

IT'S YOUR BUILDING DEPARTMENT

A resource for city and county elected officials
and managers



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5th Edition



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Guide to Title 24

Public Guide to the Building

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Glossary of Terms

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Introduction

This guide is published by the California Building Standards Commission (CBSC) to help elected officials and executive managers of California's city, town and county governments understand building department responsibilities established in state law. This publication will identify many state laws for building departments, required personnel training and certifications, use of building permit revenues, and will introduce the California Building Standards Code, Title 24 of the California Code of Regulations (Title 24). Proper use and enforcement of Title 24 will ensure healthy, safe, sustainable, and accessible buildings and grounds in California's communities. Additional guides and educational videos can be found on the [Resources tab](#) of CBSC's website at dgs.ca.gov/BSC. Questions relating to building department responsibilities, or the application of Title 24 can be directed to CBSC at cbsc@dgs.ca.gov or (916) 263-0916.

Why Building Departments Are Necessary

Every city, county, or city and county is required to enforce state laws mandating specific requirements for buildings, and to enforce Title 24. To accomplish this, it is customary for a local government to establish a building department with code enforcement officials, inspectors and construction plan review specialists, among others.

The [California legislative process](#) results in state laws that ensure new and existing buildings operate in a cost-efficient manner, safeguard the environment, and provide safe, healthy and accessible structures for human occupancy and use. Some of California's requirements include:

- Historical buildings shall meet present-day safety and accessibility standards while preserving historical significance.
- Retrofitting of unreinforced masonry buildings constructed at a time when resistance to seismic motion was not a major consideration.
- Jurisdictions in the coastal regions of California shall identify potentially hazardous buildings and establish a program for mitigation.

Accessibility

The Americans with Disabilities Act of 1990 (ADA), updated in 2010, is a federal law that impacts new construction and existing buildings when repaired, altered or added to. California has enacted laws and building standards for accessibility in new and existing buildings that are intended to be equal to, or more restrictive than, federal ADA standards. Building department personnel must be trained and prepared to work with designers and property owners to incorporate the accessibility requirements in federal and California law, as well as in Title 24. If building standards are applied incorrectly,

significant unnecessary costs may result, or accessibility may not be provided where it should be.

For multifamily dwellings and publicly funded housing, there are additional federal laws, as well as California laws and building standards, for accessibility that apply to new construction and to some existing multifamily dwellings built after March 13, 1991. Multifamily dwellings constructed after that date may be subject to current accessibility standards when common areas are improved, or alterations are made to existing facilities. Building department personnel trained and certified in accessibility laws and building codes will be able to enforce the standards correctly. Laws requiring accessibility in public buildings and multifamily dwellings are intended to provide accessibility as a civil right, and failure to meet the standards is an act of discrimination that will likely result in costly litigation.

Energy Efficiency

California's energy efficiency standards (California Energy Code, Part 6, Title 24) did not exist for buildings constructed in the 1970s and before. As the need for energy conservation has increased, energy standards have become more restrictive with each edition of Title 24. A local building department's staff is responsible for understanding and enforcing these regulations within their jurisdiction.

Green Building Standards

Mandatory green building standards (California Green Building Standards Code, Part 11, Title 24, known as CALGreen) became effective on January 1, 2011. CALGreen imposes requirements for planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. Training for building department personnel responsible for enforcement is available from a variety of sources and supports the proper application of CALGreen requirements.

Emergency Standards

The adoption of emergency building standards imposes new construction requirements that are to be immediately enforced by jurisdictions throughout the state. An example is the emergency building standards for exterior elevated elements that were implemented in response to the 2015 collapse of a balcony in Berkeley, California.

States of Emergency

Building departments provide a crucial service protecting the public during and after disasters such as earthquakes, fires or flooding. A local state of emergency can necessitate that a building department's staff respond immediately to evaluate buildings and structures, and determine whether they remain suitable for human occupancy if damage occurred.

These are only a few of the reasons why a local building department is important. A properly staffed and trained department will be able to effectively carry out activities to meet the intent of federal and state law, and the building standards in Title 24 that implement requirements of law.



State Laws and Regulations

This section will cover how to access state laws and regulations using the state's websites, and will identify some important laws and regulations that impact local building departments as well as the design, construction and use of buildings.

