

ORDINANCE NO. 12619  
(New Series)

(O. 79-107)

APR 2 1979

AN ORDINANCE AMENDING CHAPTER IX, ARTICLES 1, 2, 3, 5 AND 8, OF THE SAN DIEGO MUNICIPAL CODE, BY AMENDING SECTION 91.02.0303 BY ADDING SECTION 303(d) AND AMENDING SECTIONS 303(a), 303(b), 303(e) AND 303(f); AND BY AMENDING SECTIONS 91.02.0305, 91.0502, 91.0510, 91.0601, 91.0602, 92.0301, 92.0302, 92.0303, 93.0308, 93.0401, 93.0401.1, 93.0402, 93.0403, 95.0101E, 95.0107B, D; E, F AND G, 98.07, AND 98.16, ALL RELATING TO FEES FOR BUILDING INSPECTION SERVICES.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter IX, Article 1, Section 91.02.0303, of the San Diego Municipal Code, be and the same is hereby amended by adding Section 303(d) and by amending Sections 303(a), 303(b), 303(e) and 303(f), to read as follows:

SEC 91.02.0303 SECTION 303(a), SECTION 303(b) AND SECTION 303(d) OF THE UNIFORM BUILDING CODE AMENDED AND SECTION 303(e) AND SECTION 303(f) ADDED

Section 303(a). Building Permit Fees. A fee for each building permit shall be paid in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk.

The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official. The valuation to be used in computing the permit and plan-check fee shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical,

plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent work or permanent equipment.

Where work for which a permit is required by this Code is started or proceeded with prior to obtaining said permit, a penalty fee as established by the City Manager and filed in the Office of the City Clerk shall be paid, but the payment of such penalty fee shall not relieve any person from fully complying with the requirements of this Code in the execution of the work nor from any other penalties prescribed herein.

Where work for which a permit has been issued is not commenced and no required inspections have been made, a portion of the fee paid as determined by the City Manager may be refunded. Such refund may be authorized by the Building Official upon application for such refund by the permittee within one year from the date of permit issuance. Permits for which refunds have been made are not subject to the new permit issuance provision set forth in Section 302(d).

Section 303(b). Plan-Checking Fees. When a plan is required to be submitted by subsection (c) of Section 301, a plan-checking fee shall be paid at the time of submitting plans and specifications for checking. Said plan-checking fee shall be determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk.

Where plans are incomplete, or changed so as to require additional plan checking, an additional plan-check fee shall be charged in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk.

Section 303(d). Reinspection Fee. The fee for each reinspection shall be determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk.

Section 303(e). Compliance Survey Fee. The fee for conducting a compliance survey of an existing structure shall be determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk.

Section 303(f). Factory-Built Housing.

1. Building Permit Fees. A fee for each building shall be paid to the City of San Diego. The fee shall be determined in accordance with the fee schedule established by the City Manager and filed in the office of the City Clerk.

2. Plan Checking Fees. A plan checking fee shall be paid at the time of submitting plans and specifications for the proposed work. The plan checking fee shall be determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk.

3. Plans and Specifications. With each application three sets of plans and specifications for the work to be

performed at the job site shall be submitted with such other information as may be necessary to determine compliance with local and State laws and regulations.

4. Definitions. For the purpose of this section, certain terms are defined as follows: "Factory-Built Housing" shall mean structures which meet all of the following criteria: Fabricated on an off-site location under the inspection of the State; for which the State inspection agency has attested to compliance with the applicable State laws and regulations by the issuance of an insignia; bearing the State insignia and which have not been modified since fabrication in a manner that would void the State approval, and for which the City of San Diego has been relieved by statute of the responsibility for the enforcement of laws and regulations of the State of California or the City of San Diego.

"Unit" shall mean a single, factory-assembled component of the factory-built housing brought to the job site for connection to the foundation and/or connection to other units of the structures.

Section 2. That Chapter IX, Article 1, of the San Diego Municipal Code be, and the same is hereby amended by amending Sections 91.02.0305, 91.0502, 91.0510, 91.0601 and 91.0602, to read as follows:

SEC. 91.02.0305 SECTION 305(b) OF THE UNIFORM BUILDING CODE AMENDED

Section 305(b) Special Inspector. The special inspector shall be a qualified person approved by the Building Official.

Before commencing his duties, the special inspector shall be examined and shall obtain a Certificate of Registration from the Building Official. Applications shall be made in writing and shall be accompanied by a fee as established by the City Manager and filed in the Office of the City Clerk.

