



Building & Safety Division

Community Development Department
Hipolito Olmos, Building Official
7351 Rosanna Street, Gilroy, CA 95020
Phone: 408 846-0451 Fax: 408 846-0429
Visit us: www.cityofgilroy.org

Building/Working Prior to Permit Issuance Policy

Building/Working Prior to Permit Issuance Policy

Construction work shall not be performed on a new or existing building without having an issued building permit at the site. A 'Foundation Only' or a 'Partial' permit (and a separate demolition permit if applicable) is required for any work being performed on a project prior to actual issuance of the full building permit; see below for exceptions. These permits allow a contractor to move forward with new work or alteration type work. Issuance of a 'Foundation Only' or 'Partial' permit should be discussed with the applicant at the time plans are submitted. The following are general reminders and guidelines:

- If our inspectors see work being performed which requires a building permit and there is not a building permit issued for the job, a Stop Work Order shall be issued. If an applicant has applied for a permit, but the permit has not been issued, it is still a violation of the State Building Standards Code to begin any work. Having a plan submitted to our Building Inspection staff for review does not suffice as meeting the permitting requirements. Our enforcement of this policy shall be uniform and consistent.
- If it appears that excessive work was completed or performed in the time period between issuance of the permit and the first inspection, notify the contractor that they will receive a notice of violation and will be assessed violation fees if they are caught working without a permit. Speculation of appropriate amount of work for such a time period can generally be determined and supported through our inspector's expertise and knowledge of the construction industry's processes and typical construction crew productivity standards. Discretion in the issuance of a violation for such a situation may warrant communication and advisement between the inspector and his supervisor. However, if the builder/permit holder has covered work which requires inspection, the inspector should consult his supervisor and issue the appropriate 're-inspection fee', Stop Work Order and/or other form of violation notice.

When starting new building (construction) work or when addition type work is performed without possession of an issued building permit, our staff should be consistent with its enforcement of these policies.

General guidelines:

- 1) Grubbing and minimal grading of property could typically be done, however the contractor/developer is responsible to verify there are no special environmental or other conditions that would prohibit disturbing the site prior to moving onto the site.
- 2) Erosion, Sediment and Water Pollution Control practices must be in place as required. Failure would result in a 'Notice'. Grading or excavation that exceeds 350 cubic yards of soil requires a Grading Permit.
- 3) Staking, placing batter boards and lining out the job is acceptable. Trenching for footings when not excessive in quantity or depth is acceptable.
- 4) A building permit is not required for any work listed as "work exempt form permit" in the adopted Title 24 California Building Codes Scope and Administrative chapter.
- 5) Mobilization of job shacks, equipment/material, sanitary facilities, and establishment of a materials/laydown yard is acceptable unless a grading permit is required.
- 6) No foundation forming, underground plumbing, underground electrical or utility work shall be performed. Foundation reinforcement shall not be placed.
- 7) Inspections and/or verification of any type of work shall not be performed by our inspection staff without a valid, issued building permit on the project site.
- 8) A demolition permit shall be closed out (finalized) prior to performing inspections for the subsequent issued permits.

Partial Permits: For Alteration/Tenant Improvement Work

To facilitate an early construction start, an issued 'early start permit' allows interior non-structural work to begin prior to full project plan approval. Our plan review staff will determine if a partial permit can be issued. Installation of non-structural framing is also generally acceptable with an issued 'Partial Permit'. One siding of non-structural walls shall only be allowed on a case-by-case basis if approval is granted by each of the structural, electrical and plumbing/mechanical inspectors in advanced. It shall not cover or obscure any part of the construction or obstruct light for any part of the project. In any case, work installed above the slab level is done entirely at the applicant's own risk.

Foundation Only Permits: For New Buildings and/or Additions

A 'Foundation Only' permit will allow inspections and construction of the foundation and underground plumbing and electrical. No construction is permitted above the slab or foundation including structural or non-structural framing, masonry walls, tilt-up panels, plumbing, mechanical or electrical.