State Laws

State laws are enacted through California's legislative process involving the senate and assembly of the legislative branch of state government, and the governor and secretary of state in the executive branch of state government. The laws are divided into 29 separate codes, each with an identifying name such as the Health and Safety Code, Government Code, Civil Code and Public Resources Code. A listing of California's 29 codes is available on the [California Legislative Information website](http://leginfo.legislature.ca.gov/faces/codes) at leginfo.legislature.ca.gov/faces/codes.

State Regulations

State regulations are promulgated by agencies of the executive branch of state government to implement, interpret, and make specific the intent of state law. The regulations are contained in the California Code of Regulations available on the [Office of Administrative Law \(OAL\) website](http://oal.ca.gov) at oal.ca.gov. Because Title 24 is reserved for building standards published by CBSC, the OAL website provides a link to [CBSC's website](http://dgs.ca.gov/BSC/Codes) at dgs.ca.gov/BSC/Codes.

The California Code of Regulations is divided into 28 titles with names that indicate their subject or purpose. For example, Title 13 is Motor Vehicles, Title 19 is Public Safety and Title 24 is the Building Standards Code. Some titles are reserved for the regulations of a particular state agency, such as Title 25 for the Department of Housing and Community Development (HCD).



Specific Laws and Regulations Impacting Building Departments

Health and Safety Code: The Health and Safety Code (HSC) is one of the 29 codes that make up California state law. The HSC contains more than 130,000 sections organized into divisions. Divisions 12 and 13 include provisions regarding the design, construction, use and maintenance of buildings. Various provisions of the HSC will be referred to throughout this publication. The mandates for several state agencies to develop building standards and for local governments to enforce building standards are also found in the HSC.

California Building Standards Law: This is state law within HSC, Division 13, Part 2.5, commencing with Section 18901. The provisions of Part 2.5 govern the work of CBSC and how building standards are to be adopted and published. It also mandates that the California Building Standards Code, Title 24 of the California Code of Regulations, applies to all building occupancies throughout the state.

State Housing Law: This portion of state law within HSC, Division 13, Part 1.5, commencing with Section 17910, establishes responsibilities for HCD and the Office of the State Fire Marshal (SFM) to develop building standards for housing occupancies, including hotels, motels, lodging houses, apartments, condominiums and dwellings. It also mandates enforcement of State Housing Law provisions, and the building standards adopted pursuant to State Housing Law, by every city, county, or city and county within the state.

Government Code: The Government Code (GOV) is another of the 29 codes within state law. Sections 4450 through 4460 in Chapter 7, *Access to Public Buildings by Physically Handicapped Persons*, establish requirements for building accessibility. The provisions also establish the Division of the State Architect's (DSA) authority to develop building standards and regulations for publicly funded buildings, publicly funded sidewalks and curbs, public accommodations and commercial facilities.

Note: HSC Sections 19952 through 19959 establish the requirement for accessibility in privately owned buildings open to the public, and for DSA to develop the building standards for accessibility in such buildings.

Earthquake Protection Law: Two state laws address buildings and their resistance to earthquakes. The first is the Earthquake Protection Law (HSC, Division 13, Part 3, commencing with Section 19100). The law requires that all buildings be designed to resist lateral forces from seismic motion, and allows local government to enact requirements to mitigate the risk from existing buildings, such as unreinforced masonry buildings and others not designed in consideration of seismic motion.



The other state earthquake safety law is in Government Code, Title 2, Chapter 12.2, commencing with Section 8875. This law requires cities and counties to identify potentially hazardous buildings, as defined, and establish a mitigation program. Further, the owner of a building identified as a potentially hazardous structure must post a written notice in a conspicuous location to warn the public of the possible danger during an earthquake.

California Building Standards Code: Building standards are state regulations developed by various state agencies in the executive branch of state government, and they govern the design and construction of buildings, including equipment and accessories to those buildings. Although developed by state agencies, most building standards are enforced by local government entities, with a few exceptions. State agencies that develop building standards for Title 24 are DSA, SFM, HCD, the Department of Health Care Access and Information (HCAI, formerly the Office of Statewide Health Planning and Development-OSHDP), the California Energy Commission (CEC) and CBSC, among others.

