



INFORMATIONAL BULLETIN

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PERMITS AND CONSTRUCTION FOR REPAIRS AND REMODELS TO EXISTING CONDOMINIUMS, TOWNHOUSES AND DETACHED SINGLE FAMILY HOME

Reference: California Building Code section 105, California Health and Safety Code sections 19825-19829, California Business and Professions Code section 7031.5 and 7044, City of Municipal Code sections 5-9-202 B. and 5-9-205 F.

Introduction: Repairs, remodels, alterations or additions to homes and the addition or replacement of pools, spas or equipment, for example, water heaters, air conditioners, heating units and systems (HVAC) and photovoltaic systems are subject to a building permit issued to an authorized contractor licensed by the state of California to perform such work with one very limited exception detailed below. Such work must be done pursuant to certain applicable **state** and **local** building standards.

Purpose: The purpose of this informational bulletin is to highlight the applicable **state** and **local** standards so that home owners and contractors may efficiently plan and manage construction projects.

AUTHORIZATION TO OBTAIN A PERMIT

For work to a condominium, townhome or single family home, there are two entities that may be issued a permit. The most common is the contractor licensed by the Contractor's State Licensing Board of the State of California.

The other entity is the **Owner-Builder**. When an owner chooses to act as the owner-builder he or she must have sufficient knowledge and skills to perform the work in a manner that meets applicable codes and standards, or act as a general contractor, hiring appropriately licensed subcontractors to perform all of the work. In either case, the owner-builder assumes all responsibility for ensuring California Worker's Compensations laws are met. In addition, several declarations on the permit document must be signed by the owner demonstrating qualifications relating to occupancy and future ownership.

SPECIAL PERMIT CONSIDERATIONS- CONDOMINIUMS, TOWNHOMES, SINGLE FAMILY HOMES AND COMMUNITY ASSOCIATIONS (HOAS)

Work commissioned by an individual condominium or townhome owner, which is in or affects a common use area may only be approved for permit upon presentation to the City of **written permission from the owner (HOA Board of Directors)**. A permit for such work may only be issued to a licensed contractor, not an owner-builder. Examples of such work include installing an electrical vehicle charger in a common or shared parking area, mounting photovoltaic panels, putting in a skylight, adding a patio cover or work within an attic or underfloor area.

Permits for single family homes are not subject to these *special considerations*. As a courtesy, however, applicants for work that is not wholly within the home or affects the exterior, are advised that review and approval from the Community Association may be required. Examples of such work include additions, patio covers, new pool or adding or enlarging windows. Projects for which plans are reviewed and approved by the City are stamped with the following statement:

Community Association Advisory Issuance of a City building permit does not relieve the applicant of the legal requirement to obtain Community Association approval of the plans. Separate review and approval of this project may be required by your Community Association. Contact your Community Association for requirements.

GOOD NEIGHBOR CONSIDERATIONS AND LIMITS ON PROJECT DURATIONS

Construction projects bring strangers, traffic, noise, dust and general disruption to developed neighborhoods. Additionally, there is a tendency to neglect some elements of normal property maintenance. For example, keeping the hedges trimmed or the weeds pulled. Project owners and contractors should remember this and endeavor to minimize these negative impacts to the maximum extent possible. The following standards apply:

- Sites are required to be left in a secured and workman like fashion at the end of each work day.
- Yards shall be kept free of overgrowth, weeds and debris.
- Construction material and supplies shall be stored on site.
- Common area sidewalks, streets and travel ways may only be temporarily blocked for transferring of deliveries.

Because of the effect to surrounding neighbors, City of Irvine Municipal Code section 5-9-205 amends the California Building Code by establishing **absolute maximum durations** for construction projects relating to existing residences as follows:

- 18 months - Room Additions or major reconstruction*
- 12 months - Pools/spas

- 6 months - Interior remodeling, minor reconstruction, patio covers, fireplaces, skylights, photovoltaic systems, water heaters , HVAC

*Note: Exterior walls and roofs shall be covered with finished materials within six months.

These durations commence on the day a permit is issued. **Projects failing to finish on time are subject to legal action including the assessment of fines.**

HOMEOWNER RESPONSIBILITY

The homeowner of a residence undergoing work subject to a building permit is ultimately responsible to the City to ensure all applicable state and local standards are met. This includes standards relating to process/methods and results, e.g. passing all required inspections including a **final inspection**.

PROGRESS TO FINISH

When a permit is issued, the applicant (contractor or owner-builder) is given a copy of the permit and approved plans with a City approval stamp. An **inspection record card** is also provided. The City inspector signs the inspection record card each time a *progress* milestone inspection is passed. **Homeowners should use this document to ensure project payments do not get too far ahead of the project's progress.**

This suggestion is especially pertinent at the end of the project. A project is considered finished when it has passed a **final inspection** by the City Inspector. Homeowners are cautioned that just because the work appears to be complete, the contractor's duty has not been fulfilled until the work has *passed final inspection* by the City inspector. **Final payment of a sufficient value should be withheld until final inspection has been passed.** Regardless of a contractor's best intentions, once final payment is received it can be difficult to get some contractors back to complete the job.