

## **LEGISLATIVE DIGEST**

[Building Code –Third Party Expert Fees]

**Ordinance amending Building Code, Section 107A, and Table 1A-B of Section 110A, to allow recovery of costs of third party experts and other permit related expenses; and affirming the Planning Department’s determination under the California Environmental Quality Act.**

### Existing Law

The Building Code does not contain provisions allowing the Department of Building Inspection (“Department”) to recover costs for third party experts or other permit related expenses.

### Amendments to Current Law

The Proposed Legislation would allow the Department to recover third party expert fees or other permit related expenses from permit applicants. The Department shall charge the estimated costs for expert fees to the applicant before deeming the application complete. The costs shall be based on actual costs that the Department incurs in administering and processing the action or procedure on a time and materials basis. The Department shall recover any fees above the estimated amount from the applicant prior to issuing the final decision on an action. If the estimated fees exceed actual fees, the Department of Building Inspection shall refund the difference to the applicant.

### Background Information

The Proposed Legislation allows the Department to engage third party experts to assist in evaluating permits for complex projects. Direct engagement eliminates the need for the Department to coordinate third party experts with permit applicants, and allows the Department to more efficiently select and utilize experts to address Department needs.

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