



City of Laguna Beach

Community Development
Department

INFORMATIONAL GUIDE FOR:

DUPLICATION AND INSPECTION OF CONSTRUCTION PLANS

State law addresses the subject of duplication and inspection of construction plans for which building permits have been issued.

California Health and Safety Code Section 19850

This section requires the Community Development Department of Laguna Beach to maintain an official copy, which may be on microfilm or other type of photographic media copy, of the plans of every building, during the life of the building, for which the Department has issued a Building Permit. The Community Development Department maintains the original paper prints for four years after the construction project is finished. The prints are also scanned and digital files are maintained for the life of the structure.

Section 19851

This section provides as follows:

(a) The official copy of the construction plans maintained by the Community Development Department provided for under Section 19850 shall be open for inspection only on the premises of the Community Development Department as a public record. The copy may not be duplicated in whole or in part, including digital or film photographic copies, except with the written permission, which permission shall not be unreasonably withheld as specified in subdivision (f), of the certified, licensed or registered professional or his or her successor, if any, who signed the original documents and the written permission of the original or current owner of the building, or, if the building is part of a common interest development, with the written permission of the board of directors or governing body of the association established to manage the common interest development; or by order of a proper court or upon the request of any state agency.

(b) The Community Development Department, upon receipt of a request to duplicate the official copy of the plans, shall request written permission to do so from the certified, licensed or registered professional, or his or her successor, if any, who signed the original documents and from:

- 1) The original or current owner of the building; or
- 2) If the building is part of a common interest development, from the board of directors or other governing body of the association established to manage the common interest development.

(continued)

(c) The Community Development Department shall also furnish the form of an affidavit to be completed and signed by the person requesting to duplicate the official copy of the plans, which contains provisions stating all of the following:

1) That the copy of the plans shall only be used for the maintenance, operation and use of the building.

2) That drawings are instruments of professional service and are incomplete without the interpretation of the certified, licensed or registered professional of record.

3) That subdivision (a) of Section 5536.25 of the Business and Professions Code states that a licensed architect who signs plans, specifications, reports or documents shall not be responsible for damage caused by subsequent changes to, or use of, those plans, specifications, reports or documents where the subsequent changes or uses, including changes or uses made by state or local governmental agencies, are not authorized or approved by the licensed architect who originally signed the plans, specifications, reports or documents, provided that the architectural service rendered by the architect who signed the plans, specifications, reports or documents was not also a proximate cause of the damage.

(d) The request by the Community Development Department to a licensed, registered, or certified professional may be made by the Community Development Department sending a registered letter to the licensed, registered or certified professional requesting his or her permission to duplicate the official copy of the plans and sending with the registered letter, a copy of the affidavit furnished by the Community Development Department which has been completed and signed by the person requesting to duplicate the official copy of the plans. The registered letters shall be sent by the Community Development Department to the most recent address of the licensed, registered or certified professional available from the California State Board of Architectural Examiners.

(e) The City Council may establish a fee to be paid by any person who requests the Community Development Department to duplicate the official copy of any plans pursuant to this section, in an amount which it determines is reasonably necessary to cover the costs of the Community Development Department pursuant to this section.

(f) The certified, licensed or registered professional's refusal to permit the duplication of the plans is unreasonable if, upon request from the Community Development Department, the professional does either of the following:

1) Fails to respond to the local building department within 30 days of receipt by the professional of the request. However, if the Community Development Department determines that the professional is unavailable to respond within 30 days of receipt of the request due to serious illness, travel or other extenuating circumstances, the time period shall be extended by the Community Development Department to allow the professional adequate time to respond, as determined to be appropriate to the individual circumstance, but not to exceed 60 days; or

2) Refuses to give his or her permission for the duplication of the plans after receiving the signed affidavit and registered letter specified in subdivisions (c) and (d).

Unapproved Conceptual Plans in the Entitlement Review Process

The Community Development Department will copy development plans in the review stage at a cost of 55¢ per 11-inch by 17-inch sheet plus an administrative overhead charge of \$5.00. In addition, a bonded copier service may be utilized to obtain full-size copies of plans under review. Once a Building Permit is issued, the above procedures must be followed in order to obtain copies of the official construction set of plans.