

# Item No. 29

## **“To Be Delivered” Material**

For

### **City of Sacramento**

City Council

Financing Authority

Housing Authority

Redevelopment Agency

### **Agenda Packet**

**Submitted:** December 14, 2009

**For the Meeting of:** Tuesday, December 15, 2009

The attached materials were not available at the time the Agenda Packet was prepared.

**Title:** Report Back on the Facility Permit Program (FPP)

Contact Information: Eileen Teichert, City Attorney (916) 808-5346 and John Dangberg, Assistant City Manager (916) 808-5704

Please include this “To Be Delivered” material in your agenda packet. This material will also be published to the City’s Internet. For additional information, contact the City Clerk Department at Historic City Hall, 915 I Street, First Floor, Sacramento, CA 95814-2604, (916) 808-7200.



## **REPORT TO COUNCIL City of Sacramento**

**915 I Street, Sacramento, CA 95814-2604  
www.CityofSacramento.org**

**Staff Report  
December 15, 2009**

**Honorable Mayor and  
Members of the City Council**

**Title: Report Back on the Facility Permit Program (FPP)**

**Location/Council District: Citywide**

**Recommendation: Receive and File**

**Contact: Eileen Teichert, City Attorney, 808-5346; John Dangberg, Assistant City Manager,  
808-1222**

**Presenters: Eileen Teichert, City Attorney; John Dangberg, Assistant City Manager**

**Department: Office of the City Attorney; Office of the City Manager**

**Division: n/a**

**Organization No : 03001011**

### **Description/Analysis**

**Issue:** At the October 27, 2009 City Council meeting, related to the discussion on an interim ordinance for Beverage Bottling Plants, concerns were raised regarding some of the processes associated with the Building Division's Facility Permit Program (FPP). During the meeting Assistant City Manager John Dangberg announced the suspension of the FPP pending further review. Also during the meeting, Councilmember Sheedy requested that staff provide a report back and documentation on the FPP to review whether it is compliant with Sacramento City Code and California law.

This report provides a brief background on the FPP including its substance and genesis. This report then discusses the legal issues under California law and the City Code that arise from certain practices under the FPP. The companion report following this one, entitled the "Facilitated Permit Program" provides a way forward so that Sacramento's development

community may realize many of the benefits of the FPP, in a manner that is consistent with the current law.

**Policy Considerations:** A review of the City's development procedures in furtherance of creating a business-friendly environment in Sacramento is consistent with the city's Strategic Plan goal to expand economic development throughout the city.

**Environmental Considerations:**

**California Environmental Quality Act (CEQA):** No action is requested under this report.

**Sustainability Considerations:** There are no sustainability considerations associated with this report.

**Commission/Committee Action:** None

**Rationale for Recommendation:** No recommendations are provided under this report.

**Financial Considerations:** There are no financial considerations associated with this report.

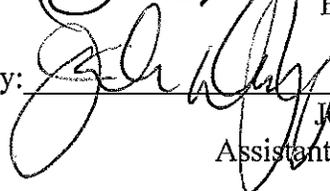
**Emerging Small Business Development (ESBD):** No goods or services are being purchased under this report.

Respectfully Submitted by:



Eileen Teichert  
City Attorney

Approved by:



John Dangberg,  
Assistant City Manager

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## **BACKGROUND**

On June 6, 2005, the Director of the Department of Development Services (DSD) introduced the new Facility Permit Program (FPP) to the Development Oversight Committee (DOC) as part of DSD's efforts to streamline the building permitting process in the City of Sacramento. At the August 22, 2005 DOC meeting, the Director advised the DOC that several major facilities had been signed to the FPP.

DSD's FPP allows owners and contractors to register their commercial and industrial facilities with the City issuing a year-long Facility Program Permit. This permit enables major tenant improvements and remodels, repairs, maintenance and minor tenant alterations on the registered facilities to be performed under the program throughout the year. Under the program, when such work is necessary, the owner/contractor submits a permit application for that work, with plans and specifications. Prior to the permit issuance or payment of fees, DSD verbally authorizes the start of the work, up to the inspection stage, either with or without execution by the owner/contractor of an "Authorization to Start Work".

