



# Mariposa County Building Department

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## BUILDING DEPARTMENT MEMORANDUM

**RE: Building Department policy for permitting structures constructed, modified, altered or repaired without a building permit.**

The following are the required steps in bringing an unpermitted structure up to applicable code and receiving a certificate of completion or occupancy from the Mariposa County Building Department. This policy is for all types of construction, both residential and commercial, and include homes, additions, decks, sheds, barns, gazebos and all other construction that is not expressly exempt from a building permit per the 2013 California Residential Code, section R105.2 (attached).

- 1. The property owner is required to retain a California Registered Design Professional to make a project survey and serve as the Design Professional of Record for the project. This Design Professional can either be a California Licensed Architect or a California Registered Engineer. This Design Professional of Record shall be responsible to ensure that all trade elements are/shall be brought up to applicable code and shall be approved by the Building Official. A designer, draft person or contractor doesn't qualify for this requirement.**
- 2. The Design Professional of Record will inspect and verify (or commission appropriate trade contractors for survey) the current construction (all trades) and any required engineering. The Design Professional of Record will verify the use designation, prepare a detailed set of "as built" drawings, indicate any additional changes required to bring the structure up to applicable code on the drawings and stamp/sign the drawings.**
- 3. The owner or his agent shall then submit the drawings to the Mariposa County Building Department, pay all required fees and penalties, and start the proper permit application process. Plan check fees, building permit fees, school fees, etc. will be at the current fee rate. Additional fees and requirements from other Departments may be required. Penalty fees will be assessed on intentional work completed without a permit. Fees will not be determined until all paperwork has been properly submitted to the Building Department.**
- 4. Following the proper permit application process and issuance of a building permit, inspections will be made by the Mariposa County Building Department, any other County Departments required by the project and the Design Professional of Record. The design Professional of Record shall make appropriate phase inspections of the project and submit letters of acceptance to the Building Department. The Design Professional of Record shall also submit a final letter of acceptance stating that the building now conforms to the applicable codes and the project has been completed to his/her satisfaction.**
- 5. Once all of the above have been satisfactorily completed a certificate of completion or occupancy will be issued by the Mariposa County Building Department and the file will be closed.**

## DIVISION II ADMINISTRATION

tive has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code. Compliance with the specific performance-based provisions of the California Codes in lieu of specific requirements of this code shall also be permitted as an alternate.

**R104.11.1 Tests.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

### SECTION R105 PERMITS

**R105.1 Required.** Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

**R105.2 Work exempt from permit.** Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

#### Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m<sup>2</sup>).
2. Fences not over 7 feet (2134 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.

6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

10. Decks not exceeding 200 square feet (18.58 m<sup>2</sup>) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4. *Must be 10' away from Ho for W.U.I.*

#### Electrical:

1. Listed cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

#### Gas:

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

#### Mechanical:

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot- or chilled-water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.