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**POLICY NUMBER: 26-032****UNPERMITTED CONSTRUCTION****PURPOSE**

The purpose of this policy is to establish a standardized procedure for the plan review, permitting, and inspection of construction work that has been started or completed prior to obtaining the required permits. This policy ensures consistent enforcement of state and local regulations, promotes voluntary compliance, safeguards life and property, provides clear guidance to staff and applicants, maintains the integrity of the City's permitting and inspection processes, and offers a fair and consistent approach to resolving unpermitted work.

**PROCEDURE:**

The following steps guide staff and applicants through the process of legalizing and inspecting construction projects that were initiated prior to permit issuance. Steps may be adjusted as appropriate to ensure the required permits are issued and inspections completed efficiently.

**1. INVESTIGATION**

When construction work is discovered to have commenced without the required permits, the Building Division shall initiate an investigation. The assigned inspector or code enforcement officer will:

- Identify the scope and nature of the unpermitted work.
- Document observable code violations and determine areas that require exposure for compliance verification.
- Establish the necessary corrective actions and coordinate next steps for plan submittal, plan review, and permit issuance.

An investigation fee, as specified in the City Fee Schedule and in accordance with CBC Section 109.4, shall be collected at the time of plan submittal.

If a property owner voluntarily discloses unpermitted work and the full scope can be clearly defined without a field investigation (e.g., minor equipment replacement), the Building Services Manager may authorize a waiver of the investigation fee.

**2. ESTABLISHING COURSE OF ACTION**

The field inspector shall determine the most effective course of action to achieve code compliance. The following steps may be required:

**a. Documentation and Exposure:**

The inspector or code officer shall document all visible violations and identify limited areas that must be exposed (e.g., foundation, framing, connections, insulation, plumbing, electrical, or mechanical systems) to verify compliance. Full removal of walls, ceilings, or roofs is generally unnecessary; partial exposure is typically sufficient to confirm compliance.

b. **Preparation of As-Built Plans:**

“As-built” plans, prepared by a licensed or registered design professional in accordance with CBC Sections 107.1–107.4, must accurately reflect existing conditions and include all necessary corrections for code compliance. Structural calculations, energy reports, soil reports, or other documentation shall be identified during the investigation.

c. **Progress Timeline:**

A reasonable timeline shall be established to allow the applicant adequate time to submit plans and obtain necessary approvals. The inspector or code officer shall consider factors such as project complexity, safety hazards, and involvement of other City departments or outside agencies (e.g., Public Works, Planning, or the Health Department).

Shorter timelines should be assigned for minor or unsafe work, while more complex or lower-risk projects may warrant additional time.

**3. PLAN CHECK APPLICATION**

Plans, calculations, and supporting documentation shall be submitted to the Permit Center for review and permit issuance. All applicable plan review and investigation fees must be paid prior to processing.

Permit Center staff shall note “Code Enforcement Case” in the permit tracking system to ensure proper coordination and communication among all relevant City departments.

**4. PERMIT ISSUANCE**

Upon approval of plans by all required City divisions and outside agencies, the applicant shall obtain all required permits and pay all applicable fees promptly.

**5. INSPECTION AND FINAL APPROVAL**

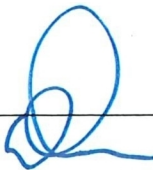
Once permits are issued, inspections shall be conducted to verify that all work complies with approved plans and applicable codes. The inspector may require partial exposure of completed work as needed for verification.

Final approval shall be granted only after all deficiencies are corrected and verified.

Failure to obtain required permits or comply with inspection directives may result in enforcement action as authorized under the Garden Grove Municipal Code.

**ANALYSIS:**

For clarity, the rationale is reflected within the procedure itself. The purpose of this policy is to achieve code compliance for work initiated prior to permit issuance, recover appropriate fees for investigation, plan review, and inspection activities, and ensure occupant safety through proper verification. While the procedure allows flexibility in staff interpretation, its primary goal is to achieve compliance efficiently and fairly, without being unduly regulatory or punitive. Any deviation from this policy shall be reviewed and approved by the Chief Building Official or designee on a case-by-case basis.

<b>Approved:</b> David Dent <i>Deputy Director/Chief Building Official</i>	Signature: 
	Date: 3/4/22