DSD described FPP as facilitating a rapid approval process for tenant alterations and improvements of commercial and industrial facilities. FPP uses a team approach with one team of inspectors performing both plan reviews and inspections. The inspection team becomes familiar with the registered facility speeding up both the plan review and inspection process. Traditional permit fees are not charged. A copy of DSD's FPP program guide is attached to this report.

The 2005-2006 DOC Annual Report was provided to the City Council on April 25, 2006 and included the following description of the program:

### **"FACILITIES PERMIT PROGRAM**

As the size of individual retail and commercial development projects grow in Sacramento, unique streamlining opportunities arise in regard to the permitting process for tenant improvements. A large retail center or office building may generate as many as 30 to 40 individual tenant interior build-out projects, which are often very similar or even repetitive in nature.

The DSD has taken the novel approach of assigning a plan review and inspection team to a particular development or building. The team will review and inspect all projects within the development, in some cases even performing the plan reviews at the jobsite. This is much more efficient and economical than the traditional approach of assigning the project to the next review team in line without regard to their familiarity or experience with the particular building.

With the expected onset of high-rise and other large commercial projects in the city over the next few years, this Facilities Permit Program will prove to be a real time-saver for the developer as well as a much more economical use of staff for the DSD."

The FY 2006/2007 Budget Document that was approved by the City Council includes a reference on page 129 in the Development Services Department Budget Section to this goal of the department for the fiscal year: "Expand the Facility Permit tenant improvement Program (FPP) to facilitate the more efficient review and inspection of remodels and improvements in large commercial or retail centers." No other record of the FPP coming before the City Council or its subcommittees could be located.

DSD records show the first FPP permit issued in December, 2004 with a total of approximately fifty applications to the FPP program and 1,500 permits issued by DSD under the FPP through October 27, 2009.

During the October 27, 2009 council meeting discussion of a proposed Interim Ordinance for Beverage Bottling Plants, details of the FPP process used to authorize improvements for the Nestle Waters bottling plant were discussed.

Issues were raised by Panattoni (Nestle Waters contractor) and their legal counsel, both before and during the October 27, 2009 meeting, that the proposed Interim Ordinance for Beverage Bottling Plants could not apply to Nestle Water due to the millions of dollars of construction performed by Panattoni on Nestle's behalf pursuant to City staff's verbal authorization and Authorization to Start Work agreement under the FPP, but prior to issuance of building permits.

Due to concerns raised about the absence of authorization for the FPP under the Sacramento City Code and the issues associated with using the FPP process for building improvements for the Nestle Bottling Plant, Assistant City Manager John Dangberg temporarily suspended the FPP during the course of that meeting. Also during the meeting, Councilmember Sheedy requested that staff provide a report back and documentation on the FPP to review whether it is compliant with Sacramento City Code and California law.

The development community desires that the permit streamlining achieved by the FPP be retained by the City, and City staff desires to provide that streamlined level of service in conformity with California law. The following discusses the legal issues associated with the current FPP, to assist in development of a new permit streamlining process for tenant improvements and other work formerly done under the FPP.

### Legal Issues

- California Law

DSD's FPP replicates Portland's FPP, a special alternative permit and inspection program expressly provided for under Oregon law. However, no similar alternative permit and inspection program exists under California law. Therefore, a review of the requirements of California law is necessary to determine the legal feasibility of such a program.

