

CALABASAS MUNICIPAL CODE - SECTION 15.04.030 2010 CALIFORNIA BUILDING CODE

DIVISION II SCOPE AND ADMINISTRATION

II

LEGEND

- Text = 2010 Building Code
~~Text~~ = Historic Calabasas Amendment
~~Text~~ = Historic County of Los Angeles/Calabasas Amendment
~~Text~~ = Proposed Calabasas Language
~~Text~~ = Proposed Calabasas Deletion
Text = Post Urgency Ordinance Outline Renumbering
Post Urgency Ordinance Proposed Language
(R) = 2010 Residential Code merge
II Sections adopted or amended by state agencies are specifically indicated by an agency banner or identified in the Matrix Adoption Table.
> This symbol indicates California deletion of California language

Section 15.04.030 Calabasas Municipal Code Scope and Administration

SECTION 101 APPLICABILITY

101 ~~12 (a) 1-1~~ Administrative Provisions

The Administrative provisions delineated by Calabasas Municipal Code Section 15.04.30 are applicable to the Residential Building Code, Green Building Standards Code, Electrical Code, Mechanical Code, Plumbing Code, Energy Historic Code and Existing Building Code.

101 (b) 1 Title. These regulations shall be known as the *California Calabasas Building Code of the State of California*, hereinafter referred to as "this code."

101 (b) 2 Scope. The provisions of this code shall apply to the construction, *alteration*, movement, enlargement, replacement, repair, equipment, used and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception: ~~Detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the California Building Code.~~

101. (b) 2. 1 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

101 (b) 3 Intent. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, *means of egress* facilities, 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 firefighters and emergency responders during emergency operations.

> ~~101.4 Referenced codes.~~ The other codes listed in Sections 101.4.1 through 101.4.6 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

~~101.4.1 Gas.~~ The provisions of the *International Fuel Gas Code* shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

~~101.4.2 Mechanical.~~ The provisions of the *International Mechanical Code* 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.

~~101.4.3 Plumbing.~~ The provisions of the *International Plumbing Code* 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. The provisions of the *International Private Sewage Disposal Code* shall apply to private sewage disposal systems.

~~101.4.4 Property maintenance.~~ The provisions of the *International Property Maintenance Code* 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 premises and structures.

~~101.4.5 Fire prevention.~~ The provisions of the *International Fire Code* 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.

~~101.4.6 Energy.~~ The provisions of the *California Energy Code, Title 24, Part 6* shall apply to all matters governing the design and construction of buildings for energy efficiency.

~~Exception: [OSHPD 1, 2 & 4] Not required by OSHPD.~~

SECTION 102 APPLICABILITY

102.1 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 sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

~~102.1.1 Additional requirements. [OSHPD 1, 2, 3, & 4, DSA-SS & DSA-SS/CC] See Chapter I, Division I, Section 1.1.7.~~

102.2 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

~~102.4.1 Code References. [OSHPD 1, 2, 3 & 4, DSA-SS & DSA-SS/CC] All reference to International Codes or other similar codes in referenced standards shall be replaced by equivalent provisions in the California Building Standard Codes.~~

~~102.4.2 Reference in Standards. [OSHPD 1, 2, 3 & 4, DSA-SS & DSA-SS/CC] All references listed in reference standards shall be replaced by referenced standards listed in Chapter 35 of this code, where applicable, and shall include all amendments to the reference standards in this code.~~

102.5 Partial invalidity. In the event that any part or provision of this code 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.

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *California Building Code* or the *California Fire Code*, or as is deemed necessary by the *building official* for the general safety and welfare of the occupants and the public.

SECTION 103 DEPARTMENT OF BUILDING SAFETY

103.1 Creation of enforcement agency. The Department

Division of Building, Safety is hereby created and the official in charge thereof shall be known as the *building official*.

103.2 Appointment. The *building official* shall be appointed by the ~~chief appointing authority of the jurisdiction~~ Community Development Director.

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *building official* shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the *building official*. For the maintenance of existing properties, see the *California Building Code*.

SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL

104.1 General. The *building official* is hereby authorized and directed to enforce the provisions of this code. The *building official* shall have the authority to render interpretations of this code 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 code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

104.2 Applications and permits. The *building official* shall receive applications, review *construction documents* and issue *permits* for the erection, and *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 code.

104.3 Notices and orders. The *building official* shall issue all necessary notices or orders to ensure compliance with this code.

104.4 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 inspections 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, subject to the approval of the appointing authority.

104.5 Identification. The *building official* shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, 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 this code 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 code, 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.

104.7 Department records. The *building official* shall keep official records of applications received, *permits* and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

104.8 Liability. The *building official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code 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 an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction 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 provisions of this code

104.9 Approved materials and equipment. Materials, equipment and devices *approved* by the *building official* shall be constructed and installed in accordance with such approval.

104.9.1 Used materials and equipment. The use of used materials which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless *approved* by the *building official*.

104.10 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the *building official* shall have the authority to grant modifications for individual cases, upon 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 code impractical and the modification is in compliance with the intent and purpose of this code 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 department of building safety.

