

89.108.4.4 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 Annex Chapter 1, Section 109.3.1 through 109.3.6, 109.3.8, 109.3.9 and 109.3.10.

89.108.5 RIGHT OF ENTRY FOR ENFORCEMENT

89.108.5.1 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 State Housing Law as referenced in Section 89.108.3.2.1 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 89.108.3.2.2 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 89.108.3.2.3 of this Code, refer to the 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 89.108.3.2.4 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 Act as referenced in Section 89.108.3.2.5 of this Code, refer to Health and Safety Code Sections 19991 through 19992 and California Code of Regulations, Title 25, Division 1, Chapter 3, Subchapter 1.

89.108.6 LOCAL MODIFICATION BY ORDINANCE OR REGULATION

89.108.6.1 General. Subject to other provisions of law, a city, county or city and county may make changes to the provisions adopted by the Department of Housing and Community Development. If any city, county or city and county does not amend, add, or repeal by local ordinances or regulations the provisions published in

this Code or other regulations promulgated by the Department of Housing and Community Development, those provisions shall be applicable and shall become effective 180 days after publication by the California Building Standards Commission. Amendments, additions, and deletions to this Code adopted by a city, county or city and county pursuant to California Health and Safety Code Sections 17958.7 and 18941.5, together with all applicable portions of this Code, shall also become effective 180 days after publication of the California Building Standards Code by the California Building Standards Commission.

89.108.6.2 Findings, Filings, and Rejections of Local Modifications. Prior to making any modifications or establishing more restrictive building standards, the governing body shall make express findings and filings, as required by California Health and Safety Code Section 17958.7, showing that such modifications are reasonably necessary due to local climatic, geological, or topographical conditions. No modification shall become effective or operative unless the following requirements are met:

1. The express findings shall be made available as a public record.
2. A copy of the modification and express finding, each document marked to cross-reference the other, shall be filed with the California Building Standards Commission for cities, counties, or cities and counties, and with the Department of Housing and Community Development for fire protection districts.
3. The California Building Standards Commission has not rejected the modification or change.

Nothing in this Section shall limit the authority of fire protection districts pursuant to California Health and Safety Code Section 13869.7 (a).

89.108.7 ALTERNATE MATERIALS, DESIGNS, TESTS AND METHODS OF CONSTRUCTION

89.108.7.1 General. The provisions of this code as adopted by the Department of Housing and Community Development are not intended to prevent the use of any alternate material, appliance, installation, device, arrangement, design or method of construction not specifically prescribed by this code. Consideration and approval of alternates shall comply with Section 89.108.7.2 for local building departments and Section 89.108.7.3 for the Department of Housing and Community Development.