



EXPIRED PERMITS, EXTENSIONS, RENEWALS, & RE-INSPECTION POLICY

Building Department

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PERMIT EXPIRATIONS

A Building Permit, and Permit Application are both subject to Expiration based on several time limitations, as codified in CA Building Code Sections 105.3.1 – 105.5.1 and CA Administrative Code Section 7-129, and authorized by the Chief Building Official (CBO). Refer to the list below for those limits:

Building Permit Applications:

- I. Building Permit Applications and Plan Check Submittals (no issued Permit) will Expire if there has been no activity for over 180 days***.
 - a. Activity is defined as a complete Submittal or Resubmittal of Review Documents uploaded to the Permit Portal and deemed complete by the Building Department.
 - b. ***If a project valuation cost is \$500,000 or less, and an initial submittal for Application is accepted, reviewed, and comments were provided by the City, Resubmittals must be submitted for backcheck within 45 days after the date of return of checked documents, otherwise the Application can be deemed abandoned and void by the CBO, and reflect the “Expired Application” Status.
 - c. ***If a project valuation cost is greater than \$500,000, and an initial submittal for Application is accepted, reviewed, and comments were provided by the City, Resubmittals must be submitted for backcheck within 90 days after the date of return of checked documents, otherwise the Application can be deemed abandoned and void by the CBO, and reflect the “Expired Application” Status.
- II. Before Expiration, a Notice of Expiration will be sent to the Applicant requesting a response stating if the project will continue or if it is abandoned.
 - a. If a Building Permit Application is deemed abandoned by the Applicant through a written statement, the Building Permit Application will reflect the “Closed” Status.
 - b. If the Applicant would like to continue, a written request must be made and approved by the CBO proving justifiable cause of delay or inactivity, requesting an Extension.
 - c. If there is no response from the Applicant, and 180 days have passed without any activity, or if there has been no ongoing activity as specified above, then the Building Permit Application will reflect the “Expired Application” Status.
- III. Building Permit Applications that have been Expired for over 1 year (365 days) will be placed in the “Closed” Status and cannot be Reactivated. A new Submittal that meets the most current Code requirements will be required if projects are intended to continue.

Issued Building Permits:

- I. Issued Building Permits will Expire 12 months (1 year) from the date of issuance if work has not started, or 6 months (180 days) from the last activity.
 - a. Activity is defined as an Approved, documented Field Inspection for permitted in-progress work.
- II. Before Expiration, a Notice of Expiration will be sent to the Applicant requesting a response stating if the project will continue or if it is abandoned.
 - a. If a Building Permit is deemed abandoned by the Applicant through a written statement, the Building Permit will reflect the “Closed” Status.
 - b. If the Applicant would like to continue, a written request must be made and approved by the CBO proving justifiable cause of delay or inactivity, requesting a Permit Extension.
 - c. If there is no response from the Applicant, and 12 months have passed without any activity, or if there has been no ongoing Inspection within the past 6 months, then the Building Permit will reflect the “Expired Permit” Status.
- III. Applicants have 10 days to respond to the Building Department regarding the Expired Permit.
 - a. Within 10 days, if there is a response, then the Applicant will be instructed to apply for a Permit Renewal to reinstate the Expired Building Permit, if eligible.
 - b. After 10 days, and if there is no response, then the Building Permit may be placed in the “Expired Permit Violation” Status. Please refer to the Section “Permit Violations” regarding necessary actions that must be taken.
- IV. A Building Permit that has **no activity** and has Expired will not be eligible for Renewal. The permit will be Closed.
- V. A Building Permit that has Expired may be eligible for Renewal, if there has previously been activity, **but not beyond the adoption of the succeeding Code Cycle.**

Please see the Section “Permit Extensions” for info on how to request an Extension to an active Building Permit / Permit Application.

Please see the Section “Permit Renewals” for info on how and when to request reopening a Permit Application / Building Permit, and when it will no longer be acceptable.

PERMIT EXTENSIONS

The CBO has the authority to grant an Extension to Building Permit Applications and Building Permits after receiving the appropriate documents demonstrating justifiable cause. Refer to CBC Sections 105.3.2 and 105.5.

- I. A Building Permit Application **that is still currently active** can be requested by the Applicant for Extension for a period up to 90 days at a time, past the original expiration date of Application, in order to avoid an Application Expiration.



EXPIRED PERMITS, EXTENSIONS, RENEWALS, & RE-INSPECTION POLICY

- II. An Issued Building Permit **that is still currently** active can be requested by the Applicant for Extension for a period up to 180 days at a time, past the original expiration date of Permit, in order to avoid a Permit Expiration.