104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not

specifically prescribed by this code, 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 code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

104.11.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

104.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, 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 jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *building official* shall approve the testing procedures. Tests shall be performed by an *approved agency*. Reports of such tests shall be retained by the *building official* for the period required for retention of public records.

~~104.11.3 Peer review. [OSHPD 1 & 4] When peer review is required, it shall be performed pursuant to Section 3414A.~~

~~104.11.4 Earthquake monitoring instruments. [OSHPD 1 & 4] The enforcement agency may require earthquake monitoring instruments for any building that receives approval of an alternative system for the Lateral Force Resisting System (LFRS). There shall be a sufficient number of instruments to characterize the response of the building during an earthquake and shall include at least one tri-axial free field instrument or equivalent. A proposal for instrumentation and equipment specifications shall be forwarded to the enforcement agency for review and approval. The Owner of the building shall be responsible for the implementation of the instrumentation program. Maintenance of the instrumentation and removal/processing of the records shall be the responsibility of the enforcement agency or its designated agent.~~

SECTION 105 PERMITS

105.1 Permits Required. Any owner or authorized agent All persons who intends to construct, enlarge, alter, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, component or device, the installation of which is regulated by this code, or to cause any such work to be done the

Technical Codes in Title 15 of the Calabasas Municipal Code, shall first make written application to the building official and obtain each required permit.

Whenever any work or installation has been commenced without a permit in violation of this section, a special investigation to identify the nature and extent of the unpermitted work or installation shall be made prior to the issuance of the permit. An investigation fee shall be paid in addition to customary fees for each permit prior to, or at the time of, the issuance of a permit or permits. Failure to pay a special investigation fee in full constitutes cause to deny the issuance of a permit or permits. The investigation fee shall be as specified by resolution of the City Council.

The payment of the investigation fee shall not exempt any person from compliance with all other provisions of the Calabasas Municipal Code, or from any penalty prescribed by law for failing to obtain each required permit.

~~CMC 106.1.4~~ Property bordering a parcel zoned Open-Space or Open-Space Development-Restricted. An application for a permit under this title for the construction or alteration of any structure to be located within ten (10) feet of a property zoned Open-Space or Open-Space Development-Restricted, as identified in the City's zoning map, shall not be complete unless accompanied by a survey prepared by a licensed land surveyor or another person authorized by law to conduct and prepare a survey. This survey shall be required to depict (i) the boundaries of the property, (ii) the work to be constructed, and (iii) the boundary of the property nearest the site of the work which is zoned Open-Space or Open-Space Development-Restricted, as identified in the City's zoning map. A survey is a construction document subject to all of the requirements and exceptions of Section 106 of the California Building Code. In addition to the foregoing, prior to the issuance of a building permit for any structure located within ten (10) feet of a property which is zoned Open Space or Open Space - Development Restricted, as identified in the City's zoning map, an applicant or property owner shall be required to perform a stake survey in the manner required by the Director. Any stakes installed to fulfill the foregoing requirement shall not be moved or removed and shall remain in place consistent with the stake survey until the completion of the work for which the permit issues."

105.1.1 Annual permit. In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation, the building official is authorized to issue an annual permit upon application therefor to any person, firm or corporation regularly employing one or more qualified trade persons in the building, structure or on the premises owned or operated by the applicant for the permit.

105.1.2 Annual permit records. The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The building official shall have access to such records at all times or such records shall be filed with the building official as designated.

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits A building permit shall not be required for the following:

Building:

1. One-story detached accessory buildings structures used as tool and storage sheds, playhouses and similar uses, provided that: the floor area does not exceed 120 square feet (11 m²).
 - A. The building is accessory to a dwelling unit.
 - B. The building neither exceeds one hundred twenty (120) square feet (11.15 m²) in roof area nor exceeds seven feet (2133 mm) in overall height.
 - C. The building has no plumbing or electrical installations or fixtures.
 - D. The building is separated from the dwelling or garage structure by a minimum of ten (10) feet (3048) and any other building or structure by a minimum of six feet (1829 mm).
2. Fences not over six feet (1829 mm) high.

Exception 1: Solid walls or fences more than three feet (914 mm) above grade, within the required front yard setback.

Exception 2: Non-retaining masonry fences or walls more than three feet (914 mm) above finished grade.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one-and two-family *dwelling*s.
12. Window *awnings* supported by an *exterior wall* that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Groups R-3 and U occupancies.
13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

Electrical:

Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles.

Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

Temporary testing systems: A *permit* shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

- (R) 1 *Listed* cord-and-plug connected temporary decorative lighting.
- (R) 2 Reinstallation of attachment plug receptacles but not the outlets therefor.
- (R) 3 Replacement of branch circuit overcurrent devices of the required capacity in the same location.

Gas:

1. Portable heating appliance.
 2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- (R) 1 Portable heating, cooking or clothes drying *appliances*.
 - (R) 2 Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid

Mechanical:

1. Portable heating appliance.

2. Portable ventilation equipment.
 3. Portable cooling unit.
 4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
 5. Replacement of any part that does not alter its approval or make it unsafe.
 6. Portable evaporative cooler.
 7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
- (R) 1 Portable heating, cooking or clothes drying *appliances*.
 - (R) 2 Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the *permit* application shall be submitted within the next working business day to the *building official*.