California law imposes certain mandatory duties upon the City with respect to construction, repair, installations, and demolitions of buildings. These mandatory statutory duties include the following:

- The City's obligation to enforce the State Building Standards Code. The building standards embodied in the Building Standards Code regulate, require, or forbid the method of use, properties, performance, or types of materials used, and include requirements for the architectural and design function of a building. The City has incorporated the State Building Standards Code into the City Code to enable the City to enforce the SBSC.
- The City must include in its application form for a building permit a declaration form for the applicant to sign providing that the applicant holds the applicable contractor's license issued by the state or that he/she is exempt from the licensing requirement. Applicable exemptions include, in certain circumstances, 1) the owner of the property or the owner's employees are doing the work themselves; or 2) the owner of the property contracts for the work with a licensed contractor.
- The City must include in its application form for a building permit a declaration form for the applicant to sign under penalty of perjury that the state worker's compensation requirements have been met because the applicant: 1) is self-insured; 2) has worker's compensation insurance for the performance of the work; or 3) will not employ any person so as to become subject to worker's compensation laws.
- The City must include in its application form for a building permit, space and a designation for the applicant to enter the name and address of the construction lender, or an indication there is no known lender. The City must keep this information on file open for public inspection during the City's regular business hours.

If the City fails to perform these mandatory statutory duties the City may be liable for harm suffered by the persons whom the statutes were intended to protect. The City may be liable for damages suffered by the property owner or injured worker for City's failure to perform its mandatory duties to require the statement of compliance with contractor's licensing requirements or the declaration of compliance with the worker's compensation laws. City's failure to comply with this requirement could result in City liability for damages suffered by a lender as a result of a mechanic's or materials lien on the permitted work. With respect to dwellings, apartment houses and hotels, the City could be liable to the Housing and Community Development Department (HCD) for their costs of enforcement of building standards codes if the HCD determines the City failed to enforce the building standards.

No claims of City liability for breach of any of these statutory duties have arisen out of the FPP.

- Sacramento City Code

As discussed above, the City of Sacramento has a mandatory duty to enforce the State Building Standards Code within the City limits. However, under California law, the process for issuance of building permits is within the control of the City provided that state laws are otherwise complied with. The Sacramento City Code sets out the building permit process to assure City performance of its mandatory duties.

The Sacramento City Code requires building permits for certain types of work as a mechanism for enforcing the State Building Standards Code, however no permit is required if the work is exempt from permit requirements under the California Building Standards Code. The work

described under Sacramento's FPP guide is not exempt from permit requirements. Compliance with the Sacramento City Code is required for all new construction and any alterations, repairs, relocations or reconstruction of any building or any portion thereof including any electrical, mechanical or gas or plumbing equipment installed on any property or used on or within any building.

Under the Sacramento City Code, if the Sacramento Building Official finds that the work described in an application for a permit and that the plans, specifications, and other data filed with the application conform to the requirement of the City Code and other pertinent laws, and that the fees have been paid, the Building Official shall issue the permit to the applicant. That permit shall authorize only that work specified in the permit application.

The City Code requires that every permit application shall pay a permit fee based upon valuation of the work to be done by the permit and that no permit is valid until the fee is paid. The City Code further provides that at the time a plan is submitted with the application for a permit, the applicant must pay a plan check fee as well.

The City Code also provides that inspections shall be conducted at all times specified by the applicable Uniform Building Code.

If work for which a building permit is required is started before a building permit is issued, the City Code subjects the violator to a quadruple fee, up to a maximum of \$500 plus two times the fee.

### Summary

The FPP, while successful at streamlining the permitting process for tenant improvements, is inconsistent with the Sacramento City Code in several fundamental respects.

- The FPP allowed work to proceed before building plans and specifications were reviewed and approved, and before a building permit was issued.
- The FPP allowed work to proceed before permit fees based upon valuation of the work and plan check fees were paid.

The FPP's compliance with California law is uncertain with regard to:

- Questionable ability to ensure compliance with SBSC if substantial work is performed before review of SBSC-compliant plans and specifications.
- Verbal authorizations and "Authorizations to Start Work", premised on the issuance of the original FPP facility registration permit, creates uncertainty whether state-mandated disclosure forms for worker's compensation, contractor licensing and construction lenders are signed each time a new work project is commenced under the FPP permit.