Title 24 is divided into 13 parts by subject, including residential, energy, fire and green building standards.



Note: CBSC publishes a [Guide to Title 24](#) explaining the organization, application and use of Title 24. It can be found on the [Resources tab](#) of CBSC’s website at dgs.ca.gov/BSC/Resources.

State Housing Law Regulations: Chapter 1 in Title 25 contains regulations adopted by HCD to implement, interpret and make specific provisions of State Housing Law in HSC Division 13, Part 1.5. The regulations relate to the construction, use, maintenance and change of occupancy of hotels, motels, lodging houses, condominiums, apartment houses and dwellings.

State Historical Building Code: HSC Division 13, Part 2.7, commencing with Section 18950 is the state law that allows for the preservation of historical buildings while providing accessibility for persons with disabilities, and reasonable safety from fire and seismic forces. This law establishes the State Historical Building Safety Board (SHBSB) as a unit within DSA to develop building standards which are then published in the California Historical Building Code, Part 8 of Title 24.

Mandates for Local Government

Following are summaries of some important mandates of state laws regarding the operation and responsibilities of a local building department. Refer to the referenced law or regulation for complete language.

Enforce state laws and Title 24

State law requires local government to enforce Title 24 where no state agency has authority to do so. The building department of every city, county, or city and county must:

- Enforce specified provisions of the California Building Standards Law in HSC, Division 13, Part 2.5, commencing with Section 18901, and the implementing building standards in Title 24. Reference: HSC Sections 17960, 17961 and 18948.
- Enforce State Housing Law (HSC, Division 13, Part 1.5) and implement regulations of Title 25, Chapter 1, pertaining to the erection, construction, reconstruction, movement, enlargement, conversion, alteration, repair, removal, demolition, or arrangement of hotels, motels, lodging houses, condominiums, apartment houses and dwellings. Reference: HSC Section 17960.
- Enforce the earthquake protection laws applicable to hazardous buildings, seismic retrofitting, seismic gas shutoff devices, water heater bracing, posting of notices on buildings that are potentially dangerous during seismic motion, and more. Reference: HSC Division 13, Part 3, commencing with Section 19100, and Government Code, Title 2, Chapter 12.2, commencing with Section 8875.
- Officially adopt through the jurisdiction's ordinance process the current edition of Title 24, and repeal outdated versions. Title 24's current edition must be enforced whether or not a jurisdiction takes an official action to adopt it. Reference HSC, Division 13, Parts 1.5 and 2.5.

The usual means of enforcing building standards is to require plan review and inspections by trained and certified or licensed building department personnel. Plan review, also known as plan examination, prior to issuing a permit ensures that the plans for a building comply with requirements for structural safety, energy conservation, sustainability, fire and life safety, accessibility, plumbing, electrical, and mechanical systems and equipment. After the review, the permit applicant receives a written report of any compliance issues and required corrections. Registered structural engineers, civil engineers, and architects who have been trained in the building code should perform reviews of structural plans and supporting calculations. Other subjects may be reviewed by certified plan examiners, registered structural engineers, civil engineers and/or architects.

Inspections during various phases of construction are to be performed by personnel holding a building inspection certification issued by the International Association of

Electrical Inspectors, International Association of Plumbing and Mechanical Officials, International Code Council, National Fire Protection Association, or other recognized state, national or international association, as determined by the local agency, with some exceptions (see HSC 18949.25 – 18949.31). Qualifications are discussed in more detail below.



File local building code amendments (ordinances) with the state

State law allows jurisdictions to enact local building standards, often called local amendments or ordinances, that are more restrictive than Title 24. Local amendments must meet specific requirements. When a city, county, or city and county ratifies local amendments, a copy of the ordinance along with express findings that such amendments are reasonably necessary because of local climatic, geological, topographical or environmental conditions (for CALGreen), must be filed with CBSC, HCD or other state agency (see HSC for details). Local ordinances making amendments to Title 24 are neither effective nor operative until filed with CBSC or other appropriate state agency. Reference: HSC Sections 13869.7, 17958, 17958.5, 17958.7, 18941.5 and 18944.31.

