

Exhibit B

HERMOSA BEACH MUNICIPAL CODE CHAPTER 15.02 ADMINISTRATION

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15.02.010 Purpose and intent.

This chapter establishes administrative provisions for enforcing the California Building Standards Code and this title. It provides procedures for permits, inspections, enforcement, appeals, and related administrative functions necessary to protect public health and safety.

15.02.020 Scope.

This chapter applies to all activity regulated by Title 15 and the California Building Standards Code, including the Building Code, Residential Code, Fire Prevention Code, Electrical Code, Mechanical Code, Plumbing Code, Energy Code, Green Building Standards Code, Existing Building Code, and Referenced Standards Code. These provisions govern administration and enforcement unless stated otherwise. This chapter also applies to administration and enforcement of the International Property Maintenance Code.

15.02.030 Building Official.

The Building Official is authorized and directed to enforce this title and the technical codes. The Building Official may interpret codes, adopt administrative policies, create forms, require investigations, approve alternatives, impose permit conditions, and require construction protection measures. The Building Official may delegate duties to qualified designees.

15.02.040 Work requiring permits.

No person shall perform regulated work without a permit. The Building Official may maintain a list of exempt work. When work requiring a permit is performed without approval, the Building Official may issue citations, require exposure of concealed work, and require all necessary corrections.

15.02.050 Permit application and issuance.

A permit application must include plans, specifications, supporting documents, and required fees. The Building Official shall issue the permit when the application is complete and complies with applicable laws. Permits may contain conditions as needed for public safety or code compliance.

15.02.060 Permit expiration and extensions.

- A. A permit expires when work does not begin or is suspended or abandoned for the period established by written policy of the Building Official. The policy shall be consistent with the California Building Standards Code and this title.
- B. The time established by the Building Official for work to begin shall not exceed twelve months from the date of permit issuance. The time established by the Building Official for work to be completed shall not exceed four years from the date of permit issuance unless a different completion timeline is required by a discretionary approval under Title 17.
- C. The Building Official may grant up to two extensions for good cause, each not exceeding one year. Conditions or updated reviews may be required, and fees may be charged, when necessary due to code updates, safety considerations, or changes in site conditions.
- D. Failure to complete work within the required timeframe may result in enforcement under this Chapter, including withholding of inspections, suspension of permits, or

initiation of enforcement or nuisance abatement proceedings.

15.02.070 Inspections.

All permitted work is subject to inspection. The Building Official may require exposure, demolition, or testing of work. Special inspections may be required when necessary under the California Building Standards Code.

15.02.080 Fees and cost recovery.

- A. Valuation. The Building Official shall determine the valuation of construction work for the purpose of calculating permit and plan review fees. Valuation includes all construction work, finish work, electrical, mechanical, plumbing, fire protection systems, and permanent equipment.
- B. Permit fees. Permit fees shall be assessed as set forth in the latest fee resolution adopted by the City Council. Permit valuation and fee calculation shall be determined by the Building Official.
- C. Plan review fees. When plans or supporting documents are required, a plan review fee shall be paid at the time of submittal. Unless otherwise established by City Council resolution, the plan review fee shall be equal to eighty percent of the applicable permit fee. Additional plan review fees may be charged for incomplete plans, deferred submittals, revisions, or other circumstances requiring additional review.
- D. Work without permit. When work requiring a permit is started before a permit is issued, the applicable permit fees may be increased up to four times the normal amount, as established by City Council resolution. Payment of increased fees does not relieve the applicant of compliance with this title or any applicable law.
- E. Expired or withdrawn applications. Applications for which no permit is issued within one hundred eighty days may be canceled. Reinstatement or resubmittal shall require new plan review fees unless otherwise authorized by the Building Official under adopted fee schedules or policies.
- F. Refunds. The Building Official may authorize refunds of fees paid in accordance with the latest City Council resolution. Refunds may include up to eighty percent of permit or plan review fees when no work has been performed or no review has

occurred. Refund requests must be submitted in writing by the original payor within one hundred eighty days of fee payment.

