



### **What is eligible for the Amnesty Program?**

This amnesty program is designed to protect public safety while offering a practical solution for homeowners with unpermitted structures. It balances the need for compliance with the realities of retrofitting older buildings, making it feasible for homeowners to bring their properties up to code without undue financial burden.

The program will allow the City of Riverside to permit and approve unpermitted construction work. Anyone who voluntarily applies to the Amnesty Program may have the unpermitted construction at their property permitted by the City, provided that the work and materials comply with all minimum program and building code requirements as defined by the California Building Standards Code (Title 24, California Code of Regulations).

### **What is undocumented construction work?**

Unpermitted construction work is any work completed at a property for which no building permit(s) were obtained or permit records do not exist. Only residential structures and accessory dwelling units (ADUs) qualify under this program

### **What Zoning and Building Codes must be complied with?**

It will be necessary for the undocumented construction to comply with all Zoning and Building Codes and City Charter regulations in effect at the time of the original construction. The California Building Standards Code (Title 24)

The first step in the Amnesty Program application process is to establish the date of the unpermitted construction. Through a combination of physical Inspection and review of available evidence, the Building Official will establish the presumed date of construction for the unpermitted construction. Please see the attached information sheets regarding ceiling heights and window requirements. California Building Code (CBC) Sections 107 and 111 require construction documents and inspections to be submitted and conducted for such works.

### **Will the City need to perform any inspections as part of the program enrollment process?**

Yes, a critical part of the program will involve a City Building Inspector inspecting the unpermitted construction to determine whether any health or life safety violations need to be corrected. Inspections will be conducted per California Building Code Section 110, and the property owner must consent to this inspection as a condition of participating in the program.

### **How quickly must corrective work be completed?**

Significant health and life safety violations as defined by California Health and Safety Code Section 17920.3 must be corrected within thirty (30) days. All necessary building permits and zoning approvals must be obtained to correct other minor violations and any other work required to legalize undocumented construction within one year from the program enrollment date. All necessary construction must be completed within one year from the date the correction permits are issued.

California Building Code Sections 105.3.1 and 108 govern the timelines for corrective actions and permit obtaining. As per CBC Section 105.5, the construction must be completed within one year from the date the correction permits are issued.

### **Is it possible to “back out” of the program?**

It would be possible to “back out” of the program before the City inspects the undocumented construction to determine whether any health or life safety violations require correction. Potential program applicants are encouraged to participate in pre-qualification conferences/discussions with City staff to educate and inform themselves of their rights and obligations once they enroll in the program so that they may make informed decisions.



### **Will any permit or development fees need to be paid as part of the Amnesty Program?**

Yes. As per California Government Code Section 66014, any building permit or development fees in effect at the time of the original construction that would have applied to the construction would need to be paid. The amount of the required fee would be based upon the current fee schedule. However, anyone who voluntarily enrolls in the Amnesty Program would be exempt from all investigative fees.

### **Will it be necessary to prepare any building plans?**

A fully dimensioned plot plan and floor plan(s) of the existing building are required. The plot plan and floor must be drawn to scale in compliance with California Building Code Sections 107 and must meet the submission standards provided by the city. Please see the attached submittal checklist.

### **What happens if a property is sold after enrollment in the program?**

If the property is sold after the program enrollment, the seller must obtain all the required building permits for repairs or correction work before the transfer of property title. As per California Civil Code Section 1102.6, the seller is required to disclose any unpermitted work, and the permits must be transferred to the new owner, who will then be responsible for completing all necessary corrective work.

### **Relevant Code References**

#### **Senate Bill 1226:**

Provides guidelines for retroactive permits and sets standards for evaluating existing unpermitted structures under current building codes.

#### **California Building Code (CBC):**

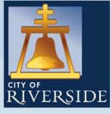
Outlines safety standards and requirements for all buildings. Chapters related to structural, health & safety, and egress are crucial for this program.

#### **California Existing Building Code (CEBC):**

Specializes in the application of current codes to existing buildings, including historic buildings, and outlines alternative compliance paths.

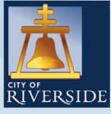
#### **Health and Safety Code (Sections 17920.3 and 17980.6):**

Defines substandard conditions and gives local authorities the power to enforce corrections on structures that pose risks to health and safety.