Note: For every new edition of Title 24, CBSC issues an information bulletin containing guidance for local adoption and amendment of Title 24. CBSC's [Guide for Local Amendments of Building Standards](#), available on the [Resources tab](#) at dgs.ca.gov/BSC/Resources, provides information that can assist a jurisdiction with enacting local amendments to Title 24. A video presentation regarding the local amendment process is also available on the same page and on the [Ordinances webpage](#) linked on the [Codes tab](#) at dgs.ca.gov/BSC/Codes.

Permit fees for code enforcement and designated purposes

- Every city, county, or city and county may establish fees to offset the cost of enforcement of the building codes. Fees for permits and enforcement activities shall not be levied for general revenues. Reference: HSC Sections 17951 and 19132.3.

- Every city, county, or city and county shall return fees paid for inspection if the inspection is not performed within 60 days of the request. Reference: HSC Section 17951 (d).
- Each city, county, or city and county shall collect a Building Standards Administration Special Revolving Fund (BSASRF) fee from the building permit applicant to be remitted to CBSC. The fee shall be assessed at the rate of \$4 per \$100,000 of permit valuation (\$1 per \$25,000 or fraction thereof), and not less than \$1 per permit. Reference: HSC Section 18931.6 and California Administrative Code (Part 1, Title 24), Chapter 1, Article 5.
 - The local jurisdiction may retain not more than 10 percent of this collected fee for related administrative costs and code enforcement education.

Note: CBSC's [Guide to Filing the Building Permit Fee](#) and other information is available on the [BSASRF webpage](#) accessed from the Building Permit Fee featured link at dgs.ca.gov/BSC.

Employ certified personnel

State law requires local building department personnel to be certified for the code enforcement work they will perform. This requirement is discussed further below. Reference: HSC Sections 18949.25 through 18949.31.

Personnel must participate in continuing education

State law requires that each building official, plan examiner and construction inspector shall complete 45 hours of qualified continuing education for every three-year period, with at least 8 hours regarding disability access requirements. This is discussed further below. Reference: HSC Sections 18949.25 through 18949.31.

Must not have excessive plan review backlogs

When plan review requires more than 30 days for residential plans, or 50 days for all other buildings, the building department shall make plan checking available by private plan review entities. Reference: HSC Sections 17960.1 and 19837.

Must have appeals boards

- Every city, county, or city and county shall have a **local appeals board** to hear appeals regarding building requirements. Reference: HSC Section 17920.5. Alternatives are provided.
- Every city, county, or city and county shall have a **housing appeals board** to hear matters relating to the use, maintenance, and change of occupancy of hotels, motels, lodging houses, apartment houses, condominiums and dwellings, or portions thereof, and buildings and structures accessory thereto, including requirements

governing alteration, additions, repair and demolition. Reference: HSC Section 17920.6. Alternatives are provided.

Have a local soil report ordinance

Each city, county, or city and county shall enact an ordinance which requires a preliminary soil report by a registered civil engineer of every subdivision where a tentative and final map is required pursuant to Section 66426 of the Government Code. Reference: HSC Section 17953 through 17957. Exceptions are provided.

Have codes on hand

Each city, county, or city and county, including charter cities, shall obtain and maintain with all revisions on a current basis, at least one copy of the California Building Standards Code (Title 24), and other state regulations relating to buildings published in Titles 8, 19, 20, 24 and 25 of the California Code of Regulations. Reference: HSC Section 18942(e). An exception is provided.

Building plans archive

The building department of every city, county, or city and county shall maintain an official copy, which may be microfilm or other type of electronic copy, of the plans of every building, during the life of the building, for which the building department issued a building permit. Reference: HSC Section 19850 and 19851. Exceptions are provided.



Other Mandates for Jurisdictions

In this section we have listed some examples of mandates in state law that apply to the operation of a local building department. There are many other requirements specific to buildings that must also be enforced by the local building department, such as use of materials, carbon monoxide devices, water saving fixtures, methods of construction, relocated buildings and more. Many of these have been incorporated into building standards in Title 24.