To request an Extension, Applicants must fill out the Permit Renewal Request Form and submit it to the Building Department for CBO Approval, **prior to the expiration date.**

- I. The only exceptions for this rule are 'extenuating circumstances' which shall be reviewed by the Building Official. Examples Include:
 - a. Family Death or Illness affecting the project
 - b. Military Deployment of an Owner
 - c. Project related contract or Construction Litigation
 - d. Governmental restrictions affecting the project

Permit Extensions are not subject to Fees, please refer to the Section *"Renewal / Re-Inspection Fees"* for confirmation.

PERMIT RENEWALS

The CBO has the authority to grant a Renewal to return an Expired Application or Expired Permit back to an active status under certain conditions, after receiving the appropriate documents demonstrating justifiable cause. Refer to CBC Sections 105.3.2 and 105.5.

- I. A Permit Renewal may only be requested when a Permit Application or Building Permit has already Expired, when a response from the Applicant can demonstrate justifiable cause of delay or inactivity, and that the project is being pursued in good faith efforts.
- II. Permit Renewals will not be granted to Building Permits that have been Issued with no activities, and the Permit will be marked as "Closed" after obtaining a response from the Applicant when they have been notified of a Permit Expiration.
- III. A Building Permit that has been approved for Renewal can only be extended until the adoption of the succeeding Code Cycle, and if the Permit is not Completed, the Permit will be marked as "Closed" and a new Permit Application will need to be submitted.
- IV. Permit Renewals will not be granted to Permit Applications that have been Expired for over 1 year. The Application will be marked as "Closed" and cannot be Reactivated.

To request a Renewal, Applicants must fill out the Permit Renewal Request Form and submit it to the Building Department for CBO Approval, **within one year from Expiration.**

- I. The only exceptions for this rule are 'extenuating circumstances' which shall be reviewed by the Building Official. Examples Include:
 - a. Family Death or Illness affecting the project
 - b. Military Deployment of an Owner
 - c. Project related contract or Construction Litigation
 - d. Governmental restrictions affecting the project

Permit Renewals are subject to Fees, please refer to the Section *"Renewal / Re-Inspection Fees"* regarding cost breakdowns.

PERMIT REACTIVATION

Under limited circumstances, subject to the discretion of the CBO, The CBO has the authority to grant a Reactivation to Issued Building Permits that have been Expired for over 1 year and only require a Final Inspection to Complete the Permit.

- I. An Applicant may request a Building Permit Reactivation only when all other conditions and requirements are met in the field prior to the Final Inspection.
- II. A Permit Reactivation will not be granted on Expired Permits that were applied for on a previous Code Cycle.

To request a Reactivation, Applicants must fill out the Permit Renewal Request Form with a timeline of events that demonstrate justifiable cause of delay and submit it to the Building Department for CBO Approval.

Permit Reactivations are subject to Fees, please refer to the Section *"Renewal / Re-Inspection Fees"* regarding cost breakdowns.

PERMIT VIOLATIONS

Before an Issued Building Permit Expires, the Applicant will be notified with instruction on Cancelling the Permit or applying for a Permit Extension, if it is still active and not yet Expired, or a Permit Renewal, if it has just recently Expired.

- I. The Applicant will have 10 days from the Expiration Date to respond to the Building Department.
 - a. If there is no response from the Applicant, after 10 days from the Permit Expiration Date, then a City Inspector may visit the site to check the formerly permitted work and leave a "Notice of Violation" with the owner or posted at the project address, or an email notification will be sent to the Applicant serving as a "Notice of Violation".
 - b. The Expired Building Permit will then reflect the "Expired Permit Violation" Status, and Permit Details will be routed to the City of Lathrop Code Compliance Division for their attention.
- II. To avoid Violations, Penalty Fees, or any other associated costs, please respond to the Building Department in a timely manner on the first Notice of Expiration.

Permit Violations are subject to penalties from the Building Department and the Code Compliance Division, please refer to the Section *"Renewal / Re-Inspection Fees"*.

RENEWAL / RE-INSPECTION FEES

Refer to the list below for estimated cost breakdowns for Permit Renewals, Reactivations, Re-Inspections, and Violations:

- I. Permit Extensions are not subject to fees, as the Permit Application / Issued Building Permit will not have moved over to the Expired Status.
- II. Permit Renewals, Reactivations and Re-Inspection Fees shall use the current Master Fee Schedule for Fee Calculation and are subject to the CBO's application.
- III. Fees are applied for the cost of Renewal / Reactivation of an Expired Permit or Application.



