



City of Sacramento City Council

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915 I Street, Sacramento, CA, 95814
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Meeting Date: 1/15/2013

Report Type: Staff/Discussion

Title: Accelerated Minor Permit Program

Report ID: 2013-00075

Location: Citywide

Recommendation: Receive and file.

Contact: Ryan Devore, Chief Building Official, (916) 808-8053, Community Development Department

Presenter: Bridgette Williams, Senior Project Manager, (916) 808-8053, Community Development Department.

Department: Community Development Dept / Bridgette Williams, Senior Project Manager, 916-808-8053

Division: Building

Dept ID: 21001211

Attachments:

- 1-Description/Analysis
 - 2-Background
-

City Attorney Review

Approved as to Form
Paul Gale
1/4/2013 3:57:04 PM

City Treasurer Review

Reviewed for Impact on Cash and Debt
John Colville
12/28/2012 8:46:02 AM

Approvals/Acknowledgements

Department Director or Designee: Max Fernandez - 1/3/2013 1:12:39 PM

Description/Analysis

Issue: On June 21, 2007, the City Council adopted Ordinance No. 2007-054 to provide a streamlined approach for contractors performing minor building, mechanical, plumbing, and electrical installations in residential and commercial structures. The ordinance was subsequently repealed due to revenue concerns. The Community Development Department revisited the original program and has developed an Accelerated Minor Permit Program with four goals: full cost-recovery for the Community Development Department, increased permit compliance, lower costs, and reduced regulations. The Accelerated Minor Permit Program and policy was developed in collaboration with representatives of local trade organizations and unions in the Sacramento region. As a result of changes to the California Building Standards Code, the Accelerated Minor Permit Program is presented as policy incompliance with the requirements of the 2010 California Building Standards Code and not as an ordinance.

Minor repairs, replacements, and installations done by and for homeowners frequently take place without permits due to the cost and process for obtaining such permits relative to the cost of the minor repair, replacement or installation. The City desires to facilitate improved permit compliance and enhanced public safety by providing an alternative, less costly and simpler process for obtaining such permits.

The program will allow licensed contractors to apply for and be issued permits online for specific minor installations and repairs, at a reduced cost. The replacement of a water heater or the installation of garbage disposals are the types of activities that would qualify under the program. The proposed policy language is included in the background.

Policy Considerations: Time and money is saved by conducting random inspections from a group of five installations to verify compliance with adopted building codes. City staff will inspect one (5-pack) installation per grouping. If the inspection pass, the remainder of the grouping will be deemed complete, as certified by the contractor. If one fails, an additional random inspection will be conducted, at the expense of the contractor. If that inspection fails, all of the remaining installations in the group will be inspected, with additional costs to the contractor. An owner may request an inspection, if so desired, and City staff will conduct the inspection at the expense of the contractor. Contractors submitting work that consistently fails inspection will be removed from the program at the discretion of the Chief Building Official.

The concept of contractor/engineer certification has been implemented in other jurisdictions throughout the country. The County of San Diego and the Cities of Los Angeles, Chicago, and New York, along with the entire state of Oregon have similar programs involving minor permit installations and/or contractor-certification of work completed.

Committee/Commission Action: None.

Environmental Considerations:

California Environmental Quality Act (CEQA): Because this report concerns general policy and procedure making, CEQA, does not apply per section 15378 (b)(3), which states that continuing administrative or maintenance activities, which are not conducted in conjunction with a project subject to CEQA review, are not considered to be “projects” and are therefore exempt.

Sustainability Considerations: None.

Rationale for Recommendation: The building industry has expressed concern regarding leveling the playing field for contractors who routinely pull building permits and must compete with those who don't. The industry also expressed concern about the time and cost necessary to obtain permits for minor installations, where the permit compliance cost can exceed the cost of the installation itself. If permits are not pulled, the Building Division does not have the opportunity to protect our citizens from unsafe installations. The proposed policy language is designed to promote greater permit compliance and public safety, while improving efficiency and reducing costs.

This program was developed in collaboration with trade groups and unions, including the National Electrical Contractors Association, International Brotherhood of Electrical Workers- Local 340, Western Electrical Contractors Association, Plumbers and Pipefitters-Local 447, Associated Plumbing & Mechanical Contractors of Sacramento, Sheet Metal and Air Conditioning Contractors National Association, along with the Contractor's State License Board.

To qualify for and remain active in the program the contractor must:

1. Maintain an active license with the Contractor's State License Board, consistent with the proposed work.
2. Attend City-sponsored training on code-approved installations.
3. Certify, in writing, that all installations finished under the program were completed in a manner consistent with the training and all adopted codes.
4. Demonstrate consistent compliance with the program requirements as described in the attached policy.