Under California law the permit process is subject to the discretion of the local jurisdiction, provided that State Building Standards Code is enforced and other applicable laws are complied with. There does not appear to be any legal impediment to continuing the team approach to plan review and inspections for buildings that require multiple tenant improvements, maintenance and repairs throughout the year. The building permit process for Sacramento is set out in the Sacramento City Code, therefore the DSD drafted guide is ineffective to modify the City's building permit process. Any changes to the City's current building permit process that would enable work requiring a permit to be performed before permit issuance or payment of building permit fees can be made only by City Council adopted ordinance. Any such ordinance should be drafted to assure compliance with the mandatory duties under state law.

The "Facilitated Permit Program" described in the next report does not propose ordinance changes. With the legal requirements set out in this report, Staff will determine what additional changes they wish to make to the City's Code in order to further streamline the City's building permitting process.



# **PROGRAM GUIDE**

## **FACILITY PERMIT PROGRAM**

**Commercial Construction**

**May, 2008**

**Development Services Department  
300 Richards Blvd.  
Sacramento, Ca., 95811**

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### **Background**

The Facility Permit Program (FPP) is intended to simplify the permit and inspection process by:

- Streamlining plan intake and permit issuance.
- Assigning one Inspection Team for all customer facilities.
- Delegating plan review to the Inspection Team.
- Having a Responsible Party, designated by the facility owner, who has primary responsibility to coordinate all permitted work.
- Providing process management for the requirements of other departments.
- Cost effective and accountable delivery of services.



DEVELOPMENT SERVICES DEPARTMENT

**CITY OF SACRAMENTO**  
CALIFORNIA

300 RICHARDS BLVD  
3<sup>RD</sup> FLOOR  
SACRAMENTO, CA  
95811

### Facility Program Staff Contacts

Facility Permits are intended to simplify the permit and inspection process. The program's design is to streamline City services for customers who have 'ongoing' interior tenant improvements within commercial, multifamily, industrial and governmental buildings.

Applicants should contact one of the following for information and assistance:

Sean Burke FPP Coordinator Light Commercial Combination Inspector	Desk Cell Fax	(916) 808-5337 (916) 804-1784 (916) 808-7185
	e-mail	<a href="mailto:sburke@cityofsacramento.org">sburke@cityofsacramento.org</a>
Paul Clayton Building Inspector Team Lead	Desk Cell e-mail	(916) 808-8950 (916) 804-5056 <a href="mailto:pclayton@cityofsacramento.org">pclayton@cityofsacramento.org</a>
Marshall Johnson Building Inspector Team Lead	Desk Cell e-mail	(916) 808- (916) 201-4796 <a href="mailto:mjohnson@cityofsacramento.org">mjohnson@cityofsacramento.org</a>
Rob Hoatson Plumbing/Mechanical Inspector	Desk Cell e-mail	(916) 808-8019 (916) 804-3061 <a href="mailto:rhatson@cityofsacramento.org">rhatson@cityofsacramento.org</a>
John Briel Electrical Inspector	Desk Cell e-mail	(916) 808-1012 (916) 718-7260 <a href="mailto:jbriel@cityofsacramento.org">jbriel@cityofsacramento.org</a>
Chris Suter Fire Plan Check (Only) Fire Inspection Line	Desk e-mail	(916) 808-5257 <a href="mailto:csuter@cityofsacramento.org">csuter@cityofsacramento.org</a> (916) 808-1643

Documents may be mailed, or delivered to the staff above at:  
300 Richards Blvd, 3<sup>rd</sup> floor  
Sacramento, California 95811



# FACILITY PERMIT PROGRAM

## APPLICATION FOR BUILDING PERMIT

**CITY OF SACRAMENTO**  
**DEVELOPMENT SERVICES DEPARTMENT**  
**PERMIT SERVICES SECTION**  
 300 Richards Blvd., 3<sup>rd</sup> Floor  
 Sacramento, CA 9595811  
 FAX (916)808-1901