105.2.2 Repairs. Application or notice to the *building official* is not required for ordinary repairs to structures, replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required *means of egress*, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include *addition to, alteration of, replacement or relocation* of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

105.2.3 Public service agencies. A *permit* shall not be required for the installation, *alteration* or repair of generation, transmission, distribution or metering or other related

equipment that is under the ownership and control of public service agencies by established right.

105.3 Application for permit. To obtain a *permit*, the applicant shall first file an application therefor in writing on a form furnished by the **division department** of building safety for that purpose. 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 Section 107.
5. State the valuation of the proposed work
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the building official.

105.3.1 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 requirements of pertinent laws, the *building official* shall reject such application in writing, stating the reasons therefor. If the *building official* is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the *building official* shall issue a *permit* therefor as soon as practicable.

105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official may grant **one or more up to two** extensions not exceeding **90 180 days each** per extension, **beyond the initial 180-day limit upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken and upon the payment of an extension fee equal to 25 percent of the plan check fee.**

Once an application and any extension(s) thereof have expired, the applicant shall resubmit plans and specifications and pay a new plan checking or review fee.

[OSHPD 1, 2, & 4] Time limitation shall be in accordance with Title 24, Part 1, Chapter 7, Section 7-129.

105.4 Validity of permit. 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 code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. 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. The *building official* is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

105.5 Expiration of a Permit -General~~Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.~~ Except as set forth in Sections 105.5.1 and 105.5.2, every permit issued for property *within the city* shall expire by limitation and become null and void as follows:

- (i) If work authorized by such permit is not commenced within 180 days from the issuance date of such permit.
- (ii) If work authorized by such permit is commenced within 180 days from the issuance date of such permit, such permit shall expire by limitation and become null-and-void 180 days after the date of the last successful inspection by the Building and Safety Division. For purposes of this subsection, "successful inspection" shall mean a required inspection (as identified in Section 110 of this code, or otherwise determined to be necessary by the Building Official) in which work inspected was determined by the Building Official or a designee thereof, to meet all applicable minimum code requirements and the inspection was documented as successful.
- (iii) Notwithstanding any provision in Subparts 105.5.1 and 105.5.2, no permit shall be extended, and therefore, ~~no~~ ~~or~~ permit shall be valid, for any period exceeding two (2) years from the original date of issuance.

In the event of permit expiration, before work authorized pursuant by the expired permit can be commenced or recommenced, a new permit shall first be obtained (hereinafter, a "renewal permit). To obtain a renewal permit, the applicant may be required to resubmit plans and specifications, if deemed necessary by the Building Official and/or City Planner. The applicant must pay all applicable fees, including but not limited to, a plan check fee and building permit fees, in the amount then established by resolution of the City Council. If renewal permits are

applied for, a mandatory site inspection shall be performed by the Building and Safety Division and an inspection fee paid by the applicant to determine compliance of existing conditions and materials with this Code. All work to be performed under a renewal permit must be performed in accordance with all applicable technical codes, regulations, laws, and ordinances in effect on the date of issuance of the renewal permit.

Permits for portable amusement devices and for temporary Group A-4 or Group A-5 structures shall be valid for a period not exceeding 30 days. Permits for amusement devices erected under a building permit shall be valid for a period of 90 days.

105.5.1 Expiration of Demolition Permit.

Notwithstanding any provision of Section 105.5, a demolition permit shall expire by limitation and become null and void 60 days after the date on which the permit was issued. The Building Official may extend the validity of the permit for a period not exceeding 180 days beyond the initial 60-day limit upon written request by the applicant filed with the Building Official prior to the expiration date of the original permit.

105.5.2 Expiration of permit for unpermitted structures.

Notwithstanding any provision of Section 105.5, if a building permit is issued in order to bring an unpermitted building or structure or other unlawful, substandard, or prohibited condition therein into compliance with any applicable law, ordinance, rule or regulation, such permit shall expire by limitation and become null and void 60 days after the date on which the permit was issued. The building official may extend the validity of the permit in writing for a period not exceeding 180 days beyond the initial 60-day limit upon written request by the applicant filed with the Building Official prior to the expiration date of the original permit. The time limitations herein shall also apply to permits issued for plumbing, mechanical or electrical work and installations that were initially undertaken without each required permit.

105.6 Suspension or revocation. The *building official* is authorized to suspend or revoke a *permit* issued under the provisions of this code wherever the *permit* is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code may, in writing, suspend or revoke a permit issued under the provisions of this code, or other relevant laws, ordinances, rules, or regulations, whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation of any of the provisions of this Code.

The building official may also, in writing, withhold inspections or approvals, or suspend or revoke a permit, where work is being performed in violation of approved plans, conditions of any permit, or applicable laws, and/or where work is being concealed without approval from the Building Official, and/or where work is not in accordance with the direction of the Building Official.

105.7 Placement of permit. The building *permit* or copy shall be kept on the site of the work until the completion of the project.