## PROCEDURES

1. Complete and submit the "Application for Amnesty Program."
  - a. All applicable items on the "Undocumented Construction Submittal Checklist" must be submitted with the application.
  - b. A fee of \$40.00 is to be submitted at the time of application.
2. The Building Official will review the application and determine if the application can be approved for the program.
  - a. If approved, staff will contact the applicant to pay the remaining fee of \$210.00 to set up the inspection.
  - b. If Denied – further processing ceases, and the applicant is advised of reasons for the denial and possible options
3. Inspection: A mutually agreeable date and time will be set for City staff to conduct an inspection of the subject property to:
  - a. Determine the date of construction if necessary
  - b. Identify all zoning, health, and life safety issues that need to be resolved for the City to permit the unpermitted construction
  - c. Inspections are conducted on Wednesdays and Thursdays at 10:30 a.m. or 1:30 p.m. The applicant or an adult representative of the applicant must be present at these inspections. Inspections will be conducted in compliance with CBC Section 110.3
4. Within the (10) days following the Inspection, the applicant will be provided with written inspection reports that identify all Health and Life Safety violations and other issues that must be resolved in order for the City to recognize the subject undocumented construction. The inspection report will identify the necessary building permits and zoning permit approvals for the subject's unpermitted construction to be recognized by the City. The Inspection reports will also identify milestone deadlines for the various issues.
5. Applicant submits necessary information (if any needed) to obtain necessary permits and approvals as soon as possible after Inspection.
  - a. Permits are reviewed and issued in accordance with CBC section 105
  - b. Correction work must be completed within one year from the date permits are issued, per CBC section 105.5
6. City finalizes Amnesty Program application and updates City records.



## APPLICATION FOR AMNESTY PROGRAM

(Please print clearly in blue or black ink only.)

Application Number: \_\_\_\_\_

Property Location:

\_\_\_\_\_

Property Owner Information

Name

Phone Number

Mailing Address (Street, City, State, Zip)

Description of Work Requested to be Recognized by Amnesty Program (Describe specifically all work to be included.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Supporting Arguments (Please use additional sheets if necessary and attach copies of any supporting information.)

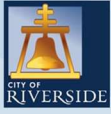
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Date of Construction (Provide estimated date that construction work was completed.)

\_\_\_\_\_

Are you requesting recognition of additional dwelling units?

- Yes (Proof of occupancy must be provided within the time frame).
- No



**Applicant's Certification**

*I certify that I have read all information in this application package and state that the information given in this application is true and correct to the best of my knowledge. I hereby authorize representatives of the City to enter upon the above-mentioned property for inspection purposes related to this application.*

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print name

**Settlement Agreement**

*This application package, upon approval by the City of Riverside, constitutes a settlement agreement between the property owner(s) and the City of Riverside to resolve all building and housing violations or non-compliance associated with the subject project and that, absent property owner's breach of this settlement agreement, the City will not assess or collect any ordinary investigative fees on any "as built" permit or other required permits issued for any work associated with this project.*

City of Riverside – Approved by:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

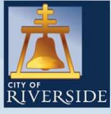
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Property Owner – Concurred by:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

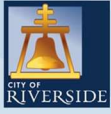
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## UNDOCUMENTED CONSTRUCTION SUBMITTAL CHECKLIST

- Permit Application
- Certified City of Riverside Property Permit History (fee per schedule)
- Certified copy of County of Riverside Residential Building Record (must be original with red ink stamp – not copy.) Can be obtained in person from:
  - Riverside County Assessor's Office
  - 4080 Lemon St
  - Riverside, CA 92501
- Plot Plan – fully dimensioned and drawn to scale, showing all buildings and parking areas
- Floor Plans – of all floors in the subject building, fully dimensioned and drawn to scale, including the height of ceilings, window sizes, and type, and each room labeled for use
- If Units – Copy of City of Riverside Business License
- If Units – City of Riverside Unit Determination and copies of applicable permits (fee per schedule)
- If Units – Proof that subject dwelling unit(s) has been occupied between August 12, 1993, and December 31, 2007 (income tax records, utility bills, etc.)
- Design Review Application (needed if exterior changes were made).
- Photos (if available) – Dated, showing approximate time of construction
- Letters from neighbors, tenants, previous owners, etc., verifying the existence of units or construction

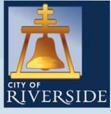





## TYPICAL HEALTH AND LIFE SAFETY VIOLATIONS

The City of Riverside requires all Health and Life Safety violations to be corrected within 30 days from the date the city building inspector identifies them. Health and Life Safety violations include but are not limited to the following:

