

Chapter 15.12 - BUILDING PERMITS

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Article I. - General Provisions

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15.12.010 - Denial—Grounds.

No building or occupancy permit shall be issued when the council or a properly delegated authority, gives notice to the building official to withhold such permit where such action is deemed to be in the public interest, for the protection of the public health and safety or for the general public welfare, including noncompliance by the applicant with any law or any agreement with the city or the planning commission or which would constitute an improper land use. Any such denial of a permit shall contain a provision for the issuance of the permit upon the completion of the designated corrective action by the applicant.

(Prior code § 8-3.01)

15.12.020 - Issuance—Building access required.

Before a building permit shall be granted for any use other than a single-family residence, a committee of the planning commission shall make a written finding that the lot in question has adequate frontage upon a dedicated public street or upon a recorded private easement determined by the director of public works or the planning director to be adequate for purposes of access, including access for emergency vehicles, reasonably sufficient for the intended use.

(Prior code § 8-3.02)

15.12.030 - Issuance—Improvements required.

- A. Curbs, gutters, drainage facilities, sidewalks and driveways for other than single-family dwellings: following a finding that a lot has adequate frontage as set forth in [Section 15.12.020](#) of this chapter, no building permit for other than a single-family residential use shall be granted until the applicant has either installed, at his or her own expense, curbs, gutters, drainage facilities, sidewalks and a driveway, all according to the Standard Specifications of the city, in and on all street frontage lots to be used in conjunction with the building to be constructed or improved or, in the alternative, has entered into an improvement agreement with the city, in which the applicant agrees to install the improvements required by this subsection, either prior to the final inspection or prior to the issuance of a certificate of occupancy or upon a date not more than one year from the date of the improvement agreement, agreeing to hold the city and its agents, officers and employees free and

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harmless from all claims of any nature whatsoever arising in any way from the use and occupancy of the property or from the condition of the property. Such improvement agreement shall be in a form approved by the city. Unless it is waived by the city, the applicant shall furnish a performance bond in the amount deemed reasonably adequate by the director of public works or the planning director to secure full and complete performance of such agreement by the applicant.

- B. Curbs, gutters, drainage facilities, sidewalks and streets for single-family residential uses: whenever a lot is without standard curbs, gutters, drainage facilities, sidewalks or a paved street or any one of them and the building official determines that any one or more of them have already been constructed on forty (40) percent of the occupied frontage on the same side of the street as the property for which a building permit is sought, the applicant shall construct such improvements, according to the Standard Specifications of the city, before a building permit shall be granted for single-family residential uses. For the purpose of computing such percentage, the percentage shall be of the block not to exceed two hundred fifty (250) feet on either side of the property to a street corner.
- C. Paved streets: following a finding that the lot has adequate frontage as set forth in [Section 15.12.020](#) of this chapter and upon a joint finding by the chief of police and the director of public works that the proposed occupancy of the premises is such that it will result in an increase in traffic or create any hazardous condition so that a paved street is reasonably necessary in order to protect the public, the applicant shall be required to pave, according to the Standard Specifications of the city, one-half the width of such street prior to the issuance of a building permit for other than single-family residential uses; provided, however, that such paving need not exceed thirty-three (33) feet in width. Where the frontage is on a private easement, the chief of police and the director of public works, upon such a joint finding, may require the entire width of such private easement to be so paved and adequate drainage to be provided.
- D. Street widening and corner rounding: following a finding that a lot has adequate frontage, as set forth in [Section 15.12.020](#) of this chapter and in all cases where the council determines, because of increased traffic caused by the intended use, that street widening or corner rounding is required, the property owner shall deed to the city, at no cost to the city, an adequate right-of-way therefor prior to the granting of a building permit for other than single-family residential uses.
- E. Fire hydrants: following a finding that a lot has adequate frontage, as set forth in [Section 15.12.020](#) of this chapter and if there is not, within two hundred fifty (250) feet of all parts of the proposed building, a fire hydrant approved by the fire chief as providing reasonably suitable fire protection for such building, the applicant shall be required, as a condition of the issuance of a building permit for other than single-family residential uses, to construct a fire main from the nearest existing city fire main to a point within two hundred fifty (250) feet of all parts of the proposed building and to establish one fire hydrant at such point in a location to be designated by the fire chief, together with such additional fire hydrants in locations as designated by the fire chief, for each twenty-five thousand (25,000) square feet of building space. Such fire main and hydrant shall be located, installed and constructed in accordance with the existing standards of the Pacific Fire Rating Bureau for such installations. If requested by the applicant, the decision of the fire chief shall be given in writing within ten (10) days after the request is made and the applicant shall thereupon have the right to appeal to the council by filing a notice of appeal in letter form with a filing fee of ten dollars (\$10.00). The council shall thereupon hear the appeal within a reasonable time and may sustain, modify or reverse in any particular the decision of the fire chief.

(Prior code § 8-3.03)

15.12.040 - Reimbursement for costs of improvements.

Any applicant for a building permit who is required to construct public improvements pursuant to this chapter, which improvements would benefit other property owners who would otherwise be required to construct such improvements, may enter into an agreement with the city for the reimbursement of a pro

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rata share of the initial cost of constructing such improvements from such other property owners upon the development of real property by such other benefiting property owners.

(Prior code § 8-3.04)

Article II. - Encroachment Permits

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15.12.050 - Permit—Required.

It is unlawful for any person to make or cause or permit to be made any excavation in or under the surface of any public street, alley, sidewalk or other public place for the installation, repair or removal of any tank, pipe, conduit, duct or tunnel or for any other purposes without first obtaining from the building inspector a written permit to make such excavations and making a deposit and executing a bond as provided in this chapter.

