



# PLANNING AND BUILDING DEPARTMENT

## CODE ENFORCEMENT DIVISION

[www.edcgov.us/Government/CodeEnforcement](http://www.edcgov.us/Government/CodeEnforcement)

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### CODE ENFORCEMENT DIVISION

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## Code Enforcement Amnesty Program for Select Code Case Types

### June-September 2023

The Board of Supervisors (Board) has approved a Code Enforcement Amnesty Program (the Program) for certain types of qualifying code cases. The first year of the Program will open on [Insert here] and run through [Insert here]. At the close of the first year of the Program, Code Enforcement staff will present the findings from the Program to the Board to discuss any necessary amendments needed and to study the challenges and opportunities presented by the Program's implementation. Details of the program can be found below, including: eligibility/types of code cases that qualify, fees to be waived, pre-site inspections and their costs, application of relevant building codes, and coordination between the El Dorado County Assessor and Code Enforcement staff.

### **Eligibility**

- This program is for those parties who are subject to an open code case due to unpermitted work having been completed by a previous property owner without their knowledge and without having been disclosed during the escrow process.
- Additionally, those code cases where the violation is due to expired permits under a previous owner are eligible.
- For those individuals who are aware of unpermitted work and voluntarily come forward to disclose unpermitted work to county staff, there is already an existing fee waiver offered by the Building Services Division that can be found [here](#).

### **Fee Waiver**

- When a code case is opened and an individual seeks to remedy a violation by obtaining a permit, an investigation/[penalty](#) fee is charged on top of normal permit fees. The investigation fee doubles the Building Services fees to cover costs of Code Enforcement staff time spent on the case.
- If an individual meets the eligibility criteria for the Program that investigation/[penalty](#) fee is waived for that permit.



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### Pre-site Inspection

- As a courtesy to impacted individuals eligible for the Program, Code Enforcement and Building staff will be available to perform a pre-site inspection to better assist the owner in how to expeditiously remedy the written violations on the property.
- Specifically, a pre-site inspection would be done to determine site conditions, confirm structures on site, and the status of any construction.
- The pre-site inspection team will consist of one staff member each from the Code Enforcement Division and Building Services Division, in addition to assistance from the Assessor and Treasurer-Tax Collector, when applicable.
- A nominal fee of \$107 will be assessed for staff time.
- If a site is found to be safe from life, health, and safety concerns, Code Enforcement will issue a certificate of compliance that will allow for the unpermitted work to remain until the property is sold in a real estate transaction.
- This certificate will allow the case to be set as a low priority for Code Enforcement. The case will remain open but no additional active enforcement will occur.
- Though there will be a cloud on the title of the home due to Code Enforcement's Notice and Order process, staff will work with both the buyer and seller in the future real estate transaction to negotiate an outcome that will not hold the real estate transaction up.
- The Planning and Building Director will retain discretionary authority to make decisions related to the program when necessary and appropriate.

### Application of Building Codes

- Neither Code Enforcement nor Building Services staff will require property owners to open up their walls for inspection, though owners should work with their respective contractors on what will be needed.
  - All construction must meet current non-structural code requirements (i.e. electrical, plumbing, energy efficiency, and fire sprinklers.)
  - The structural portion of the structure may meet the building code requirements in effect at the time of construction.
  - Proof of date of construction must be provided.
  - Everything else must meet current codes.
  - State legislation on Accessory Dwelling Units (ADUs) continues to evolve. As such, more lenient standards on ADUs will be followed per state regulations.
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### **Working with the Assessor**

- Planning and Building staff work to share information with the County Assessor, as appropriate.
- Please be aware that the Assessor may capture up to four years of escaped assessments on unpermitted structures.

For any questions that you may have, please contact the Code Enforcement Division at (530) 621-5999 or by email at [cdacode.enforcement@edcgov.us](mailto:cdacode.enforcement@edcgov.us).