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Legalizing Unpermitted Structures and Conditional Certificates of Occupancy

In recent years, the turnover in existing housing stock has brought to light challenges in verifying the safety of existing buildings in our community. Work performed without permits discovered during the sale of properties, such as additions and new structures, threaten to delay or prevent sales due to the time necessary to process permits after the fact. In addition, discovery of structures where a permit has expired prior to final inspection is becoming more frequent.

Therefore, beginning January 1, 2014, the Building and Safety Division is providing the following process to streamline permitting for work performed without permits and renewal expired permits:

Work performed prior to August 26, 1980 without permits

- 1) **Accessory Buildings**
 - a. Obtain a Code Compliance Inspection Permit over the counter
 - b. Obtain an inspection based on that permit.
 - c. If there are no concerns, permit will be finalled, legalizing the structure.
 - d. NO C of O will be issued

- 2) **Additions/Remodels Under 500 Sq Ft**
 - a. Apply for a building permit to legalize the work. Application shall include:
 - i. Plot Plan (3), if there is an increase of footprint.
 - ii. Floor Plan (3)
 - iii. Scope of Project being permitted after the fact
 - iv. Receipts from the County Schools Office for payment of School Fee.
 - b. Fee Type: ALL OTHER
 - c. Plan review and routing will determine if there are any outstanding fire, or health and safety hazards.
 - d. Once approved, obtain permit and call for an inspection.
 - e. If there are no concerns, permit will be finalled, legalizing the structure.
 - f. A Certificate of Occupancy shall be issued with a description of what features could be inspected for compliance with Health and Safety Code.

- 3) **New Dwellings/Additions Over 500 Sq Ft**
 - a. Apply for a building permit to legalize the work. Application shall include:
 - i. Plot Plan (3), if there is an increase of footprint.
 - ii. Floor Plan (3)
 - iii. Scope of Project being permitted after the fact
 - iv. Engineers review and design for New Dwelling or Additions that increase footprint.
 - v. 2 Copies of the receipt from the County Schools Office for payment of School Fee.
 - b. Fee type: ALL OTHER
 - c. Plan review and routing will determine if there are any outstanding fire, health and safety hazards, or structural concerns relative to the code edition the structure was built under.
 - d. Once approved, obtain permit and call for an inspection.
 - e. If there are no concerns, permit will be finalled, legalizing the structure.
 - f. A Certificate of Occupancy shall be issued with a description of what features could be inspected for compliance with Health and Safety Code.

Work performed after August 26, 1980 without permits

Similar to the above with the following changes:

1. Plot plans (3) are required on all increase of footprint, including Accessory structures.
2. All plot plans will be reviewed as if it was a new structure.
3. An engineer's structural report shall be required on all new footprint increases for dwellings.
4. **NEW DWELLINGS** = County Service and Impact fees will be assessed based on the fees in place at the time of construction.
5. Permit fees shall be based on the current permit fee for the work that has been performed.

Expired Projects that were completed without a final that were issued prior to 2000

1. Obtain a Code Compliance Inspection Permit over the counter
2. Obtain an inspection based on that permit.
3. If there are no concerns, permit will be finalled, legalizing the structure.
4. **C of O** will be issued based on the inspection performed.
5. ***NOTE: see current Permit Renewal Policy for structures permitted after the year 2000.***

In the course pursuing compliance under this policy, if the Building Division has reason to believe that there is a code violation or any other concern that may effect the health and safety of the building occupants, he/she has the right to request further documentation and/or inspection methods in order to verify minimum code requirements are met. This may include, but is not limited to, exposing concealed work, supplemental engineering, energy compliance documentation, picture evidence of work performed, and/or removal and replacement of unsuitable materials or construction methods.

Effective January 1, 2014