A separate application and a separate fee shall be required for each type of work. Applicants failing to pass an examination shall be ineligible for reexamination for a period of 30 days. A new fee shall accompany each request for reexamination. Certificates of Registration for special inspectors shall be valid for one year or fraction thereof, shall expire June 30, and must be renewed annually by payment of a renewal fee. Fees for applications, reexaminations and renewals shall be determined in accordance with the fee schedule as established by the City Manager and filed in the Office of the City Clerk.

SEC. 91.0502 MOVING OF STRUCTURES - MOVE EXAMINATION/FEE

A person moving any structure within or into the City, or causing the same to be done, shall file a request for a Move Examination together with the application for the Building Permit, as required in Section 91.0501. The Building Official shall examine the old and new locations and structures and shall review the plans and specifications after such examination. The applicant shall be notified by mail of the results of the Move Examination and the City's requirements, if any, in addition to those contained in the

plans and specifications. If the applicant does not apply for and obtain the House Moving Permit and Building Permit within 90 days of such notice, he shall be required to request a Move Reexamination and pay the reexamination fee. The move examination fees shall be payable in advance and shall be established by the City Manager and filed in the Office of the City Clerk. A portion of the move examination fee paid as determined by the City Manager and filed in the Office of the City Clerk, may be refunded provided no inspections have been made and no plan checking has been performed.

SEC. 91.0510 MOVING OF STRUCTURES - PERMIT FEES -  
MOVING PERMIT

The permit fee prescribed in this section shall be paid to the City Treasurer prior to the issuance of the moving permit, except as hereinafter prescribed.

The permit fee for moving any structure shall be determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk. No fee will be charged for the issuance of such permit to the State of California, any political subdivision thereof, any governmental agency or to any person required to remove a structure declared by governmental authority to be unsafe or a public nuisance.

SEC. 91.0601 DEMOLITION OF STRUCTURES - PERMIT FEES -  
DEMOLITION PERMIT

The permit fee prescribed in this section shall be paid to the City Treasurer prior to the issuance of the demolition permit except as hereinafter prescribed.

The permit fee for demolishing a structure shall be determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk.

SEC. 91.0602 DEMOLITION OF STRUCTURES - PERMIT REQUIRED

(a) Purpose and Intent. It is the purpose and intent of the Council to protect the public safety and welfare by permitting only contractors licensed by the State of California to demolish structures and by requiring the filing of a policy of insurance protecting the public against personal injury and property damage and posting of a surety bond to insure completion of demolition and cleanup of the demolition site.

(b) Permit Required. No person shall demolish in whole or in part any building or structure, or cause the same to be done, without first obtaining and having then in effect a valid demolition permit. The demolition permit shall be conspicuously posted on the premises while the demolition or associated work is in progress.

A demolition permit will not be required to demolish a minor building. For the purpose of this section, a minor building shall mean a one-story frame building not over 500 square feet, a temporary construction shed or office or a temporary tract or subdivision office, the construction of which had been authorized by the Planning Director.

The Building Official may issue a no-fee permit to any owner required to demolish a structure, not exceeding

two stories in height, declared by a governmental authority to be unsafe or a public nuisance.

(c) No person shall demolish a structure or building and a demolition permit shall not be issued unless such person holds a valid State of California Contractor's License authorizing such work or is the owner of the real property on which the structure or building to be demolished is situated.

(d) Demolition Permit for Projects in the "Coastal Zone" as defined in the California Coastal Act of 1976. No demolition permit will be issued by The City of San Diego for any project or development located within the "Coastal Zone" as established by the California Coastal Act of 1976 until such time as a development permit or certification of exemption has been obtained from the Regional Commission, or the California Coastal Commission, as appropriate, or if authorized by a court of competent jurisdiction. Procedures to be followed when application is submitted for a demolition permit in the "Coastal Zone" are: The application, completion bond and proof of insurance filed by an applicant for a permit shall be reviewed by the Building Official. If the Building Official is satisfied that the work described in an application for a permit and the bond and insurance filed therewith conform to the requirements of this Code and other pertinent laws and ordinances, he shall issue to the applicant a letter stating that he is prepared to issue a permit therefor to the applicant when the appropriate fees



have been paid and the applicant presents an approved permit or certificate of exemption granted by the Regional Commission or the California Coastal Zone Conservation Commission, as appropriate, or a court of competent jurisdiction authorizing the demolition work for which the application was filed; provided, however, that the application, bond and insurance comply with all laws and ordinances in effect at the time of presentation of such permit or certificate and payment of such fees. Upon presentation of such permit or exemption certificate and payment of the fee specified in Section 91.0601 of this Code, the Building Official shall issue a permit to the applicant, provided that the application, bond and insurance comply with all laws and ordinances in effect at the time of presentation of such permit or certificate and payment of fee.