Financial Considerations: Often, the current minor permit fee structure doesn't cover the City's administrative and inspection costs. The Accelerated Minor Permit Program would ensure that the City's costs are fully recovered, while reducing the overall costs to the applicant. Currently, a minor permit fee ranges between \$85 to \$200 dollars based on the type of permit obtained. The program fees will be based on the standard hourly

rate at \$140/hour with a minimum cost of \$210 (this fee does not include other applicable fees) for each 5-pack to cover administration and inspections. We anticipate that the program will encourage more contractors to obtain minor permits due to its user friendly approach and reduced costs. The Building Division plans to pilot the program for water heater replacements to measure the anticipated increase in activity the first year.

The Department is in the process of completing an overall fee study to ensure other fees are fully recovered as well. The Department will return to City Council upon its completion.

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



ACCELERATED MINOR PERMIT POLICY

Purpose.

The purpose of the accelerated minor permit program is to increase public safety by providing a streamlined permitting process, in compliance with all legal requirements, for certain minor repairs, replacements or installations. Minor repairs, replacements or installations done by and for homeowners frequently take place without permits due to the cost and process for obtaining such permits relative to the cost of the minor repair, replacement or installation. The City desires to facilitate improved permit compliance and enhanced public safety by providing a more streamlined, less costly and simpler process for obtaining such permits.

Definitions.

"Applicant" means any person applying for a permit for minor repairs, replacements or installations.

"Building Official" means the Chief Building Official for the City of Sacramento or his or her designee.

"Contractor" means a contractor with a valid contractor's license with the California State Licensing Board.

"Installation" means setting in position for use new appliances, appurtenances, fixtures, wastes, vents, or distribution pipes.

"Minor Repairs, Replacements or Installations" means repairs, replacements or installations undertaken pursuant to this policy.

"Accelerated Minor Permits" means a permit issued through the City's web-based permitting system.

"Permittee" means the person to whom an Accelerated Minor Permit is issued.

"Plumbing Fixtures" includes, but is not limited to, bathtubs, bidets, showers, sinks, water closets and water heaters.

"Project" means a minor repair, replacement or installation made in compliance with the provisions of this policy.

"Repair" means restoring by overhaul or replacement of constituent parts, accessible or existing appliances, appurtenances, fixtures, wastes, vents, or distribution pipes in buildings or structures so they may be used effectively for their intended purposes.

"Replacement" means exchanging an existing structural component or mechanical or plumbing product for a similar item which: 1) does not change the source or location of power; 2) does not exceed the design capacity of the existing system; and 3) meets current accessibility and earthquake requirements.

Eligibility for Accelerated Minor Permits.

Only contractors holding a valid license under California Business and Professions Code, Division 3, Chapter 9 may be issued accelerated minor permits. Contractors shall be registered with the program and have received and passed training modules for specific code compliant installations. Contractors shall not do any work outside the scope of their license.

Application process.

Applicants may apply for a set of five (5) accelerated minor permits by submitting completed applications to the Building Official. If the Building Official determines that the applicant has paid all required fees, the applicant has executed the release and indemnity form, and that the applicant has complied with any other requirements of this policy, the Sacramento City Code and any other applicable law the Building Official may issue the set of accelerated minor permits.

Use of Accelerated Minor Permits.

- A. For all eligible projects, prior to beginning the project, the Permittee shall post one accelerated minor permit in a clearly visible location near the project location.
- B. All projects in each accelerated minor permit grouping (5-pack) must be of the same type: electrical, plumbing, building or mechanical.

Inspections and Corrections.

- A. The Building Official shall cause at least one project to be inspected for every five installations. In the event the Building Official approves the inspected project, the Building Official may deem the remaining project inspections complete as certified by the contractor.
- B. If the Building Official determines an inspected project does not comply with the California Building Standards Code or any other applicable law or regulation, the Building Official may inspect some or all of the other projects associated with the Accelerated Minor Permit grouping.
- C. At any time the Building Official may require that all work for an accelerated minor permit be inspected.
- D. For any project that the Building Official determines does not comply with California Building Standards Code or any other applicable law or regulation, the Building Official shall cause a correction notice to be personally served or served by first class mail on the Permittee.
- E. Upon notification of correction by the Permittee, the Building Official shall re-inspect any project for which a correction notice has been issued. The Building Official shall re-inspect as many times as the Building Official determines necessary. The Building Official shall not approve the project until the Building Official determines the project complies with the California Building Standards Code or any other applicable law or regulation.

Accelerated Minor Permit Fees.

A At the time of application, every applicant shall pay an accelerated minor permit fee in the amount of \$210 for the cost of one inspection and administrative time based upon the established hourly rate of \$140. . No accelerated minor permits shall be issued until the \$210 fee is paid.

B For any additional inspection, the Permittee shall pay \$140 to cover the cost of an inspection and administrative time based upon the established hourly rate of \$140.

Release and Indemnity

At the time of application, every applicant shall agree to defend, indemnify and release the City, its officers, employees, agents, contractors, and subcontractors from and against any and all liability by execution of a release and indemnity form prepared by the City.