Building departments must be aware of the requirements of state law relating to the design, construction, use and maintenance of buildings and accessories to buildings. Most of these laws can be found in HSC, Division 13, Parts 1.5, 2, 2.1, 2.3, 2.5 and 3, available at the [California Legislative Information](http://leginfo.ca.gov/faces/home.xhtml) website at leginfo.ca.gov/faces/home.xhtml.

Required Certification and Training

Certifications

Health and Safety Code (HSC) Section 18949.28 reads in part, "*All construction inspectors, plans examiners and building officials who are not exempt from the requirements of this chapter pursuant to subdivision (b), or previously certified, shall complete one year of verifiable experience in the appropriate field, and shall, within one year thereafter, obtain certification from a recognized state, national, or international association, as determined by the local agency.*" Subdivision (b) exempts employees who were employed two years before the enactment of Section 18949.28 (added by Chapter 623 of the 1995 Statutes, effective January 1, 1996).

The disciplines covered by certifications shall be closely related to employees' primary job functions, as determined by the employing local agency. There are numerous certifications that attest to the skills and knowledge necessary to perform building plan examination and/or building inspection.

California licensed architects and engineers performing plan examination, construction inspections or building official duties may be exempt from the certification requirements of HSC Section 18949.28. However, it is a good practice to require engineers and architects to have training in building codes.

As of July 1, 2010, California Civil Code Section 55.53 requires local government to employ or retain the services of at least one building inspector who is a Certified Access Specialist (CAsp) and, as of July 1, 2014, requires that a sufficient number of building plan examiners and inspectors are employed or retained to carry out plan reviews and inspections for enforcement of accessibility codes. DSA administers the CAsp program and conducts examinations pursuant to Government Code (GOV) Section 4459.5.

Reference HSC Section 18949.28, Civil Code Section 55.53 and GOV Sections 4459.5 through 4459.8 for details on the CAsp program. Information about the CAsp program is available on [DSA's website](http://www.dgs.ca.gov/DSA/Services/Page-Content/Division-of-the-State-Architect-Services-List/CAsp) at www.dgs.ca.gov/DSA/Services/Page-Content/Division-of-the-State-Architect-Services-List/CAsp.

Training

Training is essential for a building department to serve the public professionally and efficiently. As stated above in our section about *Mandates for Local Government*, HSC Section 18949.29 requires 45 hours of continuing education every three years for all inspectors, plan examiners and building officials, with eight of those hours relating to accessibility requirements.

Many organizations and associations provide training and certification by examination on building codes, how to conduct inspections, material tests, plan reviews and related subjects. Training is available in the form of seminars, online classes, and workbooks

with lessons and exercises. Also, many colleges offer courses on building codes, plan examination and building inspection.

Some organizations that offer training are:

- [California Building Officials \(CALBO\)](http://calbo.org/professional-development) at calbo.org/professional-development
- [International Association of Electrical Inspectors \(IAEI\)](http://iaei.org) at iaei.org
- [International Association of Plumbing and Mechanical Officials \(IAPMO\)](http://iapmo.org) at iapmo.org
- [International Code Council \(ICC\)](http://iccsafe.org) at iccsafe.org
- Individual chapters of the ICC. A listing of chapters in California is available on the [ICC website](#). Each chapter is independent and may have different educational programs. Many chapters have their own website.
- [National Fire Protection Association \(NFPA\)](http://nfpa.org) at nfpa.org

IAEI, IAPMO, ICC and NFPA offer certification by examination programs.



State agencies such as CBSC, HCD and DSA also offer training on Title 24 and building standards within their specific authority. For instance, CBSC offers training regarding CALGreen nonresidential code updates, and the use of Title 24 and matrix adoption tables, and HCD offers training on residential codes.

HSC Section 18949.31 requires the local government employer to bear the cost of required certifications and continuing education. Further, this state law allows a local government to adjust building permit fees to cover the cost of certification and education of personnel.

CBSC recommendation: For each building department employee, maintain a record of education and certifications needed to perform assigned duties, provide courteous and efficient public service, and satisfy the continuing education requirements of HSC Section 18949.29 and Civil Code Section 55.53, and use it to track completed training.

