

such as hotels and motels. Public use areas, public accommodations and housing which is publicly funded as defined in Chapters 2, 11A and 11B of this code are subject to the Division of the State Architect (DSA-AC) and are referenced in Section 109.1.

Enforcing agency—Local building department or the Department of Housing and Community Development.

Authority cited—Health and Safety Code Sections 17921, 17922 and 19990 and Government Code Section 12955.1.

Reference—Health and Safety Code Sections 17000 through 17060, 17910 through 17990 and 19960 through 19997 and Government Code Section 12955.1.

108.2.1.3 Permanent buildings in mobilehome parks and special occupancy parks. Application—Permanent buildings, and permanent accessory buildings or structures, constructed within mobilehome parks and special occupancy parks that are under the control and ownership of the park operator. Sections of this code which pertain to applications listed in this section are identified in the Matrix Adoption Table using the abbreviation “HCD 2.”

Enforcing agency—Local building department or other local agency responsible for the enforcement of Health and Safety Code Division 13, Part 2.1 commencing with Section 18200 for mobilehome parks and Health and Safety Code Division 13, Part 2.3 commencing with Section 18860 for special occupancy parks or the Department of Housing and Community Development.

SECTION 108.3 LOCAL ENFORCING AGENCY

108.3.1 Duties and powers. The building department of every city, county or city and county shall enforce all the provisions of law, this code, and the other rules and regulations promulgated by the Department of Housing and Community Development pertaining to the installation, erection, reconstruction, movement, enlargement, conversion, alteration, repair, removal, demolition or arrangement of apartment houses, hotels and dwellings, including accessory buildings, facilities and uses thereto.

The provisions regulating the erection and construction of dwellings and appurtenant structures shall not apply to existing structures as to which construction is commenced or approved prior to the effective date of these regulations. Requirements relating to use, maintenance and occupancy shall apply to all dwellings and appurtenant structures approved for construction or constructed before or after the effective date of this code.

108.3.2 Laws, rules and regulations. Other than the building standards contained in this code, and notwithstanding

other provisions of law, the statutory authority and location of the laws, rules and regulations to be enforced by local enforcing agencies are listed by statute in Sections 108.3.2.1 through 108.3.2.5 below:

108.3.2.1 State Housing Law. Refer to the State Housing Law, California Health and Safety Code, Division 13, Part 1.5 commencing with Section 17910 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Article 1, commencing with Section 1, for the erection, reconstruction, movement, enlargement, conversion, alteration, repair, removal, demolition or arrangement of apartment houses, hotels and dwellings, including accessory buildings, facilities and uses thereto.

108.3.2.2 Mobilehome Parks Act. Refer to the Mobilehome Parks Act, California Health and Safety Code, Division 13, Part 2.1, Article 1, commencing with Section 18200 and California Code of Regulations, Title 25, Division 1, Chapter 2, commencing with Section 1000 for mobilehome park administrative and enforcement authority, permits, plans, fees, violations, inspections and penalties both within and outside mobilehome parks.

Exception: Mobilehome parks where the Department of Housing and Community Development is the enforcing agency.

108.3.2.3 Special Occupancy Parks Act. Refer to the Special Occupancy Parks Act, California Health and Safety Code, Division 13, Part 2.3, commencing with Section 18860 and California Code of Regulations, Title 25, Division 1, Chapter 2.2, Article 1, commencing with Section 2000 for special occupancy park administrative and enforcement authority, permits, fees, violations, inspections and penalties both within and outside of special occupancy parks.

Exception: Special occupancy parks where the Department of Housing and Community Development is the enforcing agency.

108.3.2.4 Employee Housing Act. Refer to the Employee Housing Act, California Health and Safety Code, Division 13, Part 1, commencing with Section 17000 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 3, Article 1, commencing with Section 600 for employee housing administrative and enforcement authority, permits, fees, violations, inspections and penalties.

108.3.2.5 Factory-Built Housing Law. Refer to the Factory-Built Housing Law, California Health and Safety Code, Division 13, Part 6 commencing with Section 19960 and California Code of Regulations, Title 25, Division 1, Chapter 3, Subchapter 1, Article 1, commencing with Section 3000 for factory-built housing administrative and enforcement authority, permits, fees, violations, inspections and penalties.