Electrical Repairs, Replacements or Installations Authorized with an Accelerated Minor Permit.

The following electrical repairs, replacements or installations are authorized with an Accelerated Minor Permit:

A Extension of not more than two existing branch electrical circuits limited to 30 amps each and, if relevant, connection of appliances.

B Repair or replacement of one electrical circuit limited to 30 amps and, if relevant, connection of related appliances.

C Repair or replacement of damaged components of existing electrical equipment including services not to exceed 200 amps, provided a reconnect is not required by the serving utility.

D Replacement of multiple switches, circuit breakers, receptacles, light fixtures, smoke detectors, or GFCI or AFCI circuit breakers and receptacles of 15-20 amp, 125- volt in a dwelling unit.

E Repair or replacement where the installation does not exceed 120-240 volts single phase of:

1. a furnace, oil or gas, not to exceed 20 amps;
2. a fan not to exceed 20 amps;
3. a dishwasher or garbage disposal, not to exceed 20 amps;
4. a water heater, that involves an electrical circuit, not to exceed 30 amps;
5. an electrical furnace, air conditioning unit or refrigeration unit;
6. a defective ballast, or up to five ballasts under one permit set;
7. a pump or irrigation systems for the same horsepower and voltage.

F. Repair, replacement or installation in existing construction of one and two family dwellings, of HVAC, telephone, garage door, vacuum systems, door bells, burglar and security systems, and audio/stereo systems not exceeding 100 volt-amperes, in Class 2 or 3 installations.

G. Repair, replacement or installation not exceeding 100 volt-amperes in Class 2 or 3 installations in other existing buildings provided:

1. The equipment is not located in an area classified as hazardous, as described in California Electrical Code;
2. The system does not penetrate any fire protection system(s) or air-handling space(s), as defined in the currently adopted California Electric Code; and
3. The installation is limited to the following:
 - a. Thermostats
 - b. Data communication devices
 - c. Intercom, music and paging devices
 - d. Door or gate control, monitor or access devices
 - e. Cable television and closed circuit television devices
4. For all communication systems, installation, support, separation and protection of all cables is as specified in the California Electrical Code.

H. Repair, replacement or installation of ceiling fan.

The project valuation of any electrical minor repair, replacement, or installation authorized pursuant to this section shall be no more than two-thousand dollars.

Plumbing Repairs, Replacements or Installations Authorized with an Accelerated Minor Permit.

The following plumbing repairs, replacements or installations are authorized with an accelerated minor permit:

- A. Repair, replacement, or maintenance of water heaters. (Replacement of a storage water heater with a tankless water heater is not a part of this program).
- B. Alteration of parts of an existing plumbing system not exceeding three plumbing fixtures, or 20 feet of new piping or both, provided the work is accessible to an inspector.
- C. Repair or replacement of concealed freeze-damaged or leaking parts of an existing plumbing system not exceeding three plumbing fixtures, or 20 feet of new piping or both.

Building Repairs, Replacements or Installations Authorized with an Accelerated Minor Permit.

The following building repairs, replacements or installations are authorized with an Accelerated Minor Permit:

A. Residential Repairs, Replacements or Installations

1. Placement of Dimensional Composition roofing material over one (1) layer of existing three (3) tab composition shingles or an existing single layer of mineral cap sheet, with a minimum roof slope two inch of rise for twelve inch run.
2. Tear off and reroof of existing composition roofing with new 30 year dimensional composition roofing.
3. Tear off and reroof of wood shake roofing with replacement of wood fire Class C roofing material.
4. Within a Historical Preservation District or on a structure listed on the City of Sacramento Registry of Historical Property, a Certificate of Appropriateness shall be obtained from the City of Sacramento Preservation staff prior to start of any work including tearing off, reroofing, removal and/or replacement of exposed rafter tails in kind, size, spacing and length.

B. Commercial Repairs, Replacements or Installations

1. Tear off and reroof with the same material, composition and wood shake, under ten squares, (one thousand square feet total roof area) and repair or replacement of the following within that area only.
2. Within a Historical Preservation District or on a structure listed on the City of Sacramento Registry of Historical Property, a Certificate of Appropriateness shall be obtained from the City of Sacramento Preservation staff prior to start of any work including tearing off, reroofing, removal and/or replacement of exposed rafter tails in kind, size, spacing and length.

Cross connection control devices are not considered minor plumbing installations and are not authorized repairs, replacements or installations under a minor permit.

Mechanical Repairs, Replacements or Installations Authorized with an Accelerated Minor Permit.

The following mechanical repairs, replacements or installations are authorized with an Accelerated Minor Permit pursuant to the provisions of this Chapter:

- A. Moving or replacing duct work not involving fire-dampers or penetrations of fire walls, fire assemblies or floors.
- B. Moving grills in duct work.
- C. Replacing existing residential heating, cooling and ventilation equipment.