ACTIVITY # _____	Insp. Area _____
------------------	------------------

Applicant **MUST** complete ALL Unshaded areas

ADDRESS \_\_\_\_\_ Suite \_\_\_\_\_  
 PARCEL # \_\_\_\_\_

<p style="text-align: center;"><b>RESPONSIBLE PARTY</b></p> Name _____ Street Address _____ City/State/Zip _____ Phone _____ FAX _____ E-mail: _____	<p style="text-align: center;"><b>LICENSED CONTRACTOR</b> Lic No. # _____</p> Name _____ Address _____ City/State/Zip _____ Phone _____ FAX _____ E-mail: _____
<p style="text-align: center;"><b>ARCHITECT/ENGINEER</b></p> Name _____ Address _____ City/State/Zip _____ Phone _____ FAX _____ E-mail: _____	<p style="text-align: center;"><b>OWNER</b></p> Name _____ Address _____ City/State/Zip _____ Phone _____ FAX _____ E-mail: _____

→ Will permittee have any employees on the jobsite?  No  Yes → INSURANCE CO: \_\_\_\_\_  
 WORKER'S COMPENSATION POLICY # \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_

NATURE OF WORK IN DETAIL: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

OCCUPANT/TENANT: \_\_\_\_\_ VALUATION: \$ \_\_\_\_\_

INSPECTION DISCIPLINES			BLDG	MECH	PLUMB	BLEC		SITE	FIRE
# Stories	1 <sup>st</sup> flr Area.	Total Area	Use Zone	Occp Group	Const type	Fire Req. Y / N		Fed Code	Via. File
						SPR	ALARM		
B	L	P	M	E	F	S			

COMMENTS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

REGIONAL SANITATION FEES?  Yes  No      HEALTH DEPARTMENT?  Yes  No



DEVELOPMENT SERVICES  
DEPARTMENT

**CITY OF SACRAMENTO**  
CALIFORNIA

300 RICHARDS BLVD  
3<sup>RD</sup> FLOOR  
SACRAMENTO, CA  
95811

Date: July 10, 2007

## **FACILITY PERMIT PROGRAM**

### Bid estimates for Multi-Tenant Retail Customers

In a desire to serve multi-tenant retail customers at larger shopping malls, we are prepared to offer "bid estimates" for these projects, based on the estimated time required for review and inspection of these projects. The bid hours will be billed at the FPP hourly rate.

#### **Instructions to customers/applicants:**

- Each project must have a designated Responsible Party, whose primary role is to coordinate between the design/build team and FPP staff. Typically this may be the Applicant, Contractor or Architect.
- Contact your FPP Inspector or FPP Administrative Staff as early as possible to discuss the scope of your project. Projects requiring plan review will need plans submitted in order for staff to make estimates. Early communications is critical to the success of this proposal.
- In many cases, the FPP Inspector will recommend a brief pre-application or intake meeting. This meeting should include a discussion of the project schedule and any factors that could affect required FPP hours, such as additional inspections due to phasing of projects, etc.
- Completed plan sets shall have Mall Management approval prior to formal plan review submittal.
- Consultation and plan review fees may be billed at the time of project application intake. In such cases this bill must be paid at the time of application.
- One bill, inclusive of all trades, other review departments and any associated project fees will be created for each project upon completion of all required reviews. This bill must be paid in full prior to issuance of permits.
- These bid estimates will be based on the actual time anticipated for each project. No additional deposit will be held.
- Efficient construction management can reduce time required for review and inspection of projects and reduce overall cost. Some common considerations are assuring work is completely ready for requested inspections, providing ready access for inspections, and limiting extra trips for re-inspection of corrections. Where actual inspection time substantially exceeds the estimated time, we reserve the right to charge accordingly.



The program has been developed to facilitate a rapid approval process for two basic levels of work within commercial and industrial facilities:

- Maintenance & Repair and Minor Tenant Alterations; and
- Major Interior Tenant Improvements & Remodels.