Suggested Personnel Qualifications

The search for and selection of qualified personnel is a critically important task for any employer, including governmental agencies. Personnel hired to issue building permits, review construction plans, inspect buildings, and manage building department operations must have appropriate training and experience. The hiring decision is critically important and has an impact on public safety and service. For these reasons, CBSC suggests the following:

Building Official and Assistant Building Official

Experience:

- Administration of a building department
- Acted as a building inspector and/or plans examiner
- A licensed architect or engineer within a building department
- Worked as a building contractor

Education:

- High school
- College
- Equivalent by training and experience

Credentials:

- Certified as a Building Official or Code Administrator by IAPMO, ICC or other appropriate organization
- Certification(s) as an inspector and/or plans examiner
- Engineers and architects should be licensed in California and hold additional IAEI, IAPMO, ICC, NFPA or CASp certifications

Plans Examiner

Experience:

- Building inspector, architect, or engineer
- Builder
- Preparation of building plans

Education:

- High school
- Community college degree in Building Inspection Technology
- College

Credentials:

- Certifications in the building, plumbing, electrical, mechanical, accessibility, CALGreen and energy codes issued by IAEI, IAPMO, ICC, NFPA, or other appropriate organization
- Certified CASp by DSA

Senior Building Inspector

Experience:

- Administration of a building department
- Five years as a building inspector with some plans-examiner experience
- Preparation of building plans

Education:

- High school or higher education
- Community college degree in Building Inspection Technology

Credentials:

- Certifications in the building, plumbing, electrical, mechanical, accessibility, CALGreen and energy codes issued by IAEI, IAPMO, ICC, NFPA, or other appropriate organization
- Certified CASp by DSA

Building Inspector (Entry Level)

Experience:

- Worked as a building contractor or in the building trades
- Understanding of construction plans

Education:

- High school
- A community college degree in Building Inspection Technology

Credentials:

- Certifications in the building, plumbing, electrical, mechanical, accessibility, CALGreen and energy codes issued by the IAEI, IAPMO, ICC, NFPA, or other appropriate organization

Building or Permit Technician

Experience:

- Administrative duties within a building department

Minimum Education:

- High school
- Training on building permit issuance

Credentials:

- Permit or Building Technician certification by ICC or other appropriate organization

These desirable qualifications are just suggestions. They are not a minimum standard, nor is it necessary that a candidate must have all of the experience and certifications cited. Each local government agency must assess its own needs, conditions and

availability of candidates. Also, HSC Section 18949.28 allows certification(s) deemed appropriate by the employing building department to be obtained by the employee within one year of employment.

In order to recruit qualified candidates, many local jurisdictions advertise their available building department positions on the websites of the International Code Council (ICC), ICC Chapters and CALBO.



Resources

Building officials and support staff are encouraged to become acquainted with [CBSC's website](http://dgs.ca.gov/BSC) (dgs.ca.gov/BSC) and the many educational resources available. All CBSC educational materials are available to download or print for department personnel, especially new hires.

The following websites may also be useful:

- [California Legislative Information website](http://leginfo.legislature.ca.gov/faces/codes) (state laws and activities of the legislature): leginfo.legislature.ca.gov/faces/codes
- [California Code of Regulations](http://oal.ca.gov) oal.ca.gov
- [Department of Housing and Community Development](http://hcd.ca.gov) hcd.ca.gov
- [Division of the State Architect](http://dgs.ca.gov/DSA) dgs.ca.gov/DSA
- [Office of the State Fire Marshal](http://osfm.fire.ca.gov) osfm.fire.ca.gov
- [Department of Health Care Access and Information](http://hcai.ca.gov) hcai.ca.gov
 - Formerly the Office of Statewide Health Planning and Development
- [California Energy Commission](http://energy.ca.gov) energy.ca.gov
- [California Commission on Disability Access](http://dgs.ca.gov/CCDA) dgs.ca.gov/CCDA
- [State Historical Building Safety Board](http://dgs.ca.gov/DSA/About/collaborative_task_forces/Page-Content/shbsb) dgs.ca.gov/DSA/About/collaborative_task_forces/Page-Content/shbsb
- [California Architects Board](http://cab.ca.gov) cab.ca.gov
- [Board for Professional Engineers, Land Surveyors and Geologists](http://bpelsg.ca.gov) bpelsg.ca.gov