



Western HVAC Performance Alliance Compliance Committee Online Permitting Working Group Minimum Legal Requirements for a Building Permit Memo

A WHPA Work Product as of April 19, 2017

Prepared by:

WHPA Compliance Committee Online Permitting Working Group

Working Group Chair, Allison Paul, CIRB Lead Analyst/Media Specialist (California Homebuilding Foundation-Construction Industry Research Board)



WHPA Work Product Summary

DATE: April 17, 2017

INITIATING BODY: WHPA Compliance Committee Online Permitting Working Group

WORK PRODUCT NAME: Minimum Legal Requirements for a Building Permit Memo (dated 04-17-17)

TYPE OF ACTION REQUESTED: **VOTE** **GUIDANCE** **OTHER:**

The initiating body requests that the WHPA Executive Committee adopt the referenced Minimum Legal Requirements for a Building Permit Memo as a WHPA Work Product to be posted and marketed in accordance with previously established policy.

This memo summarizes the minimum requirements that local building departments are required to collect through the permitting process. It also compares those permit requirements with what is required on the CF-1R compliance form to determine any commonalities. Identifying these minimum requirements can be used to establish baseline criteria upon which an online permitting framework can be built.

APPROVAL HISTORY

WORKING GROUP: WHPA Compliance Online Permitting Working Group

BY CONSENSUS **BY VOTE**

TALLY: Enalaysys (Eric Taylor) motioned to approve the content and escalate the Minimum Legal Requirements for a Building Permit Memo to the Compliance Committee for their subject matter expert input. CHEERS (Bob Johnson) seconded the motion. Based on consensus voting of a quorum (8+) eligible voting members, the motion carried without further discussion with votes cast as follows:

- **AYE (x10):** ACCA (Todd Washam), CalCERTS (Susan Davison), CHEERS (Bob Johnson), CHF-CIRB (Allison Paul), Duct Testers (Dave Hegarty), Enalaysys (Eric Taylor), EnerGtech Experts (Brent Locke), The Energy CA, LLC (Eric Beriault), IHACI (Bob Wiseman), Indio Cooling & Heating Supply (Tim Mann)
- **NAY (x1):** SCE (Gary Shushnar)
- **ABSTAIN (x1):** CALBO (Bob Barks)

DATE: April 10, 2017

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COMMITTEE: WHPA Compliance Committee

BY CONSENSUS **BY VOTE**

TALLY: Enalasy (Eric Taylor) motioned that the Minimum Legal Requirements for a Building Permit Memo be passed with the suggested revisions for escalation to the WHPA Executive Committee. IHACI (Bob Wiseman) seconded the motion. Following clarifying discussion about the motion intent and based on consensus voting of a quorum (9+) of the voting panel, the motion carried with votes cast as follows:

- **AYE (x8):** ACCA (Don Prather), Brody Pennell (Michael Carson), CALBO (Bob Barks), Enalasy (Eric Taylor), The Energy CA, LLC (Eric Beriault), Goodman Manufacturing (Aniruddh Roy), IHACI (Bob Wiseman), SynergyNexGen (Barbara Hernesman)
 - **NAY (x0)**
 - **ABSTAIN (x1):** CEC (Lea Haro)
-

DATE: April 13, 2017

WORK PRODUCT OBJECTIVES: The Compliance Committee prepared an Online Permitting Road Map that was approved by the Executive Committee in January 2016. The Road Map identified a number of planning steps that would be required prior to developing a comprehensive set of requirements for an online permitting system. For 2016, the Compliance Committee set a goal to establish a Working Group focused on Online Permitting. The Online Permitting Working Group (OPWG) was formed by mid-year and began meeting monthly to address several of the planning steps outlined in the Road Map. Under the leadership of OPWG Co-Chair, Alison Paul, the Minimum Legal Requirements for a Building Permit Working Group was established to specifically focus on gaining a better understanding of the information required for a building permit. Eric Beriault led the Working Group which referred to several sources of information such as AB 2335 to prepare this memo. The purpose of this memo is identify the minimum requirements for any building permit that can then be used as baseline criteria upon which an online permitting framework can be designed.

The OPWG reviewed the memo during their April 10, 2017 meeting. There was a dissenting opinion discussed during the meeting. The dissenting opinion expressed was that some of the information presented in the memo was duplicative and/or did not fully incorporate information available through Energy Code Ace. Several within the OPWG commented that Energy Code Ace was a valuable informational tool, but that much of the content from Energy Code Ace was more applicable to a Compliance Best Practices effort which is currently underway within the OPWG. At the end of the discussion, the OPWG voted to submit the memo to the full Compliance Committee for review.

The Compliance Committee reviewed the memo during their April 13, 2017 meeting. At this time, the dissenting opinion was presented. The Compliance Committee also discussed the information presented in Table 1 and requested several clarifying edits that would better

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communicate optional versus mandatory requirements. The Compliance Committee voted to submit the memo to the Executive Committee to be considered for approval as a WHPA work product with the appropriate edits included.

