

ATTACHMENT 6 - Alameda Program Guidelines



AMNESTY PROGRAM FOR UNDOCUMENTED CONSTRUCTION

Community Development • Planning & Building
2263 Santa Clara Ave., Rm. 190 Alameda, CA 94501-4477
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Hours: 7:30 a.m.–3:30 p.m., M–Th

What is eligible for the Amnesty Program?

The Amnesty Program will allow undocumented construction work within the City of Alameda to be approved by the City. Anyone who voluntarily applies to the Amnesty Program may have the undocumented construction at their property recognized by the City provided that the work and materials comply with all minimum program and code requirements.

What is undocumented construction work?

Undocumented construction work is any construction work completed at a property for which no City permit(s) were obtained or for which no permit records exist. This includes large jobs such as room additions, kitchen remodels, or small jobs such as adding plumbing for an additional sink. This also includes undocumented dwelling units.

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 first step in the Amnesty Program application process is the establishment of the date of the undocumented construction. Through a combination of physical inspection and review of available evidence, the Building Official will establish the presumed date of construction for the undocumented construction. Please see attached information sheets regarding ceiling heights and window requirements.

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

Yes, a major part of the program will be the inspection of the undocumented construction by a City Inspector to determine whether any health or life safety violations exist that needs to be corrected. The property owner must consent to inspection as a condition of participating in this program.

How quickly must corrective work be completed?

Extreme health and life safety violations will be required to be corrected within thirty (30) days. All necessary Building Permits and Zoning approvals must be obtained for the correction of other minor violations and any other work necessary to legalize the 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.

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

It would be possible to “back out” of the program prior to the time that the undocumented construction is inspected by the City to determine whether there are any health or life safety violations that required 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 into the program so that they may make informed decisions.

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

Yes. Any City permit fees or development fees in effect at the time of the original construction and that would have been applicable to the construction would need to be paid. The amount of the required fee would be based upon the current schedule of fees. Anyone who voluntarily enrolls into the Amnesty Program would be exempt from all investigative fees.

Will it be necessary to prepare any building plans?

It is necessary to prepare a fully dimensioned plot plan and floor plan(s) of the existing building. The plot plan and floor must be drawn to scale. Please see attached submittal checklist.

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

Prior to any property sale or transfer of title, the City will require all necessary permits for the necessary repair or correction work to be obtained by the seller. Prior to the final close of escrow, the seller would need to transfer the permits to the new owner. The new owner would then be responsible for completion of all the necessary correction work.

PROCEDURES

1. Complete and submit "Application for Amnesty Program."
 - a. All applicable items on "Undocumented Construction Submittal Checklist" must be submitted with the application.
 - b. Fee of \$40.00 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 applicant to pay remainder fee of \$210.00 to set up the Inspection.
 - b. If Denied – further processing ceases and applicant is advised of reasons for 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 date of construction if necessary
 - b. Identify all zoning, health and life safety issues that need to be resolved in order for the City to recognize the undocumented construction
 - c. Inspections are conducted on Wednesdays and Thursdays at either 10:30 a.m. or 1:30 p.m. The applicant or an adult representative of the applicant must be present at this inspection.
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 which 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 Permits and Approvals in order for the subject undocumented 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
 - b. Correction work completed one year from date permits are issued.
6. City finalizes Amnesty Program application and updates City records.