1. Lack of adequate means of exit
2. Lack of smoke detectors in each sleeping room and each hallway or room leading to sleeping rooms
3. Holes or gaps in wall and ceiling finish in occupied rooms
4. The door which swings open over a step without landing
5. Stairways with rise heights that vary more than 3/8-inch
6. Excessive stairway rise height or substandard stairway run length (Apartments: Rise < 7", Run > 11")  
(Single Family Dwelling: Rise < 8", Run > 9")
7. Enclosed usable space under stairs without 1-hour fire-rated protection
8. Lack of rescue windows in sleeping rooms and basement (openable area > 5.7 square feet, opening height > 24", opening width > 20")
9. Lack of handrail and/or guardrail at stairs
10. Lack of guardrail at porch, deck, or landing more than 30" above grade
11. Gas appliance with pilot light in sleeping room (water heater, furnace, etc.)
12. Lack of address numbers visible from the street
13. Lack of 1-hour occupancy separation between attached garage and living space
14. Lack of 1-hour occupancy separation between any common storage area or laundry room and any living space in an apartment building
15. Lack of door between toilet room and food preparation area
16. Exit door without thumb latch (key required to exit)
17. Lack of natural light and ventilation in occupied room (windows > 10 % of floor area, openings > 5% of floor area)
18. Unsafe/inoperable fireplace with open firebox
19. Lack of hot and cold water supply
20. Lack of adequate air gap at tub or sink (faucet discharge < 1-1/2" above flood rim)
21. Lack of earthquake bracing at the water heater
22. Lack of combustion air in the water heater or furnace room



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23. Lack of adequate heating in occupied rooms (70 degrees at point 3 feet above the floor)
  24. Lack of or inadequate venting of the sewer system
  25. Lack of adequate flue from water heater or gas heater
  26. Plastic sewer drain exposed at the exterior of the building
  27. Lack of adequate gas shutoff valve at water heater or furnace
  28. Lack of adequate temperature & pressure relief valve (T&P Valve) at water heater
  29. Open sewer pipe; sewer clean out without proper cap or plug
  30. Lack of approved dryer exhaust vent
  31. Lack of P-trap at the sink drain
  32. Missing or damaged light fixtures, receptacles, and/or switches
  33. Lack of ground fault protected (GFI) receptacles in wet areas (within 6 feet of kitchen or bathroom sink and bathtub or shower)
  34. Exposed and/or damaged wiring
  35. Reverse polarity at receptacles
  36. Unsafe electrical equipment
  37. Damaged or missing cover plates
  38. Open conductors
  39. Wire splice/connection outside of approved junction box
  40. Lack of proper cover at electrical panel



## MINIMUM CEILING HEIGHTS IN AMNESTY UNITS

This code interpretation will replace previous interpretations on this issue. Ceiling heights in amnesty units shall comply with those in effect when the unit or space was constructed. The most liberal interpretation of the following chart will be made in each case. Ceiling heights may be lower if a more recent code allows for a lower height.

Codes	Effective Dates	Habitable Rooms	Sleeping Rooms	Kitchens	Toilet Rooms	Laundry, Storage, Utility Rooms	Corridors & Hallways	Basement with no habitable space or hallways
1927-1940	5/21/29-8/5/46	None	None	None	None	None	None	None
1946	8/6/46-8/14/50	7'-6" in 40 sq. ft. min.	7'-6" in 40 sq. ft. min.	7'-6" in 25 sq. ft. min.	None	None	None	None
1949-1964	8/15/50-1/17/72	7'-6" in 40 sq. ft. No portion may be less than 5'-0"	7'-6" in 40 sq. ft. No portion may be less than 5'-0"	7'-6" in 25 sq. ft. No portion may be less than 5'-0"	7'-6" No portion may be less than 5'-0"	None	None	None
1970-1973	1/18/72-10/31/77	7'-6" Exceptions #1 & #2	7'-6" Exceptions #1 & #2	7'-6" Exceptions #1 & #2	7'-0" Exceptions #1 & #2	7'-6" Exceptions #1 & #2	7'-0" Exceptions #1 & #2	None
1976-1979	11/1/77-12/16/85	7'-6" Exceptions #1 & #2	7'-6" Exceptions #1 & #2	7'-6" Exceptions #1 & #2	7'-0" Exceptions #1 & #2	7'-0" Exceptions #1 & #2	7'-0" Exceptions #1 & #2	None
1985-2007 CBC	12/17/85-12/31/07	7'-6" Exceptions #1, #2, #3	7'-6" Exceptions #1, #2, #3	7'-0" Exceptions #1, #2, #3	7'-0" Exceptions #1, #2, #3	None	7'-0" Exceptions #1, #2, #3	None
2008-2013 CBC	1/1/08-12/31/16	7'-6" Exceptions #1 & #2	7'-6" Exceptions #1, #2, #4	7'-0" Exceptions #1 & #2	7'-0" Exception #1	7'-0" Exception #1	7'-6" Exceptions #1, #2, #4, #5	None
2010-2013 CRC	12/31/16	7'-0" Exceptions #1, #6, #7	7'-0" Exception #1	7'-0" Exception #1	7'-0" Exceptions #1 & #6	7'-0" Exceptions #1	7'-0" Exceptions #1	6'-8"
2016 CBC	1/1/17	7'-6" Exception #1	7'-6"	7'-0"	7'-0"	7'-0"	7'-6"	6'-8" Exceptions #1, #6, #7
2016 CRC	1/1/17	7'-0" Exceptions #1, #6, #7	7'-0" Exceptions #1, #6, #7	7'-0" Exceptions #1, #6, #7	6'-8" Exceptions #1, #6, #7	6'-8" Exceptions #1, #6, #7	7'-0" Exceptions #1, #6, #7	6'-8" Exceptions #1, #6, #7