SECTION 106 FLOOR AND ROOF DESIGN LOADS

106.1 Live loads posted. Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf (2.40 kN/m²), such design live loads shall be conspicuously posted by the owner in that part of each *story* in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

~~106.1.1 Snow Load Posting. [OSHPD 1,2,3 & 4, _____] ||
DSA-SS & DSA-SS/CC] Snow loads used in design shall be posted as for live loads.~~

~~106.1.2 Load Posting Responsibility. [OSHPD 1, 2 & 4] ||
The owner or governing board shall be responsible for keeping the actual load below the allowable limits.~~

106.2 Issuance of certificate of occupancy. A certificate of occupancy required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

106.3 Restrictions on loading. It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

SECTION 107 SUBMITTAL DOCUMENTS

107.1 General. Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report and other data shall be submitted in two or more sets with each *permit* application. The *construction documents* shall be prepared by a *registered design professional* where required by the statutes of the jurisdiction in which the project is to be constructed. 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 it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

107.2 Construction documents. *Construction documents* shall be in accordance with Sections 107.2.1 through 107.2.5.

107.2.1 Information on construction documents. *Construction documents* shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when *approved* by the *building official*. *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 code and relevant laws, ordinances, rules and regulations, as determined by the *building official*.

107.2.2 Fire protection system shop drawings. Shop drawings for the *fire protection system(s)* shall be submitted to indicate conformance to this code and the *construction documents* and shall be *approved* prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

107.2.3 Means of egress. The *construction documents* shall show in sufficient detail the location, construction, size and character of all portions of the *means of egress* in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-I, the *construction documents* shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

107.2.4 Exterior wall envelope. *Construction documents* for all buildings shall describe the *exterior wall envelope* in sufficient detail to determine compliance with this code. The *construction documents* shall provide 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.

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 which was tested, where applicable, as well as the test procedure used.

107.2.5 Site plan. 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 grades 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 location and size of existing structures and construction that are to remain on the site or plot. 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.

107.2.5.1 Design flood elevations. Where *design flood* elevations are not specified, they shall be established in accordance with Section 1612.3.1.

107.3 Examination of documents. 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 requirements of this code and other pertinent laws or ordinances.

107.3.1 Approval of construction documents. When the *building official* issues a *permit*, the *construction documents* shall be *approved*, in writing or by stamp, as "Reviewed for Code Compliance." One set of *construction documents* so reviewed shall be retained by the *building official*. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the *building official* or a duly authorized representative.

107.3.2 Previous approvals. This code 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 within 180 days after the effective date of this code and has not been abandoned.

107.3.3 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 submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. 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.

107.3.4 Design professional in responsible charge.

107.3.4.1 General. When it is required that documents be prepared by a *registered design professional*, the *building official* shall be authorized to require the owner to engage and designate on the building *permit* application a *registered design professional* who shall act as the *registered design professional in responsible charge*. If the circumstances require, the owner shall 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.

107.3.4.2 Deferred submittals. For the purposes of this

section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the *building official* within a specified period.

Deferral of any submittal items shall have the 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*. 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 to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by the *building official*. ~~{OSHPD 1, 2, & 4} Deferred submittals shall be in accordance with Title 24, Part 1, Chapter 7, Section 7-126.~~

107.4 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*. ~~{OSHPD 1, 2 & 4} Change in the work shall be in accordance with Title 24, Part 1, Chapter 7, Section 7-153.~~

107.5 Retention of construction documents. One set of *approved construction documents* shall be retained by the *building official* for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

SECTION 108 TEMPORARY STRUCTURES AND USES

108.1 General. The *building official* is authorized to issue a *permit* for temporary structures and temporary uses. Such *permits* shall be limited as to time of service, but shall not be permitted for more than 180 days. The *building official* is authorized to grant extensions for demonstrated cause.

108.2 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, *means of egress*, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure public health, safety and general welfare.

108.3 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 NFPA 70.

108.4 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.

SECTION 109 FEES

109.1 Payment of fees. A *permit* shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a *permit* be released until the additional fee, if any, has been paid.

109.2 Schedule of permit fees. ~~On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for each permit shall be as set forth in the City of Calabasas Building Permit Fee Schedule. Such fees shall be established, and may be amended from time to time, by resolution of the City Council. The determination of value or valuation under any of the provisions of this chapter shall be made by the building official whose determination shall be final. The value is to be utilized in computing the permit and plan review fees established pursuant to this chapter and shall be the total value of all construction work for which the permit is issued including, by way of illustration and not by limitation, finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment~~

109.3 Building permit valuations. The applicant for a *permit* shall provide an estimated *permit* value at time of application. *Permit* valuations shall include total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the *building official*, the valuation is underestimated on the application, the *permit* shall be denied, unless the applicant can show detailed estimates to meet the approval of the *building official*. Final building *permit* valuation shall be set by the *building official*.

109.4 Work commencing before permit issuance. ~~Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. Special investigation fees, as required by Subsection 105.1 shall be due for any unpermitted work or installations that occurred, whether to buildings, structures, land, or in connection with electrical, mechanical or plumbing systems or installations. Special investigation fees shall be due in addition to permit fees~~

109.5 Related fees. The payment of the fee for the construction, *alteration*, removal or demolition for work done in connection to or concurrently with the work authorized by a building *permit* shall not relieve the applicant or holder of the *permit* from the payment of other fees that are prescribed by law.