(Prior code § 8-4.01)

15.12.060 - Permit—Application.

Application for encroachment permits shall be made on a form provided by the city. The application shall state the name and address of the applicant and shall state the location, type and purpose of the proposed excavation or encroachment and, if requested, shall provide a drawing and other information showing the location and extent of excavation.

(Prior code § 8-4.02)

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15.12.070 - Permit—Fee.

The city shall collect a fee in the amount set forth below before issuing any encroachment permit.

Valuation of Construction Cost or Contract Price	Fee
\$1.00 to \$5,000.00	\$60.00
\$5,001.00 to \$10,000.00	\$90.00
\$10,001.00 or more	1% of valuation or contract, whichever is higher
Residential driveway encroachments	\$30.00

(Prior code § 8-4.03)

15.12.080 - Permit—Deposit or bond.

The applicant shall post with the building official a cash deposit or a good and sufficient approved corporate surety bond in the amount of one thousand dollars (\$1,000.00) to guarantee the faithful and proper performance of the work before any encroachment permit shall be issued. However, if the applicant can show evidence of financial ability satisfying the building official, it will not be necessary for the applicant to post a bond.

(Prior code § 8-4.04)

15.12.090 - Permit—Major project surety and fee.

If the proposed work is of major consideration, then the fees and bond shall be as set by the city engineer. A "major project" means the installation or replacement of any underground facility other than a service from an existing main to a single user. However, if the applicant can show evidence of financial ability satisfying the city engineer, it will not be necessary for the applicant to post a bond.

(Prior code § 8-4.05)

15.12.100 - Permit—Insurance certificate.

The permittee shall file with the city a certificate of insurance showing that the permittee has in effect public liability insurance for bodily injury in the amount of one hundred thousand dollars (\$100,000.00) for each person and three hundred thousand dollars (\$300,000.00) for each accident and twenty thousand dollars (\$20,000.00) for property damage, before being issued a permit, excepting those persons, corporations or companies that are permissively self-insured under the laws of the state.

(Prior code § 8-4.06)

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15.12.110 - Permit—Secured when.

All required permits shall be secured at least two working days prior to the time the work under such permit is proposed; except that where an emergency street cut is to be made, the applicant shall immediately give prior notice to the building inspector and shall make application for such work on the next working day.

(Prior code § 8-4.07)

15.12.120 - Permit—Transferability—Work start and completion.

No permit shall be transferable. Every permit shall be void unless the proposed work is commenced within fifteen (15) days from the date of issuance of the permit and the work is completed within a reasonable time of commencement unless prior arrangements are made with the city.

(Prior code § 8-4.08)

15.12.130 - Permit—Refusal.

The city shall have the right to refuse to issue a permit to any person who is in violation of or who has failed to comply with any provision of this chapter in connection with the permit being applied for or any previous permit.

(Prior code § 8-4.09)

15.12.140 - Permit—Revocation.

The city may revoke any permit issued for noncompliance with any of the provisions of this chapter.

(Prior code § 8-4.10)

15.12.150 - Scope of excavation—Notice and inspection hours.

- A. Excavations shall be confined to the work described in the permits.
- B. Each permittee shall notify the building inspector when excavation under the permit will be commenced and such notice shall be given at least twenty-four (24) hours prior to such commencement. All work under any permit shall be done and completed under the inspection of the building inspector or city engineer.
- C. Except in cases of emergency, no work shall be done at any other time than between the hours of eight a.m. and five p.m. from Monday through Friday, unless prior arrangements have been made at the time the permit is issued or in the case of an emergency.

(Prior code § 8-4.11)

15.12.160 - Excavation restrictions—Restoration standards.

All excavations and back filling shall be done in the following manner:

- A. No excavation shall be made on any street in any way to constitute a traffic hazard.
- B. All excavated material shall be removed from the public right-of-way and disposed of off the public right-of-way or as directed by the building inspector.

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- C. All excavation shall be filled with clean sand to within eight inches of the existing or established street surface elevation and shall be thoroughly flooded.
- D. After flooded sand has become firm and sufficiently dry, the ditch shall be filled with six inches of aggregate base rock plus three inches of asphaltic plan mix surfacing.
- E. Permittee shall attain ninety (90) percent relative compaction as determined using the most recent A.A.S.H.O. method.
- F. A minimum of thirty (30) inches of cover shall be provided over all pipes and conduits unless prior approval has been given by the city engineer.
- G. All material used as provided in this section shall conform to the applicable sections of the most recent issue of the State Division of Highways and Standard Specifications.

(Prior code § 8-4.12)

15.12.170 - Passage—Emergency facilities access.

- A. The permittee shall at all times maintain at least one safe crossing and unobstructed passage for vehicle traffic and pedestrians around any excavations.
- B. Free access must be provided to all fire hydrants and other public service structures and property that may be required for emergency purposes.

(Prior code § 8-4.13)

15.12.180 - Safety—Devices.

The permittee shall provide and maintain during the performance of the work such barricade, warning directional signals, flares and other safety devices which are required by law or are deemed necessary for the safety and protection of the public.

(Prior code § 8-4.14)

15.12.190 - Safety—Legal compliance.

The permittee shall obey and enforce all safety orders, rules and recommendations of the Division of Industrial Safety of the state applicable to the work and permittee shall comply with all applicable state and local laws and ordinances.

(Prior code § 8-4.15)

15.12.200 - Violation—Penalty.

Any person, firm or corporation violating any provision of this article is guilty of a misdemeanor and upon conviction shall be punished as provided in [Chapter 1.24](#) of this code.

(Prior code § 8-4.16)