Section 3. That Chapter IX, Article 2, of the San Diego Municipal Code be, and the same is hereby amended by amending Sections 92.0301, 92.0302 and 92.0303 to read as follows:

SEC. 92.0301 FEE SCHEDULE

A. The fees provided for in this Article must be paid to The City of San Diego for each electrical installation for which a permit is required by this Article, and must be paid before any such permit is issued, except as hereinafter provided.

B. A portion of the fees provided for in this section, established by the City Manager and filed in the Office of the City Clerk, may be refunded in the event that

no portion of any work authorized by permit has been performed and provided that no inspections have been made. Such refund may be authorized by the Building Inspection Director upon application by the permittee within one year from the date of permit issuance. Prior to authorization of any refund under the provisions of this section, the Building Inspection Director shall require that the permittee's copy of the issued permit be returned to the Building Inspection Department.

C. The amount of the fees shall be paid in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk.

SEC. 92.0302 ELECTRICAL PLAN CHECK FEE

A. There shall be no fee for the following plans:

1. Plans submitted as a part of and included in the building plan file.

2. Plans submitted as a part of and included in the electrical permit.

B. For plans other than those in subsection A.1. and A.2. of this section, including plans which have been submitted and approved under those subsections but then altered so as to require a recheck, the fee shall be determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk. This fee is nonrefundable.

SEC. 92.0303 FEE FOR FAILURE TO OBTAIN PERMIT

In addition to any other penalty provided in this Article for violations thereof, any person who has done any electrical work without a permit as required by this Article, or who has caused any such work to be done without a permit, shall pay a penalty fee determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk.

Section 4. That Chapter IX, Article 3, of the San Diego Municipal Code be, and the same is hereby amended by amending Sections 93.0308, 93.0401, 93.0401.1, 93.0402 and 93.0403 to read as follows:

SEC. 93.0308 APPLICATION FOR PERMIT

Application for a permit describing the work to be done shall be made in writing to the Building Official. The application shall be accompanied by such plans, specifications and schedules as may be necessary to determine whether the installation as described will be in conformity with the requirements of this Article. If it shall be found that the installation as described will in general conform with the requirements of this Article, and if the applicant has complied with all provisions of this Article, a permit for such installation shall be issued upon payment of the required fee determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk, provided, however, that the issuance of the permit shall not be taken as permission to violate any of the requirements of this Article.

SEC. 93.0401 PLUMBING PERMIT FEES REQUIRED

Each application for a plumbing permit shall be submitted in writing, shall state the location of the work proposed to be installed and the amount and kind of plumbing in connection therewith. Each such application shall be signed by the person qualified to obtain such permit and shall be accompanied by a permit fee determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk.

SEC. 93.0401.1 HEATING, VENTILATING, AIR CONDITIONING, AND REFRIGERATION PERMIT FEES

Each application for a heating, ventilating, air conditioning and refrigeration permit shall be submitted in writing, shall state the location of the work proposed to be installed, and the amount and kind of work in connection therewith. Each such application shall be signed by the person qualified to obtain such permit and shall be accompanied by a permit fee determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk.

SEC. 93.0402 PENALTY FEE

Any person who shall commence any work for which a permit is required by this Article without first having obtained a permit therefor shall, if subsequently permitted to obtain a permit, pay a penalty fee established by the City Manager and filed in the Office of the City Clerk, for such work provided, however, that this provision shall not

apply to emergency work when it shall be proved to the satisfaction of the Building Official that such work was urgently necessary and that it was not practical to obtain a permit therefor before the commencement of the work. In all such cases a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit, a penalty fee as herein provided shall be charged.

SEC. 93.0403 REINSPECTIONS

A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this Article, but as controlling the practice of calling for inspection before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when it is apparent that the inspector is being used to provide supervision of the work rather than for the performance of his proper inspection duties.

To obtain a reinspection the applicant shall file an application therefor in writing upon a form furnished for that purpose, and pay the reinspection fee determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

Section 5. That Chapter IX, Article 5, of the San Diego Municipal Code be, and the same is hereby amended by amending Sections 95.0101E and 95.0107B, D, E, F and G to read as follows:

SEC. 95.0101E

E. No person shall construct or install street banner or decorations over public property except as herein permitted and only after the issuance of a valid permit therefor.

1. The applicant for such permit shall pay a fee as established by the City Manager and filed in the Office of the City Clerk. If no permit is issued, a portion of the application fee as determined by the City Manager and filed in the Office of the City Clerk may be refunded. Such permit is granted upon the condition that the permittee shall indemnify and save free and harmless the City of San Diego - against any of the liabilities mentioned in this Section.