109.6 Refunds. ~~The building official is authorized to establish a refund policy. In the event that any person shall~~

have obtained a permit and no portion of the work or construction covered by such permit shall have been commenced, and such permit shall have been canceled or expired, the permittee, upon presentation to said building official of a request therefore, in writing on a special form, may be entitled to a refund in an amount equal to 80 percent of the fee actually paid for such permit.

Upon verification of eligibility, the building official may refund the applicable amount, provided the request has been submitted no later than one year after the cancellation or expiration of the permit and that the permittee was the payor of said permit fees.

No portion of the plan checking fee shall be refunded, unless no checking has been performed on a set of plans, in which case 80 percent of the plan checking fee may be refunded.

109.7 Noncompliance Fee. If the building official or duly authorized board, in the course of enforcing the provisions of this code or any state law, issued an order to a person and that person fails to comply with the order within 15 days following the due date for compliance stated in the order, including any extensions thereof, then the building official shall have the authority to collect a noncompliance fee.

The noncompliance fee shall not be imposed unless the order states that a failure to comply within 15 days after the compliance date specified in the order will result in the fee being imposed. No more than one such fee shall be collected for failure to comply with an order. The amount of the noncompliance fee shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

109.89 Plan Checking or Review Fees for Building or Structures. The building official may require additional charges for review required by complexity of plans or changes, additions or revisions of approved plans or reports, and for services beyond the first and second check due to changes, omissions or errors on the part of the applicant. The payment of said fees shall not exempt any person from compliance with other provisions of this code.

SECTION 110 INSPECTIONS

110.1 General. 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 of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the *permit* applicant to cause the work to

remain accessible and exposed for inspection purposes. Neither the *building official* nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

110.2 Preliminary inspection. Before issuing a *permit*, the *building official* is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

110.3 Required inspections. The *building official*, upon notification, shall make the inspections set forth in Sections 110.3.1 through 110.3.10.

110.3.1 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.

110.3.2 Concrete slab and under-floor inspection. Concrete slab and under-floor inspections shall be made after 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.

110.3.3 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 Section 1612.5 shall be submitted to the *building official*.

110.3.4 Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, *fireblocking* and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are *approved*.

110.3.5 Lath and gypsum board inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

Exception: Gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly.

110.3.6 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*.

110.3.7 Energy efficiency inspections. Inspections shall be made to determine compliance with Chapter 13 and shall include, but not be limited to, inspections for: envelope insulation *R*-and *U*-values, fenestration *U*-value, duct system *R*-value, and HVAC and water-heating equipment efficiency.

110.3.8 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 code and other laws that are enforced by the department of building safety.

110.3.9 Special inspections. For *special inspections*, see Section 1704.

110.3.10 Final inspection. The final inspection shall be made after all work required by the building *permit* is completed.

110.4 Inspection agencies. The *building official* is authorized to accept reports of *approved* inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

110.5 Inspection requests. It shall be the duty of the holder of the building *permit* or their duly authorized agent to notify the *building official* when work is ready for inspection. It shall be the duty of the *permit* holder to provide access to and means for inspections of such work that are required by this code.

110.6 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *building official*. The *building official*, upon notification, 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 his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *building official*.

SECTION R110 INSPECTIONS

R110.1 Types of inspections. For onsite construction, from time to time the *building official*, upon notification from the *permit holder* or his agent, shall make or cause to be made any necessary inspections and shall either approve that portion of the construction as completed or shall notify the *permit holder* or his or her agent wherein the same fails to comply with this code. *The enforcing agency upon notification of the permit holder or their agent shall within a reasonable time make the inspections set forth in Sections R109.1.1, R109.1.1.1, R109.1.3, R109.1.4, R109.1.4.1, R109.1.5, R109.1.5.1, R109.1.5.2 and R109.1.6.*

Note: Reinforcing steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the enforcing agency.

R110.1.1 Foundation inspection. Inspection of the foundation and *footings* shall be made after poles or piers are set in place or trenches or *basement* areas are excavated and any required forms erected and any required reinforcing steel is in place and supported prior to the placing of concrete. The foundation or *footing* inspection shall include excavations in place for thickened slabs intended for the support of bearing walls, partitions, structural supports, or *equipment* and special requirements for wood foundations.

Materials for the foundation shall be on the job site except where concrete is ready-mixed in accordance with ASTM C 94. Under this circumstance concrete is not required to be at the job site.

R110.1.1.1 Concrete slab and under-floor inspection. *Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduits, piping or other ancillary building trade products or equipment are installed, but before any concrete is placed or floor sheathing is installed, including the sub floor.*

R110.1.2 Plumbing, mechanical, gas and electrical systems inspection. Rough inspection of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or *appliances* are set or installed, and prior to framing inspection.

Exception: Back-filling of ground-source heat pump loop systems tested in accordance with Section M2105.1 prior to inspection shall be permitted.

R110.1.3 Floodplain inspections. For construction in areas prone to flooding as established by Table R301.2(1), upon placement of the lowest floor, including *basement*, and prior to further vertical construction, the *building official* shall require submission of documentation, prepared and sealed by a registered *design professional*, of the elevation of the lowest floor, including *basement*, required in Section R322.