CA ENERGY EFFICIENCY PLAN STRATEGIC GOAL ALIGNMENT:

GOAL 1 GOAL 2 GOAL 3 GOAL 4

CEESP HVAC GOAL STRATEGIES:

The Executive Committee approved the Online Permitting Road Map on January 13, 2016. That Road Map established several planning activities to better understand the overall scope of such a statewide online permitting system. One such activity was to better understand the minimum requirements for any building permit which is accomplished through this memo. This activity is in support of Goal 1-1: Develop streamlined local government HVAC permitting systems, including on-line HVAC replacement permitting.

BENEFITS: As identified in the Online Permitting Road Map, it is necessary to fully understand the minimum requirements for mechanical permits in order to prepare a scope for an online system. Understanding these requirements will provide a baseline upon which an online permitting system can eventually be built. Within the Compliance Committee, the inconsistency of information requested by building departments for a mechanical permit is one of several barriers preventing higher compliance rates. Creating a standard baseline that can be used across the state can address this barrier.

OUTSTANDING ISSUES / DEBATES / MINORITY VIEWS: There was a dissenting opinion expressed by an OPWG member that some of the information presented in the memo was duplicative and/or did not fully incorporate information available through Energy Code Ace. The member's input was considered, but the general consensus of the OPWG was that much of the content from Energy Code Ace was more applicable to Compliance Best Practices, which is another effort being pursued within the OPWG. This member ultimately voted against the memo being presented to the Compliance Committee.

POTENTIAL AUDIENCE: The Minimum Legal Requirements for a Building Permit Memo is a very useful document that clearly lists the minimum requirements required for issuance of any building permit as codified by law. This information can be used by any building jurisdiction updating/revising permit applications, but is primarily intended to inform the development process for a common statewide permitting platform. Level setting stakeholders on these minimum requirements is the first step to ensure consistency across local jurisdictions and help address the barriers impacting compliance rates.

WHPA Work Product Summary

EXECUTIVE COMMITTEE: At the April 19, 2017, Executive Committee Meeting, the Compliance Online Permitting Working Group Work Product Summary and “Minimum Legal Requirements for a Building Permit” Memo was presented by Working Group Chair Allison Paul (CHF-CIRB).

MOTION: At the EC Meeting, Bob Wiseman (IHACI) made the motion and Don Tanaka (UA) seconded the motion to approve this Work Product.

VOTE TALLY: EC Quorum is eight (8):

8 Aye votes were cast by ACCA, AHRI, ASHRAE, HARDI, IHACI, JCEEP, NCI, and UA.

There were no Nay votes.

6 Abstentions were cast by CEC, CPUC, PG&E, SCE, SDG&E, and SoCalGas.

NOTE: The IOUs do not vote on compliance matters.

FURTHER ACTIONS REQUIRED: WHPA Staff will ensure the combined Work Product Summary and “Minimum Legal Requirements for a Building Permit” Memo is properly posted and distributed in accordance with established marketing protocol for approved WHPA Work Products.

NEXT STEPS: The Memo will be incorporated into the overall Online Permitting Feasibility Report being developed by the OPWG.



April 17, 2017

To: WHPA Compliance Committee

From: WHPA Online Permitting Working Group

RE: Minimum Legal Requirements for a Building Permit

The “Minimum Legal Requirements for a Building Permit Working Group” was established to identify the minimum requirements that must be included in a building permit. For this project, the Working Group focused on mechanical permits for existing buildings. Identification of these minimum requirements can be used to establish baseline criteria upon which an online permitting framework can be built.

The Working Group used the following reference materials to complete its efforts:

- Assembly Bill No. 2335, Chapter 66
- Title 24, Part 2, Volume1 of the California Building Code Chapter 1, Division II, Part 1
- The California Business and Professions Code Chapter 9

Assembly Bill 2335 clearly outlines the minimum requirements for a building permit which are listed in Table 1. These items are required throughout California regardless of the jurisdiction.

Table 1: Minimum Legal Requirements for Building Permit

BUILDING PROJECT IDENTIFICATION		
Applicant's Mailing Address		
Property Location or Address		
Property Owner's Name		
Property Owner's Telephone Number		
Licensed Design Professional (Architect or Engineer) in charge of the Project (<i>as applicable</i>)		
Mailing Address of the licensed Design Professional (<i>as applicable</i>)		
LICENSED CONTRACTOR'S DECLARATION	or ¹	OWNER-BUILDER DECLARATION
License Class		Date
License Number		Signature of Property Owner or Authorized Agent
Date		
Contractor Signature		

¹ Either the Licensed Contractor or Owner-Builder Declaration must be completed in their entirety depending on who is completing the permit application.

**Minimum Legal Requirements for Building Permit
Online Permitting Working Group Memo to Compliance Committee**

WORKER'S COMPENSATION DECLARATION (as applicable²)
Policy Number
Expiration Date
Name of Agent
Phone Number
Signature of Applicant
Date
DECLARATION REGARDING CONSTRUCTION LENDING AGENCY (as applicable)
Lender's Name
Lender's Address
Signature of Property Owner or Authorized Agent
Date
AUTHORIZATION OF AGENT TO ACT ON PROPERTY OWNER'S BEHALF (as applicable)
Description of work
Project Location or Address
Name of Authorized Agent
Address of Authorized Agent
Phone Number of Authorized Agent
Property Owner's Signature
Date

Through the course of this project, Energy staff³ contacted 105 building departments in 26 different counties in the State of California in order to get an understanding of additional requirements that may be needed at the time of an application for a mechanical permit. In general, mechanical permits follow the minimum legal requirements, but also include additional requirements as shown in Table 2.