The FPP is available to owners of commercial and industrial buildings, building management companies, and/or their tenants. The program is best suited to serve customers who have 'on-going' interior tenant improvements and where facility maintenance, upgrades and renovations are frequent.

*\* Note: Projects carried out under the Facilities Permit program are exempt from the standard permit process.*

The FPP utilizes a team concept in the handling of all work needed for the facility. The team is comprised of four Inspectors specializing in the Building, Plumbing/Mechanical, Electrical, and Fire trades.

Each facility is required to assign a person to act as liaison with the FPP team. This person will be termed the "Responsible Party". The success of this program is contingent upon the concept of developing an ongoing working relationship between participating building owners and assigned inspection teams. The inspection team will complete required plan reviews. Customers can expect an improved level of communications and service delivery tailored to the customer needs, including pre-design consultations, site meetings and process management assistance. Services delivered will be charged at an hourly rate with full cost accountability through itemized billing.

Traditional permit fees will not be charged.

Each building or facility must be registered in the program annually (fiscal year July-June) and owners may register as many buildings as they wish. In order to ensure consistency of requirements sites owned by a single owner or management group will be assigned to the same Inspection Team regardless of the geographical location(s).

~~The program is not intended to relax code requirements.~~ However, it is designed to provide customers inspection and plan review services in the most efficient and effective ways possible.

Once enrolled, customers will be able to use the Facility Permit Program for all their tenant improvement needs. For purposes of continuity and coordination of site activities within registered facilities, customers shall use the Facility Permit Program for construction authorization and the issuance of permits on projects (including all building, mechanical, fire, electrical, and plumbing work.) Projects prohibited by this program guide will be required to go through the standard issuance and inspection program.

## **Qualifying Facilities**

The program is available for all commercial and industrial buildings. Apartment houses with six or fewer units and 1 & 2 family houses are not eligible for inclusion in the program.

## **Maintenance & Repair and Minor Alterations & Improvements**

One of the available services within the program is the Master Permit for maintenance and repair work. This program feature allows customers the ability to make minor tenant improvements and maintenance repairs as needed to their facilities. It is the policy of the FPP that owners/customers are in no way obligated to participate in the Master Permit feature of the program. The following represents the rules and policies to be insured by the Responsible Party when utilizing the Master Permit feature.

### **Building, Mechanical, Plumbing & Electrical work.**

- Applicants are to keep and maintain records (logs) of all master permit installations made, including what was done, the employee or contractor doing the work, when it was done and material used;
- Reports showing work done shall be filed every three months and shall be available for the jurisdictional inspector;
- Every facility utilizing the Master Permit feature of the Facility Permit Program shall be inspected at least twice a year, or more frequently if deemed necessary by the jurisdictional inspector.

In addition to the rules outlined above the following shall apply for all electrical and plumbing work:

- The facility shall keep on file a roster of all electricians with their State Certification number and all plumbers with their City of Sacramento Certification number employed by the owner.

The Responsible Party may return work logs every three months to the program administrator, or keep them on file for use by the inspection team. Work regulated by the Fire Marshal's office will require an individual permit application.

Examples of Maintenance & Repair and Minor Alterations & Improvements authorized under the Master Permit are as follows:

#### **Structural:**

- Re-roofing (on other than un-reinforced masonry buildings.)
- Glazing
- Repairs with like materials in a like manner

#### **Mechanical:**

- Repair/replacement of ductwork and grills
- In-kind replacement of equipment

#### **Plumbing:**

- Replacement of existing sanitary fixtures

Repair and replacement of in-kind existing piping  
Electrical:

Shall include but not be limited to the replacement of switches, outlets, motors, and similar in-kind work of this nature.