R110.1.4 Frame and masonry inspection. Inspection of framing and masonry construction shall be made after the roof, masonry, all framing, firestopping, draftstopping and bracing are in place and after *chimneys and vents to be concealed are completed and the rough electrical, plumbing, heating wires, pipes and ducts are approved.*

R110.1.4.1 Lath and gypsum board inspection. *Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior; is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.*

R110.1.5 Other inspections. In addition to the called inspections above, the *building official* may make or require any other inspections to ascertain compliance with this code and other laws enforced by the *building official*.

SECTION 111 CERTIFICATE OF OCCUPANCY

111.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exception: Certificates of occupancy are not required for work exempt from *permits* under Section 105.2.

111.1.1 Unpermitted Structures No person shall own, use, occupy, or maintain an unpermitted structure. For purposes of this subsection, “unpermitted structure” shall be defined as any building or structure, or portion thereof, that was erected, constructed, enlarged, altered, repaired, moved, improved, removed, connected, converted, demolished, or equipped with regulated devices, fixtures or installations, at any point in time by any person, without the required permit(s) having first been obtained from the Building Official, or with a valid permit as issued by the Building Official which subsequently expired and became null and void. An unpermitted structure also includes one for which a building permit has been suspended or revoked.

111.2 Certificate issued. After the *building official* inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the *building official* shall issue a certificate of occupancy that contains the following:

1. The building *permit* number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy 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.
9. The type of construction as defined in Chapter 6.
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*.

111.3 Temporary occupancy. Issuance of Temporary Certificate of Occupancy. The Building Official ~~is~~ may, in writing, authorized to ~~issue~~ a temporary certificate of occupancy ~~before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely.~~ The building official shall set a time period during which the temporary certificate of occupancy is valid.

of any building or structure, or portion thereof, that lacks a permanent certificate of occupancy for any reason, provided patent conditions in open and accessible portions of the building or structure do not reveal a substantial hazard to an occupant or occupants.

Applications for a temporary certificate of occupancy shall be on a city-approved form. Such applications shall be accompanied by a fee to process the application and for the inspection of the building or structure to determine its suitability for a temporary certificate of occupancy. Such fees shall be established by the City Council by resolution.

A temporary certificate of occupancy is valid for a period of time to be specified by the Building Official in the certificate. The city attorney may require applicants for a temporary certificate of occupancy to execute an indemnification, as approved by the city attorney, in favor of the city and its employees as a prerequisite to receiving a temporary certificate of occupancy.

The Building Official may extend the period of a temporary certificate of occupancy in writing, as well as impose conditions thereto. Property owners shall acknowledge and agree to said conditions in writing. The breach of any condition thereof shall render a temporary certificate of occupancy null and void without further action by the city. In such event, the owners shall cause all use and occupancy of the building or structure to be terminated by a date required by the Building Official. Use or occupancy of a building or structure, or allowing the use or occupancy of a building or structure, with an expired ~~a~~ temporary certificate of occupancy is a violation of this code and unlawful. Failing to cause the termination of all uses and occupancy in a structure after a termination date is a violation of this code and unlawful. The boards established by Section 1.8.7 do not have jurisdiction to consider, decide or rule pertaining to the issuance, expiration or nullification of a temporary certificate of occupancy, or with regard to any other matter relating thereto.

111.4 Revocation. The Building Official ~~is authorized to~~ may, in writing, suspend or revoke a certificate of occupancy ~~or completion~~ whenever the Building Official determines that the certificate was issued in error, or on the basis of incorrect information supplied, or when it is determined that the building, structure ~~or premises~~, or portion thereof, is in violation of any provision of this code, or other relevant laws, ordinances, rules and/or regulations. Use or occupancy of a building or structure, or allowing the use or occupancy of a building or structure, with a suspended or revoked certificate of occupancy is a violation of this code and unlawful. The boards established by Section 1.8.7 do not have jurisdiction to consider, decide or rule pertaining to the issuance, suspension or revocation of a certificate of occupancy, or with regard to any other matter relating thereto.

SECTION 112 SERVICE UTILITIES

112.1 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a *permit* is required, until released by the *building official*.

112.2 Temporary connection. The *building official* shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

112.3 Authority to disconnect service utilities. ~~The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 101.4 in case of emergency where necessary to eliminate an immediate hazard to (life) like¹ or property or when such utility connection has been made without the approval required by Section 112.1 or 112.2. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.~~

The powers granted the Building Official pursuant to this subsection extend to all buildings, structures or systems (including electrical, plumbing and mechanical) that are regulated by this code. This subsection supersedes all similar provisions in other codes that are part of Title 15 of the Calabasas Municipal Code.

112.3.1 Authority to Disconnect Electric Utility. The Building Official is hereby empowered to disconnect or to require in writing the discontinuance of electric utility service to buildings, structures or premises, or portions thereof, or to wiring, devices or materials where such buildings, structures or premises, or portions thereof, are determined to be a hazard to life, health and/or property, or where they lack permits and required inspection approvals.

The Building Official is hereby empowered to disconnect or to require in writing the discontinuance of electric utility service as a means of preventing, restraining, correcting or abating any violation of this code, or other relevant laws, ordinances, rules or regulations.

The electrical service shall remain disconnected or electrical utility service shall remain discontinued until the code violation has been abated to the satisfaction of the Building Official, or until the installation of such wiring,

devices or materials have been made safe as directed by the Building Official; or until a permit has been issued and the work has been inspected and approved by the Building Official.

