

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**DIVISION OF CODES AND STANDARDS**

1800 THIRD STREET, SUITE 260, P.O. BOX 1407

SACRAMENTO, CALIFORNIA 95812-1407

(916) 445-9471 FAX (916) 327-4712

From TDD Phones 1 (800) 735-2929



January 4, 2001

Information Bulletin #01-02 (SHL, EH)

**To: City and County Building Officials
Interested Parties (SHL & EH)
Division Staff**

SUBJECT: 2000 Legislative Changes

This Information Bulletin summarizes the year 2000 legislative changes to the California Health and Safety Code and California Government Code that impact housing construction in this state. The amendments and additions to the Health and Safety Code and the Government Code become effective on January 1, 2001.

- **Chapter 989 of the 2000 Statutes (SB 1242/Ortiz)** amends Government Code Section 4451 and adds Section 4459.
 - Section 4451 requires that buildings, structures, and facilities identified in Government Code Section 4450 and intended for use by the public, that are leased, rented, contracted, sublet, or hired by any municipal, county, or state division of government or any special district, be made accessible to and useable by persons with disabilities.

The amendment also requires the Department of General Services to develop regulations that ensure Braille, tactile, or visual signage for elevators, rooms, spaces, functions, and directional information is installed. Additionally, the Department of General Services is mandated to develop and implement a training program that assures compliance with all disability access requirements.

- Section 4459 requires that the Department of General Services, Division of the State Architect develop amendments to building regulations for adoption by the California Building Standards to ensure that the state building regulations meet or exceed the Americans with Disabilities Act of 1990. Additionally, this new law directs the usage of fees and affirms that the application and scope of California Building Standards Code be not less than that of the Americans with Disabilities Act of 1990.

Please direct your questions regarding the above Government Code statutes to the Department of General Services, Division of the State Architect at (916) 322-4700.

- **Chapter 664 of the 2000 Statutes (AB 1382/Lowenthal)** adds Chapter 8 to Part 1.5 of Division 13 of the Health and Safety Code commencing with Section 17998. These provisions establish the "Code Enforcement Incentive Program" to be administered by the Department of Housing and Community Development.
- Section 17998.1 requires the Department of Housing and Community Development make specified funds available through December 31, 2003 as matching grants to cities, counties, and cities and counties to increase staffing dedicated to local building code enforcement efforts. Individual grants may not exceed one million dollars. Each recipient must provide a cash or in-kind local match of funds at least 25 percent in the first year, at least 50 percent in the second year and at least 75 percent in the third year. The Department of Housing and Community Development is required to summarize the accomplishments of the expanded housing code maintenance enforcement efforts to the Legislature by December 31, 2004.
- Section 17998.2 created the Department of Housing and Community Development's "Community Code Enforcement Pilot Program" which is intended to initiate a coordinated active community approach to code enforcement.

The Department will award, on a competitive basis, pilot program grants to communities that develop a community code enforcement program. Each grant may not exceed four hundred fifty thousand dollars which shall pay the costs incurred over the life of the program. Each city, county, or city and county awarded a grant must develop a code enforcement team consisting of at least one full-time code enforcement officer and a part-time city planner, health officer or comparable specialist.

Additionally, each recipient is required to provide and fund at its own expense at least one city planner, health officer, or comparable specialist for a minimum of twenty hours per week. The Department of Housing and Community Development is required to review and report the pilot program accomplishments to the Legislature by December 31, 2004.

Please direct questions regarding the above Health and Safety Code statutes to Mr. Ray Bulford, in the Department's Grant Program at (916) 445-9471.

- **Chapter 471 of the 2000 Statutes (AB 2008/Lowenthal)** amends and adds various sections to the Health and Safety Code, Division 13, Part 1.5, State Housing Law.

- Sections 17920.3, 17951, 17958.2, 17958.8 contain technical, non-substantive changes including but not limited to grammar and cross-references.
- Section 17964 is amended and requires, by March 1 of each year that, each city, county, or city and county provide the Department of Housing and Community Development its designated department name, address, telephone number, and contact person of the designated department or officer responsible for the enforcement of building standards and other rules and regulations adopted as set forth in Section 17921. This includes the departments and designated person responsible for the enforcement of building standards pursuant to 17960, housing or health departments pursuant to 17961, and fire protection provisions pursuant to 17962.

Please direct questions regarding the above Health and Safety Code statutes to the Department's State Housing Law Program at (916) 445-9471

- **Chapter 702 of the 2000 Statutes (SB 1545/Costa)** amends Health and Safety Code Sections 17021 and 17055 of the Employee Housing Act to impose permit-processing requirements and amends civil complaint time periods.
- Section 17021 is amended to impose permit processing requirements on city and county building departments for building permits, grading permits, or other approval from a city or county building department for the rehabilitation of property improvements that are or will be employee housing for agricultural employees. The new amendment also imposes permit-processing requirements for city and county health departments for the operation, construction or repair of a water system or waste disposal system servicing employee housing for agricultural employees.

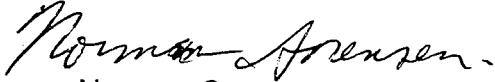
This new amendment directs that a local building or health department has up to 60 days to approve or deny a complete application or permit request accompanied with the appropriate fees. Permit denial based on procedural grounds must occur within 30 calendar days and be accompanied with itemization of the procedural defects.

The Department of Housing and Community Development may approve the aforementioned applications or permit request if they are not approved or denied within the specified time frames. The Department's approval must be accepted by other state and local agencies as if it were local approval. The local building department still must inspect the work during construction.

- Section 17055 is amended to permit any complainant residing in employee housing to bring civil action for injunctive relief if the enforcement agency has not filed a civil action within 21 days after receipt of the complaint.

Please direct questions regarding the above Health and Safety Code statutes to the Department's Employee Housing Law Program at (916) 445-9471.

This summary of legislative changes is not represented as a complete digest of all legislation effecting persons regulated by the aforementioned laws. The complete text of each bill discussed above may be obtained through the Internet at www.leginfo.ca.gov



Norman Sorensen
Deputy Director