Minor Alterations & Improvements will require review by the inspection team prior to commencement of work. These projects may often be started within hours or days of review depending on the complexity of the proposal. For this type of work the customer simply contacts the Inspection Team Lead for a conceptual review of the projects scope. The Team Lead will advise the customer regarding plan review requirements and as to when the work may begin.

Work not described above shall be either:

Major Interior Tenant Improvements & Remodels (as outlined below); or  
Prohibited Work under the Facility Permit Program (see page 5).

### **Major Interior Tenant Improvements & Remodels**

All interior tenant improvements may be performed under the Facility Permit Program. Examples of work to which the program is best suited include, but are not limited to:

- Remodel or renovation of an existing tenant space;
- Creation of a new tenant space within the existing shell of a building;
- Accessibility retrofits;
- Alterations of exterior, non-bearing walls provided there is no expansion of usable floor space beyond the existing shell of the building;
- Changes in the use of an existing space, within an occupancy classification;
- Occupancy changes which do not create a higher life or fire safety hazard level;
- Additions or alterations of mechanical, plumbing, or electrical systems.

Though almost all interior work may be done under the program, some levels of work may be better suited to the 'standard' review process. Examples of this work might be full structural retrofits, seismic upgrades, or multi-floor tenant improvements. The Team Lead will work with the facility to identify these projects on a case-by-case basis.

As with all alteration and improvement projects the customer should contact the Team Lead for a conceptual review of the project scope. Projects require review and approval prior to the commencement of the work. Plan submittal for Major Improvements will require three sets of plans minimum. Plan sets, and completed Facility Plan Intake Form may be dropped off at the Development Services Building as per Intake form instructions, or may be picked up by our staff, at the customer's request.

As projects are developed and working drawings are being created, customers may request inspectors for consultations or pre-construction meetings. As individual projects are proposed the Inspection Team shall review and approve these projects prior to the beginning of work. Based on the complexity of the proposed project approval may require formal plan review prior to the commencement of work. Additionally, the Team may request specific review by other departments. It is the intent of the program to allow

simple, informal interactions between the Facility Permit Team and the Responsible Party, assuring project specific levels of service.

### **Projects not covered under the Facility Permit Program**

- Changes of occupancy creating a higher life or fire safety hazard level.
- Site utility work, clearing and grading.
- New buildings.
- Tenant Improvements in new buildings prior to shell final.
- Additions that increase the square footage of the building or structure.
- Electrical Services
- Sign Permits requiring Design Review approval
- Any structural work or activity deemed by the Building Official to be better suited to the standard review process, or beyond the intended scope of the outlined program.

### **Application / Registration**

The Facility Program Coordinator will assist the owner in answering any questions they may have regarding registration into the program. The Coordinator will also assist the customer in completing the required application forms. Application will be made on forms supplied by the Department. Registration of each building is required. When applicable, fees will be collected at application, or may be charged to the facilities account (please see our current fee schedule to determine appropriate fees).

Applicants to the FPP must be either the owner of the facility or the facility manager including management companies under contract with the facility owner. Please note that the work done under the FPP must be done by employees of the owner or contractors who have the appropriate licenses and/or registrations. A full explanation of those requirements may be obtained from the Facility Program Coordinator. Following application and registration into the program the Coordinator will assign an Inspection Team to all sites covered under the customer's registration.

The Department will accept applications for registration into the FPP at any time of the year. Registrations are valid for a one-year period and must be renewed annually (fiscal year July-June). The Facility Program Coordinator can assist the applicant in determining the scope of work covered by registration.

Registration Agreements may be amended or changed at anytime. Buildings can be added to, or deleted from, the list of 'covered' facilities at the time of annual renewal, or at any time during the year. Registration of buildings added during the year will expire on the same date as the original Facility Registration.

The applicant shall provide a list of buildings, structures and facilities to be included in the facility registration. Together these will be called the "covered facility". The list shall include the address and name of each building.

## **Facility Orientation**

The purpose of the Facility Orientation is to familiarize the Inspection Team with existing buildings and their conditions. Prior to commencement of work, when FPP registration is new, or when the list of buildings included in the covered facility is altered, a Facility Orientation may be required on buildings included or added to the list.

