to disclose a material fact in any documentation required by the Building Official to ascertain facts relative to this title, including any oral or written evidence presented, may be guilty of a misdemeanor as determine by the legal Council of the City. The Building Official may, in writing, suspend or revoke a permit issued under provisions of this title whenever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information supplied, or in violation of any provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State.

For the purposes of this section, a "person" includes any person who is a registered special inspector, a structural inspector, a certified welder or a certified licensed contractor. The term "writing" shall include, but is not limited to, forms, applications, approvals, reports or certifications required by the Building Official. Every violation of this title may be punishable as a misdemeanor as determine by the legal council of the City.

18.09.070 – Unpermitted structures.

No person, firm or corporation shall own, use, occupy or maintain any "unpermitted structure." For the purpose of this title, "unpermitted structure" shall be defined as any structure, or portion thereof, that was erected, constructed, enlarged, altered, repaired, remodeled, moved, removed, improved, converted or demolished at any point in time, without the required permit(s) having first been obtained from the Building Official, pursuant to Section 18.04.010.

18.09.080 – Validity of approval.

- A. Approval not a violation of title. Approval as a result of a plan examination or an inspection shall not be construed to be an approval of a violation of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State applicable thereto. Plan examinations or inspections presuming to give authority to violate or cancel the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State applicable thereto shall not be valid. No approval shall relieve or exonerate any person from the

responsibility of complying with the provisions and intent of this title, municipal code or other ordinances of the City or laws and statutes of the State.

- B. Correction of errors. The issuance of a permit based upon approved construction documents shall not prevent the Building Official from thereafter requiring the correction of errors on the construction documents or from preventing construction being carried on thereunder when in violation of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State.

## **CHAPTER 18.10 BOARD OF APPEALS**

- 18.10.010 – General regulations.
- 18.10.020 – Board of Examiners, Appeals and Condemnation.
- 18.10.030 – Disabled Access Appeals Board.
- 18.10.040 – Advisory capacity.
- 18.10.050 – Limitation of authority.
- 18.10.060 – Compensation.

## CHAPTER 18.10 BOARD OF APPEALS

### 18.10.010 – General regulations.

The provisions of Chapter 2.18 provide uniform general regulations applicable to all Boards for the performance of various prescribed duties and functions. In the event any provision of Chapter 2.18 conflicts with a specific provision of this title, such specific provision of this title shall control.

### 18.10.020 – Board of Examiners, Appeals and Condemnation.

- A. General. In order to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State, and in order to provide a forum to review the determinations of the Building Official relative thereto as well as to make determinations relative to correction of substandard conditions in buildings and to abate nuisances, there is created a Board of Examiners, Appeals and Condemnation established pursuant to Ordinance No. C-5332 in 1977 and amended pursuant to Ordinance No. C-5709 in 1981.
- B. Member. The Board of Examiners, Appeals and Condemnation shall consist of seven (7) members qualified by experience and training to pass judgment upon matters pertaining to building construction; they shall be recommended by the City Manager for appointment by the Mayor and confirmation by the City Council. Members shall serve two (2) year terms and shall be eligible for reappointment if their service does not exceed the eight (8) year maximum established by City Council. The Building Official shall serve as Secretary to the Board.
- C. Duties. The Board of Examiners, Appeals and Condemnation shall conduct hearings on written appeals regarding any action taken by the Building Official in enforcing the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State. In the appeal, the Board of Examiners, Appeals and Condemnation may approve or disapprove interpretations of these regulations and enforcement actions taken by the Building Official.
- D. Procedure. The Board of Examiners, Appeals and Condemnation shall adopt reasonable rules and regulations for conducting its investigations and hearings and where not specifically provided otherwise by such rules, Robert's Rules of Order shall govern. All decisions and findings of the Board of Examiners, Appeals and Condemnation shall be in writing and shall be filed with the Secretary with copies to the interested parties. Four (4) members shall constitute a quorum for transaction of business; and each member, including the member serving as Chairman, shall be entitled to vote on any matter coming before the Board of Examiners, Appeals and Condemnation. All decisions shall be entered upon the minutes of the meetings of the Board, and the Building Official shall be guided in accordance therewith. All decisions of the Board of Examiners, Appeals and Condemnation shall be final and conclusive in the absence of fraud or prejudicial abuse of discretion.
- E. Filing requirement. Any person aggrieved by any ruling of the Building Official interpreting the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State or requiring the doing of any remedial work, or with respect to such person's application for approval of a substitute material or type of construction may appeal to the Board of Examiners, Appeals and Condemnation within thirty (30) days from the date of such ruling or order by serving a written notice upon the Secretary of the Board. A written notice shall be submitted together with a fee as set forth in Section 18.06.100. Such written notice shall state that the applicant is dissatisfied with a ruling or order of the Building Official and shall describe the nature of the complaint. Such appellant shall pay the cost of all tests made or ordered by the Board of Examiners, Appeals and Condemnation. Such notice shall be at once transmitted to the Board of Examiners, Appeals and Condemnation, and the Board of Examiners, Appeals and Condemnation shall thereafter fix a time and place for a hearing, at which time all persons