Exception #1 -- If any room in a building has a sloping ceiling, the prescribed ceiling height is required in only one-half the area. No portion of the room measuring 5 feet from the finished floor to the finished ceiling shall be included in any computation of the minimum area.

Exception #2 -- If any room has a furred ceiling, the prescribed ceiling height is required in two-thirds of the area thereof, but in no case shall the height of the furred ceiling be less than 7 feet.

Exception #3 -- Where exposed beam ceiling members are spaced at less than 48" on center, ceiling height shall be measured to the bottom of these members; where exposed beam ceiling members are spaced at 48" or more on center, ceiling height shall be measured to the bottom of the deck

Exception #4 -- In one- and two-family dwellings, beams or girders spaced at least 4 feet on center, projecting not more than 6 inches below the required ceiling height.

Exception #5 -- 7'-0" minimum ceiling height allowed in residential buildings built prior to 1942. (AMC Section 13-2.2).

Exception #6 -- The ceiling height above bathroom and toilet room fixtures shall be such that the fixture can be used for its intended purpose. A shower or tub equipped with a showerhead shall have a ceiling height of not less than 6'-8" (2032 mm) above an area of not less than 30 inches (762 mm) by 30 inches (762 mm) at the showerhead.

Exception #7 -- Beams, girders, ducts, or other obstructions in basements containing habitable space shall be permitted to project to within 6'-4" (1931 mm) of the finished floor.



## REQUIREMENTS FOR REPLACING BEDROOM WINDOWS IN EXISTING HOMES

Minimum of one (1) window per bedroom unless there is a door to the exterior.

Many fire-related casualties occur when occupants of residential buildings are asleep at the time of the fire. Section 310.4 of the California Building Code requires that:

Basements in dwelling units and every sleeping room below the fourth story shall have at least one operable window or door approved for emergency escape or rescue that opens directly into a public street, public alley, yard, or exit court. The emergency door or window shall be operable from the inside to provide a complete, clear opening without using separate tools.

1. The net clear opening shall have a minimum net clear openable area of 5.7 square feet.
2. The minimum net clear open width dimension shall be 20 inches.
3. The minimum net clear open height dimension shall be 24 inches.
4. The finished sill height shall be at most 44 inches above the floor.

Year House Constructed	Does CBC require bedroom egress?	Net Opening Size	Minimum Opening Dimensions (see below)	Sill Height (maximum from finished floor)
Prior to 1964	Window Size Only	6 sq. ft. (Window size only)	None	None
1964 to 1980	Yes	5 sq. ft. (Net Opening)	22 inches – height 22 inches - width	48 inches
1980 to Present	Yes	5.7 sq. ft. (Net Opening)	24 inches – height 20 inches – width	44 inches

Minimum Opening Sizes of at Least One (1) Bedroom Window to Meet Requirements for Emergency Escape and Rescue (in inches)															
Width	20.0	20.5	21.0	21.5	22.0	22.5	23.0	23.5	24.0	24.5	25.0	25.5	26.0	26.5	27.0
Height	41.0	40.0	39.1	38.2	37.3	36.5	35.7	34.9	34.2	33.5	32.8	32.2	31.6	31.0	30.4
Width	27.5	28.0	28.5	29.0	29.5	30.0	30.5	31.0	31.5	32.0	32.5	33.0	33.5	34.0	34.2
Height	29.8	29.3	28.8	28.3	27.8	27.4	26.9	26.5	26.1	25.7	25.3	25.1	24.9	24.1	24.0

Remember to allow from frame size when measuring width and height. Formula to calculate window square footage: width x height over by 144 (in inches)