The applicant shall file with the City a policy of insurance against public liability and property damage with an insurance carrier satisfactory to the City. Such public liability and property damage insurance policy shall provide coverage in amounts of not less than \$100,000 for one person injured in one

accident; not less than \$300,000 for more than one person injured in one accident; and not less than \$25,000 with respect to any property damage in any one accident; and said policy shall be maintained in full force and effect until such time as all banner, decorations, equipment, wiring and supports have been removed as determined by the Building Official. In requirements of this Section as to the amounts covered in the policy and as to the maintenance of insurance shall not be construed as limiting in any way the extent to which the permittee may be held responsible for the payment of damages to persons or property.

2. The Building Official may issue the Permit for decorations in accordance with the conditions herein imposed. The permit shall state the period during which such decorations may be maintained and shall state the final date on which such decorations must be removed.

3. Applications for permits shall be made in the following manner:

a. A written application on prescribed forms shall be submitted to the Building Official.

b. The applicant shall furnish a description of the decorations to be installed, together with sketches, diagrams or other information required by the Building Official.

c. The application shall be submitted by the sponsoring group or organization or a contractor engaged to install the decorations, and shall also be countersigned by an officer of the sponsoring group or organization.

SEC. 95.0107 PERMIT FEES

B. BUILDING PERMIT FEE

Fees for Building Permits for each sign erected, installed, affixed, structurally or electrically altered, relocated, or created by painting shall be determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk.

A portion of the fees provided for in this section as determined by the City Manager may be refunded in the event that no portion of any work authorized by the Permit has been performed and provided that no inspections have been made. Such refund may be authorized by the Building Official upon application by the permittee within 90 days from the date of permit issuance. Prior to authorization of any refund under the provisions of this section, the Building Official shall require that the permittee's copy of the issued permit as well as the Sign Permit sticker are returned to the Building Inspection Department.

D. TEMPORARY SIGN USE PERMIT FEES

1. For each group of wind signs such as banners, pennants, or carnival-type signs installed at each premises or tenant's location, the Use Permit



Fee shall be determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk. For wind signs mounted on staffs, the longer dimension of each wind sign shall be used as the lineal footage for purposes of computation of lineal limitation and fee. Wind signs may not be displayed for more than 60 consecutive calendar days.

2. For temporary signs, the Use Permit Fee shall be determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk.

3. For temporary banner signs, the Use Permit Fee for each sign shall be determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk.

E. PENALTY FEE

Every person, firm, or corporation erecting, installing, placing, constructing, creating by painting, reconstructing, altering, or moving any sign, temporary sign (including wind signs), street banners or decorating or any supports for the above without first obtaining a valid permit as required in Sec. 95.0102 and Sec. 95.0102B shall pay a penalty fee as established by the City Manager and filed in the Office of the City Clerk.

F. APPEAL FEE FOR EXTENSION OF TIME

The fee for each request for an extension of time hearing by the Sign Code Board of Appeals shall be as established by the City Manager and filed in the Office of the City Clerk.

Section 6. That Chapter IX, Article 8, of the San Diego Municipal Code be and the same is hereby amended by amending Sections 98.07 and 98.16 to read as follows:

SEC. 98.07 HOUSING PERMIT FEES

(a) The annual fee for a Housing Permit required by Sec. 98.05 shall be determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk.

(b) The fee for a Housing Permit shall be charged on a prorated, quarterly basis and shall run from the quarter of the year during which it is issued through December 31. The fee for a permit shall include the charge for the full quarter during which it is issued.

(c) In any case, where the operator of a Housing Department Regulated Business has failed for a period of thirty (30) days to file the application and obtain a Housing Permit, there shall be added to and collected with the permit fee, a penalty determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk.

SEC. 98.16 MOBILEHOME INSTALLATION PERMIT FEES

The fees prescribed in this section must be paid to the City of San Diego for each mobilehome installation for which a permit is required by Title 25, Article 1A, Section 5076 et seq. of the California Administrative Code, and must be paid before any such permit is issued. The fees for a mobilehome installation permit shall be determined in accordance with the fee schedule established by the City Manager and filed in the Office of the City Clerk.

Section 7. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Janis Sammartino Gardner  
Janis Sammartino Gardner, Deputy

JSG:lco:l41x551  
10/31/78  
Or.Dept.:Bldg.Insp.

APR 2 1979

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_  
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Barbara Beridge, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 19 1979

, and on

APR 2 1979

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Barbara Beridge, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 12619 Adopted APR 2 1979