The Facility Orientation will include a review of building floor plans, and any agreements between the City and the facility. If the layout of the facility is complex, it may be necessary to arrange a walk through for the Team to familiarize themselves with the layout. Time required for the review will be charged to the Master Permit at the hourly rate (see page 8, Fees and Billing.)

## **Owner - Duties and Responsibilities**

In addition to the usual duties and responsibilities the owner will need to do the following:

- Designate a Responsible Party who is either an employee or is under contract to provide the services.

- Ensure that all communications with the Department for work covered by the program is conducted through the Responsible Party.

- Ensure fee payments are made within 30 days.

## **Responsible Party - Duties and Responsibilities**

The designated Responsible Party will represent the owner or management company in communications with the Department. The Responsible Party may be either an employee of the owner, or may be an appropriate person placed under contract to provide services as the designated Responsible Party. The Responsible Party will be the primary contact between the facility and the Inspection Team.

In certain circumstances, the internal organization and at times the facilities complexity may require the need for the facility to have more than one Responsible Party. In these cases this need shall be identified, and agreed upon by all parties, at the time of registration.

Among the duties and obligations of the Responsible Party are the following:

- Pre-review and communicate all planned work to the Inspection Team.

- Be primary contact with Inspection Team.

- Assure that all work installed complies with the registration guidelines outlined in this program guide.

- Maintains records, verifies the accuracy, of all plan submittals.

- Maintains, and ensures the return of required work logs.

- Monitors the work, and when necessary assists in resolving any project related communication issues with the Inspection Team.

- Ensures compliance with the requirements of other Departments.

- Ensures access of the facility to the Inspection Team.

- Works to resolve any payment/billing issues between the City and the Facilities

Accounts Payable personnel.

## **Fees and Billing**

Current fees are specified in the attachment on your application packet, or may be viewed (at a later date) on our web page. Application packets may be obtained by contacting the Facility Program Coordinator.

### **At Application:**

**First Year:** A registration fee will be charged for each building listed by the applicant as part of the covered facility (this fee covers the Department costs for establishing the billing accounts). Additionally, an hourly rate will be charged for necessary administrative charges incurred with the set up of files and request for records.

**Facility Orientation charges** will be billed at the current hourly rate.

**Annual Renewal:** Registration fees will be charged for renewal for the second and subsequent years of program participation for each building listed as part of the covered facility. An annual billing will be made and will include information on, and the status of, all agreements of record at the various sites.

### **Charges for Service:**

All service activities provided in connection to the covered facility will be charged at the hourly rates outlined in the attachment and billed monthly. Services charged include project review, inspections, consultations, correspondence, travel to and from the facility, in office work to complete records and reports on the facility, process management, and administration charges. The minimum inspection fee on each project will be a one-hour charge.

Projects with valuation of \$250,000 or greater will be assessed 'standard' permit and plan review fees.

Should fees be required as a result of reviews outside of outlined FPP services, they will be itemized and billed to the appropriate Project Reference Number.

### **Billing and Project Reference Numbers:**

The Department will charge the owners for all services provided during the agreed upon billing period. An itemized copy of the charges will be sent to the owner each month. Customer Project Reference Numbers (PO Numbers) will be used to aid customers with identification of charges. *The terms of billing are net due upon receipt, past due after 30 days. A 'Stop Work Notice' may be issued on all bills past due.*

## **Suspension and Termination**

Any facility registered under the Facility Permit Program which refuses or neglects to comply with the rules and the requirements outlined by this program guide may be suspended from participation in the program. All work deficiencies shall be corrected and made to comply with the requirements of this program and the City Code.

**Appeal of Suspension or Termination**

The Owner, Manager, or Responsible Party may appeal the suspension or termination to the Director of the Department. The appeal must be made in writing within 15 calendar days of the suspension or termination.

