

	CITY OF OCEANSIDE Building Division 300 N Coast Highway Oceanside, CA 92054 760-435-3950 www.ci.oceanside.ca.us	I.B. 124
		2022 California Code
		1/1/2023-12/31/2025 <i>Effective Date</i>

Permit Issuance and Submittal Requirements

Informational Bulletin

The following information is provided to assist Building Division customers in understanding the requirements that the Building Division must enforce when issuing permits.

Who Can Sign a Building Permit?

Per the requirements of the Contractors License Law, a building permit may be issued to (i.e., must be signed by) the owner of the property on which the improvements are being made, or a licensed contractor. The person signing the permit is required to declare, under penalty of perjury, that they are the property owner or a licensed contractor (see below for authorized agent information), and also declare who is actually going to do the work, i.e., are they going to do it all themselves, or are they going to have employees doing the work, or are they going to hire licensed contractors exclusively to do the work. Depending on who is going to do the work, the permittee may be required to have workers compensation insurance, and if so, must provide evidence of insurance as a condition to permit issuance (see below for more information regarding workers compensation insurance).

Owner-Builder

When the property owner obtains the permit, the property owner must sign the permit, and, per Health and Safety Code Section 19830, the Building Division must obtain an "Owner-Builder Verification" also signed by the property owner. This statute sets requirements for the issuance of permits to owners as builders, and is intended to prevent unlicensed contractors from being able to obtain building permits either in their own name or by convincing the owner to obtain an "Owner-Builder" permit under false pretenses. The procedure gives property owners a lot of information about the legal requirements associated with building permits.

If the property owner is a corporation, the person signing the permit must be an officer of the corporation. See Special Requirements for Corporations below.

Licensed Contractor

A person or firm licensed by the State of California as a contractor may sign a building permit if they have the appropriate classification of license. For example, in order to obtain a permit to do electrical work only, the contractor must be licensed as an electrical contractor.

A General Building Contractor (B classification) may obtain a permit when the job for which they are contracting consists of more than two separate specialty classifications, i.e., framing, electrical and plumbing, or concrete, framing and roofing, etc.

Signature Authorization

The property owner or contractor (a person whose name appears on the contractor license) may authorize others (tenants, employees, architects, etc.) to sign building permits on their behalf. The Building Division has prescribed a format for signature authorization letters. In order for a signature authorization letter to be accepted, it must meet the prescribed format (see samples attached). To avoid requiring

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signatures to be notarized, the Building Division will accept signature authorization letters signed under the penalty of perjury, and will mail a copy of the letter to the person signing the authorization as a control against misrepresentation.

The Building Division will not keep signature authorization letters on file. The applicant’s representative must bring the signature authorization letter with them each time they apply for a permit. The Building Division will make two copies of the signature authorization letter when it is presented. One copy is placed in the plan check file or attached to the permit for over-the-counter permits; the other copy is placed in the box in the administration area to be sent to the owner.

Special Requirements for Corporations

When the owner or contractor is a corporation, evidence of authority to sign the permit (and/or the Signature Authorization) must be provided.

A copy of Board of Directors minutes, resolution or articles of incorporation may be submitted to prove that individuals have the authority to sign for the corporation.

Partnerships

If the owner or contractor is a Limited Partnership, a Certificate of Limited Partnership (State Form LP-1) is sufficient to establish the authority of a single General Partner to bind the Limited Partnership. If the owner or contractor is a General Partnership, a Certificate of General Partnership or General Partnership Agreement is sufficient to establish the names of all general partners of a General Partnership. All general partners must sign the documents unless proof is submitted which authorizes an individual partner to bind the other general partners.

Workers Compensation Insurance

Owner-Builder - Owners may do all of the work associated with the permit themselves, may hire employees to do the work, or may hire licensed contractors to do the work, or a combination of any or all of these. If there are persons doing the work for compensation other than the property owner or a State licensed contractor, the property owner must provide workers compensation insurance coverage for those “employees”, and the Building Division may not issue the permit without witnessing a certificate of insurance documenting coverage. Authorization to sign the permit on behalf of the property owner does not exempt an agent from the need for workers compensation insurance. Property owners who obtain the permit as owner-builder and declare that they will hire licensed contractors to do some or all of the work are responsible for verifying workers compensation insurance coverage as protection for their interests.

Contractor - If contractors have employees, they must provide evidence of workers compensation insurance coverage. Contractors who do all of the work themselves, or who hire other licensed contractors to do all or part of the work, and have no employees, are exempt from workers compensation insurance coverage and may declare this on the permit.