112.3.2 Authority to Disconnect Gas Utility

The Building Official is hereby empowered to disconnect or to require in writing the discontinuance of gas utility service to buildings, structures or premises, or portions thereof, or to appliances, devices or materials where such buildings, structures or premises, or portions thereof, are determined to be a hazard to life, health and/or property, or where they lack permits and required inspection approvals.

The Building Official is hereby empowered to disconnect or to require in writing the discontinuance of gas utility service as a means of preventing, restraining, correcting or abating any violation of this code, or other relevant laws, ordinances, rules or regulations.

The gas service shall remain disconnected or gas utility service shall remain discontinued until the code violation has been abated to the satisfaction of the Building Official, or until the installation of such appliances, devices or materials have been made safe as directed by the Building Official; or until a permit has been issued and the work has been inspected and approved by the Building Official.

112.3.3 Authority to Disconnect Water Utility. The Building Official is hereby empowered to disconnect or to require in writing the discontinuance of water utility service to buildings, structures or premises, or portions thereof, or to fixtures, devices or materials where such buildings, structures or premises, or portions thereof, are determined to be a hazard to life, health, property or to the environment, or where they lack permits and required inspection approvals.

The Building Official is hereby empowered to disconnect or to require in writing the discontinuance of water utility service as a means of preventing, restraining, correcting or abating any violation of this code, or other relevant laws, ordinances, rules or regulations.

The water service shall remain disconnected or water utility service shall remain discontinued until the code violation has been abated to the satisfaction of the Building Official, or until the installation of such appliances, devices or materials have been made safe as directed by the Building Official; or until a permit has been issued and the work has been inspected and approved by the Building Official.

Section 112.3.4 The powers granted the Building Official pursuant to this section 112.3 may be exercised only when the utility service or services to be disconnected create a dangerous condition by virtue of any violation of Chapter 15.04 of the Calabasas Municipal Code. The Building Official shall notify the serving utility, and whenever possible the owner and occupant of the building, structure

¹ ~~like~~ - The word "life" was misspelled

or service system of the decision to disconnect prior to taking such actions.

SECTION 113 BOARD OF APPEALS.

113.1 General. In order to hear and decide appeals of orders, decisions, or determinations of the *building official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business regarding materials or methods of construction, the City Council shall appoint upon nomination of the City Manager a Board of Appeals under this code with appropriate technical qualifications. Notwithstanding any other provisions of this Chapter 15.04, this Section 113 and Section K13(F)(6) of Appendix K of the 2010 California Plumbing Code provide the sole administrative appeals authorized by this chapter.

113.2. Limitations on Authority.

(a) An application for appeal shall be based on a claim that a decision of the building official to prohibit the use of materials or methods of construction reflects one of the following errors: (i) the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, (ii) the provisions of this code do not fully apply according to their terms, or (iii) the materials or methods of constructions proposed are equally well or better suited to accomplish the purposes of this code than those otherwise required by this code.

(b) The Board of Appeals shall have no authority to: (i) waive the requirements of this code, (ii) to consider, decide or rule on the existence or nonexistence of any activity, condition, or use involving real property and/or any structure and other improvements on real property that the building official or another authorized agent of the city has determined to violate Title 15 or any other provision of the Calabasas Municipal Code, or (iii) consider, decide or rule whether persons are or are not responsible for violations of the Calabasas Municipal Code or public nuisances or what actions are required by responsible persons to correct or abate violations of the Calabasas Code or public nuisances.

(c) The limitations of this section 113.2 shall apply equally to any appellate body established by the Electrical, Mechanical or Plumbing Codes of the City.

113.3 Qualifications Procedures. The board of appeals shall consist of members who are qualified by experience

~~and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. A person seeking an appeal under this Section 113 shall file an appeal on a form furnished by the building official and pay an appeal fee in an amount established from time to time by resolution of the City Council. That fee shall be sufficient to cover the cost of the building official's obtaining a written interpretation of relevant provisions of this Title 15 by the International Code Council or any successor thereto. The Board of Appeals may, after hearing, adopt that written interpretation as the decision of the Board. If the Board of Appeals does not adopt that written interpretation, it shall state its reasoning in writing. The Board may establish, by a regulation published in the manner required of ordinances of the City Council, procedures for the conduct of appeals under this Section 113 and until it shall do so, the appeal provisions of Section 116.2 of this code shall apply. Judicial review of a decision of the Board of Appeal under this Section 113 may be had pursuant to Code of Civil Procedure Section 1094.5. Judicial review of any decision of the building official not subject to appeal under this Section 113 may be had pursuant to Code of Civil Procedure Section 1085.~~

SECTION 114 VIOLATIONS

114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation, property owner and/or other responsible person to erect, construct, alter, extend, repair, move, remove, demolish, or occupy any building or structure, or as well as any regulated equipment, regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code, system or installation, or cause or allow the same to be done, in conflict with this code. It is unlawful for any for any property owner and/or other responsible person to maintain, whether due to action or inaction, any building or structure, as well as any regulated equipment, system or installation in violation of this code

114.2 Notice of violation. The *building official* is authorized to serve a notice of violation or order on the person 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 code, or in violation of a *permit* or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

114.3 Prosecution of violation. If the notice of violation is not complied with promptly, the *building official* is authorized to request the legal counsel of the jurisdiction 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

code or of the order or direction made pursuant thereto.