15.02.090 Stop work orders.

The Building Official may issue a stop work order when work is performed in violation of a permit, this title, the California Building Standards Code, or any applicable law. Removal, destruction, or defacement of a posted stop work notice is a violation.

15.02.100 Violations and enforcement.

- A. A violation of this title or the California Building Standards Code is subject to administrative citations, orders to correct, nuisance abatement, withholding of permits, withholding of inspections, civil action, or other enforcement action authorized by law. The Building Official may require abatement of unsafe or unlawful conditions, and the City may recover all related enforcement and abatement costs.
- B. Performing or causing work regulated by this title in violation of the California Building Standards Code, this title, or any permit or approval issued by the City is an unlawful act. The Building Official may issue notices of violation, orders to correct, and may require discontinuance of unlawful work or occupancy until compliance is achieved. Violations may be enforced as misdemeanors, infractions, or administrative citations pursuant to Hermosa Beach Municipal Code Section 1.04.020, in addition to any civil, administrative, or equitable remedies available to the City. The City may recover all enforcement, abatement, inspection, and legal costs to the maximum extent permitted by law.
- C. Any violation of this title or the California Building Standards Code is a misdemeanor as provided in Section 1.04.020 of the Hermosa Beach Municipal Code, unless otherwise classified by state law. This penalty is in addition to any administrative citation or civil remedy available to the City.
- D. Each day that a violation of this title or the California Building Standards Code exists constitutes a separate offense unless otherwise provided.
- E. All enforcement actions and remedies under this Chapter or otherwise authorized by law are cumulative and not exclusive.

15.02.110 Appeals.

- A. Appeals concerning the California Building Standards Code, including the Building, Residential, Electrical, Mechanical, Plumbing, Energy, Green Building Standards, and Existing Building Codes, shall be heard by the Building Board of Appeals.
- B. Appeals of notices or orders issued under the International Property Maintenance Code shall be heard by the Administrative Hearing Officer.
- C. Appeal timelines, filing requirements, notices, and hearings shall be administered under this chapter.

15.02.115 Building Board of Appeals.

- A. General. The Building Board of Appeals is hereby continued for the purpose of hearing and deciding appeals of orders, decisions, or determinations made by the Building Official relative to the application and interpretation of the California Building Standards Code and this title. The Board shall consist of five members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the City. Members shall be appointed by the City Council and shall serve at its pleasure. The Building Official shall be an ex officio, nonvoting member and shall act as secretary to the Board. The Board shall adopt rules of procedure for conducting its business and shall render decisions and findings in writing to the appellant with a copy to the Building Official.
- B. Limitations of authority. The authority of the Building Board of Appeals is limited to determining whether the California Building Standards Code or rules legally adopted under it have been correctly interpreted, whether the provisions of the Code apply to the specific case, or whether an alternative method or material proposed by the appellant is at least the equivalent in quality, strength, effectiveness, fire resistance, durability, and safety. The Board shall have no authority to waive any requirement of the Code.
- C. Quorum. Three members shall constitute a quorum for conducting business. Written notice of each meeting shall be provided to Board members not less than three days prior to the meeting unless waived in writing by all members.
- D. Assistance. The Board may, subject to any limits established by City Council resolution, retain practicing architects, engineers, attorneys, or other qualified professionals to assist in evaluating technical matters under consideration.

15.02.120 Self certification program.

Licensed design professionals may self-certify qualifying project types. The Building Official shall establish procedures and documentation requirements and may audit or revoke self-certification privileges.

15.02.130 Construction site requirements.

A construction rules sign must be posted at all construction sites. The Building Official may require screening, shoring, drainage, or related protection. Construction sites must remain safe and orderly at all times.

15.02.140 Definitions.

Definitions for Building Official, Applicant, Responsible Party, and Construction Protection Plan are provided for clarity in enforcement and administration.

15.02.150 Referenced codes.

The City adopts the California Building Standards Code as amended by this title, the local amendments contained in this ordinance, and the International Property Maintenance Code as adopted in Chapter 15.24.

15.02.160 Severability.

If any provision of this chapter is found invalid, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions, that the remaining provisions remain in effect, and that the invalid provisions of the chapter are severable.