Table 2: Additional Optional Requirements for Mechanical Permit

CF-1R form
Copy of the sales contract
Site plan
Duct layout
Sound calculations for condenser
Equipment model numbers or specification sheet
Site photos
Signed homeowner authorization
Structural calculations
Manual J calculation

These requirements are not mandatory and vary by jurisdiction. Appendix A provides the details of the survey of the 105 building departments. While some of the requirements shown in Table 2 are not required by all building departments, it was found that for all 105 building departments, a CF-1R form was required for a mechanical permit to be issued.

² For items listed "as applicable" all information listed under that section is required if the section is applicable.

³ Eric Beriault of Energy is a current member of the WHPA Compliance Committee and was the Memo Working Group lead.

Minimum Legal Requirements for Building Permit Online Permitting Working Group Memo to Compliance Committee

This prompted a deeper review into the CF-1R requirements and a comparison of the CF-1R against the minimum requirements from Table 1 to determine where there are commonalities and differences. The results of this comparison are included in Appendix B.

The difference between individual jurisdictions lies in the additional requirements that they elect to include above the minimum requirements. Most of these additional requirements could be included as part of an online permitting system and uploaded as required by the jurisdiction at the time of the online application.

The CF-1R is required by all building departments researched. There are many similarities between the CF-1R and the building permit. Adding the property owner's name, mailing address, telephone number, as well the declaration statements to the CF-1R would align both the CF-1R and the building permit. This could avoid duplication and enable electronic information transfer from a registry to a building permit application.

Appendix A - Additional Requirements for a Mechanical Permit

105 Building Departments in 26 Counties

		Yes			No
Online Permitting	Apply Only	Apply and Pay	Full Issuance		68
	1	1	35		
CF1R requirement	Registered	Hand Written	Not Required		0
	79	26	0		

Additional Requirements

Copy of Sales Contract	2			103
Equipment Model #s or Spec Sheet	73			32
Site Plan	Add On Only	Replacement and Add On	Roof Mount Only	46
	8	50	1	
Decibel Specs for Condenser	6			99
Structural Calculations (roof or attic)	25			80
Duct Layout	1			104
Signed Home Owner Authorization	15			90
Manual J	2			103
On Site Photos	1			104

February 11, 2017, Eric Beriault

Comparison of a Building Permit Application and a CF-1R

Reference: Assembly Bill 2335, Passed the Assembly June 23, 2008, Passed the Senate June 19, 2008

BUILDING PROJECT IDENTIFICATION

Applicant's Mailing Address
Property Location or Address
Property Owner's Name
Property Owner's Telephone Number
Licensed Design Professional (Architect or Engineer) in charge of the Project (if applicable)
Mailing Address of the licensed Design Professional (if applicable)

Permit	
Optional*	Required

CF-1R		
Optional	Required	Not Required

	X
	X
	X
	X
X	
X	

		X
	X	
X		
		X
	X	
	X	

DECLARATIONS⁴	LICENSED CONTRACTOR
	License Class
	License Number
	Date
	Contractor Signature
	OWNER-BUILDER
	Date
	Signature of Property Owner or Authorized Agent

Required if No Owner-Builder

X				X	
X				X	
X				X	
X				X	

Required if No Licensed Contractor

X				X	
X				X	

WORKER'S COMPENSATION DECLARATION (if applicable)

Policy Number
Expiration Date
Name of Agent
Phone Number
Signature of Applicant
Date

X	
X	
X	
X	
X	
X	

		X
		X
		X
		X
		X
		X

DECLARATION REGARDING CONSTRUCTION LENDING AGENCY (if applicable)

Lender's Name
Lender's Address
Signature of Property Owner or Authorized Agent
Date

X	
X	
X	
X	

		X
		X
		X
		X

AUTHORIZATION OF AGENT TO ACT ON PROPERTY

⁴ Either the Licensed Contractor or Owner-Builder Declaration is required depending on which entity is completing the permit application.

**Minimum Legal Requirements for Building Permit
Online Permitting Working Group Memo to Compliance Committee**

Description of Work	X				X
Project Location or Address	X				X
Name of Authorized Agent	X				X
Address of Authorized Agent	X				X
Phone Number of Authorized Agent	X				X
Property Owner's Signature	X				X
Date	X				X

* Information is only required to be completed in the case of an affirmation. For example, if there is a Licensed Design Professional in charge of the project, this information will need to be added to the building permit application. If a particular section in the Table applies, then the information is required in its entirety and is no longer optional. For example, if a licensed contractor is applying for the permit, then all information listed under Licensed Contractor's Declaration is required.

March 27, 2017, Eric Beriault, The Energy Inc.
Revised April 17, 2017, WHPA Staff (per WHPA Compliance Committee vote decision)