114.4 Violation penalties. Any person who violates a provision of this code 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 code, shall be subject to penalties as prescribed by law.

SECTION 115 STOP WORK ORDER

115.1 Authority. Whenever the *building official* finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the *building official* is authorized to issue a stop work order.

115.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

115.3 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT OR INSTALLATIONS THEREIN

116.1 Unsafe Structures or Installations Therein Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

Any building or structure that has any or all of the conditions hereinafter described shall constitute an unsafe or dangerous building or structure:

(a) Structural inadequacies, damage, deficiencies, defects or deterioration, as well as nearby hazardous embankments

or excavations, that could cause a building or structure to partially or completely collapse or fail.

(b) Electrical, plumbing or mechanical work or installations, which because of a defect in materials or installation, or due to some other faulty operating or other condition, pose a risk of explosion or fire.

(c) Unsanitary or unhealthful conditions that are present in a building or structure.

(d) All forms of construction, as well as electrical, plumbing or mechanical work, systems, fixtures, appliances or other installations for which all required permits and inspection approvals have not been obtained from the Building Official.

(e) Occupancy or use for which a building or structure was not designed or intended, or that results in a change in the occupancy classification thereof.

(f) Inadequate egress from a building or structure.

(g) A vacant building or structure that is not secured against unauthorized entry.

(h) Any condition that violates any regulation in Title 15 of the Calabasas Municipal Code.

Any or all of the foregoing conditions endanger the health, safety or welfare of occupants, persons who may enter the premises, or the public.

116.2 Record Orders to Vacate. ~~The building official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.~~

Notwithstanding any other provision of this code, if the building official or a designee thereof, determines a condition is present in a building or structure or on premises that constitutes an immediate danger or hazard to the health, safety or welfare of occupants or to the public, the Building Official may order persons to vacate buildings, structures, premises, or portions thereof. Such orders may include orders to not re-enter, as well as authorize limited entry subject to written conditions. Conditions may include, but not be limited to, requiring buildings, structures and premises to be secured from entry or access by means that are acceptable to the Building Official. Orders shall advise persons of their appeal rights as discussed in this subsection.

Orders may be personally served on an occupant, or served by first class mail and posted on the premises containing the immediate danger or hazard. If an owner does not occupy

said premises, a copy of the order shall be also sent by first class mail to the owner as identified by Los Angeles County Assessor records. For owner-occupied properties, the issuance date of an order is the date of its personal service. For non-owner occupied properties, the issuance date of an order is the date an order to the owner and any occupant(s), or a copy thereof, are deposited in a U.S. Postal Service mail container and posted on the premises. Failure of any person to receive an order shall not affect its validity, or the appeal period. When identifying a mailing address for an owner, the Building Official shall consider such information as shown in Los Angeles County Assessor records.

Orders issued pursuant to this subsection, and any conditions thereof, are appealable by a property owner or occupant on a City-approved form that must be received by the City Clerk's Office within ten days of an order's issuance. Appellants shall state all grounds for their appeal in said form. A fee is not charged for such appeals. Failure to tender an appeal in a timely manner constitutes a waiver of the right to appeal, in which case an order is final.

If a timely appeal is made, the Building & Safety Division shall provide ten days advance written notice to the appealing party or parties of the date, time and place of the hearing. A timely appeal does not stay an order, or any conditions thereof. Failure of any person to receive a notice of hearing shall not affect its validity.

Timely appeals shall be heard by the City Manager, or a designee thereof. The boards established by this code do not have jurisdiction to consider, decide or rule on orders that are authorized by this subsection. Appeal hearings are informal and rules of evidence do not apply. Failure of an appellant or appellants to appear at a hearing constitutes a waiver of the right to appeal, in which case the order is final. The hearing officer shall, within ten days following the hearing, issue a written decision upholding, modifying, or reversing the order or conditions thereof, notice of which shall be sent to the appellant(s) by first class mail. Such decisions are not appealable. The notice of decision shall contain the following statement: "The Hearing Officer's decision is final, and judicial review of this decision is subject to the provisions and time limits set forth in Cal. Code of Civil Procedure §§ 1094.5 and 1094.6."

Orders may be accompanied by, or combined with, Notices of Violations (which are not appealable). Orders shall be rescinded in writing when the Building Official determines that the immediate danger or hazard has been fully corrected or abated with all permits, approvals and inspections as required by the Calabasas Municipal Code.

116.3 Notice Violations. ~~If an unsafe condition is found, the~~

~~building official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of the order. It is unlawful and a public nuisance for any person to maintain an unsafe or dangerous building or structure. Each and every day that a building or structure is maintained in an unsafe or dangerous condition is a new violation of this code. It is a violation of this code and unlawful for any person to fail to comply with an order to vacate, as well as all conditions thereof.~~

~~**116.4 Method of service.** Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.~~

~~**116.5 Restoration.** The structure or equipment determined to be unsafe by the building official is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of Section 105.2.2 and Chapter 34.~~