interested in the appeal shall be heard. The Secretary shall give the appellant at least ten (10) days notice of hearing.

18.10.030 – Disabled Access Appeals Board.

- A. General. Pursuant to Section 19957.5 of the California Health and Safety Code, there is hereby created a board to be known as the Disabled Access Appeals Board established pursuant to City Council Resolution No. C-23275 in 1981 and amended pursuant to Ordinance No. C-7183 in 1994 to hear written appeals regarding action taken by the Building Official in its enforcement of State regulations pertaining to access to public accommodations by physically handicapped persons.
- B. Members. The Disabled Access Appeals Board shall consist of five (5) members. Two (2) members of the Disabled Access Appeals Board shall be physically handicapped persons, two (2) members shall be persons experienced in construction and one (1) member shall be a public member. The City Manager shall recommend members for appointment by the Mayor and confirmation by the City Council. Members shall serve two (2) year terms and shall be eligible for reappointment if their service does not exceed the eight (8) year maximum established by the City Council. The Building Official shall serve as Secretary to the Disabled Access Appeals Board.
- C. Duties. The Disabled Access Appeals Board shall conduct hearings on written appeals regarding any action taken by the Building Official in enforcing the provisions of State law pertaining to access to public accommodations by physically handicapped persons, including any exceptions contained in Section 19957 of the California Health and Safety Code. In the appeal, the Disabled Access Appeals Board may approve or disapprove interpretations of these regulations and enforcement actions taken by the Building Official.
- D. Procedures. The Disabled Access Appeals Board shall adopt reasonable rules and regulations for conducting the hearings and shall appoint one (1) member to preside as chairman; and where not specifically provided otherwise by such rules, Robert's Rules of Order shall govern. All decisions and findings of the Disabled Access Appeals Board shall be in writing and shall be filed with the Secretary with copies to the interested parties. Three (3) members shall constitute a quorum for transaction of business; and each member, including the member serving as Chairman, shall be entitled to vote on any matter coming before the Board. All decisions shall be entered upon the minutes of the meetings of the Board, and the Building Official shall be guided in accordance therewith. All decisions of the Board shall be final and conclusive in the absence of fraud or prejudicial abuse of discretion.
- E. Filing requirement. Any person may file a written notice of appeal with the Secretary of the Board within thirty (30) days after an action is taken by the Building Official regarding the regulations pertaining to public access for handicapped persons. A written notice shall be submitted together with a fee as set forth in Section 18.06.100. Such written notice shall state that the applicant is dissatisfied with a ruling or order of the Building Official and shall describe the nature of the complaint. Thereafter, the Disabled Access Appeals Board shall set a time and place for hearing the appeal and all persons interested shall be heard. The Secretary shall give the appellant at least ten (10) days notice of hearing.

18.10.040 – Advisory capacity.

Each Board, upon request of the Building Official, may be called together in an advisory capacity in order to assist the Building Official.

18.10.050 – Limitations on authority.

An application for appeal shall be based on a claim that the true intent of the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this title, municipal code or other ordinances of the City or laws and statutes of the State do not fully apply or an equally good or better form of construction is proposed. Each Board shall have no authority to waive the provisions of

this title, municipal code or other ordinances of the City or laws and statutes of the State or the rules legally adopted thereunder.

18.10.060 – Compensation.

Each member of all Boards shall be paid by the City, as compensation for his or her services, such sum as may, from time to time, be provided by ordinance. Such compensation shall in no way void a member's eligibility for obtaining any City work in the course of his or her private practice or business.