

SECTION 108.4 PERMITS, FEES, APPLICATIONS AND INSPECTIONS

108.4.1 Permits. A written construction permit shall be obtained from the enforcing agency prior to the erection, construction, reconstruction, installation, moving or alteration of any building or structure.

Exceptions:

1. Work exempt from permits as specified in Appendix Chapter 1, Section 105.2.
2. Changes, alterations or repairs of a minor nature not affecting structural features, egress, sanitation, safety or accessibility as determined by the enforcing agency.

Exemptions from permit requirements shall not be deemed to grant authorization for any work to be done in any manner in violation of other provisions of law or this code.

108.4.2 Fees. Subject to other provisions of law, the governing body of any city, county or city and county may prescribe fees to defray the cost of enforcement of rules and regulations promulgated by the Department of Housing and Community Development. The amount of the fees shall not exceed the amount reasonably necessary to administer or process permits, certificates, forms or other documents, or to defray the costs of enforcement. For additional information, see the State Housing Law, Health and Safety Code, Division 13, Part 1.5, Section 17951 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Article 3, commencing with Section 6.

108.4.3 Plan review and time limitations. Subject to other provisions of law, provisions related to plan checking, prohibition of excessive delays and contracting with or employment of private parties to perform plan checking are set forth in the State Housing Law, Health and Safety Code Section 17960.1, and for employee housing, in Health and Safety Code Section 17021.

108.4.3.1 Retention of plans. The building department of every city, county or city and county shall maintain an official copy, microfilm, electronic or other type of photographic copy of the plans of every building, during the life of the building, for which the department issued a building permit.

Exceptions:

1. Single or multiple dwellings not more than two stories and basement in height.
2. Garages and other structures appurtenant to buildings listed in Exception 1.
3. Farm or ranch buildings appurtenant to buildings listed in Exception 1.
4. Any one-story building where the span between bearing walls does not exceed 25 feet (7620 mm), except a steel frame or concrete building.

All plans for common interest developments as defined in Section 1351 of the California Civil Code shall be

retained. For additional information regarding plan retention and reproduction of plans by an enforcing agency, see Health and Safety Code Sections 19850 and 19851.

108.4.4 Inspections. Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or other regulations of the Department of Housing and Community Development. Required inspections are listed in Appendix Chapter 1, Sections 109.3.1 through 109.3.6, 109.3.8, 109.3.9 and 109.3.10.

SECTION 108.5 RIGHT-OF-ENTRY FOR ENFORCEMENT

108.5.1 General. Subject to other provisions of law, officers and agents of the enforcing agency may enter and inspect public and private properties to secure compliance with the rules and regulations promulgated by the Department of Housing and Community Development. For limitations and additional information regarding enforcement, see the following:

1. For applications subject to the State Housing Law as referenced in Section 108.3.2.1 of this code, refer to Health and Safety Code Sections 17970 through 17972 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1.
2. For applications subject to the Mobilehome Parks Act as referenced in Section 108.3.2.2 of this code, refer to the Health and Safety Code, commencing with Section 18200 and California Code of Regulations, Title 25, Division 1, Chapter 2.
3. For applications subject to the Special Occupancy Parks Act as referenced in Section 108.3.2.3 of this code, refer to Health and Safety Code, commencing with Section 18860 and California Code of Regulations, Title 25, Division 1, Chapter 2.2.
4. For applications subject to the Employee Housing Act as referenced in Section 108.3.2.4 of this code, refer to Health and Safety Code Section 17052 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 3.
5. For applications subject to the Factory-Built Housing Law as referenced in Section 108.3.2.5 of this code, refer to Health and Safety Code Sections 19960 through 19997 and California Code of Regulations, Title 25, Division 1, Chapter 3, Subchapter 1.

SECTION 108.6 LOCAL MODIFICATION BY ORDINANCE OR REGULATION

108.6.1 General. Subject to other provisions of law, a city, county or city and county may make changes to the