EXPIRED PERMITS, EXTENSIONS, RENEWALS, & RE-INSPECTION POLICY

- IV. Re-Inspection Fees are considered separately and may be assessed in the event that the standard allocated number of Inspections has been exhausted, or a disproportionate amount of Inspections resulted in Failed Inspections, potentially placing the City at risk of Financial Loss due to unrecovered Inspection costs. (See Bullet X)
- V. Permits with Fees that are lower than the Re-Inspection Fee will be Renewed at the current full Permit Fee.
- VI. Permit Renewal Fee shall be 100% of the Building Permit Fee if the Permit has been Expired more than 180 days and is considered Closed.
- VII. When only a Final Inspection remains on an Expired Permit, it is at the CBO's discretion to allow a reduction of a Permit Renewal Fee. The Fee may be reduced to 50%, but in no case shall it be lower than 25% of the Permit Renewal Fee, nor less than a Re-Inspection Fee.
- VIII. A Building Permit Application shall be Renewed at actual hourly costs of the Plan Review if it has been Expired for less than 180 days and falls within the same Code Cycle as its Application. The Permit Fee will be updated and assessed at the current rate.
- IX. A Building Permit Application that is Expired for greater than 180 days, but less than 365 days shall be Renewed at 100% of Plan Check Fees and must fall within the same Code Cycle as its Application. The Permit Fee will be updated and assessed at the current rate.
- X. Re-inspection Fees may be assessed when the number of Inspections needed to Final and Complete the Permit exceeds the number of actual Inspections (Stops) needed to Complete the Inspection Process in the field exceeds the number of Inspections assigned to the Permit at Issuance. In the event that the number of Inspections available has been exhausted, no further Inspections will be performed until additional Re-Inspection Fees have been paid. Once Re-Inspection Fees are paid, the number of Inspections assigned to the Permit will be changed to reflect the total number of Inspections now available. A scheduled Inspection (Stop) for a job site for one or more Inspection Disciplines will be counted as one Inspection when occurring on the same time and date. A 'Failed Procedural Inspection' occurring on the same time and date will be counted as one Inspection.
- XI. At the discretion of the CBO, Expired Permits may be Renewed / Reactivated without a fee when it is determined to be in the best interests of the City, promotes objectives of fire life safety, and not done so at risk to the City.

PERMIT STATUS DEFINITIONS

- I. **Expired Application Status:**
 - a. The status when a Building Permit Application Expires after 180 days, or 45/90 days from its last Activity.
- II. **Expired Permit Status:**
 - a. The status when an Issued Building Permit Expires after 365 days after Issuance with no Activity, or 180 days from its last Activity.

III. **Expired Permit Violation Status:**

- a. The status when an Applicant fails to notify the Building Department of the status of the Issued Permit, and a Notice of Violation is sent to the Applicant / Property Owner.
- b. The Code Compliance Division will proceed with the Permit as a Violation Case.

IV. **"Active" Status:**

- a. After a Permit Renewal Request is submitted and approved by the CBO, the Expired Status will be changed back to the last Status of the Permit / Application was before Expiration.

V. **Closed Status:**

- a. The status of a Permit / Application that cannot be Renewed or Reactivated. Closed Permits will not be reponed for Renewal or Reactivation.
- b. If this status is applied, a New Permit Application with an up-to-date Code Compliant Submittal must be applied for by the Applicant, and any unfinished work may be routed to Code Compliance.
- c. Only the CBO has the authority to make an exception for an ability to reopen a Closed Status, subject to applicable fees.
- d. A Closed Status does not imply that the work is final, complete, or approved, but rather, the work is unresolved and abandoned.

VI. **Cancelled Status:**

- a. The status of a Permit / Application that, at the request of the Applicant or authority of the Building Department, terminates the validity of that Permit / Application, and any activity performed will become invalid.

VII. **Complete Status:**

- a. The final status of an Issued Building Permit. when all work has been Inspected and Approved, and all conditions of the permit have been met.

DISCLAIMER

Building Permits, issued by the City of Lathrop in accordance with current California Building Codes and Ordinances at the time of issuance, are the property of the Applicant, and therefore the Applicant is responsible for the fulfillment of the obligations of the Building Permit. Building Permits, and the obligations pertaining to, may not be transferred to any third party, completely or in part, without the approval of the Chief Building Official or the City of Lathrop Building Department. If approved, the transference of the Building Permit will be reflected and updated on the Permit Portal, and any printed documentation shall be revised to reflect the current Permit Holder.

Expired, Closed, and Cancelled Permits are determined to be "Invalid" ("Void", or "Null and Void") and are no longer in effect. Invalid Permits will revert to the City, and the residual liabilities and obligations will remain with the Parcel Property, and its Owner, Heirs, and Successors.